HOUSE OF REPRESENTATIVES—*Wednesday, April 8, 1992*

The House met at 11 a.m.

The Reverend Dr. Robert B. Howerton, Jr., senior vice president, health and welfare ministries, Methodist Health Systems, Memphis, TN, offered the following prayer:

Dear God, whose breath is like the dawn of a new day and whose arms are like the great rocks that support the land and the sea, we bow our heads to thank You for Your grace which is like a canopy of love spread over our lives.

May our land be a place of justice; a land of plenty, where poverty shall cease to fester; a land where people have rewarding work and time for play; a land of brotherhood, sisterhood and peace, where order need not rest on force. Let love for our country be paramount.

Guide by Your higher wisdom the President and Members of Congress. Give us grace and wisdom to complete our task. 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.

Mr. NAGLE. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER. The question is on the Chair's approval of the Journal.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. NAGLE. 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. 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 282, nays 120, answered "present" 1, not voting 31, as follows:

[Roll No. 73]

YEAS—282

Abercrombie
Ackerman
Anderson
Andrews (ME)
Andrews (NJ)
Andrews (TX)
Annunzio
Applegate
Archer
Aspin
Atkins
AuCoin
Bacchus
Barnard
Bateman
Beilenson
Bennett
Berman
Bevill
Bilbray
Bonior
Borski
Boucher
Brewster
Brooks
Broomfield
Browder
Brown
Bruce
Bryant
Bustamante
Byron
Campbell (CO)
Cardin
Carper
Carr
Chapman
Clement
Clinger
Coleman (TX)
Collins (IL)
Collins (MI)
Combest
Condit
Conyers
Cooper
Cox (IL)
Coyne
Cramer
Darden
de la Garza
DeFazio
DeLauro
Dellums
Derrick
Dicks
Dingell
Donnelly
Dooley
Dorgan (ND)
Downey
Dreier
Durbin
Dwyer
Dymally
Early
Eckart
Edwards (CA)
Edwards (TX)
Engel
English
Erdreich
Espy
Evans
Ewing
Fascell
Fazio
Fish
Flake
Foglietta
Ford (TN)
Frank (MA)
Frost
Gaydos
Gejdenson
Gephardt
Geren
Gibbons
Gilchrest
Gillmor
Gilman
Glickman
Gonzalez
Gordon
Gradison
Green
Guarini
Gunderson
Hall (OH)
Hall (TX)
Hamilton
Hammerschmidt
Harris
Hatcher
Hayes (LA)
Hefner
Hertel
Hoagland
Hochbrueckner
Horn
Horton
Houghton
Hoyer
Hubbard
Huckaby
Hughes
Hutto
Hyde
Jenkins
Johnson (CT)
Johnson (SD)
Johnson (TX)
Johnston
Jones (NC)
Jontz
Kanjorski
Kaptur
Kasich
Kennedy
Kennelly
Kildee
Kleczka
Klug
Kolter
Kopetski
Kostmayer
LaFalce
Lancaster
Lantos
LaRocco
Laughlin
Lehman (CA)
Lehman (FL)
Lent
Levin (MI)
Lewis (GA)
Lipinski
Livingston
Lloyd
Long
Luken
Manton
Markey
Martinez
Matsui
Mavroules
Mazzoli
McCloskey
McCrery
McCurdy
McDermott
McGrath
McHugh
McMillen (MD)
McNulty
Miller (CA)
Mineta
Mink
Moakley
Mollohan
Montgomery
Moody
Moran
Morella
Morrison
Murtha
Myers
Nagle
Natcher
Neal (NC)
Nichols
Nowak
Oakar
Oberstar
Obey
Olin
Olver
Ortiz
Orton
Owens (NY)
Owens (UT)
Oxley
Pallone
Panetta
Parker
Pastor
Patterson
Payne (NJ)
Payne (VA)
Pease
Pelosi
Penny
Perkins
Peterson (FL)
Peterson (MN)
Petri
Poshard
Price
Pursell
Quillen
Rahall
Ravenel
Ray
Reed
Richardson
Rinaldo
Ritter
Roe
Roemer
Rose
Rostenkowski
Rowland
Roybal
Russo
Sabo
Sanders
Sangmeister
Santorum
Sarpalius
Sawyer
Scheuer
Schiff
Schroeder
Schulze
Schumer
Sharp
Sisisky
Skaggs
Skeen
Skelton
Slattery
Slaughter
Smith (FL)
Smith (IA)
Smith (NJ)
Snowe
Spratt
Staggers
Stallings
Stark
Stenholm
Stokes
Studds
Swett
Swift
Synar
Tallon
Tanner
Tauzin
Taylor (MS)
Thomas (GA)
Thomas (WY)
Torricelli
Towns
Traficant
Traxler
Unsoeld
Valentine
Vento
Visclosky
Volkmer
Washington
Waxman
Weiss
Wheat
Williams
Wise
Wolpe
Wyden
Wylie
Yates
Yatron

NAYS—120

Allard
Allen
Armey
Baker
Ballenger
Barrett
Barton
Bentley
Bereuter
Bliley
Boehlert
Boehner
Bunning
Burton
Callahan
Camp
Campbell (CA)
Chandler
Clay
Coble
Coleman (MO)
Coughlin
Cox (CA)
Crane
Cunningham
Dannemeyer
Davis
DeLay
Doolittle
Duncan
Edwards (OK)
Emerson
Fawell
Fields
Franks (CT)
Gallegly
Gallo
Gekas
Gingrich
Goodling
Goss
Grandy
Hancock
Hansen
Hastert
Hefley
Henry
Herger
Hobson
Holloway
Hopkins
Hunter
Inhofe
Jacobs
James
Jones (GA)
Kolbe
Lagomarsino
Leach
Lewis (CA)
Lewis (FL)
Lightfoot
Lowery (CA)
Machtley
Marlenee
Martin
McCandless
McCollum
McDade
McEwen
McMillan (NC)
Meyers
Michel
Miller (OH)
Miller (WA)
Molinari
Moorhead
Murphy
Nussle
Packard
Paxon
Porter
Ramstad
Regula
Rhodes
Ridge
Roberts
Rogers
Rohrabacher
Ros-Lehtinen
Roth
Roukema
Saxton
Schaefer
Sensenbrenner
Shaw
Shays
Shuster
Sikorski
Smith (OR)
Smith (TX)
Solomon
Spence
Stearns
Stump
Sundquist
Taylor (NC)
Thomas (CA)
Upton
Vander Jagt
Vucanovich
Walker
Walsh
Weber
Weldon
Wolf
Young (AK)
Young (FL)
Zeliff
Zimmer

ANSWERED "PRESENT"—1

Pickle

NOT VOTING—31

Alexander
Anthony
Bilirakis
Blackwell
Boxer
Costello
Dickinson
Dixon
Dornan (CA)
Feighan
Ford (MI)
Hayes (IL)
Ireland
Jefferson
Kyl
Levine (CA)
Lowey (NY)
Mfume
Mrazek
Neal (MA)
Pickett
Rangel
Riggs
Savage
Serrano
Solarz
Thornton
Torres
Waters
Whitten
Wilson

□ 1126

Mr. DERRICK changed his vote from "nay" to "yea."

Mr. TRAFICANT changed his vote from "present" to "yea."

So the Journal was approved.

The result of the vote was announced as above recorded.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore (Mr. McNULTY). The Chair will recognize the gentleman from Tennessee [Mr. FORD] to lead us in the Pledge of Allegiance.

Mr. FORD of Tennessee led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for

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which it stands, one nation under God, indivisible, with liberty and justice for all.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Hallen, one of its clerks, announced that the Senate had passed with amendments in which the concurrence of the House is requested, a concurrent resolution of the House of the following title:

States participation in the United Nations Conference on Environment and Development [UNCED].

The message also announced that pursuant to sections 276d–276g, of title 22, United States Code, as amended, the Chair, on behalf of the Vice President, appoints Mr. SYMMS, Mr. MURKOWSKI, and Mr. BURNS, as members of the Senate delegation to the Canada-United States Interparliamentary Group during the second session of the 102d Congress, to be held in Boca Raton, FL, April 9–13, 1992.

WELCOME OF REV. DR. ROBERT B. HOWERTON, JR.

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

Mr. FORD of Tennessee. Mr. Speaker, I am pleased to welcome Rev. Robert B. Howerton. Reverend Howerton had distinguished himself throughout his career by excelling in health-care ministries. He serves as the senior vice president of the health systems and Methodist Hospitals of Memphis and is responsible for mental health, alcohol, substance abuse, and geriatrics programs. His untiring dedication in this field has led to many commendations and honors. Reverend Howerton was appointed to the Governor's task force on Alzheimer's disease by Tennessee Gov. Ned McWherter; he is president of Methodist Outreach, Inc., an alcohol and drug residential treatment facility; and was selected as Chaplain of the Year in 1984 by the United Methodist Association of Health and Welfare Ministries.

Reverend Howerton's illustrious career is highlighted by unfailing leadership in the health-care field. He has brought his message of hope to thousands of persons. He has spread the message of goodwill and faith throughout the city of Memphis. His leadership and ministry in the health-care field are shining examples of how community-based organizations can and do make a difference. I salute Reverend Howerton and am pleased to represent a congressional district that includes a spiritual leader of Dr. Howerton's dedication and standing. We have all been inspired by his words today and I want to thank him for coming to Washington today to spread his message of hope.

PRESIDENTIAL RESCISSION BILLS

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

Mr. FAWELL. Mr. Speaker, there is a new and unique battle brewing between the Congress and the President. But it is one we should all welcome. It is one that taxpayers should welcome, too.

The President has sent 68 Presidential rescission messages to Congress calling for the rescission of 98 fiscal year 1992 appropriation projects. These rescissions total $5.7 billion.

In a bipartisan spirit, the gentleman from Minnesota [Mr. PENNY] and I, joined by 26 cosponsors, have introduced bills which simply ask for a vote on these rescissions, project by project.

Seventy-three of these ninety-eight special projects circumvented most of Congress' established rules for passing appropriation projects.

□ 1130

The remaining 25 projects are deemed by the President to be low priority spending. I understand the Committee on Appropriations will respond with a rescission bill of its own, roughly an equivalent cut of fiscal year 1992 spending.

Think of it. That is big news. The administration and Congress are fighting over how many fiscal year 1992 appropriations projects should be rescinded. That is unique and novel, and I urge my colleagues to join as cosponsors of these bills.

UNEMPLOYMENT STATISTICS

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

Ms. DELAURO. Mr. Speaker, our country needs an economic recovery package. We need jobs to put people back to work. And we need the President to start working with Congress to get our economy moving.

These points are underscored by the unemployment figures for March. More than 9 million Americans are now out of work, and the unemployment rate is 7.3 percent.

But the administration continues to turn its back on the unemployed. Between March 1990 and March 1991, the Department of Labor undercounted the number of unemployed workers by 650,000—more than half of the people reported to be unemployed for that period.

I have met with families facing unemployment after a lifetime of work. I have met with business leaders and their employees in Connecticut who depend on defense spending and now face an uncertain future.

I challenge anyone to listen to Connecticut workers without sharing their fear. I cannot imagine how a Government agency charged with looking after them could ignore so many.

The President must join with Congress and help us pass an economic recovery package that will provide hope and jobs. He cannot continue to turn his back on our Nation's unemployed workers and families and millions more who fear unemployment.

TWO THINGS AMERICA CAN DO FOR BOSNIA, CROATIA, AND SLOVENIA

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

Mr. BROOMFIELD. Mr. Speaker, America finally has recognized Bosnia, Croatia, and Slovenia. That's a start. A good start. It brings our foreign policy in line with the European Communities.

But it's not enough. America needs to follow up with two important steps.

One, we need to inform Serbia in no uncertain terms that the world will not tolerate another Croatia. That small nation has suffered 10,000 deaths in its war with Serbia and the displacement of 700,000 people.

If the new world order has a meaningful future, this would be a good place to demonstrate it.

Two, now that the administration has lifted sanctions against these three new republics, we need to support close economic ties with them, particularly Croatia. The Croatian economy has endured a loss of as much as $30 billion from its war with Serbia.

The best thing America can offer these new nations is its economic know-how and its huge market. Let us get on with it.

CAMPAIGN FINANCE REFORM

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

Mr. MAZZOLI. Mr. Speaker, later today or this week the House will take up the campaign finance reform conference report. I intend to support the conference report. It is a step in the direction that we should go to squeeze out big money and big special interests from the political process and put people back at the heart of the process where they should have been all these years.

However, the bill does not really go nearly far enough. Anyone who watched the PBS special last night about Congress and about money and politics had to be very, very concerned. At one point this Congress was called a kept Congress, a kept Congress. How demoralizing. How demeaning. How inglorious it is to be called a kept Congress.

But until we get rid of political action funds, until we get rid of any kind of big money, it seems to me we will al-

ways have this opprobrium heaped upon us, very unfairly but heaped on us nonetheless.

I intend to drop a bill in which will eliminate political action funds entirely from our political process. I hope to offer that to my colleagues here in the House.

I would be happy to talk to Members about it. Let us get rid of big money and put people back in the heart of the political process.

LET US DO AWAY WITH PROXIES

(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, we are about to enter into another era of intrigue in the House. Now that there are so many cats out of the bag revealing the incredibly inept and corrupt management of the House by the Democrat majority, they have sequestered themselves into working groups for reform.

Now they are going to begin to come crawling out of their backrooms with their reform packages, and as we begin to look at them we can see exactly what their strategy is: Pork the perks but preserve the power.

One of the particular things that they are holding on to is their right in committees and subcommittees to vote with proxies, irrespective of their attendance. They want to guarantee their chairman his right to own enough votes to always have his way in the committee, as they have done in the past.

My recommendation for those of us in the minority is, do not participate in any committee or subcommittee markup unless the Democrats have been in attendance to make the quorum.

CONGRATULATIONS TO SECRETARY DERWINSKI

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

Mr. FRANK of Massachusetts. Mr. Speaker, I want to congratulate the Secretary of Veterans Affairs Derwinski. I do so on behalf of myself, the gentleman from Pennsylvania, who is the ranking minority member of the Subcommittee on Administrative Law, which I chair, and also the gentleman from Mississippi who chairs the Committee on Veterans' Affairs.

We had a glitch. We had an archaic procedure in the House known as chartering Federal organizations.

It took time. It involved some money. It involved some effort. And it was largely unnecessary because these charters had no real meaning.

Except we found that with regard to the Department of Veterans Affairs, to be a veteran service organization of that Department you had to have a Federal charter. We thought that was an unnecessary requirement.

The gentleman from Mississippi and I wrote to Secretary Derwinski and asked him to look at that regulation, which he had inherited, and think whether it was not better for the Department to make its own individual decisions on who should be a veterans service organization, which allows us to get the Congress out of the business which ties up time and energy of issuing these purely honorary and unnecessary charters.

Recently, Secretary Derwinski did exactly that. We congratulate him for being unbureaucratic, for cutting redtape and for enabling this Congress to do away with something that was an unnecessary use of our resources.

THE NEGATIVE EFFECTS OF FEDERAL REGULATION

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

Mr. BURTON of Indiana. Mr. Speaker, Federal regulations and mandates are strangling the small business person in this country. Because of that, President Bush has issued a 90-day moratorium on these regulations.

Unfortunately, there are a lot of them in place or coming on line which are continuing to hurt the private sector. Because of that, it is costing Americans jobs.

For instance, OSHA has recently issued a regulation called the occupant protection in motor vehicles regulation. What it says in essence is that every employer who has somebody on the road has to give them a driver training program. That sounds good on the surface, except that it costs money. Every time we charge a small businessman more money, he has to pay out more money for some Government regulations. That is money that has to come out of his pocket or out of his business' pocket.

When it comes out of their pocket, that means there is less money to go around, and, hence, he has to start economizing. And it leads to job loss.

So I would just like to say to OSHA and to everybody, we have got to cut these Government regulations that are strangling the private sector. We cannot go on indefinitely like this or we are going to kill the free enterprise system.

GI BILL PAYING FOR ITSELF

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

Mrs. PATTERSON. Mr. Speaker, on July 1, the Montgomery GI bill will celebrate its seventh birthday. Thanks in large part to the incentives offered by this education program, we now have the finest quality personnel we've ever had in our Armed Forces. It's also helping hundreds of thousands of our young men and women get a college education when they otherwise might not be able to afford it.

The Montgomery GI bill has 1.2 million participants so far, and the taxpayer is not yet having to foot the bill.

The Department of Veterans Affairs and the Department of Defense have paid out a total of just over $1 billion for the basic entitlement for active duty and reserve participants. But, as a result of $1,200 in pay reductions each active duty enrollee agrees to, we've put $1.3 billion back into the Treasury and the Government has saved millions more by not having to borrow the money to pay these benefits.

Mr. Speaker, with the current GI bill, we did a good day's work. Not only did we design a program which is having a tremendous impact on military and economic strength, we made it cost effective. The GI bill is still paying for itself.

□ 1140

OSHA AND EXCESSIVE REGULATIONS

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

Mr. STEARNS. Mr. Speaker, as you know, burdensome Government regulation isn't just an annoyance—it can mean the elimination of jobs and livelihoods for Americans.

It's been my experience that the Washington bureaucracy has lost touch with the people. One of the reasons I decided to run for Congress was to bring the needs of the people to the Government and make Government listen and respond.

Workers in my district are preparing to lose their jobs because OSHA is preparing to hand down a new standard on cadmium levels in the workplace—a standard which far exceeds that of our foreign competitors and one which we don't even have the technology to comply with.

This regulation violates the basic tenant that Government should be for the people.

I do want to thank Congressman DELAY for putting together a task force that will focus on some of these ridiculous regulations. I hope we can, through this effort, bring some backhome common sense to this bureaucracy and remind them that the people are watching.

PERFORMANCE OF THE PATRIOT MISSILE IN OPERATION DESERT STORM

(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, I would like to submit for the RECORD a statement concerning Patriot's performance in Desert Storm.

After listening to testimony before the Legislation and National Security Subcommittee of the House Government Operations Committee, there is conclusive evidence that the Patriot air defense system not only worked in Desert Storm but performed its mission exceptionally well. The men and women of the U.S. Army air defense forces have every reason to be proud of their performance which saved countless lives and rendered Saddam Hussein's terrorist Scud weapon essentially useless. The use of Patriot in Desert Storm was an essential element of maintaining the political will of the coalition forces and winning the war.

Most importantly, the American people now know that there is indeed an effective and much needed counter to a tactical ballistic missile attack. Unfortunately, other terrorist-leaning countries have Scuds or Scud-like weapons in their military inventories. They can be used again. A robust defense which incorporates lessons learned from Desert Storm is necessary in our military posture.

I support the U.S. Army Patriot air defense system. I support the Army's enhancement program for Patriot and recommend that the House appropriate sufficient funds to carry out the Army's plan to make Patriot even better for potential future conflicts.

CONFERENCE REPORT ON H.R. 3337, WHITE HOUSE COMMEMORATIVE COINS

Mr. TORRES. Mr. Speaker, I ask unanimous consent for the immediate consideration of the conference report on the bill (H.R. 3337) to require the Secretary of the Treasury to mint coins in commemoration of the 200th anniversary of the White House, and for other purposes, and that the conference report be considered as read when called up.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. MCNULTY). Is there objection to the request of the gentleman from California?

There was no objection.

(For conference report and statement, see proceedings of the House of Tuesday, April 7, 1992, at page 8263.)

The SPEAKER pro tempore. The gentleman from California [Mr. TORRES] will be recognized for 30 minutes, and the gentleman from California [Mr. MCCANDLESS] will be recognized for 30 minutes.

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

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

Mr. Speaker, I rise today in support of the conference report to H.R. 3337. The bill was recommitted to conference with instructions from the House.

The conference committee met the following day and agreed to a conference report which conformed to the House instructions that title V be stricken from the report.

I would like to thank all of my colleagues who have helped to move this legislation through the House.

I am pleased that we may soon enact legislation to commemorate the 1994 World Cup soccer games, James Madison and 200th anniversary of the Bill of Rights, the 200th anniversary of the laying of the cornerstone of the White House, the quincentenary of the discovery of the Americas, and the service of our Nation's Armed Forces in the Persian Gulf.

We have been working since last June to move this coin package.

WORLD CUP U.S.A. 1994 COMMEMORATIVE COIN BILL DESCRIPTION OF PROVISIONS

SECTION 2

This section sets forth the specifications of the gold, silver and clad coins. The specifications are identical to previous programs which will allow the Mint a smooth transition into this program.

The mintage levels established in the bill have been questioned by some claiming the level is too low while others argue it is too high. It is impossible to predict with effective accuracy exactly what the level of sales may be. The mintage level set in the bill is designed to strike a balance.

Since the World Cup is the largest single-sport spectacle in the world, the Committee believes the potential markets are much larger which will present the Mint with a unique opportunity for international sales. The Committee expects the Mint to work closely with the World Cup Organizing Committee in marketing the coins. The Mint's experience combined with the World Cup's international sports and marketing skills will provide an opportunity to reach the sales levels specified.

SECTION 4

This section requires the Mint to sponsor a nationwide open competition for the design of each coin. This section was added to comply with the Mint's view that the American public should be allowed to participate in the design of these coins.

SECTION 5

Subsection (b): The Mint has been criticized for not issuing bulk sale information to dealers until after the programs have begun. In the case of the Korean Coin Program, the bulk purchase conditions were not released until the final quarter of the program. This does not provide adequate time for bulk dealers to plan marketing programs.

The Committee expects the Mint to consult with leading coin dealers and the respective trade associations in 1993 and to prepare suitable bulk sales terms and conditions. These terms and conditions should be released as soon as possible in 1993.

Subsection (c): The Committee expects the Mint to be very aggressive in marketing the coins. Since the World Cup tournament will not be held until 1994, it is very important that the Mint work closely with the World Cup to secure a substantial number of prepaid orders. The Committee directs the Mint to work closely with the World Cup Organizing Committee to take advantage of every opportunity for early sales.

The Committee expects the Mint to pay the surcharges from prepaid orders to the World Cup Organizing Committee within a reasonable time after they are received.

Subsection (e): The World Cup will be held in several cities across the nation. This affords excellent marketing opportunities for the Mint. The Committee expects the Mint to work with banks and retailers in those venue cities to establish distribution outlets. The Mint may designate these distributors as "Official U.S. Mint World Cup Coin Distributors." The Mint should include in their reports to Congress a report detailing their efforts to develop this distribution system.

Subsection (f): The World Cup is an international sporting event. The Committee believes there is an excellent opportunity for international marketing. The Committee expects the Mint to work with the World Cup Organizing Committee to establish international marketing and distribution systems. The Mint may designate international distributors as "Official U.S. Mint World Cup Coin Distributors" with concurrence of World Cup 1994.

Subsection (g): The Committee intends for the Mint to work in a cooperative fashion with the Congress and World Cup to provide timely information on the performance of the coin program.

The Committee would like to see a very successful program and believes that cooperative reporting will provide the information necessary to help the Mint and World Cup maximize the potential of this program.

Since coin programs are short-term (i.e. one year in duration), it is difficult to react quickly to any potential marketing opportunities unless there is an ongoing update of what is actually occurring with the program.

The Committee anticipates the format of the reports will follow the example provided by the Mint in the Mint Budget Authorization Report—H.R. 2631; July 15, 1987; Page 77. Furthermore, we acknowledge that the Mint was required to provide similar reports by the 1984 Olympic Coin Program (P.L. 97-220). This reporting amendment attempts to follow the earlier reporting requirements so as not to be unnecessarily disruptive to the Mint operations.

The Committee understands that it will be difficult for the Mint to provide actual numbers in the early days of the program. Therefore, we recognize that the Mint will have to estimate many of the early costs. However, the Committee expects the Mint to update their estimates with the actual costs when they become available. Even the estimates will be helpful to show early trends in the programs performance.

SECTION 6

The Committee's intent is to have coins available for sale January 3, 1994. The terms "issued" and "issuance" are to be interpreted broadly, not restrictively. The Committee understands that coins sold on December 31, 1994 cannot practically be delivered to customers until 1995. The Committee expects the Mint to push coin sales through the end of the calendar year even if some deliveries have to be made in 1995.

SECTION 8

Subsection (a): The Committee intends that the purpose of the World Cup 1994 Commemorative Coin Program is to raise surcharges for the World Cup USA 1994 Organizing Committee. However, it is also our in-

tent that the program shall not result in any net cost to the Federal Government.

In prior coin programs, there has often been a residual operating profit at the conclusion of a program. This residual operating profit is the balance remaining from a specific program after the Federal Government has recovered all its costs to operate a program. The profit accrues because in order to comply with Section 11(a), the Mint must make sure it has raised sufficient funds from the sale of each coin to cover the costs associated with producing and marketing the coin. Since it is extremely difficult to predict exactly what those costs may be, the Mint must make sure their estimates are conservative so there is not a shortfall. In other words, this residual operating profit is the difference between the Mints estimated costs and their actual costs.

While the Committee accepts this practice as a means to insure that a coin program results in no net cost to the Federal Government, the Committee feels strongly that the Mint is subject to unfair criticism if the leftover funds are not spent on activities directly related to the particular program.

The Committee is concerned that the Mint is placed in a position of conflict and forced to choose between the legislative intent of a coin program (e.g. to raise surcharges for a specific cause) and its professional judgment on how to manage a coin program. For example, in prior programs, the Mint has been asked to expend these residual profit monies on marketing initiatives to sell more coins. However, in their professional judgment, the Mint has responded that the amount of money spent on marketing may actually exceed the surcharges generated as a result of the marketing. Therefore, the Mint concluded it was unsound to expend say $100,000 on a marketing ad which may only produce $25,000 in surcharges. We respect the Mint's professional judgment and recognize we must rely on their coinage expertise. We believe the language in Section 8(a) will remove the Mint from future criticism.

The surcharge language in Section 8(a) is designed to insure that decisions effecting a coin program are made in the best interests of the program. Furthermore, it eliminates the Mint's dilemma of having to make sound business decisions in which they are left open to unfair criticism because they are perceived to be promoting their own interests at the expense of the benefitting organization. Under this language, the remaining funds (e.g. the residual operating profits) will be deemed surcharges and distributed to the Secretary of the Organizing Committee.

Under our earlier hypothetical, if the Mint decided it was not in the best interest of the program to expend the $100,000 on a marketing ad, at the end of the program that $100,000 would be deemed a surcharge and transferred to the benefiting organization. This way the Mint could comply with the legislative intent of the program without being criticized that its decision not to expend the money was influenced by what the Mint stood to gain. At the conclusion of the program, the Committee directs the Mint to pay to the World Cup Organizing Committee all remaining funds from the sale of the coins.

The Committee intends that ten percent of the funds made available by subsection 8(a) will be available to the United States Soccer Federation Foundation, Inc. for distribution to institutions for scholastic scholarships to qualified students. The scholastic scholarships shall go to three institutions that meet the previously published criteria: the National Council of La Raza; the National Hispanic Scholarship Fund; and the Hispanic Business National Scholarship Fund.

Definition of "qualified student"—The Committee intends that the term "qualified students" be interpreted narrowly by institutions providing scholastic scholarships. The Committee intends to limit scholarships under this section to the most undereducated persons and groups in American society. The Committee expects that "qualified students" shall be identified based on the following criteria:

Individuals who are "first-generation" college students, i.e., whose parents did not complete a course of study at an accredited institution of higher learning; and

Individuals who are "economically disadvantaged", i.e., who come from families with incomes at or below the median family income of the U.S. population, or who are members of communities with median incomes at or below 70% of the median family income of the U.S. population; and

Individuals who are "educationally disadvantaged," because of developmental disability, national origin, nativity or limited-English proficiency, or attended school districts with dropout rates at least twice as high as the national average; and

The scholastic scholarship fund will be targeted to minority student groups that have a high school completion rate of less than 60 percent.

Provided further, that at least one such institution serves as an umbrella organization for at least 125 affiliated local community-based organizations. Such institution provides capacity-building assistance, public policy analysis and advocacy, public information efforts, and special catalytic efforts on behalf of economically and educationally disadvantaged persons. Such institution is governed by organizational by-laws that require a Board of Directors reflective of the geographic, gender and ethnic composition of a target population consisting principally of qualified students and their families as defined in this section. Such institution includes a corporate board of advisors composed of at least twenty senior executives of major corporations.

That at least one such institution is a 501(c)(3) nonprofit organization whose sole mission is to provide scholarship assistance to qualified students in all fifty states and Puerto Rico. Scholarship recipients are selected on the basis of academic achievement and personal strengths, and represent hundreds of both public and private colleges and universities across the nation. Recipients are also reflective of the composition of five national regions. Such institution annually selects scholarship recipients using a process of regional review committees. In addition, such institution is government by organizational bylaws which require a board of directors comprised of corporate and educational leaders.

That at least one such institution is a 501(c)(3) nonprofit organization with a national scope and a primary goal to provide post high school scholarship assistance to qualified students in all fifty states and the territories of the United States of America. Scholarship recipients are selected on the basis of academic achievement, community leadership and financial need. Such institution is governed by organizational by-laws that require officers, board of directors, and trustees who are business and community leaders throughout the nation and are dedicated to the educational advancement of a target population of qualified students as defined in this section.

Student eligibility: A qualified student who is in attendance or who has been accepted for admission, as a full-time undergraduate or graduate student at an accredited institution of higher education may apply.

The Committee recognizes that institutions must have some flexibility in the selection of scholarship recipients; however, we expect that, except in unusual or exceptional circumstances, each scholarship recipient shall meet the three of the four broad criteria in addition to other criteria set forth by the institution.

SECTION 11

As mentioned earlier, the Committee expects the Mint to use best efforts to insure this program results in no net cost to the Federal Government.

Mr. Speaker, I reserve the balance of my time.

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

Mr. Speaker, I rise in strong support of the conference report on H.R. 3337.

The bill has been before the House twice. In both instances, it contained provisions that mandated the redesign of our circulating coins.

In both instances, the House voted to reject coin redesign.

The conference report before us now reflects the House's position.

All provisions and references to coin redesign have been eliminated from the bill.

Let me repeat that. All provisions and references to coin redesign have been eliminated from the bill.

H.R. 3337 is now a package of four commemorative coins and a commemorative medal, all of which have very strong bipartisan support.

The proceeds from the sale of the coins will be used to fund significant programs.

Proceeds from the White House commemorative coin will be used for furnishings and maintenance of the public rooms of the White House.

Proceeds from the World Cup commemorative coin will be used to promote and stage the 1994 World Cup soccer games in the United States.

Proceeds from the Christopher Columbus commemorative coin will be used to provide scholarships for research and exploration.

Proceeds from the James Madison/Bill of Rights commemorative coin will be used to provide scholarships for teachers for advanced studies in U.S. history and the Constitution.

The bill also provides for a silver medal to be awarded to veterans of the Persian Gulf war. The medal is to be funded by the sale of duplicates and private donations.

The passage of this conference report will not result in any net cost to the Federal Government.

Now that coin redesign has been eliminated, H.R. 3337 has my strong support.

I urge my colleagues to support the conference report.

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Mr. Speaker, I reserve the balance of my time.

Mr. TORRES. Mr. Speaker, I yield 2 minutes to the gentleman from Illinois [Mr. ANNUNZIO], a former chairman of the Subcommittee on Consumer Affairs and Coinage of the Committee on Banking, Finance and Urban Affairs, and a sponsor of the prime quincentenary coin.

Mr. ANNUNZIO. Mr. Speaker, I want to commend the distinguished chairman of the Consumer Affairs and Coinage Subcommittee, the gentleman from California [Mr. TORRES] for his work in bringing this legislation to the floor today. He is to be commended for his leadership in the coinage field.

Mr. TORRES has succeeded in bringing to the House a coin bill that should enjoy unanimous support, and I rise in strong and enthusiastic support for the bill.

Title IV of this legislation contains the Christopher Columbus Coin and Fellowship Act. This legislation, which I introduced last year as H.R. 500, would authorize the minting of coins in commemoration of the quincentenary of the discovery of the New World by Christopher Columbus. H.R. 500 passed the House last July by a vote of 408–2.

The most important aspect of this program is not the commemorative coins, but the establishment of the Columbus Fellowship Foundation. The Foundation will award fellowships to assist modern day explorers in their search for discoveries that can benefit mankind. Through the coin program, the scholarships will be awarded at no cost to the Nation's taxpayers.

This legislation also contains provisions for a World Cup soccer commemorative coin. The World Cup is the most significant event in the world for soccer, and I am pleased that my home of Chicago has been chosen as a site for the World Cup games. The coin program will help ensure a successful World Cup event.

Mr. Speaker, this coin bill is now completely noncontroversial. I hope that it will be come law quickly, so that the Mint can begin designing and minting the Columbus coins in time for the celebration this fall. Then mankind can begin benefiting from the new discoveries of Columbus scholars.

I urge adoption of the conference report.

Mr. WYLIE. Mr. Speaker, I rise today in strong support of the conference report for H.R. 3337, an omnibus coin bill. At the outset, I want to commend Subcommittee Chairman TORRES and the subcommittee's ranking Republican member AL MCCANDLESS for their perseverance in getting this bill to the floor. I also want to commend my colleagues who voted on April 2, 1992, to recommit the conference report with instructions to disagree to the Senate amendments relating to coin redesign. Let me assure my colleagues that the Senate did recede to the House position with regard to coin redesign—the conference report for H.R. 3337 contains only noncontroversial coin bills—it does not provide for coin redesign. I know that many Members find coin redesign as objectionable as I do and I want to be perfectly clear—coin redesign is no longer in the bill.

As I mentioned, the conference report contains five noncontroversial coin bills: The White House coin bill, the Christopher Columbus coin bill, the World Cup coin bill, the James Madison coin bill and the Desert Storm Medal. I would like to briefly discuss two of those bills with which I am most familiar.

First, I want to indicate my strong support for the White House coin bill. The White House coin bill will commemorate the 200th anniversary this year of the laying of the White House cornerstone. The cornerstone ceremony took place on October 13, 1792, and celebrated the completion of the first Federal building to be constructed in the Nation's Capitol. H.R. 3337 authorizes the Secretary of the Treasury to mint and issue $1 silver coins to commemorate this historical event and to providing funding for the preservation and refurbishing of the White House. The legislation requires that the sales price of the coin cover all costs to the Government and includes a surcharge of $10 per coin.

Proceeds from the surcharge are to be paid to the White House Endowment Fund to help meet its goal of establishing a $25 million source of permanent funding for the White House. Such funding will be used to support the White House collection of fine art and antique furnishings and to preserve the public rooms of the White House which are visited by over 1.5 million people annually.

Second, I want to indicate my support for the Christopher Columbus Coin and Fellowship Act included in the conference report. I would like to praise Congressman ANNUNZIO for the splendid work he has done on this bill over the last several years.

Christopher Columbus represents a special figure in America's history to me and one I believe is truly worth commemorating. I represent and live in Columbus, OH, which was named after the great explorer. Indeed, Columbus, OH, is the largest city in the world named for the explorer. Our town with its great university, Ohio State, and its other educational institutions is a place that I feel has captured the spirit of Christopher Columbus.

It seems highly appropriate to me that not only does this bill commemorate the 500th anniversary of the discovery of America, but it also establishes an educational foundation to promote research designed to produce new discoveries in all fields of endeavor for the benefit of mankind. I am hopeful that our university, Ohio State, will, in the near future, have several Columbus scholars that will be able to identify both with the explorer and our city.

Again, I want to commend Subcommittee Chairman TORRES, Congressman MCCANDLESS, and all my colleagues for their part in bringing the conference report for H.R. 3337 to the floor today. I urge my colleagues to pass the conference report and send it on to the President for his signature.

□ 1150

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

Mr. TORRES. Mr. Speaker, I have no further requests for time, I yield back the balance of my time, and I move the previous question on the conference report.

The previous question was ordered.

The SPEAKER pro tempore (Mr. MCNULTY). The question is on the conference report.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. MCCANDLESS. 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 414, nays 0, not voting 20, as follows:

[Roll No. 74]

YEAS—414

Abercrombie	Coleman (MO)	Gallegly
Ackerman	Coleman (TX)	Gallo
Alexander	Collins (IL)	Gaydos
Allard	Collins (MI)	Gejdenson
Allen	Combest	Gekas
Anderson	Condit	Gephardt
Andrews (ME)	Conyers	Geren
Andrews (NJ)	Cooper	Gibbons
Andrews (TX)	Coughlin	Gilchrest
Annunzio	Cox (CA)	Gilman
Anthony	Cox (IL)	Gingrich
Applegate	Coyne	Glickman
Archer	Cramer	Gonzalez
Armey	Crane	Goodling
Aspin	Cunningham	Gordon
Atkins	Dannemeyer	Goss
AuCoin	Davis	Gradison
Bacchus	de la Garza	Grandy
Baker	DeFazio	Green
Ballenger	DeLauro	Guarini
Barnard	DeLay	Gunderson
Barrett	Dellums	Hall (OH)
Barton	Derrick	Hall (TX)
Bateman	Dickinson	Hamilton
Beilenson	Dicks	Hammerschmidt
Bennett	Dingell	Hancock
Bentley	Donnelly	Hansen
Bereuter	Dooley	Harris
Bevill	Doolittle	Hastert
Bilbray	Dorgan (ND)	Hatcher
Blackwell	Dornan (CA)	Hayes (IL)
Bliley	Downey	Hayes (LA)
Boehlert	Dreier	Hefley
Bonior	Durbin	Hefner
Borski	Dwyer	Henry
Boucher	Dymally	Herger
Boxer	Early	Hertel
Brewster	Eckart	Hoagland
Brooks	Edwards (CA)	Hobson
Broomfield	Edwards (OK)	Hochbrueckner
Browder	Edwards (TX)	Holloway
Brown	Emerson	Hopkins
Bruce	Engel	Horn
Bryant	English	Horton
Bunning	Erdreich	Houghton
Burton	Espy	Hoyer
Bustamante	Evans	Hubbard
Byron	Ewing	Huckaby
Callahan	Fascell	Hughes
Camp	Fawell	Hunter
Campbell (CA)	Fazio	Hutto
Campbell (CO)	Feighan	Hyde
Cardin	Fields	Inhofe
Carper	Fish	Ireland
Carr	Flake	Jacobs
Chandler	Foglietta	James
Chapman	Ford (MI)	Jenkins
Clay	Ford (TN)	Johnson (CT)
Clement	Frank (MA)	Johnson (SD)
Clinger	Franks (CT)	Johnson (TX)
Coble	Frost	Johnston

Jones (GA)
Jones (NC)
Jontz
Kanjorski
Kaptur
Kasich
Kennedy
Kennelly
Kildee
Kleczka
Klug
Kolbe
Kolter
Kopetski
Kostmayer
Kyl
LaFalce
Lagomarsino
Lancaster
Lantos
LaRocco
Laughlin
Leach
Lehman (CA)
Lehman (FL)
Lent
Levin (MI)
Lewis (CA)
Lewis (FL)
Lewis (GA)
Lightfoot
Lipinski
Livingston
Lloyd
Long
Lowery (CA)
Lowey (NY)
Luken
Machtley
Manton
Markey
Marlenee
Martin
Martinez
Matsui
Mavroules
Mazzoli
McCandless
McCloskey
McCollum
McCrery
McCurdy
McDade
McDermott
McEwen
McGrath
McHugh
McMillan (NC)
McMillen (MD)
McNulty
Meyers
Michel
Miller (CA)
Miller (OH)
Miller (WA)
Mineta
Mink
Moakley
Molinari
Mollohan
Montgomery
Moody
Moorhead
Moran
Morella
Murphy
Murtha
Myers
Nagle
Natcher
Neal (MA)
Neal (NC)
Nichols
Nowak
Nussle
Oakar
Oberstar
Obey
Olin
Olver
Ortiz
Orton
Owens (NY)
Owens (UT)
Oxley
Packard
Pallone
Panetta
Pastor
Patterson
Paxon
Payne (NJ)
Payne (VA)
Pease
Pelosi
Penny
Perkins
Peterson (FL)
Peterson (MN)
Petri
Pickett
Pickle
Porter
Poshard
Price
Pursell
Quillen
Rahall
Ramstad
Ravenel
Ray
Reed
Regula
Rhodes
Richardson
Ridge
Rinaldo
Ritter
Roberts
Roe
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Rose
Rostenkowski
Roth
Roukema
Rowland
Roybal
Russo
Sabo
Sanders
Sangmeister
Santorum
Sarpalius
Savage
Sawyer
Saxton
Schaefer
Scheuer
Schiff
Schroeder
Schulze
Schumer
Sensenbrenner
Sharp
Shaw
Shays
Shuster
Sikorski
Sisisky
Skaggs
Skeen
Skelton
Slattery
Slaughter
Smith (FL)
Smith (IA)
Smith (NJ)
Smith (OR)
Smith (TX)
Snowe
Solarz
Solomon
Spence
Spratt
Staggers
Stallings
Stark
Stearns
Stenholm
Stokes
Studds
Stump
Sundquist
Swett
Swift
Synar
Tallon
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Thomas (CA)
Thomas (GA)
Thomas (WY)
Torres
Torricelli
Towns
Traficant
Traxler
Unsoeld
Upton
Valentine
Vander Jagt
Vento
Visclosky
Volkmer
Vucanovich
Walker
Walsh
Washington
Waters
Waxman
Weiss
Weldon
Wheat
Williams
Wilson
Wise
Wolf
Wolpe
Wyden
Wylie
Yates
Yatron
Young (AK)
Young (FL)
Zeliff
Zimmer

NAYS—0

NOT VOTING—20

Berman
Bilirakis
Boehner
Costello
Darden
Dixon
Duncan
Gillmor
Jefferson
Levine (CA)
Mfume
Morrison
Mrazek
Parker
Rangel
Riggs
Serrano
Thornton
Weber
Whitten

□ 1234

Mr. ORTON changed his vote from "nay" to "yea."

So the conference report was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. TORRES. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the conference report just agreed to.

The SPEAKER pro tempore (Mr. MCNULTY). Is there objection to the request of the gentleman from California?

There was no objection.

SUNDRY MESSAGES FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Mr. McCathran, one of his secretaries.

RECOMMITTAL OF CONFERENCE REPORT ON S. 3, SENATE ELECTION ETHICS ACT OF 1991, TO COMMITTEE ON CONFERENCE WITH INSTRUCTIONS

Mr. FROST. Mr. Speaker, I ask unanimous consent that it be in order to consider a motion, to be offered by the gentleman from California [Mr. THOMAS], to recommit the conference report on the Senate bill (S. 3) to amend the Federal Election Campaign Act of 1971 to provide for a voluntary system of spending limits for Senate election campaigns, and for other purposes, with instructions to the managers on the part of the House on the further conference on S. 3 to insist on the inclusion in the conference report of the provisions of the bill (H.R. 4101) to prohibit Members of the House of Representatives from making franked mass mailings outside their congressional districts and to prohibit payment from official allowances for mass mailings by Members of the House of Representatives outside their congressional districts; said motion to be debatable for not to exceed 60 minutes; and that the previous question shall be considered as ordered on the motion to final adoption without intervening motion.

Further, upon adoption of the motion, I ask unanimous consent that House Resolution 420 be laid on the table.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

The SPEAKER pro tempore. The Chair recognizes the gentleman from California [Mr. THOMAS].

MOTION TO RECOMMIT OFFERED BY MR. THOMAS OF CALIFORNIA

Mr. THOMAS of California. Mr. Speaker, I offer a motion to recommit.

The Clerk read as follows:

Mr. THOMAS of California moves to recommit the conference report on the bill S. 3 to conference with instructions that the Managers on the part of the House insist on the inclusion in the conference report of the provisions of the bill H.R. 4101, as introduced by Representative Thomas of California, a bill "to prohibit Members of the House of Representatives from making franked mass mailings outside their congressional districts and to prohibit payment from official allowances for mass mailings by Members of the House of Representatives outside their congressional districts."

The SPEAKER pro tempore. The gentleman from California [Mr. THOMAS] is recognized for 1 hour.

Mr. THOMAS of California. Mr. Speaker, I yield half of my time, 30 minutes, to the gentleman from Texas [Mr. FROST], pending which I yield myself such time as I may consume.

Mr. Speaker, I am pleased to see a motion in front of the House of Representatives which has not been able to be scheduled in either of the two committees of jurisdiction, to change the current law having to do with Members' ability to send franked mail, not just to their constituents but to people who are not now their constituents nor will they ever be their constituents.

I believe there was a fundamental mistake made last year when this was expanded beyond the historical scope to use it only during periods of redistricting. I am pleased that the majority has been willing to allow the historical and traditional practice of members of the Minority to offer the motion to recommit. So I am pleased with this motion, both in terms of substance and in terms of procedure.

Mr. Speaker, I reserve the balance of my time.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas [Mr. FROST].

Mr. FROST. Mr. Speaker, we do not have any speakers at this time, and I would defer to the gentleman from California [Mr. THOMAS].

Mr. THOMAS of California. Mr. Speaker, I yield such time as he may consume to the gentleman from New York [Mr. WALSH].

Mr. WALSH. Mr. Speaker, I thank the gentleman from California for yielding time to me, and I thank the Chair for recognizing me to speak on this important issue.

I will not go into length about the substance of the conference report, but I would state that there are a number of issues in it that I strongly disagree with. But I do believe that every Member should support this motion to recommit.

The inclusion of the prohibition on franking outside of a congressional district is a very positive addition to this report. There is no need for us to be mailing to individuals who are not our constituents outside of our congressional districts. It is an expensive proc-

ess. Franking costs the American taxpayer millions and millions of dollars, and we should at least resolve ourselves not to be mailing outside our districts, the districts we are responsible for.

So, Mr. Speaker, I rise in support of the motion offered by the gentleman from California [Mr. THOMAS], and I urge unanimous support for this motion to recommit.

□ 1240

Mr. THOMAS of California. Mr. Speaker, I yield 1 minute to the gentleman from Iowa [Mr. LEACH], who has long been involved with campaign finance reform.

Mr. LEACH. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I just had a query for the distinguished chairman on the Democratic side.

As I understand it, this is a clerical error we are dealing with. But was it a clerical error that the House gets a $5,000 cap on PAC money, and the Senate $2,500, or is it the decision of the committee that the House is not going to take as principled a position as the Senate, or is it a clerical error?

Mr. FROST. Mr. Speaker, will the gentleman yield?

Mr. LEACH. I yield to the gentleman from Texas.

Mr. FROST. Mr. Speaker, I was not a member of the conference committee. I can only tell the gentleman what I know having read the conference committee documents. But I was not a conferee.

It is my understanding from having read the documents that there is a separate limit on PAC contributions for the U.S. Senate and a separate limit on PAC contributions for Members of the House of Representatives. It is not a typographical error, or it is not a clerical error.

Mr. GEJDENSON. Mr. Speaker, will the gentleman yield?

Mr. LEACH. I yield to the gentleman from Connecticut.

Mr. GEJDENSON. Mr. Speaker, I would explain to the gentleman that the House limit is actually more comprehensive than the Senate limit, because the House limit not only limits PAC contributions in total amounts to campaigns, but the House also limits contributions from large donors. So anything over $200 is also limited in the House bill as well.

Mr. LEACH. Mr. Speaker, reclaiming my time, one can still receive $5,000 from a PAC, instead of $2,500?

Mr. GEJDENSON. Mr. Speaker, if the gentleman will yield further, one can receive $1,000 from individuals up to one-third. So while we have kept the limits the same, we have limited not just political action committees, the Sierra Club and others, but also limited the chairman of the board of Exxon and his colleagues. So I think that will make the playing field far more level.

Mr. LEACH. Mr. Speaker, I certainly appreciate the clarification of the gentleman from Connecticut [Mr. GEJDENSON].

Mr. THOMAS of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this motion to recommit is in the area of franking. As most Members now know, there was a technical drafting error in the conference report in which the Senate provision that was passed by the Senate in their campaign finance bill not allowing any franked mail being sent in an election year was apparently inadvertently applied to the House. So the subject matter before us now is I believe properly not the entire campaign finance reform bill, which will be before us if in fact this motion to recommit goes to conference and the franking provisions are adjusted.

Mr. Speaker, I fervently hope that the franking provisions are adjusted, not just by removing the technical glitch, but taking the language contained in 4104 and including it in that conference report.

When that comes back there will be ample time to debate the entire structure of campaign finance reform as proposed by the Democrats in their conference report and as offered by Republicans in both bodies.

Mr. Speaker, I yield 2 minutes to the gentleman from Ohio [Mr. MILLER].

Mr. MILLER of Ohio. Mr. Speaker, I rise in support of this procedural motion to include the provisions of H.R. 4104, a bill to prohibit franked mass mailing outside a Member's district, in H.R. 3750. I congratulate my friend and colleague, the gentleman from California [Mr. THOMAS] for bringing this to the floor and agree with him that this may be the only opportunity to ban this wasteful practice.

As one who has been a longstanding opponent of the frivolous and abusive use of the congressional franking privilege, I think we have an opportunity today, to make it clear to the American people that we are sincere in our efforts to change some of the practices that have served to sully the name of this institution.

As many of you may recall, over the years I have made repeated efforts to rein in the costs of congressional mailing, by limiting the number of postal patron mailings Members could send to their respective constituencies.

In my judgment the most frivilous and self-serving use of this franking privilege is that aspect addressed by H.R. 4104. By permitting Members of Congress to make these mailings into areas that they presently do not represent, as we do now, serves nobody's interests, but the Member in question. It costs the American taxpayer both in terms of production costs and mailing costs, millions of dollars each year. Lets face it, such mailings outside one's district serve as little more than campaign tools. This is particularly apparent in a year such as this where redictricting has changed previously established congresssional lines. I think it is fair to say, that a Member would not be so eager to mail into these new areas being added to their current districts, if it wasn't for the fact that they would be standing for election before these very constituents this fall.

It is time to put our money where our mouth is so to speak; it is time to put a stop to this unnecessary waste of taxpayers dollars by prohibiting the sending of such franked postal patron mail outside one's current district.

Mr. FROST. Mr. Speaker, I yield myself 2 minutes.

Mr. Speaker, I would like for a point of clarification to ask the gentleman from California [Mr. THOMAS], is it the intent of the gentleman's motion to instruct that the conferees correct the mistake, the original mistake made in the conference report, whereby the documents did not reflect the true agreement of the conferees?

Mr. THOMAS of California. Mr. Speaker, will the gentleman yield?

Mr. FROST. I yield to the gentleman from California.

Mr. THOMAS of California. Mr. Speaker, the motion to recommit, the subject matter is in fact franking, which is within the scope and context of H.R. 4104. Once that bill is recommitted to conference, it is my understanding that any subject matter can be reexamined, and if there was in fact a technical error, which I understand there was, that technical error certainly can be corrected.

So although there is no specific language in the motion to recommit, the substance moves it back to the full conference for the conference to work its will.

Mr. FROST. Mr. Speaker, I thank the gentleman for that clarification.

Mr. THOMAS of California. Mr. Speaker, I yield 1 minute to the gentleman from California [Mr. LAGOMARSINO].

Mr. LAGOMARSINO. Mr. Speaker, I wish to commend the gentleman from California [Mr. THOMAS] for offering this motion. I think it is eminently fair and just and something the American people strongly support. I would hope that the vote on this would be unanimous.

It certainly does not make sense for us to be mailing into areas that we do not represent. I think this motion will reflect that. I hope the conferees not only will hear what we say today, but will follow what we say here today.

Mr. THOMAS of California. Mr. Speaker, I yield 2 minutes to the gentleman from Louisiana [Mr. LIVINGSTON].

Mr. LIVINGSTON. Mr. Speaker, I rise in support of the motion which will recommit H.R. 3750 to the conference committee.

Originally, this rule would have instructed the conference to correct a technical error. However, the Democrats have allowed Mr. THOMAS to offer his motion which instructs the conferees to prevent franked mass mailings outside the Member's district.

As a member of the conference committee, I guess I should feel embarrassed that we made an error and need to go back to the conference to fix the problem. But, I can't personally feel embarrassed because I was out of the loop on the development of this bill.

I would willingly have participated in negotiations with the majority party during the conference. Unfortunately, the tradition of compromise and give and take was available only to the Democrat members and the Democrat staff. At the first meeting of the conference committee we heard eloquent opening statements from members of the conference on the need for reform, and then the staff was directed to meet to work out the differences between the House and Senate bills. At the staff meeting, the Republican staff was handed a thick package of conference staff recommendations. The Republican staff was then briefed on what compromises had been made by the Democrat staffers in the House and Senate. Our staff had no real input.

Apparently, the Democrats made an error in their intrafamily negotiations. They forgot to delete a provision of the Senate bill which prevented Senators from sending out franked mass mailings during an election year. By including this provision, the Senate admitted that taxpayer-funded mass mailings in an election year are an unacceptable incumbent perk. Unfortunately for the Democrat managers of the bill, this provision was unintentionally applied to the House. Apparently, franked mass mailings during an election year are an abuse on the other side of the Capitol, but they are a necessity on the House side. This is curious reform.

Republicans are in the minority in the House and the Senate and are eager to reduce the considerable advantages enjoyed by incumbents in political campaigning. Franked mass mailings are a blatant example of incumbent privilege. So, it is surprising that the House Democrats want to recommit the campaign spending limit and election reform conference report in order to reinstate franked mass mailings during an election year. This motion seems inconsistent with the goal of reforming political campaigns. No wonder the American people want to throw the rascals out.

I support the efforts of Mr. THOMAS to instruct the conferees to include in the conference report the provisions of H.R. 4104 introduced by Representative THOMAS of California—a bill to prohibit franked mass mailing outside a Member's district. This measure represents true reform to prevent the gross abuse of the frank for strictly political purposes. Defenders of the frank maintain that Members must be allowed to communicate with their constituents. Sending franked mass mailings to nonconstituents is a blatant violation of the franking privilege.

Therefore, I urge my colleagues to support the motion to recommit the conference report with instructions.

Mr. THOMAS of California. Mr. Speaker, I yield 1 minute to the gentleman from Iowa [Mr. NUSSLE].

Mr. NUSSLE. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I would rise in strong support as a cosponsor of this piece of legislation. I will just point out to Members that while this is a good first step, I think many more steps need to be taken with regard to our franking privilege.

It is one thing to talk about campaigning outside of the district that we are elected to represent. It is another thing to address the issue of campaigning inside the district we were elected to represent by using the frank inside the district for campaign and political purposes.

□ 1250

While we have rolled back and started to reform the process back to a period of time when we were allowed to use this frank outside the district, we also have to talk about real reform of the frank.

I have a bill that would eliminate the frank, that would talk about using stamp or metered mail as our constituents have to. I go to town meetings and they cannot understand how we are able to send out junk mail, and much of it is junk mail, and my colleagues all know that, for political purposes even within our district.

So I rise in support of this particular measure as a good first step, but many more steps need to be taken in the future.

Mr. THOMAS of California. Mr. Speaker, I yield 3 minutes to the gentleman from Texas [Mr. BARTON].

Mr. BARTON of Texas. Mr. Speaker, I rise in support of the Thomas effort to overturn this rule and recommit it to the Committee on Rules. The frank was put into the U.S. Constitution as a communication tool by which Members could communicate with their existing constituents.

We have through the rules of the House of Representatives changed that very straightforward and worthwhile obligation to a system where now Members can communicate not only with their existing constituents, they may communicate by use of the frank with constituents in counties adjacent to their existing districts and to areas that might be included in new districts under redistricting.

I think that is an abuse of the franking privilege. I think it is using taxpayer money to finance a surrogate campaign for reelection. I think it should be ended. I think we should commend the gentleman from California [Mr. THOMAS] for offering his fat-free franking bill. I want to give a specific example of what I am talking about.

Right here is a letter addressed to the Barton Family, 701 Williamsburg, Ennis, TX 75119. That is my home address.

This letter was not sent to me by myself, the gentleman from Texas [Mr. BARTON]. It was sent to me by the gentleman from Texas [Mr. FROST] of the 24th District.

This is a good piece of franked material. He is asking about a health care reform package. He sends a very worthwhile questionnaire which is well done.

The problem is that I am not in his existing congressional district. I am not going to be in his new congressional district. But I do happen to be in a county that is adjacent to his existing congressional district.

This should be prevented. This should be stopped. This is only one example.

I have received five other pieces of material from the gentleman from Texas [Mr. FROST] in the last 3 months. It is legal. It is not illegal, but it is unethical.

We should stop it. We should support the gentleman from California [Mr. THOMAS]. We should bring his bill up for the vote and we should pass it.

The ability to eliminate fat franking, the Thomas bill, has been supported by the Washington Times, the New York Times, every major newspaper in the State of Texas, including the Fort Worth Star-Telegram, as recently as this week. So I would hope that we support the gentleman from California [Mr. THOMAS]. Let us put an end to this kind of unnecessary and taxpayer-financed surrogate campaigning. Let us pass the Thomas fat-free frank.

The way to do that is defeat this motion, go back to the Committee on Rules, make the Thomas amendment in order on the bill before us.

Mr. Speaker, I include for the RECORD the letter to which I referred.

HOUSE OF REPRESENTATIVES
Washington, DC, March 12, 1992.

The BARTON FAMILY,
701 Williamsburg,
Ennis, TX.

DEAR FRIENDS: The availability of quality health care for all Americans is clearly one of the most important issues Congress must face in the coming months. I recently conducted a series of town hall meetings on health care and Congress is now considering a series of proposals from President Bush and others on this question.

One proposal under consideration would provide Medicare-like benefits for everyone, with a single deductible and limits on out-of-

pocket expenses. The program would be administered like Medicare by private insurers. Another proposal would provide health benefits through a public/private system. All employers would be required to either provide coverage for their employees and their dependents, or contribute to the public program which would provide the coverage.

A third proposal would establish a universal coverage system, eliminating all out-of-pocket costs to individuals. the benefits would include prescription drugs and long-term care without deductibles for co-insurance. Finally, the Bush Administration's plan would use vouchers and tax credits to reduce out-of-pocket costs, but would leave the present health care system largely unchanged.

I have included an insert which provides more details and compares the proposals mentioned above. I would appreciate it if you could take a minute to study these various approaches and then let me know which one makes the most sense to you. Simply fill out the form at the bottom of the insert indicating your preference and return it to me in Washington.

I look forward to hearing from you soon.

Sincerely,

MARTIN FROST,
Member of Congress.

Mr. THOMAS of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. LEWIS of California. Mr. Speaker, will the gentleman yield?

Mr. THOMAS of California. I yield to the gentleman from California.

Mr. LEWIS of California. Mr. Speaker, I would ask the gentleman from California [Mr. THOMAS], I believe I understand that which he is attempting to accomplish here by way of his suggested amendment which is to eliminate the mailing, the use of the frank outside of an individual Member's existing district.

Could the gentleman explain for me, so I have a better understanding of the procedure here, exactly why the Democrats feel they need to go back and undo this rule in the first place? What is wrong with the bill as they brought it out of conference?

Mr. THOMAS of California. Mr. Speaker, I would tell the gentleman that I have had some concern about the unwillingness of the committees of jurisdiction; namely, the Committee on Post Office and Civil Service and the Committee on House Administration, of not scheduling a hearing for this bill on H.R. 4104 on franking that we have introduced in the House.

As the gentleman from Texas just mentioned, more than a dozen major newspapers have editorialized in favor of it yet we are not able to get even a hearing in committee.

What we have in front of us is a motion to recommit the campaign finance bill and the subject matter of franking is being used, frankly, as a vehicle, if Members will allow me that, as a vehicle to go back to conference.

I do not believe, and I may be mistaken, but I do not believe the majority's intent is to fully appreciate the fundamental change as contained in H.R. 4104 and move that forward in a bill that most assuredly will probably get the President's veto.

I hope it is a signal that we can move forward in committee so that the substance of H.R. 4104 can become law.

But the immediate problem is the fact that the staff, in drafting the conference report, in attempting to meld the provisions that the conferees agreed upon between the Senate and the House does, in fact, contain a mistake. It contains an error.

A provision which was contained in the Senate bill banning the use of the frank during an election year, which the Senate has chosen to self-impose in its legislation that it passes, was inadvertently applied to the House. So that the conference report included the House and the Senate. There never was a provision banning franking in the House bill, and it is a technical drafting error. It needs to be corrected by going back to the conference.

I am pleased that the Democrats allowed the Republicans to offer the motion to recommit, and that it is the substance of H.R. 4104 which is the motion to recommit.

I do hope that it includes an acceptance of the content of H.R. 4104. I hope it is included in the conference report that is reported back to us. But more importantly, since I fervently believe that that report, if passed to the President, will be vetoed, I hope it signals a willingness on the part of the Democrats to schedule timely hearings on this bill in the committees of jurisdiction and move it forward.

The short answer, it was a mistake by some staffer and we are attempting to correct it.

Mr. LEWIS of California. Mr. Speaker, if the gentleman will continue to yield, to clarify one more time, what the gentleman is suggesting to me is that by way of an error, this bill would cause the House of Representatives not to be able to use franked mail during the 12-month period preceding election similar to the limitation that the Senate has placed upon itself, and they would want to undo that so they could make sure that they could mail in any quantity or volume regardless of the quality of mail that they wished during that 12-month period preceding election; is that right?

Mr. THOMAS of California. Mr. Speaker, I would tell the gentleman, neither the Senate provision, which bans mail during election years, or any House contemplation would deny the ability of a Member to communicate with a constituents. The banned provisions pertain to mass mailings. Mass mailings which are, I believe, the area that has predominantly been the abused area and not the ordinary single letter communications with constituents either initiated by the Member or in response to a letter sent by a constituent.

So the Senate decided that in 1 out of every 6 years they would ban all mass mail. The House did not have that provision.

It was included inadvertently, and there is going to be an attempt to correct it.

Mr. LEWIS of California. Mr. Speaker, if the gentleman will continue to yield, I believe the gentleman knows very well the effort that I have been involved in, along with the gentleman, to put significant limitations upon mass mailing over the years. That kind of use of the frank has been a part of the effort around here to build a base in-house to assure the reelection of incumbents.

Indeed, if I understand correctly, this recommittal motion, it is essentially designed to undo a mistake that would tend to undermine some of the continuing availability of mass mail, which I consider, as the gentleman does, to be largely mail that is for reelection purposes.

It is ironic to me that they would have such a problem in a campaign reform bill, the very bill that lays the foundation for authorizing taxpayer-financed campaigning.

Indeed, when we combine the fact that we have got all these services around here and all this mail, especially mass mail, that assures incumbency reelection, now on top of that they want to move a bill eventually back to the floor that will indeed get taxpayers in the business of paying for their very campaigns or a significant part of those campaigns. How much do the Democrat incumbents want around here in terms of assuring their continued control of the House?

Mr. THOMAS of California. Mr. Speaker, I would conclude by indicating that clearly based on the colloquy between the gentleman from Texas and myself that this does not specifically refer to any technical corrections but that it is a vehicle to go back to conference so that any changes that the conference may make can in fact be affected.

I am pleased that the subject matter of mass mail franking out of district has been able to come to the floor.

□ 1300

I would wish that it was in an examination of the bill itself, having been heard in committee and moved forward to the floor. I am pleased, nevertheless, that it is being done in a motion to recommit. I urge my Democrat colleagues to reexamine their unwillingness to schedule the substance in a hearing in the committees of jurisdiction so that we might actually move forward and provide the American people with the relief that they seek in terms of the misuse of, in my opinion, not illegally but morally, clearly, and I believe ethically, the misuse of the frank.

It is a pleasure to be able to have the issue aired on the floor. I can assure the Members it would be much more pleasurable to change the law and have H.R. 4104 become law.

Mr. RHODES. Mr. Speaker, I rise today in support of the motion by the gentleman from California, [Mr. THOMAS] to recommit to the committee on conference, the conference report on H.R. 3750/S. 3, the congressional campaign finance reform bill.

This motion will allow the conferees to full consider the contents of Mr. THOMAS' bill (H.R. 4104) of which I am a cosponsor, to prohibit free mass mailings by Members of Congress outside their congressional districts. This language is an essential part of any meaningful campaign reform legislation. As flawed as the basic bill before us is regarding public financing of congressional and senatorial campaigns, including the language of H.R. 4104 in the bill will be a positive action. This language will help equalize the present imbalance between incumbents and challengers in congressional elections, and end a powerful, taxpayer-financed re-election tool for incumbents.

The American public wants meaningful campaign reform. Part of that reform has to be restoring fairness to the electoral process. Banning franked, mass mailings outside of a Member's district will help restore fairness to elections.

On June 5, 1991, the House considered the legislative branch appropriations bill for fiscal 1992, I voted against final passage of the excessive $1.8 billion bill. During the amendment process on the bill, I supported a reduction of districtwide newsletter from six to three allowed for each Member. I also supported an amendment which would have reduced House Members' official mail costs by $21 million. I will continue to support legislation to limit abuses of the frank to ensure fairness in elections.

We need to make the election process more competitive, not less. We need to make incumbents more vulnerable to an effective challenger, not less. And, we need to make incumbents more responsive to their constituents, not less. Nothing would make an incumbent more efficient and effective than the likelihood of a competitive challenge each election cycle.

The frank was instituted to help inform voters and respond to constituent contacts in our districts. We must use the frank responsibly. Each one of us receives calls and letters from constituents in our districts. We respond to their questions and concerns. The frank was never intended to be used as a campaign re-election tool.

I urge my fellow members to support the motion to recommit the campaign reform bill back to conference and to require the conferees to include the language of H.R. 4104 to ban franked, mass mailings outside a Member's district.

Mr. POSHARD. Mr. Speaker, I rise in support of campaign finance reform and to support efforts to curtail or eliminate the privilege of congressional newsletters.

The conference report on S. 3 includes a ban against Members of the House sending franked mass mail during election years. The inclusion of that provision has been described as a mistake, and was intended to apply only to the Senate, but I would disagree.

I have introduced legislation, H.R. 4174, which would simply ban newsletters altogether.

There is legislation offered by Mr. THOMAS of California, which would prevent franked mass mailings outside our congressional districts. I support that effort, but I think that is a problem we see primarily during redistricting years.

This discussion is focused on mass mailings during election years, which in my view only confirms the borderline political nature of these mailings in the first place. I would suggest we take the next step and ban these mailings altogether.

In 1989 we voted to cut out newsletters completely, but the conferees ignored our instructions. Now, through this so-called mistake, we have the opportunity to correct a previous mistake.

Giving up this most glaring example of incumbent protection and congressional perks will do more to restore the public confidence than many of the other initiatives under consideration. As a Member who has never sent a newsletter, I would say to my colleagues that this is a worthy reform which we should move speedily to adopt.

Mr. THOMAS of California. Mr. Speaker, I yield back the balance of my time.

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

The SPEAKER pro tempore (Mr. MCNULTY). Pursuant to the order of the House, the previous question is ordered.

The question is on the motion to recommit offered by the gentleman from California [Mr. THOMAS].

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. THOMAS of California. 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 408, nays 8, not voting 18, as follows:

[Roll No. 75]

YEAS—408

Abercrombie
Ackerman
Allard
Allen
Anderson
Andrews (ME)
Andrews (NJ)
Andrews (TX)
Annunzio
Anthony
Applegate
Archer
Armey
Aspin
Atkins
AuCoin
Bacchus
Baker
Ballenger
Barnard
Barrett
Barton
Bateman
Beilenson
Bennett
Bentley
Bereuter
Berman
Bevill
Bilbray
Blackwell
Bliley
Boehlert
Boehner
Bonior
Borski
Boucher
Boxer
Brewster
Broomfield
Browder
Brown
Bruce
Bryant
Bunning
Burton
Bustamante
Byron
Callahan
Camp
Campbell (CA)
Campbell (CO)
Cardin
Carper
Carr
Chandler
Clay
Clement
Clinger
Coble
Coleman (MO)
Coleman (TX)
Collins (IL)
Collins (MI)
Combest
Condit
Conyers
Cooper
Coughlin
Cox (CA)
Cox (IL)
Coyne
Cramer
Crane
Cunningham
Dannemeyer
Darden
Davis
de la Garza
DeFazio
DeLauro
DeLay
Dellums
Derrick
Dickinson
Dicks
Dingell
Donnelly
Dooley
Doolittle
Dorgan (ND)
Dornan (CA)
Downey
Dreier
Duncan
Durbin
Dwyer
Dymally
Early
Eckart
Edwards (CA)
Edwards (OK)
Edwards (TX)
Emerson
Engel
English
Erdreich
Espy
Evans
Ewing
Fascell
Fawell
Fazio
Feighan
Fields
Fish
Flake
Foglietta
Ford (MI)
Ford (TN)
Frank (MA)
Franks (CT)
Gallegly
Gallo
Gaydos
Gejdenson
Gekas
Gephardt
Geren
Gibbons
Gilchrest
Gilman
Gingrich
Glickman
Gonzalez
Goodling
Gordon
Goss
Gradison
Grandy
Green
Guarini
Gunderson
Hall (OH)
Hall (TX)
Hamilton
Hammerschmidt
Hancock
Hansen
Harris
Hastert
Hatcher
Hayes (IL)
Hefley
Hefner
Henry
Herger
Hertel
Hoagland
Hobson
Hochbrueckner
Holloway
Hopkins
Horn
Horton
Houghton
Hoyer
Hubbard
Huckaby
Hughes
Hunter
Hutto
Hyde
Inhofe
Ireland
James
Jenkins
Johnson (CT)
Johnson (SD)
Johnson (TX)
Johnston
Jones (GA)
Jones (NC)
Jontz
Kanjorski
Kaptur
Kasich
Kennedy
Kennelly
Kildee
Kleczka
Klug
Kolbe
Kolter
Kopetski
Kostmayer
Kyl
LaFalce
Lagomarsino
Lancaster
Lantos
LaRocco
Laughlin
Leach
Lehman (FL)
Lent
Levin (MI)
Lewis (CA)
Lewis (FL)
Lewis (GA)
Lightfoot
Lipinski
Livingston
Lloyd
Long
Lowery (CA)
Lowey (NY)
Luken
Machtley
Manton
Markey
Marlenee
Martin
Martinez
Matsui
Mavroules
Mazzoli
McCandless
McCloskey
McCollum
McCrery
McCurdy
McDade
McDermott
McEwen
McGrath
McHugh
McMillan (NC)
McMillen (MD)
McNulty
Meyers
Mfume
Michel
Miller (CA)
Miller (OH)
Mineta
Mink
Moakley
Molinari
Mollohan
Montgomery
Moody
Moran
Morella
Murphy
Murtha
Myers
Nagle
Natcher
Neal (MA)
Neal (NC)
Nichols
Nowak
Nussle
Oakar
Oberstar
Obey
Olin
Olver
Ortiz
Orton
Owens (NY)
Owens (UT)
Oxley
Packard
Pallone
Panetta
Parker
Pastor
Patterson
Paxon
Payne (NJ)
Payne (VA)
Pease
Pelosi
Penny
Perkins
Peterson (FL)
Peterson (MN)
Petri
Pickett
Pickle
Porter
Price
Pursell
Quillen
Rahall
Ramstad
Ravenel
Ray
Reed
Regula
Rhodes
Richardson
Ridge
Riggs
Rinaldo
Ritter
Roberts
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Rose
Rostenkowski
Roth
Roukema
Rowland
Roybal
Russo
Sanders
Sangmeister
Santorum
Savage
Sawyer
Saxton
Schaefer
Scheuer
Schiff
Schroeder
Schulze
Schumer
Sensenbrenner
Sharp
Shaw
Shays
Shuster
Sikorski
Sisisky
Skaggs
Skeen
Skelton
Slattery
Slaughter
Smith (FL)

Smith (IA)	Tallon	Walker
Smith (NJ)	Tanner	Walsh
Smith (OR)	Tauzin	Waters
Smith (TX)	Taylor (MS)	Waxman
Snowe	Taylor (NC)	Weber
Solarz	Thomas (CA)	Weiss
Solomon	Thomas (GA)	Weldon
Spence	Thomas (WY)	Wheat
Spratt	Torres	Williams
Staggers	Torricelli	Wilson
Stallings	Towns	Wise
Stark	Traficant	Wolf
Stearns	Traxler	Wolpe
Stenholm	Unsoeld	Wyden
Stokes	Upton	Wylie
Studds	Valentine	Yates
Stump	Vander Jagt	Yatron
Sundquist	Vento	Young (AK)
Swett	Visclosky	Young (FL)
Swift	Volkmer	Zeliff
Synar	Vucanovich	Zimmer

NAYS—8

Alexander	Frost	Sarpalius
Brooks	Jacobs	Washington
Chapman	Poshard	

NOT VOTING—18

Bilirakis	Lehman (CA)	Rangel
Costello	Levine (CA)	Roe
Dixon	Miller (WA)	Sabo
Gillmor	Moorhead	Serrano
Hayes (LA)	Morrison	Thornton
Jefferson	Mrazek	Whitten

□ 1322

Mr. SARPALIUS changed his vote from "yea" to "nay."

So the motion to recommit was agreed to.

The result of the vote was announced as above recorded.

A motion to recommit was laid on the table.

Pursuant to the order of the House, House Resolution 420 was laid on the table.

PERSONAL EXPLANATION

Mr. MORRISON. Mr. Speaker, I was unavoidably detained during two recorded votes. Had I been present, I would have voted "aye" on rollcall No. 74 and "aye" on rollcall No. 75.

RESCISSION RELATING TO DEPARTMENT OF ENERGY—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 102-188)

The SPEAKER pro tempore (Mr. MCNULTY) laid before the House the following message from the President of the United States, which was read and together with the accompanying papers, without objection, referred to the Committee on Appropriations and ordered to be printed:

To the Congress of the United States:

In accordance with the Congressional Budget and Impoundment Control Act of 1974, I herewith report one rescission proposal, totaling $145 thousand in budgetary resources.

The proposed rescission affects the Department of Energy. The details of this rescission proposal are contained in the attached report.

GEORGE BUSH.

THE WHITE HOUSE, *April 8, 1992.*

ANNUAL REPORT OF NATIONAL ENDOWMENT FOR DEMOCRACY—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Foreign Affairs:

To the Congress of the United States:

Pursuant to the provisions of section 504(h) of Public Law 98-164, as amended (22 U.S.C. 4413(i)), I transmit herewith the Eighth Annual Report of the National Endowment for Democracy, which covers fiscal year 1991.

GEORGE BUSH.

THE WHITE HOUSE, *April 8, 1992.*

NATIONAL RECYCLING DAY

Mr. SAWYER. Mr. Speaker, I ask unanimous consent that the Committee on Post Office and Civil Service be discharged from further consideration of the Senate joint resolution (S.J. Res. 246) to designate April 15, 1992, as "National Recycling Day," and ask for its immediate consideration.

The Clerk read the title of the Senate joint resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The Clerk read the Senate joint resolution, as follows:

S.J. RES. 246

Whereas the United States generates over 180 million tons of municipal solid waste each year—almost double the amount produced in 1965, and amounting to about 4 pounds per person per day—and the amount is expected to increase to 216 million tons of garbage annually by the year 2000;

Whereas the continued generation of enormous volumes of solid waste each year presents unacceptable threats to human health and the environment;

Whereas the Environmental Protection Agency expects that 27 States will run out of landfill capacity for municipal solid waste within 5 years and that a large percentage of currently operating landfills will close by the year 2000 either because they are filled or because their design and operation do not meet Federal or State standards for protection of human health and the environment, requiring that waste now disposed of in these facilities will have to be disposed through other means;

Whereas a significant amount of waste can be diverted from disposal by the utilization of source separation, mechanical separation and community-based recycling programs;

Whereas recycling can save energy, reduce our dependence on foreign oil, has substantial materials conservation benefits and can prevent the pollution created from extracting resources from their natural environment;

Whereas the revenues recovered by recycling programs offset the costs of solid waste management and some communities have established recycling programs which provide significant economic benefits to members of the community;

Whereas the current level of municipal solid waste recycling in the United States is low, although some communities have set a much higher rate;

Whereas to reach a goal of increased recycling, more materials need to be separated, collected, processed, marketed and manufactured into new products;

Whereas a well-developed system exists for recycling scrap metals, aluminum cans, glass and metal containers, paper and paperboard, and is reducing the quantity of waste entering landfills or incinerators and saving manufacturers energy costs;

Whereas recycling of plastics is in the early stages of development and considerable market potential exists to increase the recycling;

Whereas yard and food waste is an important part of municipal solid waste and a large potential exists for mulching and composting the waste which save both landfill space and nourish soil, but only small amounts of this material is currently being recycled;

Whereas Federal, State and local governments should enact legislative measures that will increase the amount of solid waste that is recycled;

Whereas Federal, State and local governments should encourage the development of markets for recyclable goods;

Whereas Federal, State and local governments should promote the design of products that can be recycled safely and efficiently;

Whereas the success of recycling programs depends on the ability of informed consumers and businesses to make decisions regarding recycling and recycled products and to participate in recycling programs; and

Whereas the people of the United States should be encouraged to participate in educational, organizational and legislative endeavors that promote waste separation methods, community-based recycling programs and expanded utilization of recovered materials: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That April 15, 1992, is designated as "National Recycling Day". The President of the United States is authorized and requested to issue a proclamation calling on the people of the United States to observe the day with appropriate ceremonies and activities.

The Senate joint resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

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 Senate Joint Resolution 246, the Senate joint resolution just considered and passed.

AIR FORCE SECRETARY VISITS COLUMBUS AIR FORCE BASE AND 186TH AIR REFUELING GROUP IN MERIDIAN

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Mississippi [Mr. MONTGOMERY] is recognized for 5 minutes.

Mr. MONTGOMERY. Mr. Speaker, at my invitation, Air Force Secretary Donald Rice accompanied me to Mississippi on April 3 to visit Columbus Air Force Base and the Air National Guard unit in my hometown of Meridian, MS. He addressed a graduating class of pilots in Columbus and took part in the conversion ceremony in Meridian, where the 186th Tactical Reconnaissance Group became the 186th Air Refueling Group.

I want to share with my colleagues the Secretary's fine remarks at both of those ceremonies.

THE HONORABLE DONALD B. RICE, SECRETARY OF THE AIR FORCE, REDESIGNATION CEREMONY, FROM 186TH AIR TACTICAL RECONNAISSANCE GROUP [TAC] TO 186TH AIR REFUELING GROUP [SAC], KEY FIELD, MS

Let me tell you what people in Washington say about the rededication of the 186th. They say Congressman Montgomery and the Meridian military/community team must have had a crystal ball; that you predicted 3 years ago how the world would change; that you sought out a mission right for the times, then took it as your own.

Actually, the 186th Air Refueling Group has become more than a unit with a new mission. It's also teaming up with the legendary Strategic Air Command until June. And on June 1st it joins the new Air Mobility Command, becoming part of the largest restructure of the Air Force since our beginnings. Air Mobility Command will be our front line for global reach, providing rapid deployment and global mobility for all of our joint forces and some of our coalition partners. So the 186th is riding the crest of late-breaking changes in the Air Force and the world.

The move from tactical reconnaissance to tanker aircraft crystallizes General Montgomery's vision of national security in a fragmenting world. The nation needs highly mobile forces to deploy anywhere quickly, especially as we cut back on overseas bases. And tankers are the lifeline of mobility. The KC-135Rs of the 186th Air Refueling Group confirm America's ability to respond to crisis—whether that response is a clenched fist or a helping hand.

In war, refuelers let our forces outrange the enemy's, important when you consider distances like those in the Gulf: over 1000 miles from Southern Saudi to Baghdad. Some tankers flew with specific strike formations; some did their job over enemy territory. During Desert Shield and Storm Air Force tankers flew over 34,000 sorties, performed 85,000 refuelings and offloaded 1.2 billion pounds of fuel. 262 KC-135s supported 6 countries and our joint forces. They also flew 913 airlift sorties.

The Guard and Reserves comprised 37% of the entire tanker fleet in the Gulf. 12 of 13 Air National Guard refueling units were activated. No air refueling were missed for reasons other than the weather. Mission capable rates exceeded 90%—better than the peacetime rate. You might be interested in Strategic Air Command's report on tanker ops in the Gulf war. It concluded with these words about your new aircraft: "The increased capability of the KC-135R provided the backbone of tanker support."

Though the Desert Storm has abated, the need to reach hot spots, humanitarian relief destinations, or disasters could be tested anytime. And if the war was an indicator, the hands of Mississippi's finest will shoot up when the nation calls. Ask those who deployed—like the security police and intel experts from Key Field. You'll see the Mississippi tradition of voluntarism shine through.

So in this fast-changing world some things have not changed: like the can-do spirit of air crews and the support teams; like airpower's contributions to the nation . . . global reach and global power; and the relevance and vitality of the Magnolia Militia. The 186th is one of the oldest air guard units in the country, yet part of the youngest service. It's keeping the best of its roots while revitalizing its wings. It captures the spirit of the Air Force.

THE HONORABLE DONALD B. RICE, SECRETARY OF THE AIR FORCE, UNDERGRADUATE PILOT TRAINING GRADUATION, COLUMBUS AFB, MS

Mr. Chairman, General Killey, Colonel Ardillo, ladies and gentlemen: thanks very much. I don't know who's more fired up—the beaming graduates or their proud families. This is an emotional occasion for me too, since I'm painfully aware that this speech is a 15 minute interruption for 200 people on their way to a party!

The unsung heroes of this celebration, of course, are the families. They bolstered these hard-charging pilots through the first T-37 solo, the dunk tank, the first checkride, 4-ship rejoins, and a firehose of academics. In pilot training you cram 30 hours into 24 each day, making for hectic nights and weekends. The spouses deserve extra credit for their support. They may deserve wings for being able to recite the Boldface Procedures in their sleep!

This ceremony kicks off a new chapter in the graduates' lives. The future, according to Yogi Berra, "ain't what it used to be"—which is my topic today.

How the global picture has changed struck home last week in a Pentagon briefing. Our briefers were in flight suits—Lieutenant Colonel Mike Chase and Captain Diane Byrne. Mike's a B-52 pilot and Diane's a KC-10 pilot, both stationed at Barksdale Air Force Base.

They just returned, with 58 other crew members, from a Russian air force base 90 miles southeast of Moscow. The event: an aircraft exchange visit to commemorate 50 years of Russian long-range aviation.

Picture the welcoming ceremony: chocked on the flightline, side by side, are two B-52s, a KC-10, a Russian Bear Bomber, and Russian Backfires and Blinders. Standing in front of this historic parking lot are Americans and Russians saluting. They're facing a Russian flag and a U.S. flag. The band strikes up the music. It's the Star Spangled Banner. Afterwards, the old Russian anthem.

Barksdale Ops Group Commander Colonel Jim Phillips, a former cold warrior, takes the podium. He says, "I'd been planning to come to your country for 20 years—but never expected a friendly crowd or the Star Spangled Banner to greet me!" By nightfall both groups of aviators concluded they have far more in common than they ever had in differences.

One of our most impressive airman-ambassadors was KC-10 pilot and aircraft commander, Captain Diane Byrne. The Russians have no women pilots, and Diane found herself in headlines and on TV. One Russian colonel told her, "You seem already to be changing society. My two daughters now want to become pilots."

Everyone wanted pictures with her. One photo from an air show at Kubinka shows the Chief of Staff of the Air Forces of the Commonwealth of Independent States; the Commander-in-Chief of Long-Range Aviation; a retired Marshall of the Soviet Union, who is a 5 star equivalent; 20 one, two, and three star Russian generals * * * and Diane. Her comment was, "What's wrong with this picture?"

Diane and Lt. Col Mike Chase returned to their Barksdale squadrons with pictures of Russian aircraft. Mike said the squadron Day Room walls always had pictures of Soviet aircraft—but none the Soviets gave up voluntarily.

Barksdale will host two TU-95 Bears and an IL-76 transport in May. Langley Air Force Base plans to host top of the line Russian fighters. A few years ago such visits were unthinkable. Now, pictures of a B-52 and a Bear wing to wing on a Russian ramp show how far the world's evolved—even since you entered pilot training.

Yours is the first generation to emerge from the shadow of the cold war. As President Bush said recently, "Imperial communism didn't just fall; it was pushed." Some of these IPs and senior leaders were on the front lines pushing it. Today, to their credit, fledgling democracies have replaced totalitarianism. In our new strategy the focus has shifted from global war to regional crises. New world, new opportunities.

One of the challenges for the military now, of course, is to scale back defense spending. Across the Defense Department we're reducing by half a million people in the active force. The number of Americans in uniform now is at the lowest level since the beginning of the Korean War. This means times of transition for a spectrum of society, including communities whose bases are closing and businesses specializing in defense. It means readjustments for people leaving the service and those who stay.

All the Air Force's UPT classes are affected by the defense drawdown too. Losing force structure means we lose cockpit jobs. Until the mid-90s we'll face a shortage of cockpits, yet have to accommodate those who need to fly to meet their gates and those just starting out.

In a perfect world, we'd send everyone VFR-direct from UPT to major weapon system training and then to an active cockpit. But the fact is some will enter a holding pattern until planes become available. Their advantage will be a chance to learn the Air Force outside the cockpit. Once they start flying, they won't get that big picture look again for a long time.

All of you, of course, are part of an elite few who made it into UPT. To graduate puts you in an even more select group. This year we've trained the fewest candidates since Korea. In FY93 we'll take in 625. Assuming a 20% attrition rate, we should produce 500 in FY94. We're taking in fewer from all sources—OTS, the active duty selection board, ROTC, and the Academy.

On the bright side, some tremendous command and flying assignments are out there. And they belong to every mission area. We don't go in for the "tactical" and "strategic" distinctions in aircraft or separate pockets of airmen anymore. in fact, Tactical Air Command, Strategic Air Command, and Military Airlift Command will be replaced this June by Air Combat Command and Air Mobility Command.

You'll see a new type of wing at many bases—the composite wing. It will consist of diverse aircraft and crews that train, deploy and fight as a team. The composite wing at Seymour Johnson has a fighter pilot as its wing commander, a bomber guy as the vice commander, and an operations group commander who flies tankers. At Pope Air Force

Base, the composite wing commander is a C-130 pilot. The wing commander at Kadena flies fighters, the vice is a tanker pilot, and the ops group commander is a fighter pilot. We want everyone to have a chance at good jobs in the restructured, leaner, meaner Air Force. And you'll have more opportunities to make your mark on the active Air Force, Guard, or Reserve.

I can't get off the stage without a couple pieces of advice. First, learn and teach others what the Air Force is about. Our contributions to the national security can be summed up in four words: Global Reach-Global Power. As the Gulf War demonstrated, airpower offers the range and speed to reach any hot spot in hours, the lethality to drive a lesson home quickly, the precision to limit the lesson for minimum loss of life, and the flexibility to adapt to any security environment.

Our contributions after the War, in Operation Provide Comfort for the Kurds, then Provide Hope for the Russians, proved airpower can mean more than a clenched fist; it can also mean a helping hand. As our newest pilots, make yourselves experts on airpower and what we contribute to joint operations.

A second piece of advice: keep in mind you are first and foremost Air Force officers. You're trained as leaders, as what Walter Lippman called "the custodians of a nation's ideals, of the beliefs its cherishes, of its permanent hopes."

The American people know and appreciate the risks you take in their behalf. Their wish is always

"Lord guard and guide the men who fly
Through lonely spaces in the sky * * *"

They deserve your leadership and integrity in public service. What you get back is a singular honor: to serve beneath the Air Force Seal and the American flag.

Oh, and yes * * * you get the electrifying thrill of flying. You get your pilot proficiency rating. And you've won your wings. Now is that why you pilots are all fired up, or is it because you love graduation speeches?

I'll close with the image of an Air Force pilot on CNN the first day of Desert Storm. He was headed for his aircraft, about to fly into the war zone. A reporter shouted, "How do you feel?" Thumbs up, with a big grin, the guy yelled, "God gave me a good woman and made me an American Air Force pilot. It doesn't get any better than that!"

Congratulations.

LEGISLATION TO DESIGNATE NATIONAL RED RIBBON WEEK FOR A DRUG-FREE AMERICA

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Missouri [Ms. HORN] is recognized for 5 minutes.

Ms. HORN. Mr. Speaker, I rise today to introduce a bill that designates the week of October 24, 1992, as "National Red Ribbon Week for a Drug-Free America." I introduced this bill last year and was joined by over 250 of my colleagues in cosponsoring this legislation. The bill was signed by President Bush, who, along with Barbara Bush, is the national honorary chairman of the national red ribbon campaign.

If the reality of the world we live in were different, I would not be here today introducing legislation to combat drug abuse. But a simple fact remains—our Nation still faces a serious drug problem. However, I am hopeful that through education and prevention efforts we can continue to lessen the demand for drugs, especially among our young people.

That is why I am proud to be introducing legislation that will help the national red ribbon campaign combat drug abuse. Located in Missouri's Second Congressional District, this grassroots organization has worked tirelessly toward the goal of a drug-free America. During this October week, the campaign will help communities and local governments mobilize and hold rallies and events in local schools. They will also encourage people to wear red ribbons to show their support for a drug-free America.

Senator MURKOWSKI introduced this bill last year in the Senate and plans to reintroduce this measure this year. Mrs. Nancy Murkowski, chair of the Congressional Families for a Drug-Free Youth, also deserves recognition for her outstanding work in this area. With the efforts of the red ribbon campaign and other organizations devoted to combating our Nation's drug problems, we can win the fight against drug abuse. I encourage my colleagues to join me in supporting this legislation.

INTRODUCTION OF THE MEDICARE PROGRAM PROTECTION ACT OF 1992

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois [Mr. ROSTENKOWSKI] is recognized for 5 minutes.

Mr. ROSTENKOWSKI. Mr. Speaker, today I am introducing H.R. 4805, the Medicare Program Protection Act of 1992, a bill to amend the Budget Enforcement Act [BEA] to allow for the proper funding of administrative expenses of the Medicare Program. This important bill will assure that the funds entrusted to the Medicare Program by millions of working Americans are properly administered, and that spending for Medicare benefits is protected from waste, fraud, and abuse. This bill parallels similar provisions adopted in the BEA regarding funding for enforcement activities of the Internal Revenue Service.

I am introducing this legislation due to my increasing concern about the level of funding appropriated for the costs of administering Medicare. In recent years, the level provided has not kept pace with increases in the number of beneficiaries or in the overall growth in claims submitted to Medicare by providers for payment each year.

My bill promotes fiscal responsibility by assuring that Medicare's fiscal intermediaries and carriers will have the funds they need to assure that Medicare's limited funds are not lost to improper payments. Based on estimates by both the General Accounting Office [GAO] and the inspector general of the Department of Health and Human Services, my bill saves more money than it spends.

Since the Medicare legislation was enacted in 1965, the program has been administered through contracts with a network of private insurance companies known as fiscal intermediaries and carriers. There are currently 84 insurers with contracts with Medicare.

The services performed under the contracts include: processing payment for more than 700 million claims each year; conducting medical reviews to determine whether services are necessary and appropriate; auditing the costs reported by hospitals and other facilities; assuring that Medicare is the proper payer; and, assisting beneficiaries, as well as doctors, hospitals, and other providers, in understanding the program. The total budget for these critical services is below 2 percent of total program expenditures which is estimated to be $145 billion in fiscal year 1993.

The problem in Medicare funding for the fiscal intermediary and carrier contracts is illustrated by the impact of a $1.47 billion appropriation, the level requested by the President and the level provided in both House and Senate appropriations bills for this fiscal year. This is 2.5 percent below the fiscal year 1991 appropriation.

Claims volume will grow an estimated 11.5 percent between fiscal year 1991 and fiscal year 1992. If the budget for claims processing does not increase, the Federal Government will incur interest costs due to late payments to providers of health services. For this reason, other administrative functions must bear the entire burden of the failure of the budget to keep pace with increases in workload.

Medicare claims volume has grown at double-digit rates, and overall benefit payments have increased by 13 percent. Funding for activities which protect Medicare from fraud and abuse have not kept pace. For example, the fiscal year 1992 level has required a 6-percent reduction in funding for audits and a 16-percent reduction in medical reviews. The fiscal intermediaries and carriers have had to reduce staffing by approximately 1,000 people, of which nearly 20 percent were auditors, as a result of these cuts. The reduction in these activities is particularly ill-advised given that they save far more money than they cost.

In implementing the fiscal year 1992 budget, HCFA instructed the fiscal intermediaries to reduce the number of audits performed on hospitals, skilled nursing facilities, and home health agencies, even though significant amounts of payment received by these facilities are based upon cost reimbursement. It is anticipated that there will be at least 75 percent fewer hospitals audited in fiscal year 1992 than in fiscal year 1991, and even deeper reductions in the number of other facilities audited.

The low fiscal year 1992 funding level for appeals by hospitals and doctors of audit findings will mean that unresolved appeals will double during the year, leaving over 10,000 unresolved appeals at the end of the year. This is more than a 2-year backlog. This will undoubtedly lead to increased provider complaints about the hassle and lack of responsiveness of the program.

The President had proposed to cut funding for beneficiary communications by 57 percent.

This cut meant that virtually no telephone inquiries from senior citizens would be answered in a timely fashion. In addition, toll-free 800 lines were targeted for elimination. The $22 million necessary to fund the 800 lines was not included in the budget. I am sure we can all imagine the response of Medicare's beneficiaries if these toll-free lines were eliminated. Due to intense pressure from Members and from the public, OMB released funds from a contingency fund to keep the toll-free lines open. Even with this release, funding for this critical service is below the fiscal year 1991 level, even though demand for the service is increasing.

The President's fiscal year 1993 budget request increases funding for fiscal intermediaries and carriers by 7.7 percent, but achievement of this amount requires enactment of program changes which have been rejected repeatedly by the Congress. If these legislative changes are not enacted, the Health Care Financing Administration has testified that payment safeguard activities will be cut.

I am deeply concerned that Medicare funds be spent prudently and properly. It is particularly important in view of budget constraints facing Medicare that every dollar spent by the program be carefully scrutinized. Given the reductions in funding for audits and other payment safeguards, it is clear that goal will not be met.

Underfunding Medicare's administrative budget is a classic penny-wise and pound-foolish approach to governing. As the Comptroller General has stated in testimony before the Committee on Ways and Means :

> Spending too little on administration translates into spending too much on [the Medicare] program. The effect is to forego hundreds of millions of dollars in savings that could otherwise be attained.

Both the GAO and the HHS inspector general have urged higher spending for Medicare administration, with the GAO noting that spending for Medicare's payment-safeguard activities save Medicare $14 for every dollar spent. Of course, the problem is that under the BEA, the savings affect the entitlement portion of the budget, while the spending is under the discretionary spending limits. Savings from one are not able to offset spending on the other.

Medicare's administrative costs have been under growing budgetary constraint primarily because they are funded out of the domestic discretionary spending category of the BEA, despite the fact that Medicare's administrative needs are driven by the mandatory, entitlement nature of the program.

The growth in the number of beneficiaries, the growth in the volume of claims to be processed, and changes in the delivery of health care all drive Medicare's administrative costs upward. These factors cannot be artificially controlled by imposing arbitrary spending caps on administrative costs. It makes even less sense when short-sighted reductions in administrative spending cause higher spending on the benefits side.

My bill corrects this anomaly by providing additional funding for the administrative costs of Medicare up to a specified level. The bill implements the recommendations of the GAO and the HHS inspector general in this area. The approach is similar to that taken with regard to additional funding for the Internal Revenue Service, an approach the GAO specifically recommended in its report.

Specifically, my bill assures that we can meet the administrative needs of Medicare by amending the Budget Enforcement Act to provide that if a specified level of funding is appropriated, and such funding is scored against the discretionary spending caps, then the Congress would have the option of providing additional funding up to a ceiling specified in the bill, and the caps would be adjusted to accommodate the higher amount. Of course, these additional amounts could only be used for Medicare administration.

Mr. Speaker, H.R. 4805 will insure that Medicare's administrative funding will keep pace with the growth in beneficiaries and in the volume of claims submitted for payment. It will assure that payments by fiscal intermediaries and carriers are safeguarded against fraudulent and wrongful spending which increases overall spending by the Medicare Program.

I believe that this bill is a prudent response to the need to maintain the integrity of the Medicare Program. It will promote confidence in Medicare by millions of senior citizens and disabled beneficiaries, as well as by the millions of working Americans who faithfully finance the program. The higher spending on Medicare administration provided by the bill will be more than offset by reductions in wrongful benefit expenditures. I urge my colleagues to join me in supporting this important legislation.

A summary of H.R. 4805 follows:

SUMMARY OF THE MEDICARE PROGRAM PROTECTION ACT OF 1992

1. Short Title: A. Medicare Program Protection Act of 1991.

2. Adjustments to Budget Enforcement Act Discretionary Spending Limits: A. The Budget Enforcement Act would be amended to authorize additional spending for Medicare's fiscal intermediaries and carriers in each of the next three fiscal years. The additional amount would be based on the expected growth in claims volume under the program.

Fiscal intermediaries and carriers, on behalf of Part A and Part B of Medicare respectively, pay claims, audit providers, hold hearings on disputed claims, and provide information to beneficiaries and providers on specific claims and on Medicare payment policies.

B. To the extent that appropriations are enacted that provide budget authority above the level of spending in FY 1992 of $1.526 billion, the appropriate discretionary spending limits would be adjusted to accommodate the additional amount. The adjustments would be cumulative.

3. Amount of Adjustments: FY 1993: $177 million; FY 1994: $198 million; FY 1995: $220 million;

ELECTORAL COLLEGE REFORM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Kansas [Mr. GLICKMAN] is recognized for 5 minutes.

Mr. GLICKMAN. Mr. Speaker, this is not really to kill time. It is to talk about an issue that is very important, and that is the issue of electoral college reform.

It is no secret that we are in the midst of a very contested Presidential election process, and it is no secret that we might find ourselves this year with not only a hotly contested Democrat and Republican but a third party or independent candidate by the name of H. Ross Perot, who may be a very effective candidate for President.

I have always worried that one of these days we are going to find a situation where nobody wins a majority of electoral college delegates or that you may end with a three-way race where that fact occurs, or the popular vote goes one way, and the electoral college vote goes another way, and, of course, we have under our Constitution, if nobody wins a majority of electors, that issue is thrown into the U.S. House of Representatives, and under laws and customs, it is very interesting. There is a lot of unclarity with respect to how the House of Representatives deals with the issue.

For example, it is not totally clear whether the House that deals with it is the current Congress or the new Congress.

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The issue has only happened once before in our history and that is, of course, the election of Rutherford B. Hayes when he and Mr. Tilden's race was thrown into the electoral college and the House of Representatives determined the issue; but it is quite interesting, because under the customs and traditions and under the Constitution the way the issue would be dealt with is each State would get one vote, so the State of California with several dozen Members of Congress would get one vote. The State of Missouri with nine Members of Congress would get one vote. The State of Kansas with five Members would get one vote, and it is unclear what procedures would be used. Would we have a majority vote within our delegation or would there be some other methodology that the House would have to then take up?

All I say is this is an important issue that one of these days will have to be dealt with because there will be a constitutional crisis, and it could happen in 1992 if in fact there is a legitimate hard-fought three-way race for President and it could even happen if there is a two-way race for President.

Mr. SKELTON. Mr. Speaker, will the gentleman yield?

Mr. GLICKMAN. I am glad to yield to the gentleman from Missouri.

Mr. SKELTON. Mr. Speaker, my question of the gentleman is this, and I know there is very little historical precedent and probably very little written about it; but theoretically, could someone not be chosen by this body under the Constitution that was not a candidate in the earlier elections throughout the country?

Mr. GLICKMAN. I think that is indeed the possibility, that this body could choose somebody who was not even an active candidate for President, and as we know in most cases the electors are probably not legally bound absolutely in their own States.

We in the House, and scholars in this country need to focus on the issue during the next few months, so that we are ready in the event that a constitutional catastrophe happens.

Now, I happen to believe that the electoral college should be abolished, and have introduced a constitutional amendment to do that.

Mr. SKELTON. Mr. Speaker, will the gentleman yield at that point?

Mr. GLICKMAN. I am glad to yield to my colleague, the gentleman from Missouri.

Mr. SKELTON. Of course, we are facing history and we are also facing the comments of the late Harry Truman, who very much favored the electoral college, and as he so pointed out immediately before being sworn in on January 20, 1949, because of the crisis that he went through, he very much favored the retention of the electoral college.

Mr. GLICKMAN. I know the gentleman was very close to the Truman family and Mr. Truman's words may be wiser than mine.

We are not going to get the abolition of the electoral college through this Congress and through the country by the time this election takes place. What we have to prepare ourselves for is the possibility that this election could be thrown into the electoral college and could be thrown into the House of Representatives thereafter. If so, we ought to have procedures in place to deal with it.

EPA MUST CHANGE ITS COURSE ON ETHANOL

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

Mr. POSHARD. Mr. Speaker, I want to follow up on the comments of my colleagues from Illinois and other farm States who participated in a special order yesterday concerning ethanol.

I was detained in committee and with appointments in my office, but I have reviewed their statements in the CONGRESSIONAL RECORD and applaud them for their efforts.

I come to the well today being one of the very few Members of this House who voted against the 1990 Clean Air Act. I did so because of the unfair way it treated the high-sulfur coal mines in my area and the utilities burning their coal.

Southern Illinois is suffering under the weight of new emission requirements that were imposed without a national cost-sharing program.

Many of my colleagues who might have joined me in voting against the bill decided that, on balance, the promise for new markets for ethanol could perhaps offset the impact on coal, and therefore offered their support.

But the Environmental Protection Agency, in my judgment, is misinterpreting what Congress intended to provide for ethanol in the Clean Air Act. That threatens the future of farming States such as Illinois, and it also threatens the economy, energy, and environmental future of this country.

Congress intended to provide a level playing field for ethanol, and alcohol fuel derived from corn which is blended with ordinary gasoline.

Ethanol is an exciting product for Illinois and the thousands of corn farmers who supply the raw materials, and for companies such as Archer-Daniels-Midland and others who produce the finished product.

In my district there is an energy park under development in Franklin County which is counting on expanded markets for ethanol. Now, as we heard from my colleagues yesterday, many ethanol-related projects around the country are on hold because of uncertainty over what the EPA might do.

Essentially, the situation boils down to the fact that Congress intended to give ethanol fuels the chance to be used in high pollution areas. Now the EPA is proposing rules to implement the Clean Air Act which runs contrary to that intent.

There are several troubling aspects of this situation.

Here we have a domestically produced energy source, which supports the heartland of America, providing thousands of jobs and the potential for thousands more. And the administration balks at using it as Congress intended.

We have a farming economy that is only now recovering from the near-depression State of 1980's, a bill which gave farming new hope and opportunity, and now that is threatened by a complex web of rulemaking and legislative interpretation.

We appear to have a Federal agency promulgating rules which run contrary to congressional intent achieved through long and arduous negotiations.

And we appear to have a conflict between agricultural interests, who support ethanol, and the oil industry, which along with its methane-based product, would appear to be the winner in this high stakes game of rulemaking if the EPA proceeds with its present course.

But there are some encouraging aspects as well.

We have a strong, bipartisan coalition of members from Illinois, Iowa, Nebraska, and other farming States willing to take up the fight for ethanol and the American people who depend upon it for their paychecks.

And there are efforts underway to provide the scientific detail to exhibit to the EPA that ethanol deserves the chance to fight the high levels of air pollution found in cities across the country.

There is no doubt that Congress meant for ethanol to be a key player in the fight against air pollution.

I want to encourage all of us to take a second look at what's happening. We have a tremendous opportunity to attack the air pollution problem, provide new jobs in the Midwest, and stabilize the farming industry which feeds this Nation and the world. We must not let that slip away.

Mr. BEREUTER. Mr. Speaker, will the gentleman yield?

Mr. POSHARD. Yes; I yield to the gentleman from Nebraska.

Mr. BEREUTER. Mr. Speaker, I thank the gentleman for yielding to me and I want to commend him on his outstanding statement on this important subject. The gentleman is quite right in emphasizing that this is a bipartisan concern and we are simply not going to take the wrong answer from the EPA on this issue. We are not going to let them thwart the intent of Congress on this issue.

There may be a volatility problem in some parts of this country. If we are not careful, that volatility problem in limited areas in going to be used as an excuse for sabatoging the grain ethanol industry in its proper role in implementing the Clean Air Act.

I want to commend the gentleman and say to our colleagues here in the House, this is a strong bipartisan concern. One way or another, we are going to win this and assure that the intent of Congress is implemented.

Mr. POSHARD. Mr. Speaker, I thank the gentleman for his comments and for participating in this special order.

The gentleman is quite right. It is a bipartisan effort. This is a clear case where the Agency has misinterpreted the intent of the legislation which the Congress passed. We are very hopeful that all of us will join together in bringing the Agency around to see it as we saw it when the legislation passed, so I thank the gentleman very much.

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REPORT OF CHAIRMAN OF COMMITTEE ON BANKING, FINANCE AND URBAN AFFAIRS

The SPEAKER pro tempore (Mr. McNULTY). Under a previous order of the House the gentleman from Texas [Mr. GONZALEZ] is recognized for 60 minutes.

Mr. GONZALEZ. Mr. Speaker, today's purpose in addressing my colleagues—and I would like to remind those who view the Hall of the House, which is a description of this Chamber that the Constitution describes it with,

the Hall of the House of Representatives, Mr. Speaker, it is the largest one of its kind of any legislative hall in the world, even our mother parliament, the House of Commons, which consists of about 630 members as compared to our 435.

But as I have said before, when I assumed the great responsibility and honor of chairing the Committee on Banking, Finance and Urban Affairs of the U.S. House of Representatives, I promised to give reports. These reports I started the very first day that I was elected chairman at the beginning of the last Congress. So that I am trying to discharge that responsibility because I feel that some of the basic purposes here of communication are to render an accounting first to our own Members who may not belong to the Committee on Banking, Finance and Urban Affairs, and probably do not, even though by way of parenthesis this committee actually consists of 10 percent of the total membership of the full Congress—that is, the Senate and the House—of 52 Members.

I think we will have to look at it from that perspective. And from another angle, also parenthetically speaking, it is one-half of the U.S. Senate plus two.

So, this is a big committee. It was not that way when I first came, but it is now. Therefore, I feel that my colleagues should be informed, if they are interested, and I find that most are. They may not be here physically, but we live in a day and time in which we have interoffice and television communications.

A study revealed to us that over 85 percent of the Members have their television on during these special orders. And after all, that is whom I am addressing, as I did the very first year I was sworn in, the first month I was sworn in and made use of this privilege known as special orders.

Actually, they are just the recognition that began some years ago of the need for members of a multiple body such as this that operates under severe restrictions of time during debate, to have an opportunity to enlarge on some particular subject matter or on some occasions that used to be based on an irregular and unpredictable basis under the rules of personal privilege or in the unanimous consent requests to have leave to address the House.

This is the way it has been done all the way along. So, finally, it was recognized that there should be an orderly system which, incidentally, with great sadness I noticed one of our colleagues on the majority side, a gentleman from California, circulating a letter seeking support to abolish this practice. I am sure that it is born out of ignorance of the history and reasons for this.

The reason is very basic, that this gives a chance in an orderly and predictable way for a Member or Members through unanimous consent—and after all legislative business has been completed as of the day—to address the House for an amount of time ranging from 1 minute to 1 hour.

I think that is a great, great tradition, and I have respected it, and I have never used this privilege or this forum as a political stump to inject anything other than issues that are involving us as legislators.

Now, before we had television coverage of the proceedings—and I think it is great to have them and all of that—I think it brings in the American people who really are much more interested than they have been given credit for. I have known that all along. But it used to be most of the 30 years I have been here that all we had to do was submit the speech in writing.

The first 20 years, that particular written speech would be printed in the RECORD as if it had been delivered on the House floor. Then you had abuses.

So, then there was a requirement that, if you submitted it that way, that the Member sign his name. Then after that there were still some complaints and abuses. So it was then changed that if that in fact was done, then in the RECORD there shall be a different and smaller print in which the unaddressed address was made. In other words, the smaller print indicates that the Member did not actually deliver it.

Well, I never had to have those rules; I did it from the beginning when nobody was taking the House floor after hours to make a special order, 30 years ago, 25 years ago, 22 years ago, and ever since when I take the floor.

I felt that that was the intent as I read the history of the precedents of this custom.

So, anyway, to make a long story short, today I want to report generally at first on some of the things that I have been specific about for the last few months. And that is the threat and the detrimental impact to the national interest with respect to the unrestrained and unregulated activities of huge amounts of money, so-called international money, that is in this country. A very conservation estimate as of last year was $800 billion. I would say conservatively it is at least a trillion dollars.

None of our regulatory agencies are adequately monitoring or supervising or regulating or overseeing these activities. It does not take but a small tranche of that huge amount to have tremendous multiplier effect and leverage where you can have activities from the illicit and illegal drug money laundering to everything else, including procurement of sophisticated technology and weaponry, such as I have brought out in the case of Iraq between 1983, when President Reagan removed Iraq from the list of terrorist nations, until, actually, right before the invasion of Kuwait by Iraq.

We brought that out. We brought out the disarray on another level, and that is the executive-branch level, the lack of coordination among the various departments. After all, the reason we developed, or the President has developed, what we call the Cabinet system was in order to overcome that lack of coordination and communication.

But, apparently, we have had a breakdown in the past few decades which has had a detrimental impact on our Nation's interests and destiny.

On another level, this one I have referred to before, but just like the first one there is no perception and we cannot arouse interest—and maybe it is because it is in an area in which we in the Congress can do very little—that is in the area of monetary international policy which the executive branch once again, and through the treaty-making power, which again has been very much eroded through the executive agreement process. One hundred years ago it would have been unthinkable to have what they call 90 percent of the executive agreements today.

□ 1350

They would have demanded that they be considered under the advise and consent by the Senate of the treaty clause of our Constitution, but those are the facts today, and the facts are that we had many, many years in which we have strayed, almost imperceptibly, from our constitutional basic framework, and I have seen at no time, either in recent history or past history, where we have not suffered in direct degree and proportion to our removal from these moorings of constitutional basics.

It is in two parts. One, it is a fact that we have, and one is connected to the other, and that is the danger that we face in the debauching of the value of our currency. Some past quotations attributed to people that were not considered friends of our country, but also in past history attributed to some leaders that had enemies, would say that, "If you first want to undermine and eventually destroy a country or its government, you seek debauching its currency."

The value of the dollar since 1985, the middle of the Reagan administration, has lost 60 percent of its value plus. Now in the meanwhile, and also beginning with the Reagan administration's midpoint, we became a debtor nation for the first time since 1914. And then on top of that we also piled a monstrous debt on all levels, not only governmental, but corporate and us, just the American public, as the largest debt structure of any known nation or combination of nations. On the governmental level we have $6 trillion, but on the side there, not counted, is another $6 trillion of so-called off-budget or, as the British call it, contingency debt. But so does a private banking system.

Again, I have had several releases. I have reported it to this body, but so far I have seen no reporting of that. I am considerably worried. When the 20 largest banks of our country have anywhere from 750 percent to 1,750 percent times their off-balance sheet contingency, contingency, involvements, then they have a net total worth of assets. That is incredible, but yet it seems like everybody wants to whistle by that graveyard, and maybe if we do not look at it, or if we just wish it away, it is going to go away.

Well, Mr. Speaker, let me tell my colleagues that it is not going to go away, and there is only one consequence ultimately, or sooner or later, and that is all debts must be paid one way or the other. And how that is going to be done with a devalued and equivalent of a debauched currency is the gravest threat to the well-being of this Nation since its founding. I throw in even the Civil War.

Why? Because we have piled this monstrous debt because we have been the only Nation that has had the great privilege of paying its debts in its own currency. But today, I say to my colleagues, the danger is more imminent than is perceived or is wanted to be admitted, that the dollar can be substituted as the international reserve currency unit, and, if that happens, then it means that all this debt is going to have to be paid back in somebody else's currency.

And when that happens, then the old golden rule of finance. What is that rule? That rule says that he who has the gold makes the rule. The lender always sets the rules, not the borrower. And there will go our independence as far as financing and fiscal well-being is concerned and our vaunted standard of living, which has already been eroded. It has been eroded, and it was obvious since the decade of the 1960s.

Mr. Speaker, that is when I came to the Congress, and I began speaking on that subject matter since then, and I spoke for the record, so it is not something I am saying now in hindsight, and I was the one that raised my voice about what they first called multinationals. Well, with multinational corporations, at the bottom of all their activities and behind them is banking, finance. At the bottom of everything is banking, and money and finance. I brought that out ad infinitum as I have spoken here. I even used a Latin phrase when I was informed that what was wrong with multinationals, what was wrong with these huge American corporations going to Europe and elsewhere, Korea, Taiwan, and in Japan, financing in such a way that there was an inexorable link to the United States and its economy, and I was saying that the sacrificial victim in all of this was American labor, that American labor was being sold down the river.

Who cared?

I said in a Latin phrase: "Non redolent pecunia." That is money has no nationality. Well, we have the consequences now. We are now an importing nation net. We are not a producing nation. We have lost little under 5 million jobs permanently in manufacturing, in producing. Those jobs are gone. And even now, just 2 weeks ago, I brought out how not even waiting for the so-called free trade, and let me tell my colleagues everybody forgets the other word that is used. It is not just a free trade, United States, Mexico, Canada free trade agreement. It is free trade and finance.

So, much money is going now, for instance, into the newly born, so-called Mexican stock market, all of it a bubble from America, and I have been saying it is going to end the same way that our S&L, and now our banking, crisis has ended. Why? Because it is all based on speculative, risky gambling. It is one more throw of the dice.

Is that the way we should handle our fundamental business?

Now the other part, which is again very little referred to, but is intertwined, is this fact that every day, even now as I speak, we have another trillion dollars worth of money changing instantaneously, as fast as an electronic message or signal can be given from London, Germany, Paris, Tokyo, New York.

□ 1400

And what is that money? It is not money. It is not money transactions following commercial intercourse or transactions. It is paper chasing money. It is highly speculative, like our Wall Street stock market where we now have a book by a young lady called "The Paper Money." She is relating how she as a 19-year-old went to work at Wall Street and, within 3 months, had made over $1 million.

How did Boesky and Milken milk that process? All through debased tax laws and evasion of those protective margin requirements that were set up in 1932. They in turn are based on what? Bank credit.

So we have gone back. We have learned nothing from history. We have almost identically followed the scenario after World War I. The big difference, of course, is that the world has contracted. Today you have somebody making a bet on the future worth of a dollar, a yen, a franc, a deutsche mark, which, incidentally, right now is the strongest financial entity in Europe or any place, in billions of dollars. Just like that, in not even a fraction of a second.

What is the consequence of all of this? What are the risks? Tremendous.

The bubbles always burst. No bubble endures eternally. They all burst.

I do not know what we can do. I asked the new chairman of the Federal Reserve Board when he made his first appearance before the committee in September 1987 what he would do about that and what he would do about 23 percent of the deposit money being uninsured known as money markets, mutual money markets.

He just looked at me and said "Nothing."

His predecessor chairman, the famous Paul Volcker, I asked the question about this now $1 trillion a day. At that time I estimated it was about $400 billion to $500 billion. He said, "No, I think it is more than that."

I said, "Well, what are you doing about it? What is this country doing in leadership to get some kind of international control of this highly speculative activity?"

He said, "Nothing." Just like that. It is in the record. These are printed hearings. It is not what I am saying now in retrospect.

I could not have been more concerned all along. But nevertheless I have tried to point it out. I have tried to report it. And it is in the record if any Member wants to look it up. I have always had recommendations.

Now, there is not much we can do on this international thing. The Federal Reserve Board is supposed to be the equivalent of a central bank in other countries, but it is not really. We have an entirely different system.

What we are confronting at this most complicated time is the need to try to figure out what kind of a banking system do the American people want or need? Do they want to go to the highly concentrated, in which you have a few big banks, megabanks, like in Germany and France in Europe and other countries? That would be going against 200 years of our history and precedents and culture. Yet that is where we are.

What about our dual banking system, where we have 50 States with 50 different banking regulatory systems?

I think we have to start one thing at a time, as if we had the foresight to have started 35 years ago and did not. There is not much else we can do but take one thing at a time. And this is what I have done.

In the case of concentrations, we have had hearings on mergers. This last week I was the only one that ended up two-thirds of the time at that hearing. There was no press coverage whatsoever of that merger.

I have a staff under the great direction of the staff director, Mr. Kelsay Meek. We have a limited staff. For instance, the budget for my committee is about one-half the budget for, say, the Committee on Energy and Commerce. But I am not asking for more, no more than a modicum of what we need to have, an addition here and there, such as somebody that has expertise in some economic area of activity. We still lack that.

But other than that, it has always been my practice to have a dedicated,

very concentrated, honest beyond any question, hard hitting, efficient, but small staff. That is what we have had. And these staffs have done wonders.

In the case of mergers, for instance, we pointed out in the study that we issued as a Banking Committee staff report under my direction that the mergers, megamergers so far, and it seems like this year our country has gone into the banking mergers with a mania like we had before at the corporate level.

We pointed out and I have statistics showing that in every one of these cases the local communities or regions are having their resources sucked out. Their money is going out.

In Texas I have been pointing out for the last 2½ years that over 50 percent of its access to bank or financial credit allocation is controlled by outside of Texas ownership.

What can we do about it? Unless we go to an authoritarian country, the only thing we can do in the legislative branch as those of us who belong to these committees of responsibility is bring out the facts, act to the extent we have constitutional authority to do so legislatively, and then, after that, attempt to convince on the basis of evidentiary documentation the administrators from Treasury to the President and the Federal Reserve Board that what we feel is the need for them to fill in where we cannot legislate constitutionally.

So we have these tremendous forces at this time over which we have no control any longer. And no matter what we do domestically, it is very possible it can be overdone immediately by some forces external to our shores over which we have no control, but could have had, had we had vision and could we have sustained some kind of long-range policy, which apparently democracies find it hard to do, beginning several years ago.

On the other level, where I reported the activities of some of these international institutions, under our laws they set up in various States what they call agencies. Not out and out branches, but agencies. Those are chartered by the various States, which adds to the problem, because those States are not able to know what the Federal Reserve Board would be able to find out at the main branch of that international bank, what its thrust of operations is, and has no control over that State regulator or banking commission.

They have seen the sorry consequences in the case of BNL in Atlanta. But we must not forget that BNL also has some branches in Florida, Illinois, and did have two at least in California. One since has been closed because it was done by the State authorities, who have been more responsible in many ways.

□ 1410

On the other, where we pointed out that we had financed the weaponry ranging from conventional military armament to sophisticated chemical and nuclear components for Iraq and which, astoundingly, in August, we decided we would go in and eventually on January 16, 1991, engaged in war. And then I believe committed atrocities that we, as a Nation, would have to answer eventually, as we would as an individual.

We still have the Commandments, and one of the most important is thou shalt not kill. But thou shalt not kill in such a genicidal way as we did through carpet bombing in which we killed many thousands of innocent children, women, men, old, young. And then we literally slaughtered 100,000 plus so-called soldiers, most of which were conscripts running away, had their back turned to our soldiers.

We have buried others en masse. Those are things that I do not think our country stands for. We have never, through our history, identified with the tactics of a Hitler. And even Hitler, even his generals in middle Europe were able to save from extinction or slavery what Hitler had mandated should be the case for the so-called Slavs. And his orders to his field generals were, either eliminate them or those that can work, enslave them. And they had generals that defied that, German generals that had more humanity than ours have shown in some cases.

What we have done in Panama. Certainly we ought to know, and the American people ought to know it is done in their name. We incinerated several thousand, 100 percent blacks, living in these highly incendiary shacks that we had built for the workers on the Panama Canal after 1908. And with a Stealth bomber, and then we imposed the regime that is supposed to be governing now.

We imprisoned the head of state, brought him into the United States. We have him under trial. That is unprecedented. Even Hitler did not do that.

And what are the consequences? I think the American people ought to know that we still have two-thirds of the troops in Panama that we had at the height of the invasion and that we are the ones that are governing Panama. We are occupying Panama and that the people we put in place, if we remove our troops, will not be there 3 hours, nor will any American lives be safe.

Is that something that the American people are not aware of and should be aware of? Of course.

What I am saying is that at the bottom of it also is finances. The people we have put in power in Panama are all bankers, but they were bankers that were deeply enmeshed in the illicit drug trade coming out of the cartel of Columbia. And so should we be surprised if since we imprisoned Noriega under charges of what, drug peddling, that the alleged drug trade has increased 100 percent in and around Panama and the Medellin cartel?

I think these are things that we have to answer for collectively. They are done in our name. This is the reason I have raised my voice. I was one of those, only three in the Congress, who protested the so-called invasion of Panama at that time.

So anyway, what are we doing about this other, though? The BNL, this foreign entity, these, I say, trillion dollars that are still manipulable, that are still not accounted for, that no regulator in America has the slightest notion where that money is going or how it is being used or how it is being leveraged.

Well, we have offered some modicum of amendments to the International Banking Act of 1978 last year. Up to then, and had it not been for the explosion of the BCCI scandal, we would have had this stout resistance on the part of the Federal Reserve Board. But with that they realized that they better do something. So they accepted the more modest and what I would say ridiculous part of the amendments to that act.

Now, the history of the 1978 International Banking Act is that it was the result of the hearings that I brought about when I was not chairman or anything in my home city of San Antonio in 1975, in which we had the first clear cases of what later became the S&L scandals, the interflow and back flow of these huge amounts of money that nobody knew about.

At that time they would load a Cessna and just fly it over the border and nobody knew or followed it or tracked it, and pretty soon we had some of our institutions like the S&L south of my city in hock. And in fact, those hearings led to an indictment or two.

But more importantly, I wanted legislation. There was no law in our books governing international banking or financing or money transactions. So we ended up with two laws.

One was the so-called cash reporting transaction, cash transactions. But then the one called the International Banking Act was not adopted until 3 years later in 1978, and then it was watered-down, lobbied-down version of what I had said was minimally needed by our country for the protection of its international interests.

Now, we are the only other country even in another sector that does not have a screening board on all of those seeking to own direct investment, asset ownership of banks, land, corporations. Some of them, I think, inextricably are linked with our national defense.

But anyway, I have prepared a bill in order that through the international fi-

nancial institutions, which in most cases we, the United States, initiated back in the 1970's and to which we still contribute very substantially, would restrict access to the benefits of these international institutions to those countries that are not signing up in the nonproliferation of weapons of mass destruction apparatus.

So I have introduced it. I call it the Nonproliferation of Weapons of Mass Destruction and Regulatory Improvement Act of 1992, and I would like to just take a little time to outline the basis of this act.

This act consists of actually two main titles. The first title promotes a nonproliferation of weapons of mass destruction by denying funding to the international development institutions until such institutions revoke the membership of countries not adhering to appropriate nonproliferation regimes and prohibits the Export-Import Bank from providing any financial assistance to countries that are not adhering to regimes for controlling weapons of mass destruction.

□ 1420

The second title of that involves foreign banks that are controlled by foreign governments. That is another aspect. Almost all of these banks are government owned by these foreign governments.

The BNL, for instance, with its agency in Atlanta, the Italian Government really owns that. Let me say, the record ought to reveal that where our own institutions like the Federal Reserve Bank, the Treasury Department, the Department of State, the Department of Agriculture, where I convinced the committee to issue over 100 subpoenas for documents, and some of these have been denied to us, I was able to get the very distinguished and able chairman of the Italian Senate Investigating Committee, because they are looking into it from their standpoint, to provide those documents for me. I could not get them. Our committee was denied by our own executive branch, but we got them from a country because the Government owns that bank. This is the case of most.

This second title addresses that. The appropriate Federal regulator, in this case it would be mostly the Federal Reserve, would have this subject to a hearing to revoke the charter of Federal depository institutions, terminate the insured status of State depository institutions, or impose restrictions on State branches and agencies of foreign banks, if an institution and two or more officers or directors are convicted of export control offenses.

It is amazing we do not have any such laws. These would be such things as the International Monetary Fund [IMF], the World Bank and its affiliates, and the multilateral development institutions. All of these are under the jurisdiction of the Committee on Banking, Finance and Urban Affairs, incidentally. For 10 years, between 1970 and 1981, I served as chairman of the Subcommittee on International Finance. At that time there was not much attention paid to that activity. It also deals with the Export-Import Bank, as I said a while ago.

This bill implements the regulatory reforms involving banks that are controlled by foreign governments. It also authorizes the appropriate Federal regulator, subject to a hearing and our time-honored processes, to revoke the charter of federally insured depository institutions if an institution and two or more of its officers or directors are convicted of arms and export control offenses.

There is no question that the spread of weapons of mass destruction are spreading at an increasing and alarming rate. We know that Iraq was able to build a war machine that included chemical, biological, and nuclear weapons and the missiles to deliver them. But that was Iraq. They did it through not only American but other countries' banks, but a lot of those banks were triggered off by, as corresponding banks, the American entities.

Sure, in the case of Iraq, as it turned out, it became an enemy country, but since 1983 to 1990, in the summer, it was considered a friend or an ally. We were going to support it as against Iran.

The thing gets complicated because, gosh, once we went into the Middle East imbroglio, I do not think our average citizens or my colleagues really realize the full extent of that.

For instance, because the only Arabic nation to side with Iran against Iraq was Syria, it suddenly became a friend of ours. So President Bush met with President Assad of Syria in Switzerland in 1990 while they were building up what was going to be our war in the Persian Gulf. But in the meanwhile, right after the so-called termination of that Persian Gulf war, Syria, from North Korea, procured 300 improved Scuds or missiles.

In the meanwhile, Iran is a non-Arabic nation, so just this week we had these announcements, and incidentally, Iran has built up its war machine and there is evidence indicating that once again, indirectly, we enabled Iran to build up.

How much stupidity can exist in the minds of our leaders, particularly when we say, "We are going to aid Iraq, but at the same time we are also doing business, as the sorry transaction known as the Iran-Contra mess indicated, with Iran?" Are we so naive as to think that these countries and their leaders are so dumb that they would not know that we were doing business with both belligerents? I cannot conceive of it.

I have more respect for the ability of these so-called foreign entities and their leaders. I have the respect that is born out of realizing the full extent and capability of people in countries as recorded by other external observers in other countries, from Switzerland to France, Germany, Spain, and England.

The collapse, the so-called collapse of the Soviet Union, which I think in many ways has been misinterpreted and misreported, has done one thing, though. It has unleashed a flood of nuclear materials and technical expertise.

I will say this, with sorrow in my heart, that all of those that were absolutely ideologically and fanatically indulging in that cold war culture of anticommunism, who were and have been, with great glee and joy, seeing what they called the breakup of Soviet Russia, are going to wish, I fear, in the not-too-distant future, that they had that old communism to work against, because of what we are going to be facing here in a disaggregated, disparate, and uncontrolled fashion.

With this unleashing and flood of nuclear materials, warheads, technical expertise into the world markets, the former Soviet Republics, with battlefield nuclear weapons, have threatened already to suspend the transfer of their nuclear weapons to the Republic of Russia. In fact, today's newspaper article reveals a great cleavage here between Russia and its leader, that we consider, of the so-called aggregation, Yeltsin, and one of the more substantial Republics, as to who controls the navy or the Baltic Sea navy.

These are all incidents that can build up to a most threatening situation as far as terrorism is concerned to our country. It is a formidable array and combination of events that we can foresee. As far as we can, on our level, we are offering this legislation.

To compound it, we have learned nothing and our leaders have learned nothing, because now, not only with Iran and building up Iran to a tremendous potential, Iran has its interest in those 3 to 3½ million Moslem populations right on their border with Iraq. Iraq, its border is just 90 miles away from the Russian border, but on that other side you have Moslem Republics.

What we did do in the Persian Gulf encounter was to solidify the Moslem world, for we destroyed over 200,000 Moslem lives, and the Moslem and the fundamental movement is not just isolated to the Middle East. It is worldwide, clear over to Pakistan and other countries. Pakistan has developed great capacity.

Now we have China, and we have our leaders having given over the course of the last few years such things as licenses to produce the Silkworm missile, which incidentally was the one that struck our ship in the Persian Gulf when we were patrolling, killing those 37 sailors.

□ 1430

That was a missile from an Iraq source. But it was a Silkworm, and it was one that we licensed China to produce. Do not forget that North Korea in the meanwhile has gone into the business in great fashion. Despite what the Chinese leaders pledged as long ago as two Presidents, they have never kept their pledges, and that is a source of concern.

But just a few weeks ago the President vetoed legislation to impose tough conditions on renewing the trade privileges with China. While the United States has traditionally taken a tough stance against the proliferation of weapons of mass destruction, this administration did nothing to stop Saddam Hussein from building a massive war machine, and in fact actually complied with helping him build up that machine.

More recently, the press reported that despite a ban on military sales to Pakistan by the United States Government, this administration has widely permitted the Pakistani Armed Forces to buy spare parts for American-made F-16 fighter planes from commercial firms for the last year and a half. Intelligence reports have indicated that Pakistan is trying to equip these F-16 fighters to deliver nuclear weapons. CIA Director Robert Gates testified at a recent House Armed Services Committee hearing that the Iranian Government is buying $2 million worth of weapons from foreign suppliers each year in a drive to again become the preeminent power in the Persian Gulf region. Russia, China, North Korea have been principal sellers of armaments to Iran. Also, Iran is now attempting to purchase hundreds of tanks from Eastern European countries.

Gates also expressed concern about Iran's efforts to develop poison gas warheads to place atop Scud missiles. He believes that Iran's relatively crude chemical weapons program is expected to produce such warheads within a few years.

Gates has also testified at the same hearing that Iraq retains some mobile Scud missile launchers, and as many as several hundred missiles that he and the CIA suspect that despite the continued efforts of the United Nations inspection teams, some of Iraq's nuclear weapons related equipment remains hidden. This may also be true of some chemical and biological weapons and the means to make more. Gates warned that if United Nations sanctions are removed, Iraq could restore its conventional military arsenals to their pre-Persian Gulf war levels in 3 to 5 years.

Clearly there is an urgent need for action. The aftermath of the Persian Gulf war demonstrates the pressing need to set tougher standards to prevent proliferation of this weaponry. It is obviously reaching a crisis point and standing at a critical crossroads in the history of mankind. It is time for the United States to take a new look at the world community and take this opportunity to incorporate much needed reforms.

Russia and the various Republics that are now forming as a result of the disintegration of the Soviet Union are applying for IMF and World Bank status. It is imperative that the United States take a tough stand with Russia and the other emerging Republics who insist on becoming a member of the international community and reaping the benefits of these programs but it also includes a simultaneous requirement to be a responsible world citizen. This should also apply to the numerous other countries that have or are developing weapons.

Last week the IMF endorsed Russia's economic reform plan, paving the way for Moscow to receive up to $4 billion in IMF aid over the next year. IMF officials have said that they expect Russia and most of the 14 former Soviet Republics to join the Fund in late April, with IMF aid to the new members beginning soon afterward. Altogether, Russia and the former Republics could qualify for as much as $18 billion in IMF aid over the next 3 years.

President Bush has submitted to the Congress a large-scale aid package to help Russia and the other Republics, and as a matter of fact we suspended the markup of our international bill in the committee 2 weeks ago because the President had not announced his package of so-called aid to Russia which would be part and parcel of what we would have to consider in the fresh installment that the country is committed to doing for the IMF and the World Bank. While I do not deny the great need that currently exists for this country to exert some kind of leadership, which it has not, with respect to Russia and the countries that comprise the former Soviet Republics, I am concerned about the lack of a substantive United States and international policy aimed at coordinating and balancing their economic needs and concerns with the need for some kind of moratorium on the arming of these and Third World nations with weapons of mass destruction, and the technology needed to build such weapons.

One way to accomplish this goal is to insist that countries that benefit from these multilateral development banks, most of which we initiated, comply with all nonproliferation regimes. These regimes in turn should be tighter, tougher, and better enforced. But there must also be incentives for compliance.

Surely President Bush's inconsistent and oftentimes ill-fated foreign policy objectives demonstrate that the United States is not sending a clear and a consistent message to the rest of the world. If the United States continues to pursue strategic and/or commercial interests, despite the negative consequences that such actions may have for proliferation, other countries are likely to do the same.

Let me say in all fairness with respect to these regimes for nonproliferation, some very important countries, some of them we consider our allies are not members. France, Israel, they are not members of that nonproliferation regime. So there is also this that we must confront if we are going to be exerting leadership in this very grave respect.

We are vulnerable. Our country is vulnerable. It is not as invulnerable as we would picture it. The great mass of military buildup which peaked and showed itself well during the so-called Persian war will be of little use in the economic and money battles that we now are engaged in. But more substantially, what have we got to defend if in the meanwhile our central cities are crumbling around our heads, if the infrastructure of our country is also collapsing? What is it we have to defend?

But we are also vulnerable to some of the most sophisticated types of terrorism, that God forbid should occur. We live in dense areas in which, for instance, the water supply, food supply are vulnerable. I remember, I was here when we had the curfews and the military during the rioting. It was awesome for me to walk the street from my office to my apartment at midnight, right here on Capitol Hill, and have a jeep come over and challenge and say, "What are you doing at this hour," to see the service stations close down at noon, grocery stores close down. What happens if the water supply is shut off or poisoned? These are things we had better start thinking about.

I am also chairman of the Subcommittee on Housing and Community Development. In the name of the subcommittee and the full committee, as of January, though actually I had started long before with the subcommittee, we have been going around the country. We started out on January 7 in Connecticut, Bridgeport. We went down to South Carolina. Then we went to Maryland, Ohio, Cleveland, where Cleveland in a decade has lost one-third of its industrial production capacity, much of it going across the border to Mexico and the so-called mequilladores, where that story has yet to be fully reported.

□ 1440

But why? Because the most vulnerable of our segment of society, the laboring class, is the one that has been sold down the river with very little or no viable protest.

The day of reckoning has to come. I say: Why wait? Why not anticipate? Why not prepare? Why wait until we

are in the midst of a seemingly uncontrollable crisis? I say this: I am not a prophet, and I am not an expert, but I know facts, and I have visited these States, also to California and Wisconsin, and we are going to continue the rest of this year in that our country is in distress, that our societies are actually, over 65 percent of them, in acute financial distress.

So what are we defending? What are we fighting in the way of defense? And how vulnerable in another way are we, a few samples of which I have just mentioned?

Well, it would be my desire that at a minimum an international moratorium on the proliferation of weapons of mass destruction would result. My bill, I am sure, and I feel in my heart, is a necessary unavoidable beginning. It is a reasonable starting point, late, but nevertheless we have to start at some point.

As I pointed out earlier, this bill also requires that Export-Import Bank be prohibited from providing financial assistance to countries that are not adhering to regimes for controlling weapons of mass destruction.

There is some legislation currently pending that would remove barriers that have prohibited the Eximbank from financing the sale of exports to the Soviet Union and other Communist-bloc countries.

I applaud these efforts of these countries to radically alter their economies to more capitalist and market-driven economies.

H.R. 4803

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 "Non-Proliferation of Weapons of Mass Destruction and Regulatory Improvement Act of 1992".

TITLE I—INTERNATIONAL DEVELOPMENT INSTITUTIONS AND EXPORT-IMPORT BANK

SEC. 101. FUNDING OF INTERNATIONAL DEVELOPMENT INSTITUTIONS DENIED.

(a) FUNDING PROHIBITION.—

(1) IN GENERAL.—Notwithstanding any other provision of law, beginning 1 year after the date of the enactment of this Act, no department, agency, or officer of the United States Government may, on behalf of the United States, provide funds to any international development institution, or enter into any agreement to do so, if the most recent determination of the Secretary of the Treasury pursuant to paragraph (2) is that a member country of the institution—

(A) is capable of producing, or is seeking to produce, a type of weapon that is a subject of a regime for controlling weapons of mass destruction; and

(B) is not adhering to the regime.

(2) ROLE OF THE SECRETARY OF THE TREASURY.—Within 6 months after the date of the enactment of this Act, and annually thereafter, the Secretary of the Treasury, in consultation with the Secretary of State, the Secretary of Defense, and the Director of the Central Intelligence Agency, shall—

(A) determine which member countries referred to in paragraph (1) are capable of producing, or are seeking to produce, a type of weapon that is a subject of a regime for controlling weapons of mass destruction;

(B) with respect to each country described in subparagraph (A)—

(i) identify the international development institutions of which the country is a member; and

(ii) determine whether or not the country is adhering to the regime; and

(C) report such information to the Committee on Banking, Finance and Urban Affairs of the House of Representatives.

(b) UNITED STATES TO URGE ADOPTION OF REQUIREMENT.—The Secretary of the Treasury shall instruct the United States Executive Director of each international development institution to use the voice and vote of the United States to urge the respective institution to amend the charter of the institution to require that, not later than 1 year after the date of the enactment of this Act, each member country of the institution which is capable of producing, or is seeking to produce, a type of weapon that is a subject of a regime for controlling weapons of mass destruction adhere to the regime.

(c) DEFINITIONS.—as used in this section:

(1) ADHERE.—The terms "adhere" and "adhering" mean, with respect to a country and a regime, that the country is honoring a formal commitment to participate in the regime that was made by the country to the other participants in the regime.

(2) INTERNATIONAL DEVELOPMENT INSTITUTION.—The term "international development institution" means the International Monetary Fund, the International Bank for Reconstruction and Development, the European Bank for Reconstruction and Development, the International Development Association, the International Finance Corporation, the Multilateral Investment Guarantee Agency, the African Development Bank, the African Development Fund, the Asian Development Bank, the Inter-American Development Bank, and the Inter-American Investment Corporation.

(3) REGIME FOR CONTROLLING WEAPONS OF MASS DESTRUCTION.—The term "regime for controlling weapons of mass destruction" means—

(A) the nuclear weapons non-proliferation regime;

(B) the chemical weapons non-proliferation regime;

(C) the biological weapons non-proliferation regime; and

(D) the Missile Technology Control Regime (as defined in section 11B(c) of the Export Administration Act of 1979).

(4) NUCLEAR WEAPONS NON-PROLIFERATION REGIME.—The term "nuclear weapons non-proliferation regime" means—

(A) the Treaty on the Non-Proliferation of Nuclear Weapons, signed at Washington, D.C., London, and Moscow on July 1, 1968, (TIAS 6839), and any amendments thereto;

(B) Additional Protocols I and II to the Treaty for the Prohibition of Nuclear Weapons' in Latin America (also known as the "Treaty of Tlatelolco"), signed at Mexico on February 14, 1967, (TIAS 7137), and any amendments thereto;

(C) the guidelines adopted by the Nuclear Suppliers Group, also known as the "London Club"; and

(D) the Convention on the Physical Protection of Nuclear Material, and any amendments thereto.

(5) CHEMICAL WEAPONS NON-PROLIFERATION REGIME.—The term "chemical weapons non-proliferation regime" means—

(A) the Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare (also known as the "Geneva Protocol of 1925"), and any amendments thereto; and

(B) the chemicals export controls adopted by the group known as the "Australia Group".

(6) BIOLOGICAL WEAPONS NON-PROLIFERATION REGIME.—The term "biological weapons non-proliferation regime" means—

(A) the Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare (also known as the "Geneva Protocol of 1925"), and any amendments thereto; and

(B) the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction (also known as the "Biological Weapons Convention"), and any amendments thereto.

SEC. 102. PROHIBITION AGAINST EXPORT-IMPORT BANK ASSISTANCE FOR EXPORTS TO CERTAIN COUNTRIES NOT ADHERING TO REGIMES FOR CONTROLLING WEAPONS OF MASS DESTRUCTION.

Section 2(b) of the Export-Import Bank Act of 1945 (12 U.S.C. 635i(b)) is amended by adding at the end the following:

"(13) The Bank may not guarantee, insure, extend credit, or participate in the extension of credit in connection with any export of goods or services to any country which—

"(A) is capable of producing, or is seeking to produce, a type of weapon that is a subject of a regime for controlling weapons of mass destruction (as defined in section 101(c) of the Non-Proliferation of Weapons of Mass Destruction and Regulatory Improvement Act of 1992); and

"(B) is not adhering to the regime (as determined in accordance with subsection (a) of such section).".

TITLE II—BANKING LAW ENFORCEMENT PROVISIONS

SEC. 201. REPORTING REQUIREMENT FOR FOREIGN BANKS.

The International Banking Act of 1978 (12 U.S.C. 3101 et seq.) is amended by adding at the end the following new section:

"SEC. 18. REPORTS ON DEPOSITS HELD BY OR ON BEHALF OF ANY FOREIGN BANK OR FOREIGN BANK AFFILIATE.

"Each branch, agency, or representative office of a foreign bank and each affiliate of a foreign bank which is organized under the laws of any State or maintains an office in any State shall submit an annual report to the Board listing the name of each depository institution (as defined in section 3(c) of the Federal Deposit Insurance Act) at which deposits of such branch, agency, office, or affiliate are held".

SEC. 202. LIMITATIONS ON FOREIGN BANKS CONTROLLED BY FOREIGN GOVERNMENTS.

(a) IN GENERAL.—The International Banking Act of 1978 (12 U.S.C. 3101 et seq.) is amended by inserting after section 18 (as added by section 201) the following new section:

"SEC. 19. FOREIGN BANKS CONTROLLED BY FOREIGN GOVERNMENTS.

"(a) IN GENERAL.—Except as provided in subsection (b), a foreign bank which is controlled by the government of a foreign country may not, directly or through any branch or agency of the bank or any company controlled by the bank—

"(1) accept deposits in the United States;

"(2) make loans or other extensions of credit in the United States or to any United States person; or

"(3) engage in any other financial transactions in the United States or with any United States person.

"(b) EXCEPTION FOR TRADE-RELATED FINANCE.—The prohibition contained in subsection (a) shall not apply with respect to any loan or other extension of credit which qualifies, under regulations prescribed by the Board, as trade-related financing.

"(c) DETERMINATION OF CONTROL.—

"(1) IN GENERAL.—Any foreign government which, under section 2 of the Bank Holding Company Act of 1956, would be a bank holding company with respect to a foreign bank if—

"(A) such government were a company (as defined in such Act) which is subject to the Act; and

"(B) the foreign bank were a bank within the meaning of the Act,

shall be deemed to control the foreign bank for purposes of this section.

"(2) APPLICABILITY OF SECTION 2 OF THE BANK HOLDING COMPANY ACT.—Section 2 of the Bank Holding Company Act of 1956 shall apply to—

"(A) any determination by the Board, pursuant to paragraph (1), of the applicability of this section to any foreign bank; and

"(B) the procedures for making and reviewing any such determination.

"(d) REGULATIONS.—The Board shall prescribe regulations—

"(1) establishing the criteria to be used in determining whether a loan or other extension of credit qualifies as trade-related financing and the procedures for making such determination; and

"(2) determining whether a foreign bank is controlled by the government of a foreign country.

"(e) DEFINITIONS.—For purposes of this section—

"(1) TRADE-RELATED FINANCING.—The term 'trade-related financing' means any loan or other extension of credit the proceeds of which are used to facilitate the export from the United States, or the import into the United States, of any goods or services.

"(2) UNITED STATES PERSON.—The term 'United States person' has the meaning given to such term in section 7(f)(2)(A) of the Securities Exchange Act of 1934.".

SEC. 203. REVOCATION OF CHARTER OF FEDERAL DEPOSITORY INSTITUTIONS AUTHORIZED FOR EXPORT CONTROL OFFENSES.

(a) NATIONAL BANKS.—Section 5239 of the Revised Statutes (12 U.S.C. 93) is amended by adding at the end the following new subsection:

"(d) FORFEITURE OF FRANCHISE FOR EXPORT CONTROL OFFENSES.—

"(1) NOTICE OF INTENTION TO DECLARE CHARTER FORFEITED.—If the Comptroller of the Currency receives written notice from the Attorney General that any national bank and directors or senior executive officers of the bank have been found guilty of any export control offense, the Comptroller may issue a notice to the national bank of the Comptroller's intention to declare all rights, privileges, and franchises of such bank to be forfeited.

"(2) CONTENTS OF NOTICE.—Any notice issued by the Comptroller pursuant to paragraph (1) shall contain the date (not to exceed 90 days after the date such notice is issued) and the place of a hearing on the proposed forfeiture.

"(3) HEARING, FORFEITURE OF CHARTER.—If, on the basis of the evidence presented at a hearing conducted in accordance with section 554 of title 5, United States Code, before the Comptroller of the Currency (or any person designated by the Comptroller for such purpose), the Comptroller finds that, taking into account the factors required to be considered under paragraph (4), the gravity of the offense of which the national bank was found guilty outweighs the benefits which the continued operation of the bank may provide (taking into account whether there will be significant losses to the Bank Insurance Fund), the Comptroller may issue an order declaring all rights, privileges, and franchises of such bank to be forfeited.6

"(4) FACTORS FOR CONSIDERATION IN CHARTER REVOCATION PROCEEDING.—In making any determination under paragraph (3) to declare the forfeiture of all rights, privileges, and franchises of any national bank, the Comptroller of the Currency shall take into account the following factors:

"(A) The extent to which directors or senior executive officers of the national bank knew of, or were involved in, the commission of the export control offense of which the bank was found guilty.

"(B) The extent to which the offense occurred despite the existence of policies and procedures within the national bank which were designed to prevent the occurrence of any such offense.

"(C) The extent to which the national bank has fully cooperated with law enforcement authorities with respect to the investigation of the export control offense of which the bank was found guilty.

"(D) The extent to which the national bank has implemented additional internal controls (since the commission of the offense of which the bank was found guilty) to prevent the occurrence of any other export control offense.

"(5) APPEARANCE CONSENT TO FORFEITURE.—Unless the national bank shall appear at the hearing by a duly authorized representative, the bank shall be deemed to have consented to the forfeiture of all rights, privileges, and franchises of the bank and the order referred to in paragraph (3) may be issued.

"(6) JUDICIAL REVIEW.—Any order issued by the Comptroller of the Currency under this subsection may be reviewed in the manner provided in chapter 7 of title 5, United States Code.

"(7) CHANGE IN CONTROL EXCEPTION.—If the ownership or control of any national bank referred to in paragraph (1) is acquired (as defined in section 13(f)(8)(B) of the Federal Deposit Insurance Act)—

"(A) after the commission of any export control offense;

"(B) by any person who was not an institution-affiliated party of the bank, or any affiliate of any such party (as such terms are defined in section 3 of the Federal Deposit Insurance Act), at the time of the offense; and

"(C) in an arms-length transaction (as determined by the Comptroller) which was entered into in good faith by such person.

this subsection shall not apply to such national bank with respect to such offense.

"(8) DEFINITIONS.—For purposes of this subsection—

"(A) EXPORT CONTROL OFFENSE DEFINED.—The term 'export control offense' means any violation under the International Economic Emergency Powers Act, the Trading With the Enemy Act, the Export Administration Act of 1979, or the Arms Export Control Act, or any regulation, license, or order under any such Act, which is a felony offense.

"(B) NATIONAL BANK.—The term 'national bank' includes any Federal branch or agency operating in accordance with section 4 of the International Banking Act of 1978.

"(C) SENIOR EXECUTIVE OFFICERS.—The term 'senior executive officers' has the meaning given to such term by the Comptroller of the Currency pursuant to section 32(f) of the Federal Deposit Insurance Act.".

(b) FEDERAL SAVINGS ASSOCIATIONS.—Section 5 of the Home Owners' Loan Act (12 U.S.C. 1464) is amended by adding at the end the following new subsection:

"(w) FORFEITURE OF CHARTER FOR EXPORT CONTROL OFFENSES.—

"(1) NOTICE OF INTENTION TO DECLARE CHARTER FORFEITED.—If the Director receives written notice from the Attorney General that any Federal savings association and directors or senior executive officers of the association have been found guilty of any export control offense, the Director may issue a notice to the Federal savings association of the Director's intention to declare the charter of the association to be forfeited.

"(2) CONTENTS OF NOTICE.—Any notice issued by the Director pursuant to paragraph (1) shall contain the date (not to exceed 90 days after the date such notice is issued) and the place of a hearing on the proposed forfeiture.

"(3) HEARING, FOREFEITURE OF CHARTER.—If, on the basis of the evidence presented at a hearing conducted in accordance with section 554 of title 5, United States Code, before the Director (or any person designated by the Director for such purpose), the Director finds that, taking into account the factors required to be considered under paragraph (4), the gravity of the offense of which the Federal savings association was found guilty outweighs the benefits which the continued operation of the association may provide (taking into account whether there will be significant losses to the Savings Association Insurance Fund or the Resolution Trust Corporation), the Director may issue an order declaring the charter of the association to be forfeited.

"(4) FACTORS FOR CONSIDERATION IN CHARTER REVOCATION PROCEEDING.—In making any determination under paragraph (3) to declare the forfeiture of the charter of any Federal savings association, the Director shall take into account the following factors:

"(A) The extent to which directors or senior executive officers of the savings association knew of, or were involved in, the commission of the export control offense of which the association was found guilty.

"(B) The extent to which the offense occurred despite the existence of policies and procedures within the savings association which were designed to prevent the occurrence of any such offense.

"(C) The extent to which the savings association has fully cooperated with law enforcement authorities with respect to the investigation of the export control offense of which the association was found guilty.

"(D) The extent to which the savings association has implemented additional internal controls (since the commission of the offense of which the savings association was found guilty) to prevent the occurrence of any other export control offense.

"(5) APPEARANCE, CONSENT TO FORFEITURE.—Unless the Federal savings association shall appear at the hearing by a duly authorized representative, the association shall be deemed to have consented to the forfeiture of the charter of the association and the order referred to in paragraph (30 may be issued.

"(6) JUDICIAL REVIEW.—Any order issued by the Director under this subsection may be reviewed in the manner provided in chapter 7 of title 5, United States Code.

"(7) CHANGE IN CONTROL EXCEPTION.—If the ownership or control of any Federal savings

association referred to in paragraph (1) is acquired (as defined in section 13(f)(8)(B) of the Federal Deposit Insurance Act)—

"(A) after the commission of any export control offense;

"(B) by any person who was not an institution-affiliated party of the association, or any affiliate of any such party (as such terms are defined in section 3 of the Federal Deposit Insurance Act), at the time of the offense; and

"(C) in an arms-length transaction (as determined by the Director) which was entered into in good faith by such person,

this subsection shall not apply with respect to such association.

"(8) DEFINITIONS.—For purposes of this subsection—

"(A) EXPORT CONTROL OFFENSE.—The term 'export control offense' means any violation under the International Economic Emergency Powers Act, the Trading With the Enemy Act, the Export Administration Act of 1979, or the Arms Export Control Act, or any regulation, license, or order under any such Act, which is a felony offense.

"(B) SENIOR EXECUTIVE OFFICERS.—The term 'senior executive officers' has the meaning given to such term by the Director pursuant to section 32(f) of the Federal Deposit Insurance Act.".

"(c) FEDERAL CREDIT UNIONS.—Title I of the Federal Credit Union Act (12 U.S.C. 1752 et seq.) is amended by adding at the end the following new section:

"SEC. 130. FORFEITURE OF ORGANIZATION CERTIFICATE FOR EXPORT CONTROL OFFENSES.

"(a) NOTICE OF INTENTION TO DECLARE CHARTER FORFEITED.—If the Board receives written notice from the Attorney General that any Federal credit union and directors, committee members, or senior executive officers (as defined by the Board in regulations which the Board shall prescribe) of the credit union have been found guilty of any export control offense, the Board may issue a notice to the Federal credit union of the Board's intention to declare the charter of the credit union to be forfeited.

"(b) CONTENTS OF NOTICE.—Any notice issued by the Board pursuant to subsection (a) shall contain the date (not to exceed 90 days after the date such notice is issued) and the place of a hearing on the proposed forfeiture.

"(c) HEARINGS, FORFEITURE OF CHARTER.—If, on the basis of the evidence presented at a hearing conducted in accordance with section 554 of title 5, United States Code, before the Board (or any person designated by the Board for such purpose), the Board find that, taking into account the factors required to be considered under subsection (d), the gravity of the offense of which the Federal credit union was found guilty outweighs the benefits which the continued operation of the credit union may provide (taking into account whether there will be significant losses to the national Credit Union Share Insurance Fund), the Board may issue an order declaring the charter of the credit union to be forfeited.

"(d) FACTORS FOR CONSIDERATION IN CHARTER REVOCATION PROCEEDINGS.—In making any determination under subsection (c) to declare the forfeiture of the charter of any Federal credit union, the Board shall take into account the following factors:

"(1) The extent to which directors, committee members, or senior executive officers (as defined by the Board in regulations which the Board shall prescribe) of the credit union knew of, or were involved in, the commission of the export control offense of which the credit union was found guilty.

"(2) The extent to which the offense occurred despite the existence of policies and procedures within the credit union which were designed to prevent the occurrence of any such offense.

"(3) The extent to which the credit union has fully cooperated with law enforcement authorities with respect to the investigation of the export control offense of which the credit union was found guilty.

"(4) The extent to which the credit union has implemented additional internal controls (since the commission of the offense of which the credit union was found guilty) to prevent the occurrence of any other export control offense.

"(e) APPEARANCE, CONSENT TO FORFEITURE.—Unless the Federal credit union shall appear at the hearing by a duly authorized representative, the credit union shall be deemed to have consented to the forfeiture of the charter of the credit union and the order referred to in subsection (c) may be issued.

"(f) JUDICIAL REVIEW.—Any order issued by the Board under this subsection may be reviewed in the manner provided in chapter 7 of title 5, United States Code.

"(g) EXPORT CONTROL OFFENSE DEFINED.—For purposes of this section, the term 'export control offense' means any violation under the International Economic Emergency Powers Act, the Trading With the Enemy Act, the Export Administration Act of 1979, or the Arms Export Control Act, or any regulation, license, or order under any such Act, which is a felony offense.".

"(d) ACTIONS AUTHORIZED WITH RESPECT TO EDGE ACT CORPORATIONS AND AGREEMENT CORPORATIONS.—The Federal Reserve Act is amended by redesignating section 25B (12 U.S.C. 632) as section 25C and by inserting after section 25A (12 U.S.C. 615 et seq.) the following section:

"SEC. 25B. FORFEITURE OF FRANCHISES AND TERMINATION OF APPROVALS UNDER SECTIONS 25 AND 25A AUTHORIZED FOR EXPORT CONTROL OFFENSES.

"(a) EDGE ACT CORPORATIONS.—

"(1) NOTICE OF INTENTION TO DECLARE CHARTER FORFEITED.—If the Board receives written notice from the Attorney General that any organization organized and operating under section 25A and directors or senior executive officers of the organization have been found guilty of any export control offense, the Board may issue a notice to the organization of the Board's intention to declare all rights, privileges, and franchises of such organization to be forfeited.

(2) CONTENTS OF NOTICE.—Any notice issued by the Board pursuant to paragraph (1) shall contain the date (not to exceed 90 days after the date such notice is issued) and the place of a hearing on the proposed forfeiture.

(3) HEARING, FORFEITURE OF CHARTER.—If, on the basis of the evidence presented at a hearing conducted in accordance with section 554 of title 5, United States Code, before the Board (or any person designated by the Board for such purpose), the Board finds that, taking into account the factors required to be considered under paragraph (4), the gravity of the offense of which the organization was found guilty outweighs the benefits which the continued operation of the organization may provide, the Board may issue an order declaring all rights, privileges, and franchises of such organization to be forfeited.

(4) FACTORS FOR CONSIDERATION IN CHARTER REVOCATION PROCEEDING.—In making any determination under paragraph (3) to declare the forfeiture of all rights, privileges, and franchises of any organization organized under section 25A, the Board shall take into account the following factors:

(A) The extent to which directors or senior executive officers of the organization knew of, or were involved in, the commission of the export control offense of which the organization was found guilty.

(B) The extent to which the offense occurred despite the existence of policies and procedures within the organization which were designed to prevent the occurrence of any such offense.

(C) The extent to which the organization has fully cooperated with law enforcement authorities with respect to the investigation of the export control offense of which the organization was found guilty.

(D) The extent to which the organization has implemented additional internal controls (since the commission of the offense of which the organization was found guilty) to prevent the occurrence of any other export control offense.

(5) APPEARANCE, CONSENT TO FORFEITURE.—Unless the organization shall appear at the hearing by a duly authorized representative, the organization shall be deemed to have consented to the forfeiture of all rights, privileges, and franchises of the organization and the order referred to in paragraph (3) may be issued.

(6) JUDICIAL REVIEW.—Any order issued by the Board under this subsection may be reviewed in the manner provided in chapter 7 of title 5, United States Code.

(7) CHANGE IN CONTROL EXCEPTION.—If the ownership or control of any organization referred to in paragraph (1) is acquired (as defined in section 13(f)(8)(B) of the Federal Deposit Insurance Act)—

(A) after the commission of any export control offense;

(B) by any person who was not an institution-affiliated party of the organization, or any affiliate of any such party (as such terms are defined in section 3 of the Federal Deposit Insurance Act), at the time of the offense; and

(C) in an arms-length transaction (as determined by the Board) which was entered into in good faith by such person,

this subsection shall not apply to such organization with respect to such offense.

"(b) TERMINATION OF APPROVAL FOR EXPORT CONTROL OFFENSES.—

"(1) NOTICE OF INTENTION TO TERMINATE APPROVAL.—If the Board receives written notice from the Attorney General that—

"(A) any—

"(i) national bank referred to in section 25;

"(ii) foreign branch of a national bank established pursuant to Board approval under section 25; or

"(iii) corporation or foreign bank in which a national bank has acquired an ownership interest pursuant to approval under such section; and

"(B) directors or senior executive officers of such national bank, branch, foreign bank, or corporation have been found guilty of any export control offense,

the Board may issue a notice to the national bank of the Board's intention to terminate approval of the operation of the foreign branch or the investment in the corporation or foreign bank.

"(2) CONTENTS OF NOTICE.—Any notice issued by the Board pursuant to paragraph (1) shall contain the date (not to exceed 90 days after the date such notice is issued) and the place of a hearing on the proposed termination of insured status.

"(3) HEARING, TERMINATION OF APPROVAL.—If, on the basis of the evidence presented at

a hearing conducted in accordance with section 554 of title 5, United States Code, before the Board (or any person designated by the Board for such purpose), the Board finds that, taking into account the factors required to be considered under paragraph (4), the gravity of the offense of which the national bank, foreign branch, corporation, or foreign bank was found guilty outweighs the benefits which the continuation of the operation of the foreign branch or the investment in the corporation or foreign bank may provide, the Board may issue an order terminating the approval for the continued operation of the foreign branch or the continued investment in the corporation or foreign bank.

"(4) FACTORS FOR CONSIDERATION IN PROCEEDING TO TERMINATE INSURED STATUS.—In making any determination under paragraph (3) to terminate the approval under section 25 for a national bank to operate a foreign branch or to invest in a corporation or foreign bank described in such section, the Board shall take into account the following factors:

"(A) The extent to which directors or senior executive officers of such national bank, foreign branch, corporation, or foreign bank knew of, or were involved in, the commission of the export control offense of which the bank, branch, corporation, or foreign bank was found guilty.

"(B) The extent to which the offense occurred despite the existence of policies and procedures within the bank, branch, corporation, or foreign bank which were designed to prevent the occurrence of any such offense.

"(C) The extent to which the bank, branch, corporation, or foreign bank has fully cooperated with law enforcement authorities with respect to the investigation of the export control offense of which the bank, branch, corporation, or foreign bank was found guilty.

"(D) The extent to which the bank, branch, corporation, or foreign bank had implemented additional internal controls (since the commission of the offense of which the bank, branch, corporation, or foreign bank was found guilty) to prevent the occurrence of any other export control offense.

"(5) APPEARANCE, CONSENT TO TERMINATION OF APPROVAL.—Unless the national bank shall appear at the hearing by a duly authorized representative, the national bank shall be deemed to have consented to the termination of the approval under section 25 for a national bank to operate a foreign branch or to invest in a corporation or foreign bank described in such section.

"(6) JUDICIAL REVIEW.—Any order issued by the Board under this subsection may be reviewed in the manner provided in chapter 7 of title 5, United States Code.

"(7) CHANGE IN CONTROL EXCEPTION.—If the ownership or control of any national bank referred to in paragraph (1) is acquired (as defined in section 13(f)(8)(B))—

"(A) after the commission of any export control offense;

"(B) by any person who was not an institution-affiliated party of the institution, or any affiliate of any such party, at the time of the offense; and

"(C) in an arms-length transaction (as determined by the Board which was entered into in good faith by such person,

this subsection shall not apply to such national bank with respect to such offense.

"(c) DEFINITIONS.—For purposes of this section—

"(1) EXPORT CONTROL OFFENSE.—The term 'export control offense' means any violation under the International Economic Emergency Powers Act, the Trading With the Enemy Act, the Export Administration Act of 1979, or the Arms Export Control Act, or any regulation, license, or order under any such Act, which is a felony offense.

"(2) SENIOR EXECUTIVE OFFICERS.—The term 'senior executive officers' has the meaning given to such term by the Board pursuant to section 32(f) of the Federal Deposit Insurance Act."

SEC. 204. AUTHORITY TO TERMINATE THE INSURED STATUS OF STATE DEPOSITORY INSTITUTIONS CONVICTED OF EXPORT CONTROL OFFENSES.

(A) STATE DEPOSITORY INSTITUTIONS OTHER THAN STATE CHARTERED CREDIT UNIONS.—

(1) TERMINATION AUTHORIZED UPON CONVICTION OF DEPOSITORY INSTITUTION.—Section 8(a)(2)(A) of the Federal Deposit Insurance Act (12 U.S.C. 1818(a)(2)(A)) is amended—

(A) by redesignating clauses (ii) and (iii) as clauses (iii) and (iv), respectively; and

(B) by inserting after clause (i) the following new clause:

"(ii) the Attorney General has provided written notice that an insured State depository institution has been found guilty of any export control offense;"

(2) EXCEPTION IN CASE OF CHANGE IN CONTROL.—Section 8(a) of the Federal Deposit Insurance Act (12 U.S.C. 1818(a)) is amended by adding at the end of the following new paragraph:

"(11) CHANGE IN CONTROL EXCEPTION.—If the ownership or control of any State depository institution referred to in paragraph (2)(A)(ii) is acquired (as defined in section 13(f)(8)(B))—

"(A) after the commission of any export control offense;

"(B) by any person who was not an institution-affiliated party of the institution, or any affiliate of any such party, at the time of the offense; and

"(C) in an arms-length transaction (as determined by the Board of Directors) which was entered into in good faith by such person,

paragraph (2)(A)(ii) shall not apply to such depository institution with respect to such offense.".

(3) HEARING ON TERMINATION REQUIRED UPON CONVICTION OF INSTITUTION AND DIRECTORS AND OFFICERS.—Section 8 of the Federal Deposit Insurance Act (12 U.S.C. 1818) is amended by adding at the end the following new subsection:

"(w) TERMINATION OF INSURANCE FOR EXPORT CONTROL OFFENSES.—

"(1) NOTICE OF INTENTION TO TERMINATE INSURANCE.—If the Board of Directors receives written notice from the Attorney General that any insured State depository institution and directors or senior executive officers of the depository institution have been found guilty of any export control offense, the Board of Directors may issue a notice to the depository institution of the Board of Directors' intention to terminate the insured status of such depository institution.

"(2) NOTICE TO STATE BANKING SUPERVISOR.—A copy of any notice issued by the Board of Directors under paragraph (1) to any insured State depository institution shall promptly be transmitted by the Board of Directors to the appropriate State banking supervisor of such depository institution.

"(3) CONTENTS OF NOTICE.—Any notice issued by the Board of Directors pursuant to paragraph (1) shall contain the date (not to exceed 90 days after the date such notice is issued) and the place of a hearing on the proposed termination of insured status.

"(4) HEARING, TERMINATION OF INSURED STATUS.—If, on the basis of the evidence presented at a hearing conducted in accordance with section 554 of title 5, United States Code, before the Board of Directors (or any person designated by the Board of Directors for such purpose), the Board of Directors finds that, taking into account the factors required to be considered under paragraph (5), the gravity of the offense of which the depository institution was found guilty outweighs the benefits which the continuation of the insured status of the depository institution may provide (taking into account whether there will be significant losses to the Bank Insurance Fund, the Savings Association Insurance Fund, or the Resolution Trust Corporation), the Board of Directors may issue an order terminating the insured status of such State depository institution effective not earlier than the end of the 10-day period beginning on the date the State banking supervisor (of such depository institution) receives notice of the issuance of such order from the Board of Directors.

"(5) FACTORS FOR CONSIDERATION IN PROCEEDING TO TERMINATE INSURED STATUS.—In making any determination under paragraph (4) to terminate the insured status of any State depository institution, the Board of Directors shall take into account the following factors:

"(A) The extent to which directors of senior executive officers of the depository institution knew of, or were involved in, the commission of the export control offense of which the institution was found guilty.

"(B) The extent to which the offense occurred despite the existence of policies and procedures within the depository institution which were designed to prevent the occurrence of any such offense.

"(C) The extent to which the depository institution has folly cooperated with law enforcement authorities with respect to the investigation of the export control offense of which the institution was found guilty.

"(D) The extent to which the depository institution has implemented additional internal controls (since the commission of the offense of which the depository institution was found guilty) to prevent the occurrence of any other export control offense.

"(6) APPEARANCE, CONSENT TO TERMINATION OF INSURED STATUS.—Unless the State depository institution shall appear at the hearing by a duly authorized representative, the depository institution shall be deemed to have consented to the termination of the insured status of the depository institution and the order referred to in paragraph (4) may be issued.

"(7) JUDICIAL REVIEW.—Any order issued by the Board of Directors under this subsection may be reviewed in the manner provided in chapter 7 of title 5, United States Code.

"(8) CHANGE IN CONTROL EXCEPTION.—If the ownership or control of any depository institution referred to in paragraph (1) is acquired (as defined in section 13(f)(8)(B))—

"(A) after the commission of any export control offense;

"(B) by any person who was not an institution-affiliated party of the institution, or any affiliate of any such party, at the time of the offense; and

"(C) in an arms-length transaction (as determined by the Board of Directors) which was entered into in good faith by such person,

this subsection shall not apply to such depository institution with respect to such offense.

"(9) DEFINITIONS.—For purposes of this subsection and paragraphs (2)(A)(ii) and (11) of subsection (a)—

"(A) EXPORT CONTROL OFFENSE.—The term 'export control offense' means any violation under the International Economic Emergency Powers Act, the Trading With the Enemy Act, the Export Administration Act of 1979, or the Arms Export Control Act, or any regulation, license, or order under any such Act, which is a felony offense.

"(B) SENIOR EXECUTIVE OFFICERS.—The term 'senior executive officers' has the meaning given to such term by the Board of Directors pursuant to section 32(f) of the Federal Deposit Insurance Act.".

(b) STATE CHARTERED CREDIT UNIONS.—

(1) TERMINATION AUTHORIZED UPON CONVICTION OF DEPOSITORY INSTITUTION.—The first sentence of section 206(b)(1) of the Federal Credit Union Act (12 U.S.C. 1786(b)(1)) is amended by inserting "or the Board is notified in writing by the Attorney General that an insured credit union has been found guilty of any export control offense," after "entered into with the Board,".

(2) HEARING ON TERMINATION REQUIRED UPON CONVICTION OF INSTITUTION AND DIRECTORS AND OFFICERS.—SECTION 206 OF THE FEDERAL CREDIT UNION ACT (12 U.S.C. 1786) IS AMENDED BY ADDING AT THE END OF THE FOLLOWING NEW SUBSECTION:

"(v) TERMINATION OF INSURANCE FOR EXPORT CONTROL OFFENSES.—

"(1) NOTICE OF INTENTION TO TERMINATE INSURANCE.—If the Board receives written notice from the Attorney General that any insured State chartered credit union and directors, committee members, or senior executive officers (as defined by the Board in regulations which the Board shall prescribe) of the credit unions have been found guilty of any export control offense, the Board may issue a notice to the credit union of the Board's intention to terminate the insured status of such credit union.

"(2) NOTICE TO STATE CREDIT UNION SUPERVISOR.—A copy of any notice issued by the Board under paragraph (1) to any insured State chartered credit union shall promptly be transmitted by the Board to the appropriate State credit union supervisor of such credit union.

"(3) CONTENTS OF NOTICE.—Any notice issued pursuant to paragraph (1) shall contain the date (not to exceed 90 days after the date such notice is issued) and the place of a hearing on the proposed termination of insured status.

"(4) HEARING, TERMINATION OF INSURED STATUS.—If, on the basis of the evidence presented at a hearing conducted in accordance with section 554 of title 5, United States Code, before the Board (or any person designated by the Board for such purpose), the Board finds that, taking into account the factors required to be considered under paragraph (5), the gravity of the offense of which the credit union was found guilty outweighs the benefits which the continuation of the insured status of the credit union may provide (taking into account whether there will be significant losses to the National Credit Union Share Insurance Fund), the Board may issue an order terminating the insured status of such State chartered credit union effective not earlier than the end of the 10-day period beginning on the date the State credit union supervisor (of such credit union) receives notice of the issuance of such order from the Board.

"(5) FACTORS FOR CONSIDERATION IN PROCEEDING TO TERMINATE INSURED STATUS.—In making any determination under paragraph (4) to terminate the insured status of any State chartered credit union, the Board shall take into account the following factors:

"(A) The extent to which directors, committee members, or senior executive officers (as defined by the Board in regulations which the Board shall prescribe) of the credit union knew of, or were involved in, the commission of the export control offense of which the credit union was found guilty.

"(B) The extent to which the offense occurred despite the existence of policies and procedures within the credit union which were designed to prevent the occurrence of any such offense.

"(C) The extent to which the credit union has fully cooperated with law enforcement authorities with respect to the investigation of the export control offense of which the credit union was found guilty.

"(D) The extent to which the credit union has implemented additional internal controls (since the commission of the offense of which the credit union was found guilty) to prevent the occurrence of any other export control offense.

"(6) APPEARANCE, CONSENT TO TERMINATION OF INSURED STATUS.—Unless the State chartered credit union shall appear at the hearing by a duly authorized representative, the credit union shall be deemed to have consented to the termination of insured status of the credit union and the order referred to in paragraph (4) may be issued.

"(7) JUDICIAL REVIEW.—Any order issued by the Board under this subsection may be reviewed in the manner provided in chapter 7 of title 5, United States Code.

"(8) EXPORT CONTROL OFFENSE DEFINED.—For purposes of this subsection and subsection (b)(1), the term 'export control offense' means any violation under the International Economic Emergency Powers Act, the Trading With the Enemy Act, the Export Administration Act of 1979, or the Arms Export Control Act, or any regulation, license, or order under any such Act, which is a felony offense.".

(c) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) The last sentence of section 8(a)(2)(A) of the Federal Deposit Insurance Act (12 U.S.C. 1818(a)(2)(A) is amended by inserting "and shall not apply with respect to any notice under clause (ii)" before the period.

(2) Section 8(a)(6) of the Federal Deposit Insurance Act (12 U.S.C. 1818(a)(6)) is amended by striking "such termination" the 1st place such term appears and inserting "any termination of the insured status of any depository institution under this subsection or subsection (w)".

(3) The 1st sentence of section 8(a)(7) of the Federal Deposit Insurance Act (12 U.S.C. 1818(a)(7)) is amended by striking "this subsection," and inserting "this subsection or subsection (w),".

(4) The 1st sentence of section 206(c) of the Federal Credit Union Act (12 U.S.C. 1786(c)) is amended by striking "(a)(2) or (b)" and inserting "(a)(2), (b), or (v)".

(5) The 1st sentence of section 206(d)(1) of the Federal Credit Union Act (12 U.S.C. 1786(d)(1)) is amended by striking "(a)(1) or (b)" and inserting "(a)(1), (b), or (v)".

SEC. 205. RESTRICTIONS ON STATE BRANCHES AND AGENCIES OF FOREIGN BANKS CONVICTED OF EXPORT CONTROL OFFENSES.

(a) Section 7 of the International Banking Act of 1978 (12 U.S.C. 3105) is amended by adding at the end the following new subsection:

"(e) LIMITATION ON ACTIVITIES AFTER CONVICTION FOR EXPORT CONTROL OFFENSES.—

"(1) NOTICE OF INTENTION TO ISSUE ORDER.—If the Board finds or receives written notice from the Attorney General that any State agency, any State branch which is not an insured branch, or any foreign bank which operates a State agency or a State branch which is not an insured branch and directors or senior executive officers of any such agency, branch, or foreign bank have been found guilty of any export control offense, the Board may issue a notice to the agency or branch of the Board's intention to issue an order which prohibits the agency or branch from—

"(A) participating directly or indirectly in any aspect of the payment system, including any clearing or electronic fund transfer system;

"(B) accepting deposits, offering or providing payment services, holding credit balances, and making loans; and

"(C) engaging in any other activity which is similar to any activity described in this subparagraph.

"(2) CONTENTS OF NOTICE.—Any notice issued by the Board pursuant to paragraph (1) shall contain the date (not to exceed 90 days after the date such notice is issued) and the place of a hearing on the proposed order.

"(3) HEARING, ISSUANCE OF ORDER.—If, on the basis of the evidence presented at a hearing conducted in accordance with section 554 of title 5, United States Codes, before the Board (or any person designated by the Board for such purpose), the Board finds that, taking into account the factors required to be considered under paragraph (4), the gravity of the offense of which the State agency or branch was found guilty outweighs the benefits which the continued operation of the agency or branch may provide, the Board may issue the order described in paragraph (1)(A).

"(4) FACTORS FOR CONSIDERATION IN PROCEEDING.—In making any determination under paragraph (3) to issue an order described in paragraph (1)(A) to any State agency or branch, the Board shall take into account the following factors:

"(A) The extent to which directors or senior executive officers of the agency or branch, or the foreign bank which operates the agency or branch, knew of, or were involved in, the commission of the export control offense of which the bank was found guilty.

"(B) The extent to which the offense occurred despite the existence of policies and procedures within the agency, branch or foreign bank which were designed to prevent the occurrence of any such offense.

"(C) The extent to which the agency, branch, or foreign bank has fully cooperated with law enforcement authorities with respect to the investigation of the export control offense of which the agency, branch, or foreign bank was found guilty.

"(D) The extent to which the agency, branch, or foreign bank has implemented additional internal controls (since the commission of the offense of which the agency, branch, or foreign bank was found guilty) to prevent the occurrence of any other export control offense.

"(5) APPEARANCE, CONSENT TO FORFEITURE.—Unless the State agency or branch to which a notice was issued under paragraph (1)(A) shall appear at the hearing by a duly authorized representative, the agency or branch shall be deemed to have consented to the forfeiture of all rights, privileges, and franchises of the agency or branch and the order referred to in paragraph (3) may be issued.

"(6) JUDICIAL REVIEW.—Any order issued by the Board under this subsection may be reviewed in the manner provided in chapter 7 of title 5, United States Code.

"(7) CHANGE IN CONTROL EXCEPTION.—If the ownership or control of any State agency or branch referred to in paragraph (1) is acquired (as defined in section 13(f)(8)(B) of the Federal Deposit Insurance Act—

"(A) after the commission of any export control offense;

"(B) by any person who was not an institution-affiliated party of the agency or branch, or any affiliate of any such party (as such terms are defined in section 3 of the Federal Deposit Insurance Act), at the time of the offense; and

"(C) in an arms-length transaction (as determined by the Board) which was entered into in good faith by such person,

this subsection shall not apply to such agency or branch with respect to such offense.

"(8) DEFINITIONS.—For purposes of this subsection—

"(A) INSURED BRANCH.—The term 'insured branch' has the meaning given such term in section 3(s) of the Federal Deposit Insurance Act.

"(B) EXPORT CONTROL OFFENSE DEFINED.—The term 'export control offense' means any violation under the International Economic Emergency Powers Act, the Trading With the Enemy Act, the Export Administration Act of 1979, or the Arms Export Control Act, or any regulation, license, or order under any such Act, which is a felony offense.

"(C) SENIOR EXECUTIVE OFFICERS.—The term 'senior executive officers' has the meaning given to such term by the Board pursuant to section 32(f) of the Federal Deposit Insurance Act.".

SEC. 206. INFORMATION ON VIOLATIONS OF LAW INVOLVING INTERNATIONAL TRANSACTIONS REQUIRED TO BE INCLUDED IN ANNUAL REPORT.

Section 918(a) of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 is amended by adding at the end the following new paragraph:

"(7) The names of institutions against which the agency initiated any formal or informal supervisory, administrative, or civil enforcement action with respect to an alleged violation by the institution of any law or regulation in connection with any international transaction or any deposits of any foreign person or government at the institution.".

CONFERENCE REPORT ON S. 3, CONGRESSIONAL CAMPAIGN SPENDING LIMIT AND ELECTION REFORM ACT OF 1992

Mr. GEJDENSON submitted the following conference report and statement on the Senate bill (S. 3) to amend the Federal Election Campaign Act of 1971 to provide for a voluntary system of spending limits for Senate election Campaigns, and for other purposes.

CONFERENCE REPORT (REPT. 102-487)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 3), to amend the Federal Election Campaign Act of 1971 to provide for a voluntary system of spending limits for Senate Election Campaigns, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House to the text of the bill and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the House amendment, insert the following:

SECTION 1. SHORT TITLE; AMENDMENT OF CAMPAIGN ACT; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Congressional Campaign Spending Limit and Election Reform Act of 1992".

(b) AMENDMENT OF FECA.—When used in this Act, the term "FECA" means the Federal Election Campaign Act of 1971 (2 U.S.C. 431 et seq.).

(c) TABLE OF CONTENTS.—

Sec. 1. Short title; amendment of Campaign Act; table of contents.

TITLE I—CONTROL OF CONGRESSIONAL CAMPAIGN SPENDING

Subtitle A—Senate Election Campaign Spending Limits and Benefits

Sec. 101. Senate spending limits and benefits.
Sec. 102. Restrictions on activities of political action and candidate committees in Federal elections.
Sec. 103. Reporting requirements.
Sec. 104. Disclosure by noneligible candidates.

Subtitle B—Expenditure Limitations, Contribution Limitations, and Matching Funds for Eligible House of Representatives Candidates

Sec. 121. Provisions applicable to eligible House of Representatives candidates.
Sec. 122. Limitations on political committee and large donor contributions that may be accepted by House of Representatives candidates.
Sec. 123. Excess funds of incumbents who are candidates for the House of Representatives.

Subtitle C—General Provisions

Sec. 131. Broadcast rates and preemption.
Sec. 132. Extension of reduced third-class mailing rates to eligible House of Representatives and Senate candidates.
Sec. 133. Reporting requirements for certain independent expenditures.
Sec. 134. Campaign advertising amendments.
Sec. 135. Definitions.
Sec. 136. Provisions relating to franked mass mailings.

TITLE II—INDEPENDENT EXPENDITURES

Sec. 201. Clarification of definitions relating to independent expenditures.

TITLE III—EXPENDITURES

Subtitle A—Personal Loans; Credit

Sec. 301. Personal contributions and loans.
Sec. 302. Extensions of credit.

Subtitle B—Provisions Relating to Soft Money of Political Parties

Sec. 311. Contributions to political party committees.
Sec. 312. Provisions relating to national, State, and local party committees.
Sec. 313. Restrictions on fundraising by candidates and officeholders.
Sec. 314. Reporting requirements.

TITLE IV—CONTRIBUTIONS

Sec. 401. Contributions through intermediaries and conduits.
Sec. 402. Contributions by dependents not of voting age.
Sec. 403. Contributions to candidates from State and local committees of political parties to be aggregated.
Sec. 404. Limited exclusion of advances by campaign workers from the definition of the term "contribution".

TITLE V—REPORTING REQUIREMENTS

Sec. 501. Change in certain reporting from a calendar year basis to an election cycle basis.
Sec. 502. Personal and consulting services.
Sec. 503. Reduction in threshold for reporting of certain information by persons other than political committees.
Sec. 504. Computerized indices of contributions.

TITLE VI—FEDERAL ELECTION COMMISSION

Sec. 601. Use of candidates' names.
Sec. 602. Reporting requirements.
Sec. 603. Provisions relating to the general counsel of the Commission.
Sec. 604. Enforcement.
Sec. 605. Penalties.
Sec. 606. Random audits.
Sec. 607. Prohibition of false representation to solicit contributions.
Sec. 608. Regulations relating to use of non-Federal money.

TITLE VII—BALLOT INITIATIVE COMMITTEES

Sec. 701. Definitions relating to ballot initiatives.
Sec. 702. Amendment to definition of contribution.
Sec. 703. Amendment to definition of expenditure.
Sec. 704. Organization of ballot initiative committees.
Sec. 705. Ballot initiative committee reporting requirements.
Sec. 706. Enforcement amendment.
Sec. 707. Prohibition of contributions in the name of another.
Sec. 708. Limitation on contribution of currency.

TITLE VIII—MISCELLANEOUS

Sec. 801. Prohibition of leadership committees.
Sec. 802. Polling data contributed to candidates.
Sec. 803. Debates by general election candidates who receive amounts from the Presidential Election Campaign Fund.
Sec. 804. Prohibition of certain election-related activities of foreign nationals.
Sec. 805. Amendment to FECA section 316.
Sec. 806. Telephone voting by persons with disabilities.
Sec. 807. Prohibition of use of Government aircraft in connection with elections for Federal office.
Sec. 808. Sense of the Congress.

TITLE IX—EFFECTIVE DATES; AUTHORIZATIONS

Sec. 901. Effective date.
Sec. 902. Delay of effective dates until funding legislation enacted.
Sec. 902. Budget neutrality.
Sec. 903. Severability.
Sec. 904. Expedited review of constitutional issues.

TITLE I—CONTROL OF CONGRESSIONAL CAMPAIGN SPENDING

Subtitle A—Senate Election Campaign Spending Limits and Benefits

SEC. 101. SENATE SPENDING LIMITS AND BENEFITS.

(a) IN GENERAL.—FECA is amended by adding at the end thereof the following new title:

"TITLE V—SPENDING LIMITS AND BENEFITS FOR SENATE ELECTION CAMPAIGNS

"SEC. 501. CANDIDATES ELIGIBLE TO RECEIVE BENEFITS.

"(a) IN GENERAL.—For purposes of this title, a candidate is an eligible Senate candidate if the candidate—

"(1) meets the primary and general election filing requirements of subsections (b) and (c);

"(2) meets the primary and runoff election expenditure limits of subsection (d); and

"(3) meets the threshold contribution requirements of subsection (e).

"(b) PRIMARY FILING REQUIREMENTS.—(1) The requirements of this subsection are met if the candidate files with the Secretary of the Senate a declaration that—

"(A) the candidate and the candidate's authorized committees—

"(i) will meet the primary and runoff election expenditure limits of subsection (d); and

"(ii) will only accept contributions for the primary and runoff elections which do not exceed such limits;

"(B) the candidate and the candidate's authorized committees will meet the general election expenditure limit under section 502(b); and

"(C) the candidate and the candidate's authorized committees will meet the limitation on expenditures from personal funds under section 502(a).

"(2) The declaration under paragraph (1) shall be filed not later than the date the candidate files as a candidate for the primary election.

"(c) GENERAL ELECTION FILING REQUIREMENTS.—(1) The requirements of this subsection are met if the candidate files a certification with the Secretary of the Senate under penalty of perjury that—

"(A) the candidate and the candidate's authorized committees—

"(i) met the primary and runoff election expenditure limits under subsection (d); and

"(ii) did not accept contributions for the primary or runoff election in excess of the primary or runoff expenditure limit under subsection (d), whichever is applicable, reduced by any amounts transferred to this election cycle from a preceding election cycle;

"(B) the candidate met the threshold contribution requirement under subsection (e), and that only allowable contributions were taken into account in meeting such requirement;

"(C) at least one other candidate has qualified for the same general election ballot under the law of the State involved;

"(D) such candidate and the authorized committees of such candidate—

"(i) except as otherwise provided by this title, will not make expenditures which exceed the general election expenditure limit under section 502(b);

"(ii) will not accept any contributions in violation of section 315;

"(iii) except as otherwise provided by this title, will not accept any contribution for the general election involved to the extent that such contribution would cause the aggregate amount of such contributions to exceed the sum of the amount of the general election expenditure limit under section 502(b) and the amounts described in subsections (c) and (d) of section 502, reduced by—

"(I) the amount of voter communication vouchers issued to the candidate; and

"(II) any amounts transferred to this election cycle from a previous election cycle and not taken into account under subparagraph (A)(ii);

"(iv) will deposit all payments received under this title in an account insured by the Federal Deposit Insurance Corporation from which funds may be withdrawn by check or similar means of payment to third parties;

"(v) will furnish campaign records, evidence of contributions, and other appropriate information to the Commission; and

"(vi) will cooperate in the case of any audit and examination by the Commission under section 506; and

"(E) the candidate intends to make use of the benefits provided under section 503.

"(2) The declaration under paragraph (1) shall be filed not later than 7 days after the earlier of—

"(A) the date the candidate qualifies for the general election ballot under State law; or

"(B) if, under State law, a primary or runoff election to qualify for the general election ballot occurs after September 1, the date the candidate wins the primary or runoff election.

"(d) PRIMARY AND RUNOFF EXPENDITURE LIMITS.—(1) The requirements of this subsection are met if:

"(A) The candidate or the candidate's authorized committees did not make expenditures for the primary election in excess of the lesser of—

"(i) 67 percent of the general election expenditure limit under section 502(b); or

"(ii) $2,750,000.

"(B) The candidate and the candidate's authorized committees did not make expenditures for any runoff election in excess of 20 percent of the general election expenditure limit under section 502(b).

"(2) The limitations under subparagraphs (A) and (B) of paragraph (1) with respect to any candidate shall be increased by the aggregate amount of independent expenditures in opposition to, or on behalf of any opponent of, such candidate during the primary or runoff election period, whichever is applicable, which are required to be reported to the Secretary of the Senate with respect to such period under section 304(c).

"(3)(A) If the contributions received by the candidate or the candidate's authorized committees for the primary election or runoff election exceed the expenditures for either such election, such excess contributions shall be treated as contributions for the general election and expenditures for the general election may be made from such excess contributions.

"(B) Subparagraph (A) shall not apply to the extent that such treatment of excess contributions—

"(i) would result in the violation of any limitation under section 315; or

"(ii) would cause the aggregate contributions received for the general election to exceed the limits under subsection (c)(1)(D)(iii).

"(e) THRESHOLD CONTRIBUTION REQUIREMENTS.—(1) The requirements of this subsection are met if the candidate and the candidate's authorized committees have received allowable contributions during the applicable period in an amount at least equal to the lesser of—

"(A) 10 percent of the general election expenditure limit under section 502(b); or

"(B) $250,000.

"(2) For purposes of this section and section 503(b)—

"(A) The term 'allowable contributions' means contributions which are made as gifts of money by an individual pursuant to a written instrument identifying such individual as the contributor.

"(B) The term 'allowable contributions' shall not include—

"(i) contributions made directly or indirectly through an intermediary or conduit which are treated as made by such intermediary or conduit under section 315(a)(8)(B);

"(ii) contributions from any individual during the applicable period to the extent such contributions exceed $250; or

"(iii) contributions from individuals residing outside the candidate's State to the extent such contributions exceed 50 percent of the aggregate allowable contributions (without regard to this clause) received by the candidate during the applicable period.

Clauses (ii) and (iii) shall not apply for purposes of section 503(b).

"(3) For purposes of this subsection and section 503(b), the term 'applicable period' means—

"(A) the period beginning on January 1 of the calendar year preceding the calendar year of the general election involved and ending on—

"(i) the date on which the certification under subsection (c) is filed by the candidate; or

"(ii) for purposes of section 503(b), the date of such general election; or

"(B) in the case of a special election for the office of United States Senator, the period beginning on the date the vacancy in such office occurs and ending on the date of the general election involved.

"(f) INDEXING.—The $2,750,000 amount under subsection (d)(1) shall be increased as of the beginning of each calendar year based on the increase in the price index determined under section 315(c), except that, for purposes of subsection (d)(1), the base period shall be calendar year 1992.

"SEC. 502. LIMITATIONS ON EXPENDITURES.

"(a) LIMITATION ON USE OF PERSONAL FUNDS.—(1) The aggregate amount of expenditures which may be made during an election cycle by an eligible Senate candidate or such candidate's authorized committees from the sources described in paragraph (2) shall not exceed the lesser of—

"(A) 10 percent of the general election expenditure limit under subsection (b); or

"(B) $250,000.

"(2) A source is described in this paragraph if it is—

"(A) personal funds of the candidate and members of the candidate's immediate family; or

"(B) personal debt incurred by the candidate and members of the candidate's immediate family.

"(b) GENERAL ELECTION EXPENDITURE LIMIT.—(1) Except as otherwise provided in this title, the aggregate amount of expenditures for a general election by an eligible Senate candidate and the candidate's authorized committees shall not exceed the lesser of—

"(A) $5,500,000; or

"(B) the greater of—

"(i) $950,000; or

"(ii) $400,000; plus

"(I) 30 cents multiplied by the voting age population not in excess of 4,000,000; and

"(II) 25 cents multiplied by the voting age population in excess of 4,000,000.

"(2) In the case of an eligible Senate candidate in a State which has no more than 1 transmitter for a commercial Very High Frequency (VHF) television station licensed to operate in that State, paragraph (1)(B)(ii) shall be applied by substituting—

"(A) '80 cents' for '30 cents' in subclause (I); and

"(B) '70 cents' for '25 cents' in subclause (II).

"(3) The amount otherwise determined under paragraph (1) for any calendar year shall be increased by the same percentage as the percentage increase for such calendar year under section 501(f) (relating to indexing).

"(c) LEGAL AND ACCOUNTING COMPLIANCE FUND.—(1) The limitation under subsection (b) shall not apply to qualified legal and accounting expenditures made by a candidate or the candidate's authorized committees or a Federal officeholder from a legal and accounting compliance fund meeting the requirements of paragraph (2).

"(2) A legal and accounting compliance fund meets the requirements of this paragraph if—

"(A) the only amounts transferred to the fund are amounts received in accordance with the limitations, prohibitions, and reporting requirements of this Act;

"(B) the aggregate amounts transferred to, and expenditures made from, the fund do not exceed the sum of—

"(i) the lesser of—

"(I) 15 percent of the general election expenditure limit under subsection (b) for the general election for which the fund was established; or

"(II) $300,000; plus

"(ii) the amount determined under paragraph (4); and

"(C) no funds received by the candidate pursuant to section 503(a)(3) may be transferred to the fund.

"(3) For purposes of this subsection, the term 'qualified legal and accounting expenditures' means the following:

"(A) Any expenditures for costs of legal and accounting services provided in connection with—

"(i) any administrative or court proceeding initiated pursuant to this Act during the election cycle for such general election; or

"(ii) the preparation of any documents or reports required by this Act or the Commission.

"(B) Any expenditures for legal and accounting services provided in connection with the general election for which the legal and accounting compliance fund was established to ensure compliance with this Act with respect to the election cycle for such general election.

"(4)(A) If, after a general election, a candidate determines that the qualified legal and accounting expenditures will exceed the limitation under paragraph (2)(B)(i), the candidate may petition the Commission by filing with the Secretary of the Senate a request for an increase in such limitation. The Commission shall authorize an increase in such limitation in the amount (if any) by which the Commission determines the qualified legal and accounting expenditures exceed such limitation. Such determination shall be subject to judicial review under section 506.

"(B) Except as provided in section 315, any contribution received or expenditure made pursuant to this paragraph shall not be taken into account for any contribution or expenditure limit applicable to the candidate under this title.

"(5) Any funds in a legal and accounting compliance fund shall be treated for purposes of this Act as a separate segregated fund, except that any portion of the fund not used to pay qualified legal and accounting expenditures, and not transferred to a legal and accounting compliance fund for the election cycle for the next general election, shall be treated in the same manner as other campaign funds.

"(d) PAYMENT OF TAXES.—The limitation under subsection (b) shall not apply to any expenditure for Federal, State, or local taxes with respect to a candidate's authorized committees.

"(e) EXPENDITURES.—For purposes of this title, the term 'expenditure' has the meaning given such term by section 301(9), except that in determining any expenditures made by, or on behalf of, a candidate or a candidate's authorized committees, section 301(9)(B) shall be applied without regard to clause (ii) or (vi) thereof.

"SEC. 503. BENEFITS ELIGIBLE CANDIDATE ENTITLED TO RECEIVE.

"(a) IN GENERAL.—An eligible Senate candidate shall be entitled to—

"(1) the broadcast media rates provided under section 315(b) of the Communications Act of 1934;

"(2) the mailing rates provided in section 3626(e) of title 39, United States Code;

"(3) payments in the amounts determined under subsection (b); and

"(4) voter communication vouchers in the amount determined under subsection (c).

"(b) AMOUNT OF PAYMENTS.—(1) For purposes of subsection (a)(3), the amounts determined under this subsection are—

"(A) the independent expenditure amount; and

"(B) in the case of an eligible Senate candidate who has an opponent in the general election who receives contributions, or makes (or obligates to make) expenditures, for such election in excess of the general election expenditure limit under section 502(b), the excess expenditure amount.

"(2) For purposes of paragraph (1), the independent expenditure amount is the total amount of independent expenditures made, or obligated to be made, during the general election period by 1 or more persons in opposition to, or on behalf of an opponent of, an eligible Senate candidate which are required to be reported by such persons under section 304(c) with respect to the general election period and are certified by the Commission under section 304(c).

"(3) For purposes of paragraph (1), the excess expenditure amount is the amount determined as follows:

"(A) In the case of a major party candidate, an amount equal to the sum of—

"(i) if the excess described in paragraph (1)(B) is not greater than 133⅓ percent of the general election expenditure limit under section 502(b), an amount equal to one-third of such limit applicable to the eligible Senate candidate for the election; plus

"(ii) if such excess equals or exceeds 133⅓ percent but is less than 166⅔ percent of such limit, an amount equal to one-third of such limit; plus

"(iii) if such excess equals or exceeds 166⅔ percent of such limit, an amount equal to one-third of such limit.

"(B) In the case of an eligible Senate candidate who is not a major party candidate, an amount equal to the lesser of—

"(i) the allowable contributions of the eligible Senate candidate during the applicable period in excess of the threshold contribution requirement under section 501(e); or

"(ii) 50 percent of the general election expenditure limit applicable to the eligible Senate candidate under section 502(b).

"(c) VOTER COMMUNICATION VOUCHERS.—(1) The aggregate amount of voter communication vouchers issued to an eligible Senate candidate shall be equal to 20 percent of the general election expenditure limit under section 502(b) (10 percent of such limit if such candidate is not a major party candidate).

"(2) Voter communication vouchers shall be used by an eligible Senate candidate to purchase broadcast time during the general election period in the same manner as other broadcast time may be purchased by the candidate.

"(d) WAIVER OF EXPENDITURE AND CONTRIBUTION LIMITS.—(1) An eligible Senate candidate who receives payments under subsection (a)(3) which are allocable to the independent expenditure or excess expenditure amounts described in paragraphs (2) and (3) of subsection (b) may make expenditures from such payments to defray expenditures for the general election without regard to the general election expenditure limit under section 502(b).

"(2)(A) An eligible Senate candidate who receives benefits under this section may make expenditures for the general election without regard to clause (i) of section 501(c)(1)(D) or subsection (a) or (b) of section 502 if any one of the eligible Senate candidate's opponents who is not an eligible Senate candidate either raises aggregate contributions, or makes or becomes obligated to make aggregate expenditures, for the general election that exceed 200 percent of the general election expenditure limit applicable to the eligible Senate candidate under section 502(b).

"(B) The amount of the expenditures which may be made by reason of subparagraph (A) shall not exceed 100 percent of the general election expenditure limit under section 502(b).

"(3)(A) A candidate who receives benefits under this section may receive contributions for the general election without regard to clause (iii) of section 501(c)(1)(D) if—

"(i) a major party candidate in the same general election is not an eligible Senate candidate; or

"(ii) any other candidate in the same general election who is not an eligible Senate candidate raises aggregate contributions, or makes or becomes obligated to make aggregate expenditures, for the general election that exceed 75 percent of the general election expenditure limit applicable to such other candidate under section 502(b).

"(B) The amount of contributions which may be received by reason of subparagraph (A) shall not exceed 100 percent of the general election expenditure limit under section 502(b).

"(e) USE OF PAYMENTS.—Payments received by a candidate under subsection (a)(3) shall be used to defray expenditures incurred with respect to the general election period for the candidate. Such payments shall not be used—

"(1) except as provided in paragraph (4), to make any payments, directly or indirectly, to such candidate or to any member of the immediate family of such candidate;

"(2) to make any expenditure other than expenditures to further the general election of such candidate;

"(3) to make any expenditures which constitute a violation of any law of the United States or of the State in which the expenditure is made; or

"(4) subject to the provisions of section 315(k), to repay any loan to any person except to the extent the proceeds of such loan were used to further the general election of such candidate.

"SEC. 504. CERTIFICATION BY COMMISSION.

"(a) IN GENERAL.—(1) The Commission shall certify to any candidate meeting the requirements of section 502 that such candidate is an eligible Senate candidate entitled to benefits under this title. The Commission shall revoke such certification if it determines a candidate fails to continue to meet such requirements.

"(2) No later than 48 hours after an eligible Senate candidate files a request with the Secretary of the Senate to receive benefits under section 505, the Commission shall issue a certification stating whether such candidate is eligible for payments under this title or to receive voter communication vouchers and the amount of such payments or vouchers to which such candidate is entitled. The request referred to in the preceding sentence shall contain—

"(A) such information and be made in accordance with such procedures as the Commission may provide by regulation; and

"(B) a verification signed by the candidate and the treasurer of the principal campaign committee of such candidate stating that the information furnished in support of the request, to the best of their knowledge, is correct and fully satisfies the requirements of this title.

"(b) DETERMINATIONS BY COMMISSION.—All determinations (including certifications under subsection (a)) made by the Commission under this title shall be final and conclusive, except to the extent that they are subject to examination and audit by the Commission under section 505 and judicial review under section 506.

"SEC. 505. EXAMINATION AND AUDITS; REPAYMENTS; CIVIL PENALTIES.

"(a) EXAMINATION AND AUDITS.—(1) After each general election, the Commission shall conduct an examination and audit of the campaign accounts of 10 percent of all candidates for the office of United States Senator to determine, among other things, whether such candidates have complied with the expenditure limits and conditions of eligibility of this title, and other requirements of this Act. Such candidates shall be designated by the Commission through the use of an appropriate statistical method of random selection. If the Commission selects a candidate, the Commission shall examine and audit the campaign accounts of all other candidates in the general election for the office the selected candidate is seeking.

"(2) The Commission may conduct an examination and audit of the campaign accounts of

any candidate in a general election for the office of United States Senator if the Commission determines that there exists reason to believe that such candidate may have violated any provision of this title.

"(b) EXCESS PAYMENTS; REVOCATION OF STATUS.—(1) If the Commission determines that payments or vouchers were made to an eligible Senate candidate under this title in excess of the aggregate amounts to which such candidate was entitled, the Commission shall so notify such candidate, and such candidate shall pay an amount equal to the excess.

"(2) If the Commission revokes the certification of a candidate as an eligible Senate candidate under section 504(a)(1), the Commission shall notify the candidate, and the candidate shall pay an amount equal to the payments and vouchers received under this title.

"(c) MISUSE OF BENEFITS.—If the Commission determines that any amount of any benefit made available to an eligible Senate candidate under this title was not used as provided for in this title, the Commission shall so notify such candidate and such candidate shall pay the amount of such benefit.

"(d) EXCESS EXPENDITURES.—If the Commission determines that any eligible Senate candidate who has received benefits under this title has made expenditures which in the aggregate exceed—

"(1) the primary or runoff expenditure limit under section 501(d); or

"(2) the general election expenditure limit under section 502(b),

the Commission shall so notify such candidate and such candidate shall pay an amount equal to the amount of the excess expenditures.

"(e) CIVIL PENALTIES FOR EXCESS EXPENDITURES AND CONTRIBUTIONS.—(1) If the Commission determines that a candidate has committed a violation described in subsection (c), the Commission may assess a civil penalty against such candidate in an amount not greater than 200 percent of the amount involved.

"(2)(A) LOW AMOUNT OF EXCESS EXPENDITURES.—Any eligible Senate candidate who makes expenditures that exceed any limitation described in paragraph (1) or (2) of subsection (d) by 2.5 percent or less shall pay an amount equal to the amount of the excess expenditures.

"(B) MEDIUM AMOUNT OF EXCESS EXPENDITURES.—Any eligible Senate candidate who makes expenditures that exceed any limitation described in paragraph (1) or (2) of subsection (d) by more than 2.5 percent and less than 5 percent shall pay an amount equal to three times the amount of the excess expenditures.

"(C) LARGE AMOUNT OF EXCESS EXPENDITURES.—Any eligible Senate candidate who makes expenditures that exceed any limitation described in paragraph (1) or (2) of subsection (d) by 5 percent or more shall pay an amount equal to three times the amount of the excess expenditures plus a civil penalty in an amount determined by the Commission.

"(f) UNEXPENDED FUNDS.—Any amount received by an eligible Senate candidate under this title may be retained for a period not exceeding 120 days after the date of the general election for the liquidation of all obligations to pay expenditures for the general election incurred during the general election period. At the end of such 120-day period, any unexpended funds received under this title shall be promptly repaid.

"(g) LIMIT ON PERIOD FOR NOTIFICATION.—No notification shall be made by the Commission under this section with respect to an election more than three years after the date of such election.

"SEC. 506. JUDICIAL REVIEW.

"(a) JUDICIAL REVIEW.—Any agency action by the Commission made under the provisions of this title shall be subject to review by the United States Court of Appeals for the District of Columbia Circuit upon petition filed in such court within thirty days after the agency action by the Commission for which review is sought. It shall be the duty of the Court of Appeals, ahead of all matters not filed under this title, to advance on the docket and expeditiously take action on all petitions filed pursuant to this title.

"(b) APPLICATION OF TITLE 5.—The provisions of chapter 7 of title 5, United States Code, shall apply to judicial review of any agency action by the Commission.

"(c) AGENCY ACTION.—For purposes of this section, the term 'agency action' has the meaning given such term by section 551(13) of title 5, United States Code.

"SEC. 507. PARTICIPATION BY COMMISSION IN JUDICIAL PROCEEDINGS.

"(a) APPEARANCES.—The Commission is authorized to appear in and defend against any action instituted under this section and under section 506 either by attorneys employed in its office or by counsel whom it may appoint without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and whose compensation it may fix without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title.

"(b) INSTITUTION OF ACTIONS.—The Commission is authorized, through attorneys and counsel described in subsection (a), to institute actions in the district courts of the United States to seek recovery of any amounts determined under this title to be payable to the Secretary.

"(c) INJUNCTIVE RELIEF.—The Commission is authorized, through attorneys and counsel described in subsection (a), to petition the courts of the United States for such injunctive relief as is appropriate in order to implement any provision of this title.

"(d) APPEALS.—The Commission is authorized on behalf of the United States to appeal from, and to petition the Supreme Court for certiorari to review, judgments or decrees entered with respect to actions in which it appears pursuant to the authority provided in this section.

"SEC. 508. REPORTS TO CONGRESS; REGULATIONS.

"(a) REPORTS.—The Commission shall, as soon as practicable after each election, submit a full report to the Senate setting forth—

"(1) the expenditures (shown in such detail as the Commission determines appropriate) made by each eligible Senate candidate and the authorized committees of such candidate;

"(2) the amounts certified by the Commission under section 504 as benefits available to each eligible Senate candidate; and

"(3) the amount of repayments, if any, required under section 505 and the reasons for each repayment required.

Each report submitted pursuant to this section shall be printed as a Senate document.

"(b) RULES AND REGULATIONS.—The Commission is authorized to prescribe such rules and regulations, in accordance with the provisions of subsection (c), to conduct such examinations and investigations, and to require the keeping and submission of such books, records, and information, as it deems necessary to carry out the functions and duties imposed on it by this title.

"(c) STATEMENT TO SENATE.—Thirty days before prescribing any rules or regulation under subsection (b), the Commission shall transmit to the Senate a statement setting forth the proposed rule or regulation and containing a detailed explanation and justification of such rule or regulation.

"SEC. 509. CLOSED CAPTIONING REQUIREMENT FOR TELEVISION COMMERCIALS OF ELIGIBLE SENATE CANDIDATES.

"No eligible Senate candidate may receive amounts under section 503(a)(3) unless such candidate has certified that any television commercial prepared or distributed by the candidate will be prepared in a manner that contains, is accompanied by, or otherwise readily permits closed captioning of the oral content of the commercial to be broadcast by way of line 21 of the vertical blanking interval, or by way of comparable successor technologies.".

(b) EFFECTIVE DATES.—(1) Except as provided in this subsection, the amendment made by subsection (a) shall apply to elections occurring after December 31, 1993.

(2) For purposes of any expenditure or contribution limit imposed by the amendment made by subsection (a)—

(A) no expenditure made before January 1, 1993, shall be taken into account, except that there shall be taken into account any such expenditure for goods or services to be provided after such date; and

(B) all cash, cash items, and Government securities on hand as of January 1, 1993, shall be taken into account in determining whether the contribution limit is met, except that there shall not be taken into account amounts used during the 60-day period beginning on January 1, 1993, to pay for expenditures which were incurred (but unpaid) before such date.

(c) EFFECT OF INVALIDITY ON OTHER PROVISIONS OF ACT.—If section 501, 502, or 503 of title V of FECA (as added by this section), or any part thereof, is held to be invalid, all provisions of, and amendments made by, this Act shall be treated as invalid.

SEC. 102. RESTRICTIONS ON ACTIVITIES OF POLITICAL ACTION AND CANDIDATE COMMITTEES IN FEDERAL ELECTIONS.

(a) CONTRIBUTIONS.—Section 315 of FECA (2 U.S.C. 441a) is amended by adding at the end the following new subsection:

"(i) CONTRIBUTIONS BY POLITICAL ACTION COMMITTEES TO SENATE CANDIDATES.—(1) In the case of a candidate for election, or nomination for election, to the United States Senate (and such candidate's authorized committees), subsection (a)(2)(A) shall be applied by substituting "$2,500" for "$5,000".

"(2) It shall be unlawful for a multicandidate political committee to make a contribution to a candidate for election, or nomination for election, to the United States Senate (or an authorized committee) to the extent that the making of the contribution will cause the amount of contributions received by the candidate and the candidate's authorized committees from multicandidate political committees to exceed the lesser of—

"(A) $825,000; or

"(B) the greater of—

"(i) $375,000; or

"(ii) 20 percent of the sum of the general election spending limit under section 502(b) plus the primary election spending limit under section 501(d)(1)(A) (without regard to whether the candidate is an eligible Senate candidate).

"(3) In the case of an election cycle in which there is a runoff election, the limit determined under paragraph (2) shall be increased by an amount equal to 20 percent of the runoff election expenditure limit under section 501(d)(1)(B) (without regard to whether the candidate is such an eligible Senate candidate).

"(4) The $825,000 and $375,000 amounts in paragraph (2) shall be increased as of the beginning of each calendar year based on the increase in the price index determined under section 315(c), except that for purposes of paragraph (2), the base period shall be calendar year 1992.

"(5) A candidate or authorized committee that receives a contribution from a multicandidate political committee in excess of the amount allowed under paragraph (2) shall return the amount of such excess contribution to the contributor.".

SEC. 103. REPORTING REQUIREMENTS.

Title III of FECA is amended by adding after section 304 the following new section:

"REPORTING REQUIREMENTS FOR SENATE CANDIDATES

"SEC. 304A. (a) CANDIDATE OTHER THAN ELIGIBLE SENATE CANDIDATE.—(1) Each candidate for the office of United States Senator who does not file a certification with the Secretary of the Senate under section 501(c) shall file with the Secretary of the Senate a declaration as to whether such candidate intends to make expenditures for the general election in excess of the general election expenditure limit applicable to an eligible Senate candidate under section 502(b). Such declaration shall be filed at the time provided in section 501(c)(2).

"(2) Any candidate for the United States Senate who qualifies for the ballot for a general election—

"(A) who is not an eligible Senate candidate under section 501; and

"(B) who either raises aggregate contributions, or makes or obligates to make aggregate expenditures, for the general election which exceed 75 percent of the general election expenditure limit applicable to an eligible Senate candidate under section 502(b),

shall file a report with the Secretary of the Senate within 24 hours after such contributions have been raised or such expenditures have been made or obligated to be made (or, if later, within 24 hours after the date of qualification for the general election ballot), setting forth the candidate's total contributions and total expenditures for such election as of such date. Thereafter, such candidate shall file additional reports (until such contributions or expenditures exceed 200 percent of such limit) with the Secretary of the Senate within 24 hours after each time additional contributions are raised, or expenditures are made or are obligated to be made, which in the aggregate exceed an amount equal to 10 percent of such limit and after the total contributions or expenditures exceed 133⅓, 166⅔, and 200 percent of such limit.

"(3) The Commission—

"(A) shall, within 24 hours of receipt of a declaration or report under paragraph (1) or (2), notify each eligible Senate candidate in the election involved about such declaration or report; and

"(B) if an opposing candidate has raised aggregate contributions, or made or has obligated to make aggregate expenditures, in excess of the applicable general election expenditure limit under section 502(b), shall certify, pursuant to the provisions of subsection (d), such eligibility for payment of any amount to which such eligible Senate candidate is entitled under section 503(a).

"(4) Notwithstanding the reporting requirements under this subsection, the Commission may make its own determination that a candidate in a general election who is not an eligible Senate candidate has raised aggregate contributions, or made or has obligated to make aggregate expenditures, in the amounts which would require a report under paragraph (2). The Commission shall, within 24 hours after making each such determination, notify each eligible Senate candidate in the general election involved about such determination, and shall, when such contributions or expenditures exceed the general election expenditure limit under section 502(b), certify (pursuant to the provisions of subsection (d)) such candidate's eligibility for payment of any amount under section 503(a).

"(b) REPORTS ON PERSONAL FUNDS.—(1) Any candidate for the United States Senate who during the election cycle expends more than the limitation under section 502(a) during the election cycle from his personal funds, the funds of his immediate family, and personal loans incurred by the candidate and the candidate's immediate family shall file a report with the Secretary of the Senate within 24 hours after such expenditures have been made or loans incurred.

"(2) The Commission within 24 hours after a report has been filed under paragraph (1) shall notify each eligible Senate candidate in the election involved about each such report.

"(3) Notwithstanding the reporting requirements under this subsection, the Commission may make its own determination that a candidate for the United States Senate has made expenditures in excess of the amount under paragraph (1). The Commission within 24 hours after making such determination shall notify each eligible Senate candidate in the general election involved about each such determination.

"(c) CANDIDATES FOR OTHER OFFICES.—(1) Each individual—

"(A) who becomes a candidate for the office of United States Senator;

"(B) who, during the election cycle for such office, held any other Federal, State, or local office or was a candidate for such other office; and

"(C) who expended any amount during such election cycle before becoming a candidate for the office of United States Senator which would have been treated as an expenditure if such individual had been such a candidate, including amounts for activities to promote the image or name recognition of such individual,

shall, within 7 days of becoming a candidate for the office of United States Senator, report to the Secretary of the Senate the amount and nature of such expenditures.

"(2) Paragraph (1) shall not apply to any expenditures in connection with a Federal, State, or local election which has been held before the individual becomes a candidate for the office of United States Senator.

"(3) The Commission shall, as soon as practicable, make a determination as to whether the amounts included in the report under paragraph (1) were made for purposes of influencing the election of the individual to the office of United States Senator.

"(d) CERTIFICATIONS.—Notwithstanding section 505(a), the certification required by this section shall be made by the Commission on the basis of reports filed in accordance with the provisions of this Act, or on the basis of such Commission's own investigation or determination.

"(e) COPIES OF REPORTS AND PUBLIC INSPECTION.—The Secretary of the Senate shall transmit a copy of any report or filing received under this section or of title V (whenever a 24-hour response is required of the Commission) as soon as possible (but no later than 4 working hours of the Commission) after receipt of such report or filing, and shall make such report or filing available for public inspection and copying in the same manner as the Commission under section 311(a)(4), and shall preserve such reports and filings in the same manner as the Commission under section 311(a)(5).

"(f) DEFINITIONS.—For purposes of this section, any term used in this section which is used in title V shall have the same meaning as when used in title V.".

SEC. 104. DISCLOSURE BY NONELIGIBLE CANDIDATES.

Section 318 of FECA (2 U.S.C. 441d), as amended by section 133, is amended by adding at the end thereof the following:

"(e) If a broadcast, cablecast, or other communication is paid for or authorized by a candidate in the general election for the office of United States Senator who is not an eligible Senate candidate, or the authorized committee of such candidate, such communication shall contain the following sentence: 'This candidate has not agreed to voluntary campaign spending limits.'.".

Subtitle B—Expenditure Limitations, Contribution Limitations, and Matching Funds for Eligible House of Representatives Candidates

SEC. 121. PROVISIONS APPLICABLE TO ELIGIBLE HOUSE OF REPRESENTATIVES CANDIDATES.

(a) IN GENERAL.—FECA, as amended by section 101(a), is amended by adding at the end the following new title:

"TITLE VI—EXPENDITURE LIMITATIONS, CONTRIBUTION LIMITATIONS, AND MATCHING FUNDS FOR ELIGIBLE HOUSE OF REPRESENTATIVES CANDIDATES

"SEC. 601. EXPENDITURE LIMITATIONS.

"(a) IN GENERAL.—An eligible House of Representatives candidate may not, in an election cycle, make expenditures aggregating more than $600,000, of which not more than $500,000 may be expended in the general election period.

"(b) RUNOFF ELECTION AND SPECIAL ELECTION AMOUNTS.—

"(1) RUNOFF ELECTION AMOUNT.—In addition to the expenditures under subsection (a), an eligible House of Representatives candidate who is a candidate in a runoff election may make expenditures aggregating not more than 20 percent of the general election period limit under subsection (a).

"(2) SPECIAL ELECTION AMOUNT.—An eligible House of Representatives candidate who is a candidate in a special election may make expenditures aggregating not more than $500,000 with respect to the special election.

"(c) CLOSELY CONTESTED PRIMARY.—If, as determined by the Commission, an eligible House of Representatives candidate in a contested primary election wins that primary election by a margin of 10 percentage points or less, subject to the general election period limitation in subsection (a), the candidate may make additional expenditures of not more than $150,000 in the general election period. The additional expenditures shall be from contributions described in section 603(h) and payments described in section 604(f).

"(d) NONPARTICIPATING OPPONENT PROVISIONS.—

"(1) LIMITATION EXCEPTION.—The limitations imposed by subsections (a) and (b) do not apply in the case of an eligible House of Representatives candidate if any other candidate seeking nomination or election to that office—

"(A) is not an eligible House of Representatives candidate; and

"(B) makes expenditures in excess of 80 percent of the general election period limitation specified in subsection (a).

"(2) CONTINUED ELIGIBILITY AND ADDITIONAL MATCHING FUNDS.—An eligible House of Representatives candidate referred to in paragraph (1)—

"(A) shall continue to be eligible for all benefits under this title; and

"(B) shall receive matching funds without regard to the ceiling under section 604(a).

"(3) REPORTING REQUIREMENT.—A candidate for the office of Representative in, or Delegate or Resident Commissioner to, the Congress—

"(A) who is not an eligible House of Representatives candidate; and

"(B) who—

"(i) receives contributions in excess of 50 percent of the general election period limitation specified in subsection (a)(1); or

"(ii) makes expenditures in excess of 80 percent of such limit;

shall report that the threshold has been reached to the Clerk of the House of Representatives not later than 48 hours after reaching the threshold. The Clerk shall transmit a report received under this paragraph to the Commission as soon as

possible (but no later than 4 working hours of the Commission) after such receipt, and the Commission shall transmit a copy to each other candidate in the election within 48 hours of receipt.

"(e) EXEMPTION FOR CERTAIN COSTS AND TAXES.—Payments for legal and accounting compliance costs, and Federal, State, or local taxes with respect to a candidate's authorized committees, shall not be considered in the computation of amounts subject to limitation under this section.

"(f) EXEMPTION FOR FUNDRAISING COSTS.—

"(1) Any costs incurred by an eligible House of Representatives candidate or his or her authorized committee in connection with the solicitation of contributions on behalf of such candidate shall not be considered in the computation of amounts subject to limitation under this section to the extent that the aggregate of such costs does not exceed 5 percent of the limitation under subsection (a) or subsection (b).

"(2) An amount equal to 5 percent of salaries and overhead expenditures of an eligible House of Representatives candidate's campaign headquarters and offices shall not be considered in the computation of amounts subject to limitation under this section. Any amount excluded under this paragraph shall be applied against the fundraising expenditure exemption under paragraph (1).

"(g) CIVIL PENALTIES.—

"(1) LOW AMOUNT OF EXCESS EXPENDITURES.—Any eligible House of Representatives candidate who makes expenditures that exceed a limitation under subsection (a) or subsection (b) by 2.5 percent or less shall pay to the Commission an amount equal to the amount of the excess expenditures.

"(2) MEDIUM AMOUNT OF EXCESS EXPENDITURES.—Any eligible House of Representatives candidate who makes expenditures that exceed a limitation under subsection (a) or subsection (b) by more than 2.5 percent and less than 5 percent shall pay to the Commission an amount equal to three times the amount of the excess expenditures.

"(3) LARGE AMOUNT OF EXCESS EXPENDITURES.—Any eligible House of Representatives candidate who makes expenditures that exceed a limitation under subsection (a) or subsection (b) by 5 percent or more shall pay to the Commission an amount equal to three times the amount of the excess expenditures plus a civil penalty in an amount determined by the Commission.

"(h) INDEXING.—The dollar amounts specified in subsections (a), (b), (c), and (e) shall be adjusted at the beginning of each calendar year based on the increase in the price index determined under section 315(c), except that, for the purposes of such adjustment, the base period shall be calendar year 1992.

"SEC. 602. STATEMENT OF PARTICIPATION; CONTINUING ELIGIBILITY.

"(a) IN GENERAL.—The Commission shall determine whether a candidate is in compliance with this title and, by reason of such compliance, is eligible to receive benefits under this title. Such determination shall—

"(1) in the case of an initial determination, be based on a statement of participation submitted by the candidate; and

"(2) in the case of a determination of continuing eligibility, be based on relevant additional information submitted in such form and manner as the Commission may require.

"(b) FILING.—The statement of participation referred to in subsection (a) shall be filed with the Clerk of the House of Representatives not later than January 31 of the election year or on the date on which the candidate files a statement of candidacy, whichever is later. The Clerk of the House of Representatives shall transmit a statement received under this section to the Commission as soon as possible.

"SEC. 603. CONTRIBUTION LIMITATIONS.

"(a) ELIGIBLE HOUSE OF REPRESENTATIVES CANDIDATE LIMITATION.—An eligible House of Representatives candidate may not, with respect to an election cycle, accept contributions aggregating in excess of $600,000.

"(b) NONPARTICIPATING OPPONENT PROVISIONS.—The limitations imposed by subsection (a) do not apply in the case of an eligible House of Representatives candidate if any other candidate seeking nomination or election to that office—

"(1) is not an eligible House of Representatives candidate; and

"(2) receives contributions in excess of 50 percent of the general election period limitation specified in section 601(a).

"(c) TRANSFER PROVISIONS.—

"(1) If an eligible House of Representatives candidate transfers any amount from an election cycle to a later election cycle, the limitation with respect to the candidate under subsection (a) for the later cycle shall be an amount equal to the difference between the amount specified in that subsection and the amount transferred.

"(2) If an eligible House of Representatives candidate transfers any amount from an election cycle to a later election cycle, each limitation with respect to the candidate under section 315(j) for the later cycle shall be one-third of the difference between the applicable amount specified in subsection (a) and the amount transferred.

"(d) RUNOFF AMOUNT.—In addition to the contributions under subsection (a), an eligible House of Representatives candidate who is a candidate in a runoff election may accept contributions aggregating not more than 20 percent of the general election expenditure limit under section 601(a) in the general election period. Of such contributions, one-half may be from political committees and one-half may be from persons referred to in section 315(j)(2).

"(e) PERSONAL CONTRIBUTIONS.—

"(1) IN GENERAL.—An eligible House of Representatives candidate may not, with respect to an election cycle, make contributions to his or her own campaign totaling more than $50,000 from the personal funds of the candidate. The amount that the candidate may accept from persons referred to in section 315(j)(2) shall be reduced by the amount of contributions made under the preceding sentence. Contributions from the personal funds of a candidate may not be matched under section 604.

"(2) LIMITATION EXCEPTION.—The limitation imposed by paragraph (1) does not apply in the case of an eligible House of Representatives candidate if any other candidate—

"(A) is not an eligible House of Representatives candidate; and

"(B) receives contributions in excess of 50 percent of the general election period limitation specified in section 601(a).

"(3) TRIPLE MATCH.—An eligible House of Representatives candidate, whose opponent makes contributions to his or her own campaign in excess of 50 percent of the general election period limitation specified in section 601(a), shall receive $3 in matching funds for each $1 certified by the Commission as matchable for the eligible candidate.

"(f) CIVIL PENALTIES.—

"(1) LOW AMOUNT OF EXCESS CONTRIBUTIONS.—Any eligible House of Representatives candidate who accepts contributions that exceed the limitation under subsection (a) by 2.5 percent or less shall refund the excess contributions to the persons who made the contributions.

"(2) MEDIUM AMOUNT OF EXCESS CONTRIBUTIONS.—Any eligible House of Representatives candidate who accepts contributions that exceed a limitation under subsection (a) by more than 2.5 percent and less than 5 percent shall pay to the Commission an amount equal to three times the amount of the excess contributions.

"(3) LARGE AMOUNT OF EXCESS CONTRIBUTIONS.—Any eligible House of Representatives candidate who accepts contributions that exceed a limitation under subsection (a) by 5 percent or more shall pay to the Commission an amount equal to three times the amount of the excess contributions plus a civil penalty in an amount determined by the Commission.

"(g) EXEMPTION FOR CERTAIN COSTS.—(1) Any amount—

"(A) accepted by a candidate for the office of Representative in, or Delegate or Resident Commissioner to the Congress; and

"(B) used for legal and accounting compliance costs, or used to pay Federal, State, or local taxes with respect to a candidate's authorized committees shall not be considered in the computation of amounts subject to limitation under subsection (a).

"(2) The balance of funds maintained for legal and accounting compliance costs by the authorized committees of an eligible House of Representatives candidate shall not exceed 20 percent of the limit under subsection (a) at any time.

"(3) No funds received by a candidate under section 604 may be transferred to a separate legal and accounting compliance fund.

"(h) CLOSELY CONTESTED PRIMARY.—If, as determined by the Commission, an eligible House of Representatives candidate in a contested primary election wins that primary election by a margin of 10 percentage points or less, notwithstanding the limitation in subsection (a), the candidate may, in the general election period, accept additional contributions of not more than $150,000, consisting of—

"(1) not more than $50,000 from political committees; and

"(2) not more than $50,000 from individuals referred to in section 315(j)(2).

"(i) INDEXING.—The dollar amounts specified in subsections (a), (d), (e), and (h) shall be adjusted at the beginning of the calendar year based on the increase in the price index determined under section 315(c), except that, for the purposes of such adjustment, the base period shall be calendar year 1992.

"SEC. 604. MATCHING FUNDS.

"(a) IN GENERAL.—An eligible House of Representatives candidate shall be entitled to receive, with respect to the general election, an amount equal to the amount of contributions from individuals received by the candidate, but not more than $200,000, and not to the extent that contributions from any individual during the election cycle exceed $250 in the aggregate.

"(b) INDEPENDENT EXPENDITURE PROVISION.—If, with respect to a general election involving an eligible House of Representatives candidate, independent expenditures totaling $10,000 are made against the eligible House of Representatives candidate or in favor of another candidate, the eligible House of Representatives candidate shall be entitled, in addition to any amount received under subsection (a), to a matching payment of $10,000 and additional matching payments equal to the amount of such independent expenditures above $10,000, and expenditures may be made from such payments without regard to the limitations in section 601.

"(c) SPECIFIC REQUIREMENTS.—A candidate for the office of Representative in, or Delegate or Resident Commissioner to, the Congress may receive matching funds under subsection (a) only if the candidate—

"(1) in an election cycle, has received $60,000 in contributions from individuals, with not more than $250 to be taken into account per individual;

"(2) qualifies for the general election ballot;

"(3) has an opponent on the general election ballot; and

"(4) files a statement of participation in which the candidate agrees to—

"(A) comply with the limitations under sections 601 and 603;

"(B) cooperate in the case of any audit by the Commission by furnishing such campaign records and other information as the Commission may require; and

"(C) comply with any repayment requirement under section 605.

"(d) WRITTEN INSTRUMENT REQUIREMENT.—No contribution in any form other than a gift of money made by a written instrument that identifies the individual making the contribution may be used as a basis for any matching payment under this section.

"(e) CERTIFICATION AND PAYMENT.—

"(1) CERTIFICATION.—Except as provided in paragraphs (2) and (3), not later than 5 days after receiving a request for payment, the Commission shall certify for payment the amount requested under subsection (a) or (b).

"(2) PAYMENTS.—The initial payment under subsection (a) to an eligible candidate shall be $60,000. All payments shall be—

"(A) made not later than 48 hours after certification under paragraph (1); and

"(B) subject to proportional reduction in the case of insufficient funds.

"(3) INCORRECT REQUEST.—If the Commission determines that any portion of a request is incorrect, the Commission shall withhold the certification for that portion only and inform the candidate as to how the candidate may correct the request.

"(f) CLOSELY CONTESTED PRIMARY.—If, as determined by the Commission, an eligible House of Representatives candidate in a contested primary election wins that primary election by a margin of 10 percentage points or less, the candidate shall be entitled to matching funds totaling not more than $50,000, in addition to any other amount received under this section.

"(g) CONVERSIONS TO PERSONAL USE.—A candidate may not convert any amount received under this section to personal use other than for reimbursement of verifiable prior campaign expenditures.

"(h) INDEXING.—The dollar amounts specified in subsections (a), (b), (c) (other than the amount in subsection (c) to be taken into account per individual), and (f) shall be adjusted at the beginning of the calendar year based on the increase in the price index determined under section 315(c), except that, for the purposes of such adjustment, the base period shall be calendar year 1992.

"SEC. 605. EXAMINATION AND AUDITS; REPAYMENTS.

"(a) GENERAL ELECTION.—After each general election, the Commission shall conduct an examination and audit of the campaign accounts of 10 percent of the eligible House of Representatives candidates, as designated by the Commission through the use of an appropriate statistical method of random selection, to determine whether such candidates have complied with the conditions of eligibility and other requirements of this title. No other factors shall be considered in carrying out such an examination and audit. In selecting the accounts to be examined and audited, the Commission shall select all eligible candidates from a congressional district where any eligible candidate is selected for examination and audit.

"(b) SPECIAL ELECTION.—After each special election, the Commission shall conduct an examination and audit of the campaign accounts of all eligible candidates in the election to determine whether the candidates have complied with the conditions of eligibility and other requirements of this title.

"(c) AFFIRMATIVE VOTE.—The Commission may conduct an examination and audit of the campaign accounts of any eligible House of Representatives candidate in a general election if the Commission, by an affirmative vote of 4 members, determines that there exists reason to believe that such candidate may have violated any provision of this title.

"(d) PAYMENTS.—If the Commission determines that any amount of a payment to a candidate under this title was in excess of the aggregate payments to which such candidate was entitled, the Commission shall so notify the candidate, and the candidate shall pay an amount equal to the excess.

"SEC. 606. JUDICIAL REVIEW.

"(a) JUDICIAL REVIEW.—Any agency action by the Commission made under the provisions of this title shall be subject to review by the United States Court of Appeals for the District of Columbia Circuit upon petition filed in such court within 30 days after the agency action by the Commission for which review is sought. It shall be the duty of the Court of Appeals, ahead of all matters not filed under this title, to advance on the docket and expeditiously take action on all petitions filed pursuant to this title.

"(b) APPLICATION OF TITLE 5.—The provisions of chapter 7 of title 5, United States Code, shall apply to judicial review of any agency action by the Commission.

"(c) AGENCY ACTION.—For purposes of this section, the term 'agency action' has the meaning given such term by section 551(13) of title 5, United States Code.

"SEC. 607. PARTICIPATION BY COMMISSION IN JUDICIAL PROCEEDINGS.

"(a) APPEARANCES.—The Commission is authorized to appear in and defend against any action instituted under this section and under section 606 either by attorneys employed in its office or by counsel whom it may appoint without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and whose compensation it may fix without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title.

"(b) INSTITUTION OF ACTIONS.—The Commission is authorized, through attorneys and counsel described in subsection (a), to institute actions in the district courts of the United States to seek recovery of any amounts determined under this title to be payable to the Secretary.

"(c) INJUNCTIVE RELIEF.—The Commission is authorized, through attorneys and counsel described in subsection (a), to petition the courts of the United States for such injunctive relief as is appropriate in order to implement any provision of this title.

"(d) APPEALS.—The Commission is authorized on behalf of the United States to appeal from, and to petition the Supreme Court for certiorari to review, judgments or decrees entered with respect to actions in which it appears pursuant to the authority provided in this section.

"SEC. 608. REPORTS TO CONGRESS; CERTIFICATIONS; REGULATIONS.

"(a) REPORTS.—The Commission shall, as soon as practicable after each election, submit a full report to the House of Representatives setting forth—

"(1) the expenditures (shown in such detail as the Commission determines appropriate) made by each eligible candidate and the authorized committees of such candidate;

"(2) the aggregate amount of matching fund payments certified by the Commission under section 604 for each eligible candidate; and

"(3) the amount of repayments, if any, required under section 605, and the reasons for each repayment required.

Each report submitted pursuant to this section shall be printed as a House document.

"(b) DETERMINATIONS BY COMMISSION.—All determinations (including certifications under section 604) made by the Commission under this title shall be final and conclusive, except to the extent that they are subject to examination and audit by the Commission under section 605 or judicial review under section 606.

"(c) RULES AND REGULATIONS.—The Commission is authorized to prescribe such rules and regulations, in accordance with the provisions of subsection (d), to conduct such audits, examinations and investigations, and to require the keeping and submission of such books, records, and information, as it deems necessary to carry out the functions and duties imposed on it by this title.

"(d) REPORT OF PROPOSED REGULATIONS.—The Commission shall submit to the House of Representatives a report containing a detailed explanation and justification of each rule, regulation, and form of the Commission under this title. No such rule, regulation, or form may take effect until a period of 30 legislative days has elapsed after the report is received. As used in this subsection—

"(1) the term 'legislative day' means any calendar day on which the House of Representatives is in session; and

"(2) the terms 'rule' and 'regulation' mean a provision or series of interrelated provisions stating a single, separable rule of law.

"SEC. 609. CLOSED CAPTIONING REQUIREMENT FOR TELEVISION COMMERCIALS OF ELIGIBLE HOUSE OF REPRESENTATIVES CANDIDATES.

"No eligible House of Representatives candidate may receive amounts under section 604 unless such candidate has certified that any television commercial prepared or distributed by the candidate will be prepared in a manner that contains, is accompanied by, or otherwise readily permits closed captioning of the oral content of the commercial to be broadcast by way of line 21 of the vertical blanking interval, or by way of comparable successor technologies.".

(b) EFFECT OF INVALIDITY ON OTHER PROVISIONS OF ACT.—If title VI of FECA (as added by this section), or any part thereof, is held to be invalid, all provisions of, and amendments made by, this Act, shall be treated as invalid.

SEC. 122. LIMITATIONS ON POLITICAL COMMITTEE AND LARGE DONOR CONTRIBUTIONS THAT MAY BE ACCEPTED BY HOUSE OF REPRESENTATIVES CANDIDATES.

Section 315 of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a), as amended by section 102, is amended by adding at the end the following new subsection:

"(j)(1) A candidate for the office of Representative in, or Delegate or Resident Commissioner to, the Congress may not, with respect to an election cycle, accept contributions from political committees aggregating in excess of $200,000.

"(2) A candidate for the office of Representative in, or Delegate or Resident Commissioner to, the Congress may not, with respect to an election cycle, accept contributions aggregating in excess of $200,000 from persons other than political committees whose contributions total more than $250.

"(3) In addition to the contributions under paragraphs (1) and (2), a House of Representatives candidate who is a candidate in a runoff election may accept contributions aggregating not more than $100,000 with respect to the runoff election. Of such contributions, one-half may be from political committees and one-half may be from persons referred to in paragraph (2).

"(4) Any amount—

"(A) accepted by a candidate for the office of Representative in, or Delegate or Resident Commissioner to the Congress; and

"(B) used for legal and accounting compliance costs, Federal, State, and local taxes,

shall not be considered in the computation of amounts subject to limitation under paragraphs (1), (2), and (3), but shall be subject to the other limitations of this Act.

"(5) In addition to any other contributions under this subsection, if, as determined by the Commission, an eligible House of Representatives candidate in a contested primary election wins that primary election by a margin of 10 percentage points or less, the candidate may, in the general election period, accept contributions of not more than $150,000, consisting of—

"(A) not more than $50,000 from political committees; and

"(B) not more than $50,000 from persons referred to in paragraph (2).

"(6) The dollar amounts specified in paragraphs (1), (2), (3), and (5) (other than the amounts in paragraphs (2) and (5) relating to contribution totals) shall be adjusted in the manner provided in section 315(c), except that, for the purposes of such adjustment, the base period shall be calendar year 1992.".

SEC. 123. EXCESS FUNDS OF INCUMBENTS WHO ARE CANDIDATES FOR THE HOUSE OF REPRESENTATIVES.

An individual who—

(1) is a candidate for the office of Representative in, or Delegate or Resident Commissioner to, the Congress in an election cycle to which title VI of FECA (as enacted by section 121 of this Act) applies;

(2) is an incumbent of that office; and

(3) as of the date of the first statement of participation submitted by the individual under section 502 of FECA, has campaign accounts containing in excess of $600,000;

shall deposit such excess in a separate account subject to the provision of section 304 of FECA. The amount so deposited shall be available for any lawful purpose other than use, with respect to the individual, for an election for the office of Representative in, or Delegate or Resident Commissioner to, the Congress.

Subtitle C—General Provisions

SEC. 131. BROADCAST RATES AND PREEMPTION.

(a) BROADCAST RATES.—Section 315(b) of the Communications Act of 1934 (47 U.S.C. 315(b)) is amended—

(1) in paragraph (1)—

(A) by striking out "forty-five" and inserting in lieu thereof "30";

(B) by striking out "sixty" and inserting in lieu thereof "45"; and

(C) by striking out "lowest unit charge of the station for the same class and amount of time for the same period" and insert "lowest charge of the station for the same amount of time for the same period on the same date"; and

(2) by adding at the end the following new sentence:

"In the case of an eligible Senate candidate (as defined in section 301(19) of the Federal Election Campaign Act of 1971), the charges during the general election period (as defined in section 301(21) of such Act) shall not exceed 50 percent of the lowest charge described in paragraph (1).".

(b) PREEMPTION; ACCESS.—Section 315 of such Act (47 U.S.C. 315) is amended by redesignating subsections (c) and (d) as subsections (e) and (f), respectively, and by inserting immediately after subsection (b) the following new subsection:

"(c)(1) Except as provided in paragraph (2), a licensee shall not preempt the use, during any period specified in subsection (b)(1), of a broadcasting station by a legally qualified candidate for public office who has purchased and paid for such use pursuant to the provisions of subsection (b)(1).

"(2) If a program to be broadcast by a broadcasting station is preempted because of circumstances beyond the control of the broadcasting station, any candidate advertising spot scheduled to be broadcast during that program may also be preempted.

"(d) In the case of a legally qualified candidate for the United States Senate, a licensee shall provide broadcast time without regard to the rates charged for the time.".

SEC. 132. EXTENSION OF REDUCED THIRD-CLASS MAILING RATES TO ELIGIBLE HOUSE OF REPRESENTATIVES AND SENATE CANDIDATES.

Section 3626(e) of title 39, United States Code, is amended—

(1) in paragraph (2)(A)—

(A) by striking out "and the National" and inserting in lieu thereof "the National"; and

(B) by striking out "Committee;" and inserting in lieu thereof "Committee, and, subject to paragraph (3), the principal campaign committee of an eligible House of Representatives or Senate candidate;";

(2) in paragraph (2)(B), by striking out "and" after the semicolon;

(3) in paragraph (2)(C), by striking out the period and inserting in lieu thereof "; and";

(4) by adding after paragraph (2)(C) the following new subparagraph:

"(D) the terms 'eligible House of Representatives candidate', 'eligible Senate candidate', and 'principal campaign committee' have the meanings given those terms in section 301 of the Federal Election Campaign Act of 1971."; and

(5) by adding after paragraph (2) the following new paragraph:

"(3) The rate made available under this subsection with respect to an eligible House of Representatives or Senate candidate shall apply only to—

"(A) the general election period (as defined in section 301 of the Federal Election Campaign Act of 1971); and

"(B) that number of pieces of mail equal to the number of individuals in the voting age population (as certified under section 315(e) of such Act) of the congressional district or State, whichever is applicable.".

SEC. 133. REPORTING REQUIREMENTS FOR CERTAIN INDEPENDENT EXPENDITURES.

Section 304(c) of FECA (2 U.S.C. 434(c)) is amended—

(1) in paragraph (2), by striking out the undesignated matter after subparagraph (C);

(2) by redesignating paragraph (3) as paragraph (5); and

(3) by inserting after paragraph (2), as amended by paragraph (1), the following new paragraphs:

"(3)(A) Any independent expenditure (including those described in subsection (b)(6)(B)(iii) of this section) aggregating $1,000 or more made after the 20th day, but more than 24 hours, before any election shall be reported within 24 hours after such independent expenditure is made.

"(B) Any independent expenditure aggregating $10,000 or more made at any time up to and including the 20th day before any election shall be reported within 48 hours after such independent expenditure is made. An additional statement shall be filed each time independent expenditures aggregating $10,000 are made with respect to the same election as the initial statement filed under this section.

"(C) Such statement shall be filed with the Clerk of the House of Representatives or the Secretary of the Senate, whichever is applicable, and the Secretary of State of the State involved and shall contain the information required by subsection (b)(6)(B)(iii) of this section, including whether the independent expenditure is in support of, or in opposition to, the candidate involved. The Clerk of the House of Representatives and the Secretary of the Senate shall as soon as possible (but not later than 4 working hours of the Commission) after receipt of a statement transmit it to the Commission. Not later than 48 hours after the Commission receives a report, the Commission shall transmit a copy of the report to each candidate seeking nomination or election to that office.

"(D) For purposes of this section, the term 'made' includes any action taken to incur an obligation for payment.

"(4)(A) If any person intends to make independent expenditures totaling $5,000 during the 20 days before an election, such person shall file a statement no later than the 20th day before the election.

"(B) Such statement shall be filed with the Clerk of the House of Representatives or the Secretary of the Senate, whichever is applicable, and the Secretary of State of the State involved, and shall identify each candidate whom the expenditure will support or oppose. The Clerk of the House of Representatives and the Secretary of the Senate shall as soon as possible (but not later than 4 working hours of the Commission) after receipt of a statement transmit it to the Commission. Not later than 48 hours after the Commission receives a statement under this paragraph, the Commission shall transmit a copy of the statement to each candidate identified.

"(5) The Commission may make its own determination that a person has made, or has incurred obligations to make, independent expenditures with respect to any Federal election which in the aggregate exceed the applicable amounts under paragraph (3) or (4). The Commission shall notify each candidate in such election of such determination within 24 hours of making it.

"(6) At the same time as a candidate is notified under paragraph (3), (4), or (5) with respect to expenditures during a general election period, the Commission shall certify eligibility to receive benefits under section 504(a) or section 604(b).

"(7) The Clerk of the House of Representatives and the Secretary of the Senate shall make any statement received under this subsection available for public inspection and copying in the same manner as the Commission under section 311(a)(4), and shall preserve such statements in the same manner as the Commission under section 311(a)(5)."

SEC. 134. CAMPAIGN ADVERTISING AMENDMENTS.

Section 318 of FECA (2 U.S.C. 441d) is amended—

(1) in the matter before paragraph (1) of subsection (a), by striking "an expenditure" and inserting "a disbursement";

(2) in the matter before paragraph (1) of subsection (a), by striking "direct";

(3) in paragraph (3) of subsection (a), by inserting after "name" the following "and permanent street address"; and

(4) by adding at the end the following new subsections:

"(c) Any printed communication described in subsection (a) shall be—

"(1) of sufficient type size to be clearly readable by the recipient of the communication;

"(2) contained in a printed box set apart from the other contents of the communication; and

"(3) consist of a reasonable degree of color contrast between the background and the printed statement.

"(d)(1) Any broadcast or cablecast communication described in subsection (a)(1) or subsection (a)(2) shall include, in addition to the requirements of those subsections an audio statement by the candidate that identifies the candidate and states that the candidate has approved the communication.

"(2) If a broadcast or cablecast communication described in paragraph (1) is broadcast or cablecast by means of television, the statement required by paragraph (1) shall—

"(A) appear in a clearly readable manner with a reasonable degree of color contrast between the background and the printed statement, for a period of at least 4 seconds; and

"(B) be accompanied by a clearly identifiable photographic or similar image of the candidate.

"(e) Any broadcast or cablecast communication described in subsection (a)(3) shall include, in addition to the requirements of those subsections, in a clearly spoken manner, the following statement—

' is responsible for the content of this advertisement.'

with the blank to be filled in with the name of the political committee or other person paying for the communication and the name of any connected organization of the payor; and, if broadcast or cablecast by means of television, shall also appear in a clearly readable manner with a reasonable degree of color contrast between the background and the printed statement, for a period of at least 4 seconds.".

SEC. 135. DEFINITIONS.

(a) IN GENERAL.—Section 301 of FECA (2 U.S.C. 431) is amended by striking paragraph (19) and inserting the following new paragraphs:

"(19) The term 'eligible Senate candidate' means a candidate who is eligible under section 502 to receive benefits under title V.

"(20) The term 'general election' means any election which will directly result in the election of a person to a Federal office, but does not include an open primary election.

"(21) The term 'general election period' means, with respect to any candidate, the period beginning on the day after the date of the primary or runoff election for the specific office the candidate is seeking, whichever is later, and ending on the earlier of—

"(A) the date of such general election; or

"(B) the date on which the candidate withdraws from the campaign or otherwise ceases actively to seek election.

"(22) The term 'immediate family' means—

"(A) a candidate's spouse;

"(B) a child, stepchild, parent, grandparent, brother, half-brother, sister or half-sister of the candidate or the candidate's spouse; and

"(C) the spouse of any person described in subparagraph (B).

"(23) The term 'major party' has the meaning given such term in section 9002(6) of the Internal Revenue Code of 1986, except that if a candidate qualified under State law for the ballot in a general election in an open primary in which all the candidates for the office participated and which resulted in the candidate and at least one other candidate qualifying for the ballot in the general election, such candidate shall be treated as a candidate of a major party for purposes of title V.

"(24) The term 'primary election' means an election which may result in the selection of a candidate for the ballot in a general election for a Federal office.

"(25) The term 'primary election period' means, with respect to any candidate, the period beginning on the day following the date of the last election for the specific office the candidate is seeking and ending on the earlier of—

"(A) the date of the first primary election for that office following the last general election for that office; or

"(B) the date on which the candidate withdraws from the election or otherwise ceases actively to seek election.

"(26) The term 'runoff election' means an election held after a primary election which is prescribed by applicable State law as the means for deciding which candidate will be on the ballot in the general election for a Federal office.

"(27) The term 'runoff election period' means, with respect to any candidate, the period beginning on the day following the date of the last primary election for the specific office such candidate is seeking and ending on the date of the runoff election for such office.

"(28) The term 'voting age population' means the resident population, 18 years of age or older, as certified pursuant to section 315(e).

"(29) The term 'eligible House of Representatives candidate' means a candidate for election to the office of Representative in, or Delegate or Resident Commissioner to, the Congress, who, as determined by the Commission under section 602, is eligible to receive matching payments and other benefits under title VI by reason of filing a statement of participation and complying with the continuing eligibility requirements under section 602.

"(30) The term 'election cycle' means—

"(A) in the case of a candidate or the authorized committees of a candidate, the term beginning on the day after the date of the most recent general election for the specific office or seat which such candidate seeks and ending on the date of the next general election for such office or seat; or

"(B) for all other persons, the term beginning on the first day following the date of the last general election and ending on the date of the next general election.".

(b) IDENTIFICATION.—Section 301(13) of FECA (2 U.S.C. 431(13)) is amended by striking "mailing address" and inserting "permanent residence address".

SEC. 136. PROVISIONS RELATING TO FRANKED MASS MAILINGS.

(a) MASS MAILINGS OF SENATORS.—Section 3210(a)(6) of title 39, United States Code, is amended—

(1) in subparagraph (A), by striking "It is the intent of Congress that a Member of, or a Member-elect to, Congress" and inserting "A Member of, or Member-elect to, the House"; and

(2) in subparagraph (C)—

(A) by striking "if such mass mailing is postmarked fewer than 60 days immediately before the date" and inserting "if such mass mailing is postmarked during the calendar year"; and

(B) by inserting "or reelection" immediately before the period.

(b) MASS MAILINGS OF HOUSE MEMBERS.—Section 3210 of title 39, United States Code, is amended—

(1) in subsection (a)(7), by striking ", except that—" and all that follows through the end of subparagraph (B) and inserting a period; and

(2) in subsection (d)(1), by striking "delivery—" and all that follows through the end of subparagraph (B) and inserting "delivery within that area constituting the congressional district or State from which the Member was elected.".

(c) PROHIBITION ON USE OF OFFICIAL FUNDS.—The Committee on House Administration of the House of Representatives may not approve any payment, nor may a Member of the House of Representatives make any expenditure from, any allowance of the House of Representatives or any other official funds if any portion of the payment or expenditure is for any cost related to a mass mailing by a Member of the House of Representatives outside the congressional district of the Member.

TITLE II—INDEPENDENT EXPENDITURES

SEC. 201. CLARIFICATION OF DEFINITIONS RELATING TO INDEPENDENT EXPENDITURES.

(a) INDEPENDENT EXPENDITURE DEFINITION AMENDMENT.—Section 301 of FECA (2 U.S.C. 431) is amended by striking paragraphs (17) and (18) and inserting the following:

"(17)(A) The term 'independent expenditure' means an expenditure for an advertisement or other communication that—

"(i) contains express advocacy; and

"(ii) is made without the participation or cooperation of a candidate or a candidate's representative.

"(B) The following shall not be considered an independent expenditure:

"(i) An expenditure made by a political committee of a political party.

"(ii) An expenditure made by a person who, during the election cycle, has communicated with or received information from a candidate or a representative of that candidate regarding activities that have the purpose of influencing that candidate's election to Federal office, where the expenditure is in support of that candidate or in opposition to another candidate for that office.

"(iii) An expenditure if there is any arrangement, coordination, or direction with respect to the expenditure between the candidate or the candidate's agent and the person making the expenditure.

"(iv) An expenditure if, in the same election cycle, the person making the expenditure is or has been—

"(I) authorized to raise or expend funds on behalf of the candidate or the candidate's authorized committees; or

"(II) serving as a member, employee, or agent of the candidate's authorized committees in an executive or policymaking position.

"(v) An expenditure if the person making the expenditure has advised or counseled the candidate or the candidate's agents at any time on the candidate's plans, projects, or needs relating to the candidate's pursuit of nomination for election, or election, to Federal office, in the same election cycle, including any advice relating to the candidate's decision to seek Federal office.

"(vi) An expenditure if the person making the expenditure retains the professional services of any individual or other person also providing those services in the same election cycle to the candidate in connection with the candidate's pursuit of nomination for election, or election, to Federal office, including any services relating to the candidate's decision to seek Federal office.

"(vii) An expenditure if the person making the expenditure has consulted at any time during the same election cycle about the candidate's plans, projects, or needs relating to the candidate's pursuit of nomination for election, or election, to Federal office, with—

"(I) any officer, director, employee or agent of a party committee that has made or intends to make expenditures or contributions, pursuant to subsections (a), (d), or (h) of section 315 in connection with the candidate's campaign; or

"(II) any person whose professional services have been retained by a political party committee that has made or intends to make expenditures or contributions pursuant to subsections (a), (d), or (h) of section 315 in connection with the candidate's campaign.

For purposes of this subparagraph, the person making the expenditure shall include any officer, director, employee, or agent of such person.

"(18) The term 'express advocacy' means, when a communication is taken as a whole, an expression of support for or opposition to a specific candidate, to a specific group of candidates, or to candidates of a particular political party, or a suggestion to take action with respect to an election, such as to vote for or against, make contributions to, or participate in campaign activity.".

(b) CONTRIBUTION DEFINITION AMENDMENT.—Section 301(8)(A) of FECA (2 U.S.C. 431(8)(A)) is amended—

(1) in clause (i), by striking "or" after the semicolon at the end;

(2) in clause (ii), by striking the period at the end and inserting "; or"; and

(3) by adding at the end the following new clause:

"(iii) any payment or other transaction referred to in paragraph (17)(A)(i) that does not qualify as an independent expenditure under paragraph (17)(A)(ii).".

TITLE III—EXPENDITURES

Subtitle A—Personal Loans; Credit

SEC. 301. PERSONAL CONTRIBUTIONS AND LOANS.

Section 315 of FECA (2 U.S.C. 441a), as amended by section 122, is amended by adding at the end the following new subsection:

"(k) LIMITATIONS ON PAYMENTS TO CANDIDATES.—(1) If a candidate or a member of the candidate's immediate family made any loans to the candidate or to the candidate's authorized committees during any election cycle, no contributions after the date of the general election for such election cycle may be used to repay such loans.

"(2) No contribution by a candidate or member of the candidate's immediate family may be returned to the candidate or member other than as part of a pro rata distribution of excess contributions to all contributors.".

SEC. 302. EXTENSIONS OF CREDIT.

Section 301(8)(A) of FECA (2 U.S.C. 431(8)(A)), as amended by section 201(b), is amended—

(1) by striking "or" at the end of clause (ii);

(2) by striking the period at the end of clause (iii) and inserting "; or"; and

(3) by inserting at the end the following new clause:

"(iv) with respect to a candidate and the candidate's authorized committees, any extension of credit for goods or services relating to advertising on broadcasting stations, in newspapers or magazines, or by mailings, or relating to other similar types of general public political advertising, if such extension of credit is—

"(I) in an amount of more than $1,000; and

"(II) for a period greater than the period, not in excess of 60 days, for which credit is generally extended in the normal course of business after the date on which such goods or services are furnished or the date of the mailing in the case of advertising by a mailing.".

Subtitle B—Provisions Relating to Soft Money of Political Parties

SEC. 311. CONTRIBUTIONS TO POLITICAL PARTY COMMITTEES.

(a) INDIVIDUAL CONTRIBUTIONS TO STATE PARTY.—Paragraph (1) of section 315(a) of FECA (2 U.S.C. 441a(a)(1)) is amended by striking "or" at the end of subparagraph (B), by redesignating subparagraph (C) as subparagraph (D), and by inserting after subparagraph (B) the following new subparagraph:

"(C) to political committees established and maintained by a State committee of a political party in any calendar year which, in the aggregate, exceed $10,000; or".

(b) MULTICANDIDATE COMMITTEE CONTRIBUTIONS TO STATE PARTY.—Paragraph (2) of section 315(a) of FECA (2 U.S.C. 441a(a)(2)) is amended by striking "or" at the end of subparagraph (B), by redesignating subparagraph (C) as subparagraph (D), and by inserting after subparagraph (B) the following new subparagraph:

"(C) to political committees established and maintained by a State committee of a political party in any calendar year which, in the aggregate, exceed $10,000; or".

(c) INCREASE IN OVERALL LIMIT.—Paragraph (3) of section 315(a) of FECA (2 U.S.C. 441a(a)(3)) is amended by adding at the end thereof the following new sentence: "The limitation under this paragraph shall be increased (but not by more than $5,000) by the amount of contributions made by an individual during a calendar year to political committees which are taken into account for purposes of paragraph (1)(C).".

SEC. 312. PROVISIONS RELATING TO NATIONAL, STATE, AND LOCAL PARTY COMMITTEES.

(a) EXPENDITURES BY STATE COMMITTEES IN CONNECTION WITH PRESIDENTIAL CAMPAIGNS.—Section 315(d) of FECA (2 U.S.C. 441a(d)) is amended by inserting at the end thereof the following new paragraph:

"(4) A State committee of a political party, including subordinate committees of that State committee, shall not make expenditures in connection with the general election campaign of a candidate for President of the United States who is affiliated with such party which, in the aggregate, exceed an amount equal to 4 cents multiplied by the voting age population of the State, as certified under subsection (e). This paragraph shall not authorize a committee to make expenditures for audio broadcasts (including television broadcasts) in excess of the amount which could have been made without regard to this paragraph.".

(b) CONTRIBUTION AND EXPENDITURE EXCEPTIONS.—(1) Section 301(8)(B) of FECA (2 U.S.C. 431(8)(B)) is amended—

(A) in clause (xi), by striking "direct mail" and inserting "mail"; and

(B) by repealing clauses (x) and (xii).

(2) Section 301(9)(B) of FECA (2 U.S.C. 431(9)(B)) is amended by repealing clauses (viii) and (ix).

(c) SOFT MONEY OF COMMITTEES OF POLITICAL PARTIES.—(1) Title III of FECA is amended by inserting after section 323 the following new section:

"POLITICAL PARTY COMMITTEES

"SEC. 324. (a) Any amount solicited, received, or expended directly or indirectly by a national, State, district, or local committee of a political party (including any subordinate committee) with respect to an activity which, in whole or in part, is in connection with an election to Federal office shall be subject in its entirety to the limitations, prohibitions, and reporting requirements of this Act.

"(b) For purposes of subsection (a)—

"(1) Any activity which is solely for the purpose of influencing an election for Federal office is in connection with an election for Federal office.

"(2) Except as provided in paragraph (3), any of the following activities during a Federal election period shall be treated as in connection with an election for Federal office:

"(A) Voter registration and get-out-the-vote activities.

"(B) Campaign activities, including broadcasting, newspaper, magazine, billboard, mass mail, and newsletter communications, and similar kinds of communications or public advertising that—

"(i) are generic campaign activities; or

"(ii) identify a Federal candidate regardless of whether a State or local candidate is also identified.

"(C) The preparation and dissemination of campaign materials that are part of a generic campaign activity or that identify a Federal candidate, regardless of whether a State or local candidate is also identified.

"(D) Development and maintenance of voter files.

"(E) Any other activity affecting (in whole or in part) an election for Federal office.

"(3) The following shall not be treated as in connection with a Federal election:

"(A) Any amount described in section 301(8)(B)(viii).

"(B) Any amount contributed to a candidate for other than Federal office.

"(C) Any amount received or expended in connection with a State or local political convention.

"(D) Campaign activities, including broadcasting, newspaper, magazine, billboard, mass mail, and newsletter communications, and similar kinds of communications or public advertising that are exclusively on behalf of State or local candidates and are not activities described in paragraph (2)(A).

"(E) Administrative expenses of a State or local committee of a political party, including expenses for—

"(i) overhead;

"(ii) staff (other than individuals devoting a substantial portion of their activities to elections for Federal office);

"(iii) meetings; and

"(iv) conducting party elections or caucuses.

"(F) Research pertaining solely to State and local candidates and issues.

"(G) Development and maintenance of voter files other than during a Federal election period.

"(H) Activities described in paragraph (2)(A) which are conducted other than during a Federal election period.

"(I) Any other activity which is solely for the purpose of influencing, and which solely affects, an election for non-Federal office.

"(4) For purposes of this subsection, the term 'Federal election period' means the period—

"(A) beginning on June 1, of any even-numbered calendar year (April 1 if an election to the office of President occurs in such year), and

"(B) ending on the date during such year on which regularly scheduled general elections for Federal office occur.

In the case of a special election, the Federal election period shall include at least the 60-day period ending on the date of the election.

"(c) SOLICITATION OF COMMITTEES.—(1) A national committee of a political party may not solicit or accept contributions not subject to the limitations, prohibitions, and reporting requirements of this Act.

"(2) Paragraph (1) shall not apply to contributions that—

"(A) are to be transferred to a State committee of a political party for use directly for activities described in subsection (b)(3); or

"(B) are to be used by the committee primarily to support such activities.

"(d) AMOUNTS RECEIVED FROM STATE AND LOCAL CANDIDATE COMMITTEES.—(1) For purposes of subsection (a), any amount received by a national, State, district, or local committee of a political party (including any subordinate committee) from a State or local candidate committee shall be treated as meeting the requirements of subsection (a) and section 304(d) if—

"(A) such amount is derived from funds which meet the requirements of this Act with respect to any limitation or prohibition as to source or dollar amount, and

"(B) the State or local candidate committee—

"(i) maintains, in the account from which payment is made, records of the sources and amounts of funds for purposes of determining whether such requirements are met, and

"(ii) certifies to the other committee that such requirements were met.

"(2) Notwithstanding paragraph (1), any committee receiving any contribution described in paragraph (1) from a State or local candidate committee shall be required to meet the reporting requirements of this Act with respect to receipt of the contribution from such candidate committee.

"(3) For purposes of this subsection, a State or local candidate committee is a committee established, financed, maintained, or controlled by a candidate for other than Federal office.".

(2) Section 315(d) of FECA (2 U.S.C. 441a(d)), as amended by subsection (a), is amended by adding at the end thereof the following new paragraph:

"(5)(A) The national committee of a political party, the congressional campaign committees of a political party, and a State or local committee of a political party, including a subordinate committee of any of the preceding committees, shall not make expenditures during any calendar year for activities described in section 324(b)(2) with respect to such State which, in the aggregate, exceed an amount equal to 30 cents multiplied by the voting age population of the State (as certified under subsection (e)).

"(B) Expenditures authorized under this paragraph shall be in addition to other expenditures allowed under this subsection, except that this paragraph shall not authorize a committee to make expenditures to which paragraph (3) or (4) applies in excess of the limit applicable to such expenditures under paragraph (3) or (4).

"(C) No adjustment to the limitation under this paragraph shall be made under subsection (c) before 1992 and the base period for purposes of any such adjustment shall be 1990.

"(D) For purposes of this paragraph—

"(i) a local committee of a political party shall only include a committee that is a political committee (as defined in section 301(4)); and

"(ii) a State committee shall not be required to record or report under this Act the expenditures of any other committee which are made independently from the State committee.".

(3) Section 301(4) of FECA (2 U.S.C. 431(4)) is amended by adding at the end the following new sentence:

"For purposes of subparagraph (C), any payments for get-out-the-vote activities on behalf of candidates for office other than Federal office shall be treated as payments exempted from the definition of expenditure under paragraph (9) of this section.".

(d) GENERIC ACTIVITIES.—Section 301 of FECA (2 U.S.C. 431), as amended by section 135, is amended by adding at the end thereof the following new paragraph:

"(31) The term 'generic campaign activity' means a campaign activity the preponderant purpose or effect of which is to promote a political party rather than any particular Federal or non-Federal candidate.".

SEC. 313. RESTRICTIONS ON FUNDRAISING BY CANDIDATES AND OFFICEHOLDERS.

(a) STATE FUNDRAISING ACTIVITIES.—Section 315 of FECA (2 U.S.C. 441a), as amended by section 301, is amended by adding at the end thereof the following new subsection:

"(l) LIMITATIONS ON FUNDRAISING ACTIVITIES OF FEDERAL CANDIDATES AND OFFICEHOLDERS AND CERTAIN POLITICAL COMMITTEES.—(1) For purposes of this Act, a candidate for Federal office (or an individual holding Federal office) may not solicit funds to, or receive funds on behalf of, any Federal or non-Federal candidate or political committee—

"(A) which are to be expended in connection with any election for Federal office unless such funds are subject to the limitations, prohibitions, and requirements of this Act; or

"(B) which are to be expended in connection with any election for other than Federal office unless such funds are not in excess of amounts permitted with respect to Federal candidates and political committees under this Act, and are not from sources prohibited by this Act with respect to elections to Federal office.

"(2)(A) The aggregate amount which a person described in subparagraph (B) may solicit from a multicandidate political committee for State committees described in subsection (a)(1)(C) (including subordinate committees) for any calendar year shall not exceed the dollar amount in effect under subsection (a)(2)(B) for the calendar year.

"(B) A person is described in this subparagraph if such person is a candidate for Federal office, an individual holding Federal office, or any national, State, district, or local committee of a political party (including subordinate committees).

"(3) The appearance or participation by a candidate or individual in any activity (including fundraising) conducted by a committee of a political party or a candidate for other than Federal office shall not be treated as a solicitation for purposes of paragraph (1) if—

"(A) such appearance or participation is otherwise permitted by law; and

"(B) such candidate or individual does not solicit or receive, or make expenditures from, any funds resulting from such activity.

"(4) Paragraph (1) shall not apply to the solicitation or receipt of funds, or disbursements, by an individual who is a candidate for other than Federal office if such activity is permitted under State law.

"(5) For purposes of this subsection, an individual shall be treated as holding Federal office if such individual is described in section 101(f) of the Ethics in Government Act of 1978.".

(b) TAX-EXEMPT ORGANIZATIONS.—Section 315 of FECA (2 U.S.C. 441a), as amended by subsection (a), is amended by adding at the end thereof the following new subsection:

"(m) TAX-EXEMPT ORGANIZATIONS.—(1) If during any period an individual is a candidate for, or holds, Federal office, such individual may not during such period solicit contributions to, or on behalf of, any organization which is described in section 501(c) of the Internal Revenue Code of 1986 if a significant portion of the activities of such organization include voter registration or get-out-the-vote campaigns.

"(2) For purposes of this subsection, an individual shall be treated as holding Federal office if such individual is described in section 101(f) of the Ethics in Government Act of 1978.".

SEC. 314. REPORTING REQUIREMENTS.

(a) REPORTING REQUIREMENTS.—Section 304 of FECA (2 U.S.C. 434) is amended by adding at the end thereof the following new subsection:

"(d) POLITICAL COMMITTEES.—(1) The national committee of a political party and any congressional campaign committee, and any subordinate committee of either, shall report all receipts and disbursements during the reporting period, whether or not in connection with an election for Federal office.

"(2) A political committee (not described in paragraph (1)) to which section 324 applies shall report all receipts and disbursements in connection with a Federal election (as determined under section 324).

"(3) Any political committee to which section 324 applies shall include in its report under paragraph (1) or (2) the amount of any transfer described in section 324(c) and the reason for the transfer.

"(4) Any political committee to which paragraph (1) or (2) does not apply shall report any receipts or disbursements which are used in connection with a Federal election.

"(5) If any receipt or disbursement to which this subsection applies exceeds $200, the political committee shall include identification of the person from whom, or to whom, such receipt or disbursement was made.

"(6) Reports required to be filed by this subsection shall be filed for the same time periods required for political committees under subsection (a).".

(b) REPORT OF EXEMPT CONTRIBUTIONS.—Section 301(8) of the Federal Election Campaign Act of 1971 (2 U.S.C. 431(8)) is amended by inserting at the end thereof the following:

"(C) The exclusions provided in clauses (v) and (viii) of subparagraph (B) shall not apply for purposes of any requirement to report contributions under this Act, and all such contributions in excess of $200 shall be reported.".

(c) REPORTING OF EXEMPT EXPENDITURES.—Section 301(9) of the Federal Election Campaign Act of 1971 (2 U.S.C. 431(9)) is amended by inserting at the end thereof the following:

"(C) The exclusions provided in clause (iv) of subparagraph (B) shall not apply for purposes of any requirement to report expenditures under this Act, and all such expenditures in excess of $200 shall be reported.".

(d) CONTRIBUTIONS AND EXPENDITURES OF POLITICAL COMMITTEES.—Section 301(4) of FECA (2 U.S.C. 431(4)) is amended by adding at the end the following: "For purposes of this paragraph, the receipt of contributions or the making of, or obligating to make, expenditures shall be determined by the Commission on the basis of facts and circumstances, in whatever combination, demonstrating a purpose of influencing any election for Federal office, including, but not limited to, the representations made by any person soliciting funds about their intended uses; the identification by name of individuals who are candidates for Federal office or of any political party, in general public political advertising; and the proximity to any primary, runoff, or general election of general public political advertising designed or reasonably calculated to influence voter choice in that election.".

(e) REPORTS BY STATE COMMITTEES.—Section 304 of FECA (2 U.S.C. 434), as amended by subsection (a), is amended by adding at the end thereof the following new subsection:

"(e) FILING OF STATE REPORTS.—In lieu of any report required to be filed by this Act, the Commission may allow a State committee of a political party to file with the Commission a report required to be filed under State law if the Commission determines such reports contain substantially the same information.".

TITLE IV—CONTRIBUTIONS

SEC. 401. CONTRIBUTIONS THROUGH INTERMEDIARIES AND CONDUITS.

Section 315(a)(8) of FECA (2 U.S.C. 441a(a)(8)) is amended to read as follows:

"(8) For the purposes of this subsection:

"(A) Contributions made by a person, either directly or indirectly, to or on behalf of a particular candidate, including contributions that are in any way earmarked or otherwise directed through an intermediary or conduit to a candidate, shall be treated as contributions from the person to the candidate.

"(B) Contributions made directly or indirectly by a person to or on behalf of a particular candidate through an intermediary or conduit, including contributions made or arranged to be made by an intermediary or conduit, shall be treated as contributions from the intermediary or conduit to the candidate if—

"(i) the contributions made through the intermediary or conduit are in the form of a check or other negotiable instrument made payable to the intermediary or conduit rather than the intended recipient; or

"(ii) the intermediary or conduit is—

"(I) a political committee with a connected organization;

"(II) an officer, employee, or agent of such a political committee;

"(III) a political party;

"(IV) a partnership or sole proprietorship;

"(V) a person required to register under section 308 of the Federal Regulation of Lobbying Act (2 U.S.C. 267) or the Foreign Agents Registration Act of 1938 (22 U.S.C. 611 et seq.); or

"(VI) an organization prohibited from making contributions under section 316, or an officer, employee, or agent of such an organization acting on the organization's behalf.

"(C)(i) The term 'intermediary or conduit' does not include—

"(I) a candidate or representative of a candidate receiving contributions to the candidate's principal campaign committee or authorized committee;

"(II) a professional fundraiser compensated for fundraising services at the usual and customary rate;

"(III) a volunteer hosting a fundraising event at the volunteer's home, in accordance with section 301(8)(B); or

"(IV) an individual who transmits a contribution from the individual's spouse.

"(ii) The term 'representative' means an individual who is expressly authorized by the candidate to engage in fundraising, and who occupies a significant position within the candidate's campaign organization, provided that the individual is not described in subparagraph (B)(ii).

"(iii) The term 'contributions made or arranged to be made' includes—

"(I) contributions delivered to a particular candidate or the candidate's authorized committee or agent; and

"(II) contributions directly or indirectly arranged to be made to a particular candidate or the candidate's authorized committee or agent, in a manner that identifies directly or indirectly to the candidate or authorized committee or agent the person who arranged the making of the contributions or the person on whose behalf such person was acting.

"(iv) The term 'acting on the organization's behalf' includes the following activities by an officer, employee or agent of a person described in subparagraph (B)(ii)(IV):

"(I) Soliciting or directly or indirectly arranging the making of a contribution to a particular candidate in the name of, or by using the name of, such a person.

"(II) Soliciting or directly or indirectly arranging the making of a contribution to a particular candidate using other than incidental resources of such a person.

"(III) Soliciting contributions for a particular candidate by substantially directing the solicitations to other officers, employees, or agents of such a person.

"(D) Nothing in this paragraph shall prohibit—

"(i) bona fide joint fundraising efforts conducted solely for the purpose of sponsorship of a fundraising reception, dinner, or other similar event, in accordance with rules prescribed by the Commission, by—

"(I) 2 or more candidates;

"(II) 2 or more national, State, or local committees of a political party within the meaning of section 301(4) acting on their own behalf; or

"(III) a special committee formed by 2 or more candidates, or a candidate and a national, State, or local committee of a political party acting on their own behalf; or

"(ii) fundraising efforts for the benefit of a candidate that are conducted by another candidate.

"(iii) bona fide fundraising efforts conducted by and solely on behalf of an individual for the purpose of sponsorship of a fundraising reception, dinner, or other similar event, but only if all contributions are made directly to a candidate or a representative of a candidate.

When a contribution is made to a candidate through an intermediary or conduit, the intermediary or conduit shall report the original source and the intended recipient of the contribution to the Commission and to the intended recipient.".

SEC. 402. CONTRIBUTIONS BY DEPENDENTS NOT OF VOTING AGE.

Section 315 of FECA (2 U.S.C. 441a), as amended by section 313(b), is amended by adding at the end the following new subsection:

"(n) For purposes of this section, any contribution by an individual who—

"(1) is a dependent of another individual; and

"(2) has not, as of the time of such contribution, attained the legal age for voting for elections to Federal office in the State in which such individual resides,

shall be treated as having been made by such other individual. If such individual is the dependent of another individual and such other individual's spouse, the contribution shall be allocated among such individuals in the manner determined by them.".

SEC. 403. CONTRIBUTIONS TO CANDIDATES FROM STATE AND LOCAL COMMITTEES OF POLITICAL PARTIES TO BE AGGREGATED.

Section 315(a) of FECA (2 U.S.C. 441a(a)) is amended by adding at the end the following new paragraph:

"(9) A candidate for Federal office may not accept, with respect to an election, any contribution from a State or local committee of a political party (including any subordinate committee of such committee), if such contribution, when added to the total of contributions previously accepted from all such committees of that political party, exceeds a limitation on contributions to a candidate under this section.".

SEC. 404. LIMITED EXCLUSION OF ADVANCES BY CAMPAIGN WORKERS FROM THE DEFINITION OF THE TERM "CONTRIBUTION".

Section 301(8)(B) of FECA (2 U.S.C. 431(8)(B)) is amended—

(1) in clause (xiii), by striking "and" after the semicolon at the end;

(2) in clause (xiv), by striking the period at the end and inserting: "; and"; and

(3) by adding at the end the following new clause:

"(xv) any advance voluntarily made on behalf of an authorized committee of a candidate by an individual in the normal course of such individual's responsibilities as a volunteer for, or employee of, the committee, if the advance is reimbursed by the committee within 10 days after the date on which the advance is made, and the value of advances on behalf of a committee does not exceed $500 with respect to an election.".

TITLE V—REPORTING REQUIREMENTS

SEC. 501. CHANGE IN CERTAIN REPORTING FROM A CALENDAR YEAR BASIS TO AN ELECTION CYCLE BASIS.

Paragraphs (2) through (7) of section 304(b) of FECA (2 U.S.C. 434(b)(2)–(7)) are amended by inserting after "calendar year" each place it appears the following: "(election cycle, in the case of an authorized committee of a candidate for Federal office)".

SEC. 502. PERSONAL AND CONSULTING SERVICES.

Section 304(b)(5)(A) of FECA (2 U.S.C. 434(b)(5)(A)) is amended by adding before the semicolon at the end the following: ", except that if a person to whom an expenditure is made is merely providing personal or consulting services and is in turn making expenditures to other persons (not including employees) who provide goods or services to the candidate or his or her authorized committees, the name and address of such other person, together with the date, amount and purpose of such expenditure shall also be disclosed".

SEC. 503. REDUCTION IN THRESHOLD FOR REPORTING OF CERTAIN INFORMATION BY PERSONS OTHER THAN POLITICAL COMMITTEES.

Section 304(b)(3)(A) of FECA (2 U.S.C. 434(b)(3)(A)) is amended by striking "$200" and inserting "$50".

SEC. 504. COMPUTERIZED INDICES OF CONTRIBUTIONS.

Section 311(a) of FECA (2 U.S.C. 438(a)) is amended—

(1) by striking "and" at the end of paragraph (9);

(2) by striking the period at the end of paragraph (10) and inserting "; and"; and

(3) by adding at the end the following new paragraph:

"(11) maintain computerized indices of contributions of $50 or more.".

TITLE VI—FEDERAL ELECTION COMMISSION

SEC. 601. USE OF CANDIDATES' NAMES.

Section 302(e)(4) of FECA (2 U.S.C. 432(e)(4)) is amended to read as follows:

"(4)(A) The name of each authorized committee shall include the name of the candidate who authorized the committee under paragraph (1).

"(B) A political committee that is not an authorized committee shall not include the name of any candidate in its name or use the name of any candidate in any activity on behalf of such committee in such a context as to suggest that the committee is an authorized committee of the candidate or that the use of the candidate's name has been authorized by the candidate.".

SEC. 602. REPORTING REQUIREMENTS.

(a) OPTION TO FILE MONTHLY REPORTS—Section 304(a)(2) of FECA (2 U.S.C. 434(a)(2)) is amended—

(1) in subparagraph (A) by striking "and" at the end;

(2) in subparagraph (B) by striking the period at the end and inserting "; and"; and

(3) by inserting the following new subparagraph at the end:

"(C) in lieu of the reports required by subparagraphs (A) and (B), the treasurer may file monthly reports in all calendar years, which shall be filed no later than the 15th day after the last day of the month and shall be complete as of the last day of the month, except that, in lieu of filing the reports otherwise due in November and December of any year in which a regularly scheduled general election is held, a pre-primary election report and a pre-general election report shall be filed in accordance with subparagraph (A)(i), a post-general election report shall be filed in accordance with subparagraph (A)(ii), and a year end report shall be filed no later than January 31 of the following calendar year.".

(b) FILING DATE.—Section 304(a)(4)(B) of FECA (2 U.S.C. 434(a)(4)(B)) is amended by striking "20th" and inserting "15th".

SEC. 603. PROVISIONS RELATING TO THE GENERAL COUNSEL OF THE COMMISSION.

(a) VACANCY IN THE OFFICE OF GENERAL COUNSEL.—Section 306(f) of FECA (2 U.S.C. 437c(f)) is amended by adding at the end the following new paragraph:

"(5) In the event of a vacancy in the office of general counsel, the next highest ranking enforcement official in the general counsel's office shall serve as acting general counsel with full powers of the general counsel until a successor is appointed.".

(b) PAY OF THE GENERAL COUNSEL.—Section 306(f)(1) of FECA (2 U.S.C. 437c(f)(1)) is amended—

(1) by inserting "and the general counsel" after "staff director" in the second sentence; and

(2) by striking the third sentence.

SEC. 604. ENFORCEMENT.

(a) BASIS FOR ENFORCEMENT PROCEEDING.—Section 309(a)(2) of FECA (2 U.S.C. 437g(a)(2)) is amended by striking "it has reason to believe that a person has committed, or is about to commit" and inserting "facts have been alleged or ascertained that, if true, give reason to believe that a person may have committed, or may be about to commit".

(b) AUTHORITY TO SEEK INJUNCTION.—(1) Section 309(a) of FECA (2 U.S.C. 437g(a)) is amended by adding at the end the following new paragraph:

"(13)(A) If, at any time in a proceeding described in paragraph (1), (2), (3), or (4), the Commission believes that—

"(i) there is a substantial likelihood that a violation of this Act or of chapter 95 or chapter 96 of the Internal Revenue Code of 1986 is occurring or is about to occur;

"(ii) the failure to act expeditiously will result in irreparable harm to a party affected by the potential violation;

"(iii) expeditious action will not cause undue harm or prejudice to the interests of others; and

"(iv) the public interest would be best served by the issuance of an injunction,

the Commission may initiate a civil action for a temporary restraining order or a temporary injunction pending the outcome of the proceedings described in paragraphs (1), (2), (3), and (4).

"(B) An action under subparagraph (A) shall be brought in the United States district court for the district in which the defendant resides, transacts business, or may be found.".

(2) Section 309(a) of FECA (2 U.S.C. 437g(a)) is amended—

(A) in paragraph (7) by striking "(5) or (6)" and inserting "(5), (6), or (13)"; and

(B) in paragraph (11) by striking "(6)" and inserting "(6) or (13)".

SEC. 605. PENALTIES.

(a) PENALTIES PRESCRIBED IN CONCILIATION AGREEMENTS.—(1) Section 309(a)(5)(A) of FECA (2 U.S.C. 437g(a)(5)(A)) is amended by striking "which does not exceed the greater of $5,000 or an amount equal to any contribution or expenditure involved in such violation" and inserting "which is—

"(i) not less than 50 percent of all contributions and expenditures involved in the violation (or such lesser amount as the Commission provides if necessary to ensure that the penalty is not unjustly disproportionate to the violation); and

"(ii) not greater than all contributions and expenditures involved in the violation".

(2) Section 309(a)(5)(B) of FECA (2 U.S.C. 437g(a)(5)(B)) is amended by striking "which does not exceed the greater of $10,000 or an amount equal to 200 percent of any contribution or expenditure involved in such violation" and inserting "which is—

"(i) not less than all contributions and expenditures involved in the violation; and

"(ii) not greater than 150 percent of all contributions and expenditures involved in the violation".

(b) PENALTIES WHEN VIOLATIONS ARE ADJUDICATED IN COURT.—(1) Section 309(a)(6)(A) of FECA (2 U.S.C. 437g(a)(6)(A)) is amended by striking all that follows "appropriate order" and inserting ", including an order for a civil penalty in the amount determined under subparagraph (A) or (B) in the district court of the United States for the district in which the defendant resides, transacts business, or may be found.".

(2) Section 309(a)(6)(B) of FECA (2 U.S.C. 437g(a)(6)(B)) is amended by striking all that follows "other order" and inserting ", including an order for a civil penalty which is—

"(i) not less than all contributions and expenditures involved in the violation; and

"(ii) not greater than 200 percent of all contributions and expenditures involved in the violation,

upon a proper showing that the person involved has committed, or is about to commit (if the relief sought is a permanent or temporary injunction or a restraining order), a violation of this Act or chapter 95 of chapter 96 of the Internal Revenue Code of 1986.".

(3) Section 309(a)(6)(C) of FECA (29 U.S.C. 437g(6)(C)) is amended by striking "a civil penalty" and all that follows and inserting "a civil penalty which is—

"(i) not less than 200 percent of all contributions and expenditures involved in the violation; and

"(ii) not greater than 250 percent of all contributions and expenditures involved in the violation.".

SEC. 606. RANDOM AUDITS.

Section 311(b) of FECA (2 U.S.C. 438(b)) is amended—

(1) by inserting "(1)" before "The Commission"; and

(2) by adding at the end the following new paragraph:

"(2) Notwithstanding paragraph (1), the Commission may from time to time conduct random audits and investigations to ensure voluntary compliance with this Act. The subjects of such audits and investigations shall be selected on the basis of criteria established by vote of at least 4 members of the Commission to ensure impartiality in the selection process. This paragraph does not apply to an authorized committee of an eligible Senate candidate subject to audit under section 505(a) or an authorized committee of an eligible House of Representatives candidate subject to audit under section 605(a).".

SEC. 607. PROHIBITION OF FALSE REPRESENTATION TO SOLICIT CONTRIBUTIONS.

Section 322 of FECA (2 U.S.C. 441h) is amended—

(1) by inserting after "SEC. 322." the following: "(a)"; and

(2) by adding at the end the following:

"(b) No person shall solicit contributions by falsely representing himself as a candidate or as a representative of a candidate, a political committee, or a political party.".

SEC. 608. REGULATIONS RELATING TO USE OF NON-FEDERAL MONEY.

Section 306 of FECA (2 U.S.C. 437c) is amended by adding at the end the following new subsection:

"(g) The Commission shall promulgate rules to prohibit devices or arrangements which have the purpose or effect of undermining or evading the provisions of this Act restricting the use of non-Federal money to affect Federal elections.".

TITLE VII—BALLOT INITIATIVE COMMITTEES

SEC. 701. DEFINITIONS RELATING TO BALLOT INITIATIVES.

Section 301 of FECA (2 U.S.C. 431), as amended by section 312(d), is amended by adding at the end the following new paragraphs:

"(32) The term 'ballot initiative political committee' means any committee, club, association, or other group of persons which makes ballot initiative expenditures or receives ballot initiative contributions in excess of $1,000 during a calendar year.

"(33) The term 'ballot initiative contribution' means any gift, subscription, loan, advance, or deposit of money or anything of value made by any person for the purpose of influencing the outcome of any referendum or other ballot initiative voted on at the State, commonwealth, territory, or District of Columbia level which involves—

"(A) interstate commerce;

"(B) the election of candidates for Federal office and the permissible terms of those so elected;

"(C) Federal taxation of individuals, corporations, or other entities; or

"(D) the regulation of speech or press, or any other right guaranteed under the United States Constitution.

"(34) The term 'ballot initiative expenditure' means any purchase, payment, distribution, loan, advance, deposit or gift of money or anything of value made by any person for the purpose of influencing the outcome of any referendum or other ballot initiative voted on at the state, commonwealth, territory, or District of Columbia level which involves—

"(A) interstate commerce;

"(B) the election of candidates for Federal office and the permissible terms of those so elected;

"(C) Federal taxation of individuals, corporations, or other entities; or

"(D) the regulation of speech or press, or any other right guaranteed under the United States Constitution.".

SEC. 702. AMENDMENT TO DEFINITION OF CONTRIBUTION.

Section 301(8)(B) of FECA (2 U.S.C. 431(8)(B)), as amended by section 404, is amended—

(1) in clause (xiv), by striking "and" after the semicolon;

(2) in clause (xv), by striking the period and inserting "; and"; and

(3) by adding at the end the following new clause:

"(xvi) a ballot initiative contribution.".

SEC. 703. AMENDMENT TO DEFINITION OF EXPENDITURE.

Section 301(9)(B) of FECA (2 U.S.C. 431(9)(B)) is amended—

(1) in clause (ix)(3), by striking "and" after the semicolon;

(2) in clause (x), by striking the period and inserting "; and"; and

(3) by adding at the end the following new clause:

"(xi) a ballot initiative expenditure.".

SEC. 704. ORGANIZATION OF BALLOT INITIATIVE COMMITTEES.

Title III of FECA (2 U.S.C. 431 et seq.) is amended by inserting after section 302 (2 U.S.C. 432) the following new section:

"ORGANIZATION OF BALLOT INITIATIVE COMMITTEES

"SEC. 302A. (a) Every ballot initiative political committee shall have a treasurer. No ballot initiative contribution shall be accepted or ballot initiative expenditure shall be made by or on behalf of a ballot initiative political committee during any period in which the office of treasurer is vacant.

"(b)(1) Every person who receives a ballot initiative contribution for a ballot initiative political committee shall—

"(A) if the amount is $50 or less, forward to the treasurer such contribution no later than 30 days after receiving the contribution; and

"(B) if the amount of the ballot initiative contribution is in excess of $50, forward to the treasurer such contribution, the name, address, and occupation of the person making such contribution, and the date of receiving such contribution, no later than 10 days after receiving such contribution.

"(2) All funds of a ballot initiative political committee shall be segregated from, and may not be commingled with, the personal funds of any individual.

"(3) The treasurer of a ballot initiative political committee shall keep an account for—

"(A) all ballot initiative contributions received by or on behalf of such ballot initiative political committee;

"(B) the name and address of any person who makes a ballot initiative contribution in excess of $50, together with the date and amount of such ballot initiative contribution by any person;

"(C) the identification of any person who makes a ballot initiative contribution or ballot initiative contributions aggregating more than $200 during a calendar year, together with the date and amount of any such contribution;

"(D) the identification of any political committee or ballot initiative political committee which makes a ballot initiative contribution, together with the date and amount of any such contribution; and

"(E) the name and address of every person to whom any ballot initiative expenditure is made, the date, amount and purpose of such ballot initiative expenditure, and the name of the ballot

initiative(s) to which the ballot initiative expenditure pertained.

"(c) The treasurer shall preserve all records required to be kept by this section 3 years after the report is filed.".

SEC. 705. BALLOT INITIATIVE COMMITTEE REPORTING REQUIREMENTS.

Title III of FECA (2 U.S.C. 431 et seq.), as amended by section 103, is amended by inserting after section 30A (2 U.S.C. 434) the following new section:

"BALLOT INITIATIVE COMMITTEE REPORTING REQUIREMENTS

"SEC. 304B. (a)(1) Each treasurer of a ballot initiative political committee shall file reports of receipts and disbursements in accordance with the provisions of this subsection. The treasurer shall sign each such report.

"(2) All ballot initiative political committees shall file either—

"(A)(i) quarterly reports in each calendar year when a ballot initiative is slated regarding which the ballot initiative committee plans to make or makes a ballot initiative expenditure or plans to receive or receives a ballot initiative contribution, which shall be filed no later than the 15th day after the last day of each calendar quarter: except that the report for the quarter ending on December 31 of such calendar year shall be filed no later than January 31 of the following calendar year; and

"(ii) preballot initiative reports, which shall be filed 5 days before the occurrence of each ballot initiative in which the ballot initiative committee plans to make or has made a ballot initiative expenditure or plans to receive or has received a ballot initiative contribution; or

"(B) monthly reports in all calendar years which shall be filed no later than the 15th day after the last day of the month and shall be complete as of the last day of the month.

"(3) If a designation, report, or statement filed pursuant to this section (other than under paragraph (2)(A)(ii)) is sent by registered or certified mail, the United States postmark shall be considered the date of filing of the designation, report, or statement.

"(4) The reports required to be filed by this section shall be cumulative during the calendar year to which they relate, but where there has been no change in an item reported in a previous report during each year, only the amount need be carried forward.

"(b) Each report under this section shall disclose—

"(1) the amount of cash on hand at the beginning of the reporting period;

"(2) for the reporting period and the calendar year, the total amount of all receipts, and the total amount of all receipts in the following categories:

"(A) ballot initiative contributions from persons other than political committees;

"(B) ballot initiative contributions from political party committees;

"(C) ballot initiative contributions from other political committees and ballot initiative political committees;

"(D) transfers from affiliated political committees;

"(E) loans;

"(F) rebates, refunds, and other offsets to operating expenditures; and

"(G) dividends, interest, and other forms of receipts;

"(3) the identification of each—

"(A) person (other than a political committee or ballot initiative political committee) who makes a ballot initiative contribution to the reporting committee during the reporting period, whose ballot initiative contribution or ballot initiative contributions have an aggregate amount or value in excess of $50 within the calendar year, or in any lesser amount if the reporting committee should so elect, together with the date and amount of any such contribution and the address and occupation (if an individual) of the person;

"(B) political committee or ballot initiative political committee which makes a ballot initiative contribution to the reporting committee during the reporting period, together with the date and amount of any such contribution;

"(C) affiliated political committee or affiliated ballot initiative political committee which makes a transfer to the reporting committee during the reporting period;

"(D) person who makes a loan to the reporting committee during the reporting period, together with the identification of any endorser or guarantor of such loan, and the date and amount or value of such loan and the address and occupation (if an individual) of the person;

"(E) person who provides a rebate, refund, or other offset to operating expenditures to the reporting committee in an aggregate amount or value in excess of $200 within the calendar year, together with the date and amount of such receipt and the address and occupation (if an individual) of the person; and

"(F) person who provides any dividend, interest, or other receipt to the reporting committee in an aggregate value or amount in excess of $200 within the calendar year, together with the date and amount of any such receipt and the address and occupation (if an individual) of the person;

"(4) for the reporting period and the calendar year, the total amount of disbursements, and all disbursements in the following categories:

"(A) ballot initiative expenditures;

"(B) transfers to affiliated political committees or ballot initiative political committees;

"(C) ballot initiative contribution refunds and other offsets to ballot initiative contributions;

"(D) loans made by the reporting committee and the name of the person receiving the loan together with the date of the loan and the address and occupation (if an individual) of the person; and

"(E) independent expenditures; and

"(5) the total sum of all ballot initiative contributions to such ballot initiative political committee.".

SEC. 706. ENFORCEMENT AMENDMENT.

Section 309 of FECA (2 U.S.C. 437g) is amended by adding at the end the following new subsection:

"(e) The civil penalties of this Act shall apply to the organization, recordkeeping, and reporting requirements of a ballot initiative political committee under section 302A or 304B, insofar as such committee conducts activities solely for the purpose of influencing a ballot initiative and not for the purpose of influencing any election for Federal office.".

SEC. 707. PROHIBITION OF CONTRIBUTIONS IN THE NAME OF ANOTHER.

Section 320 of FECA (2 U.S.C. 441f) is amended to read as follows:

"PROHIBITION OF CONTRIBUTIONS IN THE NAME OF ANOTHER

"SEC. 320. No person shall make a contribution or ballot initiative contribution in the name of another person or knowingly permit his name to be used to effect such a contribution or ballot initiative contribution, and no person shall knowingly accept a contribution or ballot initiative contribution made by one person in the name of another person.".

SEC. 708. LIMITATION ON CONTRIBUTION OF CURRENCY.

Section 321 of FECA (2 U.S.C. 441g) is amended to read as follows:

"LIMITATION ON CONTRIBUTION OF CURRENCY

"SEC. 321. No person shall make contributions or ballot initiative contributions of currency of the United States or currency of any foreign country which in the aggregate, exceed $100, to or for the benefit of—

"(1) any candidate for nomination for election, or for election, to Federal office;

"(2) any political committee (other than a ballot initiative political committee) for the purpose of influencing an election for Federal office; or

"(3) any ballot initiative political committee for the purpose of influencing a ballot initiative.".

TITLE VIII—MISCELLANEOUS

SEC. 801. PROHIBITION OF LEADERSHIP COMMITTEES.

Section 302(e) of FECA (2 U.S.C. 432(e)) is amended—

(1) by amending paragraph (3) to read as follows:

"(3) No political committee that supports or has supported more than one candidate may be designated as an authorized committee, except that—

"(A) a candidate for the office of President nominated by a political party may designate the national committee of such political party as the candidate's principal campaign committee, but only if that national committee maintains separate books of account with respect to its functions as a principal campaign committee; and

"(B) a candidate may designate a political committee established solely for the purpose of joint fundraising by such candidates as an authorized committee."; and

(2) by adding at the end the following new paragraph:

"(6)(A) A candidate for Federal office or any individual holding Federal office may not establish, maintain, or control any political committee other than a principal campaign committee of the candidate, authorized committee, party committee, or other political committee designated in accordance with paragraph (3). A candidate for more than one Federal office may designate a separate principal campaign committee for each Federal office.

"(B) For one year after the effective date of this paragraph, any such political committee may continue to make contributions. At the end of that period such political committee shall disburse all funds by one or more of the following means: making contributions to an entity qualified under section 501(c)(3) of the Internal Revenue Code of 1986; making a contribution to the treasury of the United States; contributing to the national, State or local committees of a political party; or making contributions not to exceed $1,000 to candidates for elective office.".

SEC. 802. POLLING DATA CONTRIBUTED TO CANDIDATES.

Section 301(8) of FECA (2 U.S.C. 431(8)), as amended by section 314(b), is amended by inserting at the end the following new subparagraph:

"(D) A contribution of polling data to a candidate shall be valued at the fair market value of the data on the date the poll was completed, depreciated at a rate not more than 1 percent per day from such date to the date on which the contribution was made.".

SEC. 803. DEBATES BY GENERAL ELECTION CANDIDATES WHO RECEIVE AMOUNTS FROM THE PRESIDENTIAL ELECTION CAMPAIGN FUND.

Section 315(b) of FECA (2 U.S.C. 441a(b)) is amended by adding at the end the following new paragraph:

"(3)(A) The candidates of a political party for the offices of President and Vice President who are eligible under section 9003 of the Internal Revenue Code of 1986 to receive payments from the Secretary of the Treasury shall not receive such payments unless both of such candidates agree in writing—

"(i) that the candidate for the office of President will participate in at least 4 debates, spon-

sored by a nonpartisan or bipartisan organization, with all other candidates for that office who are eligible under that section; and

"(ii) that the candidate of the party for the office of Vice President will participate in at least 1 debate, sponsored by a nonpartisan or bipartisan organization, with all other candidates for that office who are eligible under that section.

"(B) If the Commission determines that either of the candidates of a political party failed to participate in a debate under subparagraph (A) and was responsible at least in part for such failure, the candidate of the party involved shall—

"(i) be ineligible to receive payments under section 9006 of the Internal Revenue Code of 1986; and

"(ii) pay to the Secretary of the Treasury an amount equal to the amount of the payments made to the candidate under that section.".

SEC. 804. PROHIBITION OF CERTAIN ELECTION-RELATED ACTIVITIES OF FOREIGN NATIONALS.

Section 319 of FECA (2 U.S.C. 441e) is amended by adding at the end the following new subsections:

"(c) A foreign national shall not directly or indirectly direct, control, influence or participate in any person's election-related activities, such as the making of contributions or expenditures in connection with elections for any local, State, or Federal office or the administration of a political committee.

"(d) A nonconnected political committee or the separate segregated fund established in accordance with section 316(b)(2)(C) or any other organization or committee involved in the making of contributions or expenditures in connection with elections for any Federal, State, or local office shall include the following statement on all printed materials produced for the purpose of soliciting contributions:

"'It is unlawful for a foreign national to make any contribution of money or other thing of value to a political committee.'.".

SEC. 805. AMENDMENT TO FECA SECTION 316.

Section 316(b) of FECA (2 U.S.C. 441b(b)) is amended—

(1) by inserting "(A)" at the beginning of paragraph (2) and redesignating subparagraphs (A), (B), and (C) as clauses (i), (ii), and (iii), respectively;

(2) at the beginning of the first sentence in subparagraph (A), by inserting the following: "Except as provided in subparagraph (B),"; and

(3) by adding at the end of paragraph (2) the following:

"(B) Expenditures by a corporation or labor organization for candidate appearances, candidate debates and voter guides directed to the general public shall be considered contributions unless—

"(i) in the case of a candidate appearance, the appearance takes place on corporate or labor organization premises or at a meeting or convention of the corporation or labor organization, and all candidates for election to that office are notified that they may make an appearance under the same or similar conditions;

"(ii) in the case of a candidate debate, the organization staging the debate is either an organization described in section 301 whose broadcasts or publications are supported by commercial advertising, subscriptions or sales to the public, including a noncommercial educational broadcaster, or a nonprofit organization exempt from Federal taxation under section 501(c)(3) or 501(c)(4) of the Internal Revenue Code of 1986 that does not endorse, support, or oppose candidates or political parties; and

"(iii) in the case of a voter guide, the guide is prepared and distributed by a corporation or labor organization and consists of questions posed to at least two candidates for election to that office,

except that no communication made by a corporation or labor organization in connection with the candidate appearance, candidate debate or voter guide contains express advocacy, or that no candidate is favored through the structure or format of the candidate appearance, candidate debate or voter guide.".

SEC. 806. TELEPHONE VOTING BY PERSONS WITH DISABILITIES.

(a) STUDY OF SYSTEMS TO PERMIT PERSONS WITH DISABILITIES TO VOTE BY TELEPHONE.—

(1) IN GENERAL.—The Federal Election Commission shall conduct a study to determine the feasibility of developing a system or systems by which persons with disabilities may be permitted to vote by telephone.

(2) CONSULTATION.—The Federal Election Commission shall conduct the study described in paragraph (1) in consultation with State and local election officials, representatives of the telecommunications industry, representatives of persons with disabilities, and other concerned members of the public.

(3) CRITERIA.—The system or systems developed pursuant to paragraph (1) shall—

(A) propose a description of the kinds of disabilities that impose such difficulty in travel to polling places that a person with a disability who may desire to vote is discouraged from undertaking such travel;

(B) propose procedures to identify persons who are so disabled; and

(C) describe procedures and equipment that may be used to ensure that—

(i) only those persons who are entitled to use the system are permitted to use it;

(ii) the votes of persons who use the system are recorded accurately and remain secret;

(iii) the system minimizes the possibility of vote fraud; and

(iv) the system minimizes the financial costs that State and local governments would incur in establishing and operating the system.

(4) REQUESTS FOR PROPOSALS.—In developing a system described in paragraph (1), the Federal Election Commission may request proposals from private contractors for the design of procedures and equipment to be used in the system.

(5) PHYSICAL ACCESS.—Nothing in this section is intended to supersede or supplant efforts by State and local governments to make polling places physically accessible to persons with disabilities.

(6) DEADLINE.—The Federal Election Commission shall submit to Congress the study required by this section not later than 1 year after the date of enactment of this Act.

SEC. 807. PROHIBITION OF USE OF GOVERNMENT AIRCRAFT IN CONNECTION WITH ELECTIONS FOR FEDERAL OFFICE.

Title III of FECA (2 U.S.C. 431 et seq.), as amended by section 312(c) is amended by adding at the end the following new section:0

"PROHIBITION OF USE OF GOVERNMENT AIRCRAFT IN CONNECTION WITH ELECTIONS FOR FEDERAL OFFICE

"SEC. 325. (a) No aircraft that is owned or operated by the Government (including any aircraft that is owned or operated by the Department of Defense) may be used in connection with an election for Federal office.

"(b)(1) Subsection (a) shall not apply to travel provided to the President or Vice President.

"(2) The portion of the cost of any travel provided to the President or Vice President that is allocable to activities in connection with an election for Federal office shall be paid by the authorized committee of the President. Such portion shall be paid within 10 days of the travel. For purposes of this section, travel which is in any part related to campaign activity, shall be treated as in connection with an election for Federal office, and the payment for such travel shall be sufficient to reflect that portion which is campaign-related.

"(3) The actual costs and payment for costs of any travel provided to the President and Vice President shall be disclosed in accordance with section 304.".

SEC. 808. SENSE OF THE CONGRESS.

The Congress should consider legislation that would provide for an amendment to the Constitution to set reasonable limits on campaign expenditures in Federal elections.

TITLE IX—EFFECTIVE DATES; AUTHORIZATIONS

SEC. 901. EFFECTIVE DATE.

Except as otherwise provided in this Act, the amendments made by, and the provisions of, this Act shall take effect on the date of the enactment of this Act but shall not apply with respect to activities in connection with any election occurring before January 1, 1993.

SEC. 902. BUDGET NEUTRALITY.

(a) DELAYED EFFECTIVENESS.—The provisions of this Act (other than this section) shall not be effective until the estimated costs under section 252 of the Balanced Budget and Emergency Deficit Control Act of 1985 have been offset by the enactment of subsequent legislation effectuating this Act.

(b) SENSE OF CONGRESS.—It is the sense of the Congress that subsequent legislation effectuating this Act shall not provide for general revenue increases, reduce expenditures for any existing Federal program, or increase the Federal budget deficit.

SEC. 903. SEVERABILITY.

Except as provided in sections 101(c) and 121(b), if any provision of this Act (including any amendment made by this Act), or the application of any such provision to any person or circumstance, is held invalid, the validity of any other provision of this Act, or the application of such provision to other persons and circumstances, shall not be affected thereby.

SEC. 904. EXPEDITED REVIEW OF CONSTITUTIONAL ISSUES.

(a) DIRECT APPEAL TO SUPREME COURT.—An appeal may be taken directly to the Supreme Court of the United States from any interlocutory order or final judgment, decree, or order issued by any court ruling on the constitutionality of any provision of this Act or amendment made by this Act.

(b) ACCEPTANCE AND EXPEDITION.—The Supreme Court shall, if it has not previously ruled on the question addressed in the ruling below, accept jurisdiction over, advance on the docket, and expedite the appeal to the greatest extent possible.

And the House agree to the same.

That the Senate recede from its disagreement to the amendment of the House to the title of the bill and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the amendment of the House to the title of the bill, insert the following: "An Act to amend the Federal Election Campaign Act of 1971 to provide for a voluntary system of spending limits and benefits for congressional election campaigns, and for other purposes.".

And the House agree to the same.

CHARLIE ROSE,
SAM GEJDENSON,
RICHARD GEPHARDT,
AL SWIFT,
LEON E. PANETTA,
MIKE SYNAR,
GERALD D. KLECZKA,

For consideration of sections 103 and 202 of the Senate bill, section 802 of the House amendment, and modifications committed to conference:

EDWARD J. MARKEY,

For consideration of sections 104, 404, 409, and 411 of the Senate bill, section 103 of the House amendment, and modifications committed to conference:

W.L. CLAY,
FRANK MCCLOSKEY,
Managers on the Part of the House.

WENDELL H. FORD,
DAVID L. BOREN,
GEORGE MITCHELL,
Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S.3, the "Senate Election Ethics Act of 1991") to amend the Federal Election Campaign Act of 1971 to provide for a voluntary system of spending limits for Senate election campaigns, and for other purposes, submit the following joint statement to the House and to the Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report:

The House amendments (H.R. 3750, the "U.S. House of Representatives Campaign Spending Limit and Election Reform Act of 1991") struck out all of the Senate bill after the enacting clause and inserted a substitute text, and the Senate disagreed to the House amendments.

The Committee of Conference recommends that the Senate recede from its disagreement to the amendment of the House to the text of the bill, with an amendment which is a substitute for both the text of the Senate bill and the House amendment to the text of the Senate bill.

The differences between the text of the Senate bill, the House amendment thereto, and the substitute agreed to in conference are noted below, except for clerical corrections, conforming changes made necessary by reason of agreements reached by the conferees, and minor drafting and clarifying changes.

SHORT TITLE

The Senate bill (S.3), the House Amendment (H.R. 3750), and the conference agreement provide that this legislation may be cited as the "Congressional Campaign Spending Limit and Election Reform Act of 1992".

TITLE I—CONTROL OF CONGRESSIONAL CAMPAIGN SPENDING

Subtitle A—Senate Election Campaign Spending Limits and Benefits

SECTION 101. SENATE SPENDING LIMITS AND PUBLIC BENEFITS

Senate bill

The Senate bill amended the Federal Election Campaign Act of 1971 (hereinafter in this statement referred to as the "Act") to provide for a voluntary system of spending limits and benefits. The formula adopted is a base amount of $400,000: plus 30 cents times the voting age population of the State up to a voting age population of 4 million, plus 25 cents times the voting age population in excess of 4 million, but not less than $950,000, or more than $5.5 million. Higher spending limits are permitted in a State with no more than one VHF television station licensed to operate in that State. The formula for the spending limit in such a State is set at $400,000: plus 80 cents times the voting age population up to 4 million, and 70 cents times the voting age population over that figure, but not less than $950,000 or more than $5.5 million.

As a condition to participate in the system, Senate candidates must agree to abide by the expenditure limits in primary and runoff elections.

Because the activities previously associated with Senate campaigns would probably not be curtailed, but merely shifted to the primary election period, it is necessary to extend spending limits to the primary period. Thus, the Senate bill provides for a primary election limit of 67 percent of the general election spending limit (up to a maximum of $2.75 million) and a runoff limit of 20 percent of the general election spending limit. By defining the primary election period to begin the day after the last general election for the seat in question, the bill effectively limits Senate campaign spending throughout a six year Senate election cycle.

The Senate bill provides for a compliance fund equal to the lesser of 15 percent or $300,000 of the candidate's general election limit in order to deal with the likelihood of additional legal and accounting services under this system. All funds which are deposited into this account are subject to the limitations and prohibitions of the FECA. This provision permits expenditures for such purpose both during and after a general election without such expenditures counting against either such general election spending limit or the next primary election spending limit. The use of the fund is solely for the purpose of paying for legal and accounting services incurred in relation to compliance with the Act and the preparation of compliance documents, or expenditures for the extraordinary costs of legal and accounting services incurred in connection with the candidate's activities as a federal office-holder.

The compliance fund is not intended as a reserve or revolving fund; therefore, once funds have been transferred into the account, they may not be transferred back to the campaign fund or used for any purpose other than compliance. A candidate will be permitted to petition the Commission for permission to raise and spend an amount in excess of that fund. Before authorizing any additional funds for compliance, the Commission should first be satisfied that the candidate did not use any portion of the compliance fund for any purpose other than compliance.

The Senate bill limits a participating candidate's personal spending to $25,000. Members of a candidate's immediate family would be subject to existing contribution limitations, as this provision would not impose any additional or new limits on such family members. This limit would apply to what a candidate may spend or loan to the campaign from personal funds, including funds of the candidate's immediate family, in the election cycle.

Eligibility for all candidates, whether a major party nominee, a minor party nominee, or an independent candidate, is based on the candidate raising a qualifying threshold of private contributions equal to 10 percent of the general election spending limit for the State. All of such funds must be contributed directly to the candidate by individuals (not through any intermediary) in amounts aggregating up to $250 and must be received after January 1 of the year preceding the election. To further assure that such candidates have a base of support from within their State, at least 50 percent of the threshold amount must be raised from contributors from within the candidate's State.

To be eligible to receive benefits, a candidate must be opposed in the general election and must certify that he or she has raised the qualifying threshold, and has not exceeded the primary and, where applicable, the runoff spending limits. Also, the candidate must agree to certain administrative requirements, not to exceed the general election spending limits, and not to accept contributions in violation of the Act.

Like the Presidential financing system, the Federal Election Commission would certify the eligibility of a candidate based on the candidate's submissions to that agency and would be charged with the general administration of the system. Unlike the Presidential system that requires that all candidates be audited, the Commission would be required to audit only 10 percent of the eligible Senate candidates on a random basis and, in addition, any other candidate for cause.

Eligible candidates are entitled to five benefits: communication vouchers, lower broadcast media rates, reduced postal rates; independent expenditure payments; and contingent financing. These are intended to serve both as incentives to participation by candidates and as cost reduction devices for ever more expensive campaigns.

House amendment

No similar provision.

Conference substitute

The conference agreement adopts the Senate bill with respect to the Senate, with the following modifications:

1. The conference agreement limits the provision of the Senate bill which permitted the compliance fund to make expenditures for the extraordinary costs of legal or accounting services incurred in connection with the candidate's activities as a Federal officeholder.

2. The conference agreement deletes the provision of the Senate bill which would have permitted an increase of 25 percent of the spending limits for candidates based on small contributions of up to $100 received from individuals who reside within the State of a Senate candidate. In an effort to establish some uniform rules with the House bill (which had no similar provision), the conferees agreed to eliminate this provision.

3. The conference agreement modifies the use of personal funds to an amount equal to the lesser of ten percent of the expenditure limit, or $250,000. This conforms to the House provision which limits the use of personal funds of an eligible House candidate to ten percent of the expenditure limit.

4. The conference agreement clarifies the audit authority of the Commission to provide that when an eligible candidate is selected for an audit, his or her opponent in the same election shall also be audited.

5. The conference agreement deletes the provision which would require that broadcast time purchased with vouchers must be for broadcasts of one to five minutes in length.

6. The conference agreement revises the reduced postage rates section of both the House and Senate bills to provide one standard for all eligible candidates. The Senate bill permitted eligible candidates to make first-class mailings at one-fourth the rate in effect and third-class mailings at two cents less than the reduced rate for first class mail. The total spending on postage at these reduced rates could not exceed five percent of the general election expenditure limit. The conference agreement now provides that eligible candidates can mail up to one piece of mail per voting age population of the State (in the case of an eligible Senate candidate) or congressional district (in the case

of an eligible House candidate) at the lowest third-class non-profit rate.

7. The conference agreement modifies the Senate's contingent benefits to provide that an eligible Senate candidate would receive a grant equal to one-third the expenditure limit once a non-complying opponent exceeds the limit. When a non-complying opponent exceeds the limit by one-third, an eligible candidate would be entitled to another grant equal to one-third of the expenditure limit. Once a non-complying candidate exceeds the limit by two-thirds, an eligible candidate would receive a third and final grant equal to one-third the expenditure limit. In addition, an eligible candidate whose opponent did not participate could raise contributions equal to twice the expenditure limit, but such funds could not be spent until the opponent exceeds the limits by 100 percent. Thus, the conference agreement would cap all spending at 300 percent of the general election limit; where the Senate bill had removed all limits.

These changes were made to conform the Senate bill with the intent of the conferees to provide an alternative election finance system for candidates who choose to run for Senate election without spending limits. Contingent benefits are provided to eligible Senate candidates to reduce the rigors of fundraising, and not to create an advantage over opposing candidates choosing to stay outside the system. Because campaign funds can be spent quite rapidly, it is necessary to make resources quickly available to an eligible candidate. Otherwise, prudent candidates would be reluctant to voluntarily participate in the alternative spending limit system.

The conference agreement reduces the amount of the initial grant in half to more closely conform the size of the grant to the amount by which the spending limit is exceeded. While the grants are still provided in one-third increments, the conferees believe this is a proper balance between the objective of maintaining a competitive election and the desire to avoid the administrative burdens attendant to smaller, more frequent grants.

The conference agreement provides grants up to 100 percent of the general election limit at which point the eligible candidate may spend campaign contributions up to 100 percent of the general election limit. The conference agreement imposes a limit on total contributions and expenditures by the eligible candidate in order to preserve the overall objective to establish an alternative campaign finance system in order to reduce the deleterious influence of large contributions on the election process and the rigors of fundraising for eligible Senate candidates.

8. The conference agreement requires the closed captioning of television and cablecasts of eligible Senate candidate campaign advertisements. This adopts a similar provision contained in the House amendment. With this modification to the Senate bill, a uniform standard is adopted for both chambers.

9. The conference agreement eliminates all provisions referring to the Secretary of the Treasury and the Senate Election Campaign Fund. The conferees recognize that as a Senate bill, any bill relating to the public financing of congressional campaigns must originate in the House. Thus, the conference agreement provides that no section of the bill will be effective until a subsequent legislative vehicle provides for a funding mechanism for the benefits of the bill.

10. The conference agreement modifies the civil penalties provisions of the bill with regard to expenditures in excess of the limitations. The revised civil penalties are based on a low, medium and high scale of up to 2.5 percent, 2.5 percent but less than 5 percent, and 5 percent or greater, respectively. Civil penalty amounts are likewise based on this scale. This provision will apply in like manner to the House.

11. The conference agreement eliminates the criminal penalties provisions, at the request of the House, which had no similar provision. In its place, the agreement establishes joint and several civil liability for the candidate and the candidate's authorized committees. This liability provision applies to both participating Senate and House candidates.

SECTION 102. RESTRICTIONS ON ACTIVITIES OF POLITICAL ACTION AND CANDIDATE COMMITTEES IN FEDERAL ELECTIONS

Senate bill

The Senate bill bans activities of political action committees by prohibiting such committees from making contributions or expenditures to influence a federal election. In the event this ban on PAC activities is ruled unconstitutional, the Senate bill includes a fall-back provision reducing PAC contribution limits from $5,000 to $1,000 and imposing an aggregate limit on the amount of the total amount of PAC contributions a Senate candidate may receive. The limit would be 20 percent of the election cycle limit, but not less than $375,000 in the smallest states, nor more than $825,000 in the largest states.

House amendment

The House bill limits political action committee contributions that may be received by House campaigns to $200,000 per election. For those who agree to voluntarily agree to spending limits, this amount is equal to one-third of the overall spending limit.

Conference substitute

The conference agreement follows the House and Senate bills. The House provisions limiting political action committee contributions to one-third of the election spending limit are preserved unchanged. The provisions of the Senate bill establishing rules for political action committee in the event a PAC ban is found unconstitutional are adopted except that the per election limit on PAC contributions to Senate candidates is established at $2,500.

The conferees recognize the role of political action committees as a legitimate exercise of collective participation of individuals of like minds in the electoral process. The conferees recognize that citizens may pool their resources to participate in the electoral process. To the extent this participation is balanced with disinterested sources of campaign funds, the conferees support the role of political action committees in the electoral process.

Nevertheless, the conferees agree that Congress must confront the legitimate public concern that political action committees can have a negative, even corrupting, impact on the election campaign process when they become too large a source of any candidate's campaign funds. Moreover, when these sources of campaign funds flow overwhelmingly to incumbents, the public perception is that Congress is too beholden to special interests.

The conferees recognize that simply having limits on the amount of money that individual PACs can give to a candidate does not of itself control the flow of special interest funds to campaigns. Individuals PAC contribution limits alone result in a number of PACs with the same interest playing too large a role in funding a congressional campaign. Therefore, the conferees believe that in addition to individual PAC contribution limits there should be aggregate limits on PAC receipts by a candidate's campaign committee. These aggregate limits will have the effect of minimizing the candidate's reliance on special interest funds and reducing the potential for undue influence and corruption. The conferees believe that figures chosen for aggregate PAC limits in the House and Senate represent a reasonable effort to curtail aggregate influence of PAC contributions.

The conferees seek to strike a balance to reduce the influence of special interests in the election process while maintaining the legitimate exercise of collective action through political action committees. The conferees believe this goal is met by imposing aggregate limits on PAC receipts as well as ceilings on individual PAC contributions.

SECTION 103. REPORTING REQUIREMENTS

Senate bill

Candidates who agree to abide by the spending limits and become eligible to receive benefits must file a certification with the Federal Election Commission. First, the candidate must file a declaration with the FEC on the date of filing for the primary election that the candidate and the candidate's authorized committees will meet the limitations on spending in the primary, runoff, and general elections; will meet the limitation on expenditures from personal funds, and will not accept contributions for the primary and runoff elections that exceed the limits. Within 7 days of qualifying for the general election ballot or winning a primary or runoff election held after September 1 (whichever is earlier), the candidate must file a certification, under penalty of perjury, which states that the candidate has not exceeded the primary expenditure and contribution limits, the contribution threshold has been met, at least one other candidate has qualified for the general election, the candidate and the authorized committee will not exceed the contribution and expenditure limits for the general election.

A general election candidate who does not intend to become eligible for public benefits must file a declaration with the Commission stating whether the candidate intends to make expenditures which will exceed the general election spending limit. Additional reports are required of such a candidate after he or she raises or spends more than 75 percent of the spending limit. An additional report is required each time a non-participating candidate spends an additional 10 percent of the limit until 133⅓ percent of the limit is reached.

The system of public benefits provides a compensating payment to eligible candidates for independent expenditures when such expenditures exceed an aggregate of $10,000. So that eligible candidates would receive such funding in an efficient manner, the bill requires that when an individual or group makes or obligates to make an independent expenditure for a Senate election in excess of $10,000, they are required to file a report with the Commission within 24 hours and to file additional reports within 24 hours each time an additional expenditure exceeds an aggregate of $10,000. These reports must be filed under penalty of perjury with the Commission and the appropriate Secretary of State and identify the affected candidate.

Because the bill restricts the spending by a candidate of personal funds, the Senate bill requires that any candidate who expends more than $25,000 from personal or imme-

diate family funds or by personal loan incurred by the candidate or the candidate's immediate family, must file a report with the Commission within 24 hours.

The bill requires that within seven days of becoming a Senate candidate, such candidate must file a statement with the Commission setting forth the amount and nature of any expenditures made before becoming a candidate which could be treated as a Senate campaign expenditure. The Commission is charged to review such a statement and determine whether such expenditures were made in connection with the Senatorial campaign and are thus subject to the applicable spending limit.

House amendment

No similar provision.

Conference substitute

The conference substitute follows the Senate bill with the modification for the filing of reports by non-participating candidates. The modified scheme of contingent benefits for a non-participating candidate requires a subsequent change in the reporting requirements. Non-participating candidates are required to file a report when they exceed the spending limits, and for each time that such a non-participating candidate exceeds the limits by 133⅓ and 166⅔ up to 200 percent of the limit.

SECTION 104. DISCLOSURE BY NONELIGIBLE CANDIDATES

Senate bill

Requires that any broadcast or other communication paid for or authorized by a non-eligible Senate candidate contain a disclaimer that such candidate has not agreed to abide by the spending limits.

House amendment

No similar provision.

Conference substitute

Adopts the Senate provision.

Subtitle B—Expenditure Limitations, Contribution Limitations, and Matching Funds for Eligible House of Representatives Candidates

SECTION 121. NEW TITLE OF THE FEDERAL ELECTION CAMPAIGN ACT OF 1971

Senate bill

No similar provision.

House amendment

The House amendment provides a voluntary spending limit for House candidates at $600,000 for the election cycle, no more than $500,000 of which can be spent during the general election period. The "general election period" is defined in the bill to begin the day after the primary and end the last day of the election year. Overall election cycle expenditures are subject to the $600,000 limit. A limit of $500,000 is also established for special elections.

Two specific increases are allowed to be made in the spending limit: (1) an additional $100,000 may be spent in the general election period in the event of a runoff election; and (2) an extra $150,000 may be spent in the general election period, if the candidate wins a contested primary with a margin of 10 percentage points or less.

In return for committing to abide by the applicable spending limits, certain benefits are made available to candidates. Enrollment is officially made in a "Statement of Participation" filed by the candidate with the Federal Election Commission and the Secretary of State in which state the candidate resides. This statement, in which the candidate irrevocably pledges to abide by the specified limits on spending and contributions (along with various compliance requirements) as a condition for receiving benefits, must be filed by January 31 of the federal election year or along with the official FEC statement of candidacy, whichever occurs later.

The House bill establishes a system of limits on the sources of contributions an eligible candidate may accept. The bill establishes limits of no more than ⅓ of receipts comes from PACs, and no more than ⅓ comes from large individual donations (defined as contributions from $200 to $1,000 per election). The remaining ⅓ may come from matching funds or small individual donations. Some of these targets are mandatory, whereas others are contingent upon a candidate's participation in the spending limit system. As with the expenditure limit, money raised for legal and accounting compliance costs and for paying federal and state taxes are exempt from the receipts limit (as well as from the PAC and large donor receipts limits discussed below). And just as the expenditure limit may be exceeded under specified circumstances, so too may the limit on contributions received, in parallel fashion. Candidates with runoff elections may raise an additional $100,000, with no more than half coming from PACs and no more than half from large donors.

Candidates who win closely contested primaries may raise an extra $150,000, with up to ⅓ from PACs, ⅓ from large donors, and ⅓ in additional matching funds.

Provision is also made for eligible candidates who transfer surpluses from one election cycle to the next. Up to $600,000 or the maximum cycle amount may be transferred, but that money is deducted from the $600,000 fundraising limit in the next cycle for purposes of determining the proportionate amounts which may then be raised from various sources. Once the transferred amount is subtracted, no more than ⅓ of the remaining figure may come from PACs, no more than ⅓ may come from large donors, and no more than ⅓ may come from matching funds.

Also, the penalties for raising money in excess of the contribution limits follow the same pattern as those for exceeding the expenditure limits, except that any amount raised that is less than 5% over the limit shall simply be refunded to contributors. This is to account for contributions which may be received in the closing weeks of a campaign, when the candidate is close to the permissible levels, but has not yet reached them. Because fundraising is an on-going process, and because contributions may be received unsolicited, the campaign is permitted a small excess to refund, rather than be subject to a civil penalty.

Matching funds will be available on a voluntary basis, to participating candidates, up to $200,000, or ⅓ of the overall campaign spending limit. The first payment would match the $60,000 eligibility threshold; thereafter, the first $200 of contributions from individuals will be matched, as applied for by candidates along with copies of checks or other negotiable instruments (which identify the contributor).

The $200,000 cap on matching funds received by a candidate (also indexed for inflation) may be increased under three circumstances: (1) by up to $50,000, if the general election spending limit was raised to offset a closely contested primary; (2) by an unspecified amount, if a candidate's non-participating opponent raises or spends more than $250,000 in the election cycle; and (3) by an unspecified amount, to offset at least $10,000 in independent expenditures made against the candidate or for his or her opponent.

Another benefit available to eligible candidates takes the form of reduced postal rates. Participating candidates in the general election will be eligible for the same third-class mailing rate that national political parties now receive. The number of pieces of mail will be limited to three times the voting age population (VAP) of that congressional district, presumably translating to three mailings to every voter.

The House bill provides that no eligible House candidate may receive amounts from the Make Democracy Work Fund unless such candidate certifies that any television commercial prepared or distributed by the candidate will be prepared in a manner containing or permitting close captioning.

Conference substitute

The conference agreement adopts the provisions of the House amendment to apply to the House, with the following changes:

1. In the Conference agreement, the House recedes to the Senate provision whereby eligible candidates with a runoff election may spend an additional 20% of the general election limit.

2. The Conference agreement omits the provision which would remove the spending limit for eligible House candidates if independent expenditures aggregating more than $60,000 are made in favor of another candidate, or against the eligible candidate.

3. Requires a non-participating candidate who makes expenditures in excess of 80 percent of the general election limit to report to the Federal Election Commission within 48 hours when such a threshold has been met. Moreover, a participating candidate may only make expenditures in excess of the $200,000 matching fund limit once the non-participating opponent has made expenditures in excess of 80% general election limit.

4. The Conference agreement changes the definition of low, medium, and large amounts of excess expenditures and contributions to be: less than 2.5%, between 2.5% and 5%, and over 5% respectively, and requires that such penalties shall be paid to the Commission. In addition, a corresponding modification is made with respect to the civil penalties section. This modification provides for a uniform schedule of civil penalties for both the Senate and House candidates who exceed the specified limits.

5. The House recedes to the Senate approach whereby indexing of expenditure and contribution limits would occur annually.

6. The Conference agreement provides that an eligible candidate may accept contributions for runoff elections equal to 20% of the general election limit, subject to further limitations of the House provision.

7. The Conference agreement limits the personal spending of participating House candidates to ten percent of the general election limit. This establishes a similar provision in the conference agreement as it relates to the Senate participating candidates.

8. The Conference agreement establishes a ceiling of 20% of the election cycle limit on the balance of the legal and accounting compliance account and further specifies that no benefits may be transferred to a separate legal and accounting fund. This account is permanently segregated and may not be transferred into the candidate's campaign account.

9. The Conference agreement omits the provision of the House bill which removes the aggregate contribution limits for eligible candidates if independent expenditures aggregating more than $60,000 are made in

favor of another candidate or against the eligible candidate.

10. The Conference agreement increases the small individual contribution amount to $250 or less.

11. The Conference agreement omits the provision establishing the Make Democracy Work Fund. This modification is consistent with the intent of the conferees to eliminate all provisions relating to the funding mechanism of the bill.

SECTION 122. LIMITATIONS ON POLITICAL COMMITTEE AND LARGE DONOR CONTRIBUTIONS THAT MAY BE ACCEPTED BY HOUSE OF REPRESENTATIVES CANDIDATES

Senate bill

No similar provision.

House amendment

The House amendment limits eligible candidates for the House of Representatives from receiving contributions from political action committees to $200,000. Moreover, this section limits the total contributions such a candidate may receive in individual contributions in excess of $200 to $200,000. In the case of an eligible candidate for the House who wins the primary by 10 percentage points or less, that candidate may, in the general election, accept contributions of no more than $150,000 (with $50,000 PAC limit and $50,000 large donor contributions).

Conference substitute

Adopts the House provision, with modification that the large donor threshold is $250.

SECTION 123. EXCESS FUNDS OF INCUMBENTS WHO ARE CANDIDATES FOR THE HOUSE OF REPRESENTATIVES

Senate bill

No similar provision.

House amendment

Provides that, for the initial election cycle for which the new limitations will apply, any incumbent of the House of Representatives who is a candidate for reelection, must deposit any campaign funds in excess of $600,000 into a separate account by the date he or she files a statement of participation under new section 502. This separate account must comply with the reporting requirements of the Federal Election Campaign Act of 1971. The amounts so deposited are available for any lawful use, other than for a campaign for the office of Representative.

Conference substitute

Adopts the House provision.

Subtitle C—General Provisions

SECTION 131. BROADCAST RATES AND PREEMPTION

Senate bill

Requires lowest unit rate to be available to all candidates in last 30 days before the primary and the last 45 days before the general election. This section also prohibits broadcasters from preempting advertisements sold to political candidates at lowest unit rate, unless beyond the broadcasters control.

House amendment

Identical provision.

Conference substitute

The Conference Agreement adopts the House provision as modified to provide that participating Senate candidates are permitted to purchase time at 50 percent of the lowest unit rate for the 45 days before the general election.

SECTION 132. EXTENSION OF REDUCED THIRD-CLASS MAILING RATES TO ELIGIBLE HOUSE OF REPRESENTATIVES AND SENATE CANDIDATES

Senate bill

Provides that eligible Senate candidates can mail first class mail at one-fourth the normal rate, and third-class mail at 2 cents less than the reduced first-class rate, with the candidate's share up to 5 percent of the general election limit.

House amendment

Provides that eligible House candidates can mail up to 3 pieces per eligible voter in district at same reduced third-class rate as national party committees.

Conference substitute

Eligible Senate and House candidates will be permitted to mail up to one piece per eligible voter (voting age population) at lowest third-class non-profit rate. This rate is available to eligible candidates during the general election period only.

SECTION 133. REPORTING REQUIREMENTS FOR CERTAIN INDEPENDENT EXPENDITURES

Senate bill

Section 304A(b) of the Senate bill requires persons, whether alone or in cooperation with others, who make or obligate to make independent expenditures for Senate elections in excess of $10,000, to report to the Secretary of Senate within 24 hours, and to file additional reports within 24 hours of each time the additional aggregate in such expenditures exceeds $10,000. Each report must identify the affected candidate. Within 24 hours of receiving a report of such independent expenditures, the Commission is required to notify each eligible candidate of independent expenditures in excess of $10,000 made against them of in favor of their opponent. The Commission is authorized to make its own findings regarding independent expenditures and is required to give the affected candidates notice of its findings.

House amendment

Section 402 of the House amendment requires any person who makes independent expenditures aggregating $5,000 to report to the Commission such independent expenditure within 48 hours after it is made and to file additional reports within 48 hours of each time an additional $5,000 in independent expenditures are made with respect to the same election. The term "made" means any action taken to incur an obligation for payment. Each report must indicate whether the expenditure is in support of or opposition to the candidate involved. Within 48 hours of receiving a report of such independent expenditures, the Commission is required to transmit a copy of such report to the candidate involved.

The House amendment also requires any person intending to make independent expenditures in the 20 days before an election to file a statement on the 20th day before the election. The statement must identify the candidate involved. Within 48 hours after receipt, the Commission must transmit a copy of the report to the candidate involved.

Conference substitute

The Conference agreement is the same as the House amendment, with the following modifications:

1. The threshold for filing the aggregate independent expenditure reports during the election cycle up to 20 days before an election is $10,000, as contained in the Senate bill. The pre-election report of independent expenditures filed on the 20th day before an election is still triggered at a $5,000 threshold.

2. The reports required by these sections shall be filed with the Secretary of Senate, Clerk of the House and the appropriate Secretary of State, depending upon the candidate involved. It is the conferees understanding that the Secretary of State and the Clerk of the House, operating under current resource levels, are sufficiently able to transmit copies of all reports to the Commission in a period of two to four hours. This will enable the Commission to meet its transmission requirements.

3. As contained in the Senate bill, the Commission is authorized to make its own findings regarding independent expenditures and is required to give the affected candidate notice of its findings.

SECTION 134. CAMPAIGN ADVERTISING

Senate bill

Requires candidates to clearly state that he or she approved any message, through a personal appearance for television advertisements, an audio statement for radio advertising, or a written statement for print advertisements. This disclaimer must also state that the advertisement was paid for and authorized by the candidate.

House amendment

Requires a clear statement of responsibility in advertisements with: a clearly readable type and color contrasts for print advertisements; clearly readable type, color contrasts, the candidate's image, and for a duration of at least 4 seconds, for television advertisements; and a clearly spoken message by the candidate for both television and radio advertisements.

Conference substitute

Adopts the House amendment.

SECTION 135. DEFINITIONS

Senate bill

The Senate bill defines the terms "eligible candidate," "Senate Election Campaign Fund," "Fund," "general election," "general election period," "immediate family," "major party," "primary election," "primary election period," "runoff election," "runoff election period," "voting age population," and "expenditure" and incorporates by reference all other definitions in Section 301 of the Act.

House amendment

The House bill defines the terms "eligible House of Representatives candidate," "general election period," and "election cycle."

Conference substitute

The conference agreement adopts the Senate bill with the following modifications:

1. The provisions of the Senate bill defining the Senate Election Campaign Fund are deleted, consistent with the conferees intent to eliminate all provisions relating to the funding mechanism of the bill.

2. Adopts appropriate definitions as they relate to the House system.

3. Section 301(13) of the FECA (2 U.S.C. 431(13)) is amended by striking "mailing address" and inserting "permanent mailing address." The conferees believe that the reporting requirement of a contributor's address should be revised in the interest of better disclosure of relevant information on reports. Experience since the 1980 amendments that permitted the reporting of a contributor's mailing address has shown that the use of permanent mailing address more accurately identifies an individual. It is the intent of the conferees that the "permanent mailing address" is the permanent residence of the individual.

SECTION 136. PROVISIONS RELATING TO FRANKED MASS MAILINGS

Senate bill

Prohibits a Member of the Senate who is a candidate for election to any public office from making a mass mailing under the frank

during the calendar year of any primary or general election for such office.

House amendment

No similar provision.

Conference substitute

The conference agreement adopts the Senate provision as it applies to the Senate. This section is modified to include a provision restricting mass mailings of Members of the House of Representatives to their district.

TITLE II—INDEPENDENT EXPENDITURES

SECTION 201. CLARIFICATION OF DEFINITIONS RELATING TO INDEPENDENT EXPENDITURES

Senate bill

Section 201(a) of the Senate bill adds the term "cooperative expenditure" to 2 U.S.C. 431(8) and states that an independent expenditure cannot include a cooperative expenditure, the latter being treated as a contribution from the person making the expenditure to the candidate on whose behalf it was made and as an expenditure by the candidate for whose benefit it was made.

Section 201(b) defines "cooperative expenditure" to specify certain relationships and activities between candidates and committees or other persons that constitute coordination, consultation or concerted activity between the parties and which do not constitute a relationship of sufficient independence to permit unlimited spending for or against a candidate.

House amendment

Section 401(a) of the House amendment amends the definition of "independent expenditure" contained at 2 U.S.C. 431(17) to include communications which contain express advocacy and are made without the participation or cooperation of a candidate. The definition excludes expenditures by political parties, political committees established, maintained or controlled by persons or organizations required to register as lobbyists or foreign agents, or persons who communicate or receive information regarding activities that have a purpose of influencing the candidate's election, from being considered independent expenditures.

Section 401(a) of the House amendment also adds the definition of "express advocacy" to 2 U.S.C. 431 to mean a communication that, when taken as a whole, is an expression of support for or opposition to a specific candidate, a specific group of candidates, or candidates of a particular political party, or a suggestion to take action with respect to an election, such as to vote for or against, make contributions to, or participate in campaign activity.

Conference substitute

The Conference agreement is the same as the House amendment, with the addition of the provisions of the Senate bill that set forth certain relationships and activities that result in expenditures which may not be considered independent. Consequently, the Conference agreement does not create a new class of expenditures, i.e., cooperative expenditures, but, rather, includes among the prohibitions contained in the House amendment, a number of specific types of relationships and activities which would abrogate the independence of an individual or organization.

The Conferees also agreed as to the importance of clarifying what is an independent expenditure by defining express advocacy. Among the problems recognized by the Conferees are communications which are candidate specific, but which lack specific words of exhortation, such as "vote for" or "vote against". The definition contained in the Conference agreement is intended to adopt the standard set forth in *FEC* v. *Furgatch*, 807 F.2d 857 (9th Cir., 1987) that no specific word is required for express advocacy, but, rather, a clear and unambiguous suggestion to take action is sufficient. In addition, the communication should be "taken as a whole," that is, reference, though limited, may be given to external events, such as the timing and context of the communication, as well as its content, in determining whether it contains express advocacy.0

TITLE III—EXPENDITURES

Subtitle A—Personal Loans; Credit

SECTION 301. PERSONAL CONTRIBUTIONS AND LOANS

Senate bill

Section 211 amends 2 U.S.C. 441a to prohibit contributions received after the general election from being used to repay loans from a candidate or immediate family member. No contribution may be returned to a candidate or immediate family member except as part of a pro rata distribution of excess funds to all contributors.

House amendment

No similar provision.

Conference substitute

Adopts Senate provision.

SECTION 302. EXTENSIONS OF CREDIT

Senate bill

The Senate bill amended the Act to count as a contribution any extension of credit of more than $1,000 for more than 60 days to Senate candidates by vendors of advertising and mass mailing services. This was intended to put an end to the practice of large vendor debts which remain unpaid for long periods of time and which are thus construed to have been contributions (in amounts which exceed the Act's limits).

House amendment

No similar provision.

Adopts the Senate provision modified to apply to both House and Senate candidates.

Subtitle B—Provisions Relating to Soft Money of Political Parties

Senate bill

The Senate bill includes several provisions to limit the use of nonfederal funds that affect federal elections. Political party committees would be prohibited from using soft money for any activities that affect a federal election, including get-out-the-vote activities, voter registration, and generic and mixed election activities that are during a federal election period. In addition, state and local party committee spending on mixed Federal-State activities would be subject to overall limits of 30 cents per voter.

State party contribution limits would be increased to the amount permitted to national parties. Federal office holders and candidates would be prohibited from soliciting contributions in excess of the federal limits and from sources not permitted under federal law. The exemptions for contributions and expenditures in current law that permit unlimited State party spending for "volunteer activities" that affect a federal election and for get-out-the-vote and voter registration for Presidential elections would be repealed. These exemptions would be replaced by a general four cents per voter coordinated expenditure allowance for Presidential elections. (This is indexed for inflation back to 1974 and is approximately 10 cents per voter in 1992 dollars.) Slate cards and sample ballots would continue to be treated as exempt activities except to the extent of the cost of mass mailing such listings.

House amendment

The House bill codifies existing rules established by the Federal Election Commission that require an allocation between federal and nonfederal accounts for spending that affects both federal and nonfederal elections. This includes spending on slate cards, sample ballots, voter registration, get-out-the-vote, fundraising and other generic and mixed activities which affect both federal and nonfederal elections. The bill establishes methods for allocating such costs depending on whether the national or state and local committees makes the expenditure and depending on what type of expenditure is made.

Conference substitute

The conference agreement adopts the Senate bill with certain modifications and clarifications regarding the responsibility and the role of state party committees and nonfederal candidates.

The conference agreement fully reflects the Senate intention to deal with what is perhaps the most serious abuse of the present system—the process of raising large sums of money not regulated under federal law to affect federal elections. This use of so-called "soft money" has seriously undermined existing anti-corruption laws and strained public confidence in the fairness of the electoral process and the integrity of government.

The soft money provisions of the conference agreement are intended to end the current practice of using large sums of nonfederal money to evade the federal contribution limits and prohibitions in order to affect federal elections. These provisions are designed to prohibit the use of soft money for activities which may, in whole or in part, affect a federal election. Moreover, the conference agreement requires that expenditures on these activities derive solely from sources that are permitted under federal law. This is the only way to ensure that the integrity of federal contribution limits and prohibitions is protected.

To this end, the conference report requires that all money solicited, contributed or spent with respect to an activity which in whole or in part is in connection with a federal election meets the limitations, prohibitions, and reporting requirements of the Act.

In adopting final conference language, it is the intention of the conferees to ensure that only contributions subject to the limitations and prohibitions of the Act may be used by state parties to conduct activities that affect federal elections—such as any get-out-the-vote drive during a federal election period, or generic or mixed activities which affect federal elections. All such activities must be, and have been, included in order to ensure that the soft money ban is effective. If, for example, a get-out-the-vote drive by a state party committees were conducted in the name of a gubernatorial candidate at a time when other, federal candidates were also on the ballot and this was not covered, the entire system of soft money in support of federal candidates would simply flow through this channel.

The state party activities which are exempt from the Act, as amended by the conference agreement, may not be used to evade federal contribution limits and prohibitions. The exemptions provided are only available for any activity which affects a nonfederal election.

For example, the exemption for "amounts contributed [by a state party] to a candidate for other than federal office" only applies to contributions to a non-federal candidate which are used on activities that affect nonfederal candidates. The exemption does not permit a non-federal candidate to serve as a conduit for receiving contributions which are then used for activities to benefit a federal candidate, such as a get-out-the-vote drive or generic advertising.

Similarly, the exemption that allows state parties to make expenditures for "campaign activities . . . that are exclusively on behalf of State or local candidates" cannot be used as a vehicle for expenditures by a state party which are used for *any kind* of get-out-the-vote activities (or any other activity) which affects a federal election, in whole or in part. The conference report specifically requires that if these activities, including get-out-the-vote activity of any kind, affects a federal election, the exemption would not apply and the activity would have to be financed with contributions which fully meet the limitations and prohibitions of the federal law.

The conference agreement prohibits state party committees from evading the contribution limits of federal law by using nonfederal money for get-out-the-vote activities for nonfederal candidates, recognizing that such activities may be undertaken with the real intention of aiding federal candidates. However, this would not prohibit the use of nonfederal money for written campaign materials, such as slate cards or brochures that support only specifically named nonfederal candidates, that have only an incidental effect on voting for the entire ticket, and that are not devices to use nonfederal money to assist federal candidates.

The exemption for state party administrative costs is meant to include those staff, overhead and related costs which are directly related to the support of state candidates or conventions. Staff who devote substantial portions of their activities to elections for federal office must be financed solely with funds which meet the contribution limits and prohibitions of the Act. State party administrative expenses may not be used to finance federally-related activities.

Under the conference agreement, national party committees may spend nonfederal money to support activities which are defined as not in connection with a federal election. National party committees are prohibited from raising or spending nonfederal money for any activity which in whole or in part affects a federal election.

While the conferees intend to put an end to the practice of using soft money to affect federal elections, they do not wish to interfere with the legitimate responsibilities of state party committees to help organize and coordinate election efforts for both federal and nonfederal candidates. Therefore, the conference report includes modifications to the Senate provisions to clarify the means by which state parties may operate coordinated campaigns between federal and nonfederal candidates.

These provisions permit state and local candidate committees to participate in coordinated campaign efforts sponsored by state party committees so long as the amounts received from the state and local candidate committees are derived from funds which are legal under federal law; that is, they are from sources and in amounts permitted under the Act. This is determined by examining the account balance of the state or local candidate committee at the time the payment or transfer is made. The balance shall be considered to consist of the funds most recently received by the committee for purposes of determining that the source and amount restrictions of federal law are met.

The state and local candidate committee must certify that such funds meet those requirements. However, the certification does not create a presumption that such funds meet the source and amount restrictions of federal law. State and local candidate committees, which make payments to state party committees for activities which in whole or in part affect federal elections, must keep records of the sources of the funds in their accounts from which the payments are made and be prepared to make such records available for examination to the Federal Election Commission.

The conferees are aware that coordinated campaign efforts between federal and nonfederal candidates can be organized and funded in many different ways. In some cases, coordinated campaigns may be informal arrangements where federal and nonfederal candidates appear together on campaign materials. In other cases, formal arrangements are made for the pooling of funds to be spent on a variety of activities to promote the election of federal and nonfederal candidates.

In some cases, candidates may wish to raise funds directly for the political party to fund a coordinated campaign. In other cases, candidates may make contributions to the party or may make payments to the party committee or to a vendor for the services provided to the campaign. In none of these cases are soft money funds allowed to be used for expenditures that may affect a federal election.

The conference agreement does not provide a detailed statutory framework to cover every conceivable arrangement of coordinated campaigns. Rather, the conference agreement is drafted in sufficiently broad language to cover varying arrangements for state party activities that affect federal elections. It is the intent of the conferees, as expressly stated in the conference agreement, that the Federal Election Commission promulgate regulations to ensure that the provisions of this section are not undermined or evaded through devises or arrangements which have the purpose or effect of avoiding the soft money restrictions.

In the past, campaign finance laws has been undermined by schemes that have been developed to avoid the limitations and prohibitions of the Act. The FEC should develop more elaborate accounting or reporting requirements to ensure the law is not evaded by candidates with more substantial financial resources such as state wide candidates or those with larger campaign operations.

The conferees are advised that some state and local candidate committees will make payments unrelated to any coordinated campaign for services such as voting lists which in part affect federal elections. The conferees do not require that such payments must meet the source and amount restrictions of the Act as long as such funds are in payment for services unrelated to a coordinated campaign with federal candidates or for activities that affect a federal election. Such funds will retain their character as nonfederal money in the accounts of the state party committee.

The conference agreement repeals provisions in current law which exempt certain campaign materials and presidential get-out-the-vote activities by state and local party committees from the definition of expenditure. These so-called "exempt activities" provisions have proven to be vehicles for the evasion of the contribution and coordinated expenditure limits of the law. Because of the varied fact patterns that can apply to such activities, this has been a difficult area of the law for the FEC to enforce. Party committees have claimed to have satisfied the "volunteer" aspect of these provisions simply by having a few volunteers stamp preprinted, pre-sorted mass mailings. Extremely complex accounting has been required to ascertain if national party funds are being used in part or in whole.

In place of these exempt activities provisions, the conference agreement gives state party committees their own coordinated expenditure allowance of four cents per voting age population (actually approximately ten cents per voter because this is indexed for inflation back to 1974) to correspond to other coordinated expenditure allowances in Act. The Senate bill is modified to limit this new coordinated expenditure allowance to expenditures other than television broadcasts.

The conference agreement deletes the Senate provision limiting the ability of political party committees to transfer federally permissible funds. The definition of "federal election period" for purposes of determining whether certain expenditures affect a federal election is modified to provide a uniform rule among states regardless of when their primary begins. Under the conference agreement, the "federal election period" will begin on April 1 in years when there is a presidential election, and on June 1 in nonpresidential election years.

TITLE IV—CONTRIBUTIONS

SECTION 401. CONTRIBUTIONS THROUGH INTERMEDIARIES AND CONDUITS

Senate bill

Contributions made through an intermediary or conduit, including contributions made or arranged to be made by an intermediary or conduit, would be limited to the contribution limit of the intermediary or conduit. In general, political committees; connected organizations; and their officers, employees and agents; as well as lobbyists, would be prohibited from acting as conduits or intermediaries of contributions to candidates except to the extent such contributions do not exceed the contribution limit of the conduit or intermediary. An officer, employee, or agent of an organization prohibited from making contributions under federal law (corporation, labor organization, or national bank) would be prohibited from serving as a conduit on behalf of the organization in excess of the contribution limit of the officer, employee, or agent. These rules would not prohibit bona fide joint fundraising efforts undertaken by candidates and party committees.

House amendment

Contributions through a conduit or intermediary would be prohibited, however, certain persons would not be considered to be a conduit or intermediary, including: a candidate or representative of a candidate; a professional fundraiser providing paid services to the candidate; a volunteer hosting a fundraising event at the volunteer's home; an individual transmitting contributions from the individual's spouse. For these purposes, the following cannot be a representative of a candidate: a political committee with a connected organization; a political party; a partnership or sole proprietorship, or an organization prohibited from making contributions under federal law, i.e. a corporation, labor organization, or national bank.

Conference substitute

The conference agreement follows the Senate bill with certain modifications taken from the House bill to clarify the reach of the provisions.

The intent of these provisions is to stop evasion of the contribution limits and prohibitions of current law whereby political committees, individuals, and others solicit individual campaign contributions and then bundle the contributions together or otherwise arrange for the candidate to receive the contributions in a way which allows them to be recognized as providing the contributions. In the case of a PAC, for example, this means that contributions are organized and provided by the PAC in excess of its contribution limits in a way that makes clear that the PAC is responsible for the contributions being made.

The purpose of the contribution limits and prohibitions of current law is to prevent corruption and the appearance of corruption. The bundling provisions in the conference report are designed to prevent the existing contribution limits and prohibitions from being evaded and undermined.

The conference agreement limits bundling by lobbyists; partnerships and sole proprietorships; organization prohibited from making contributions under federal law and their officers, employees or agents acting on the organization's behalf; and individuals who are agents, employees, or officers of a political party or connected political committee.

In general, the bundling provisions are not intended to interfere with the ability of federal candidates to raise campaign funds from persons who do not present problems of corruption or the appearance of corruption. Therefore, the conference agreement does not cover individuals acting in their own capacity (other than registered lobbyists to whom special provisions apply) unless they are engaging in such efforts on behalf of another entity covered by federal contribution limits and prohibitions.

For example, the bundling provisions do not apply to individuals serving as volunteers helping raise campaign funds for candidates through fundraising receptions or by other methods. So that there is no confusion about the reach of these provisions, the conferees have adopted specific clarifications from the House bill providing that the bundling restrictions do not apply to the following: a volunteer hosting a fundraising even at the volunteer's home; representatives of the candidate occupying a significant position in the campaign, professional fundraisers working for the candidate, and individuals transmitting a contribution from the individual's spouse.

If an individual in raising contributions for a candidate for federal office is acting in behalf of another entity covered by federal campaign limits and prohibitions, such as assisting a PAC or political party in making contributions in excess of its limit, then the contributions would be treated as coming from the PAC or political party as well as the original donor, in order to prevent evasion of the law.

Persons required to register as lobbyists or foreign agents would also be required to treat contributions they bundled for a federal candidate against their own contribution limit. The purpose of this provision is to ensure that lobbyists are not able to evade their contribution limits and use large sums of money beyond that which they are otherwise permitted to contribute to obtain influence with government officials.

SECTION 402. CONTRIBUTIONS BY DEPENDENTS NOT OF VOTING AGE

Senate bill

Section 223 of the Senate bill amends section 315 of the Act of count contributions of non-voting age dependents of another individual as contributions of that individual, and allocated between that individual and his or her spouse, if applicable. This was intended to prevent wealthy individuals from circumventing the Act's contribution limits by channeling donations through their children.

House amendment

Section 202 of the House bill contains the identical provision.

Conference substitute

The conference substitute is the same as the Senate and the House provisions.

SECTION 403. CONTRIBUTIONS TO CANDIDATES FROM STATE AND LOCAL COMMITTEES OF POLITICAL PARTIES TO BE AGGREGATED

Senate bill

No provision.

House amendment

The House amendment includes a provision to assure that candidates do not receive contributions from state and local party committees in excess of the limit. Since the amount a candidate can receive from all such committees is subject to a single limit, aggregation by all such committees is required and the candidate may not accept any contribution from any such party committee if that contribution when aggregated with all other contributions will exceed the overall limit.

Conference substitute

Adopts the House provision.

SECTION 404. LIMITED EXCLUSION OF ADVANCES BY CAMPAIGN WORKERS FROM THE DEFINITION OF THE TERM "CONTRIBUTION"

Senate bill

No provision.

House amendment

Provides for an exemption from the definition of the term "contribution" for any campaign expense voluntarily paid for by a campaign worker as an advance to the campaign provided the amount did not exceed $1,000 and that repayment was made by the campaign to the worker within 60 days of the date of the advance.

Conference substitute

Adopts the House provision with a modification of the amount to $500 and the period of the advance reduced to 10 days.

TITLE V—REPORTING REQUIREMENTS

SECTION 501. CHANGE IN CERTAIN REPORTING FROM A CALENDAR YEAR BASIS TO AN ELECTION CYCLE BASIS

Senate bill

Section 231(a) of the Senate bill amended section 304(b) of the Act to require candidates and authorized committees to aggregate information on their financial activity reports on an election cycle, rather than a calendar year, basis. This was intended to make reports conform to the way we actually conduct and think of elections today, rather than attempt to fit them into the artificial boundaries of the calendar.

House amendment

Similar provision.

Conference substitute

Adopts the House provision, applied to all Federal candidates.

SECTION 502. PERSONAL AND CONSULTING SERVICES

Senate bill

Section 231(b) of the Senate bill requires candidates to report any expenditure in excess of the reporting threshold made to a person who provides services or materials for the candidate, whether the payment was made directly or indirectly. This provision was intended to provide for the identification of subcontractors, or secondary payees, who are hired by campaign consultants to perform specific services for campaigns and thus to achieve fuller disclosure under the Act.

House amendment

No provision.

Conference substitute

The conference substitute is the same as the Senate bill.

SECTION 503. REDUCTION IN THRESHOLD FOR REPORTING OF CERTAIN INFORMATION BY PERSONS OTHER THAN POLITICAL COMMITTEES

Senate bill

No provision.

House amendment

Section 1001 of the House bill amended section 304(b)(3)(A) of the Act to require candidates to itemize contributions of over $50, rather than the current threshold of $200. This was intended to increase the amount of information which may be publicly available.

Conference substitute

Adopts the House provision.

SECTION 504. COMPUTERIZED INDICES OF CONTRIBUTIONS

Senate bill

No provision.

House amendment

Section 1004 of the House bill amended section 311(a) of the Act to require the FEC to maintain computerized indices of all contributions of at least $50, reduced from the current threshold of $200. This was intended to facilitate public access to the greater amount of information required to be disclosed under this legislation.

Conference substitute

Adopts the House provision.

TITLE VI—FEDERAL ELECTION COMMISSION

SECTION 601. USE OF CANDIDATES' NAMES

Senate bill

Section 301 of the Senate bill amended section 302(e)(4) of the Act to prohibit a political committee that is not an authorized committee from using a candidate's name in a way to suggest that the committee has been authorized by that candidate.

House amendment

Section 602 of the House bill contains a virtually identical provision.

Conference substitute

Adopts the House amendment.

SECTION 602. REPORTING REQUIREMENTS

Senate bill

Section 302(a) of the Senate bill allows candidate committees to file disclosure reports on a monthly basis in all years.

House amendment

No provision.

Conference substitute

Adopts the Senate provision.

SECTIONS 603–8. OTHER PROVISIONS RELATING TO THE COMMISSION

Senate bill

Several provisions would effect several substantive and procedural changes in the activity of the Commission.

The Senate was concerned with perceived inefficiency in the ability of the Federal Election Commission, as currently constituted, to enforce the law in an efficient and effective manner. The problem stems partly from partisan deadlock on a Commission which is made up of an equal number of individuals from each of the major parties. The bill would change the current requirement that the Commission have four affirmative votes to proceed on a recommendation of the general counsel to an affirmative vote of three members of the Commission. Under the provisions of the bill, the Commission could proceed to a finding of "reason to believe," to initiate or proceed with an investigation, the requirement for the production of documentary evidence, or to order and conduct testimony by three affirmative votes on a recommendation of the General Counsel.

S. 3 also took steps to remedy the unnecessarily lengthy amount of time in which it takes the Commission to resolve enforcement matters. Under the provision of the Act, the Commission is required to make a finding of "reason to believe" that a violation has occurred. This standard produces dual inefficiencies: (1) it requires extensive staff time of the Commission's general counsel to process the complaint, and (2) candidates, against whom a complaint is filled, are unwilling to proceed to conciliation of a complaint because the Commission's finding of reason to believe that a violation has occurred creates the impression that the candidates has in fact violated the laws. To remedy these problems, the bill makes the reason to believe finding one in which there is reason to believe that a violation *may have* occurred. The rationale being that this lesser standard creates a less stigmatizing allegation of wrongdoing, and therefore will make candidates accused of wrongdoing more likely to conciliate a complaint and resolve the matter in a more efficient manner.

In an effort to further expedite the process, S.3 reduces the time period for the Commission to correct apparent violations through conciliation.

The bill also restores authority to the Commission to conduct random audits random audits of political committees.

The bill would also establish the rate of pay for the general counsel to be the same as the staff director and further provides, that in the event of a vacancy in the position of the general counsel, the next highest ranking enforcement official shall serve as acting general counsel, pending the appointment of a successor.

House amendment

No similar provisions.

Conference substitute

Adopts the Senate bill with the following modifications:

1. The conference agreement eliminates the provision which would have permitted the Commission to proceed on certain prescribed recommendations of the general counsel by 3 affirmative votes. The conferees expressed concern that such a policy on an evenly divided politically oriented Commission might create an unreasonable number of inquiries. Further, such a policy may not adequately protect the rights of one being subjected to the process.

2. The conference agreement eliminates the provisions of the Senate bill which would have reduced the conciliation periods for enforcement matters. The conferees believe that the periods for conciliation in S.3 would not produce an adequate amount of time for the full benefits of conciliation to be realized.

TITLE VII—BALLOT INITIATIVE COMMITTEES

SECTION 701. DEFINITIONS RELATING TO BALLOT INITIATIVES

Senate bill

No similar provision.

House amendment

Defines the terms "ballot initiative political committee," "ballot initiative contribution" and "ballot initiative expenditure." A ballot initiative political committee is any committee, club, association, or other group of persons which makes ballot initiative expenditures or receives ballot initiative contributions in excess of $1,000 during a calendar year. A ballot initiative contribution is any gift, subscription, loan, advance, or deposit of money or anything of value made by any person for the purpose of influencing the outcome of any referendum or other ballot initiative voted on at the State, commonwealth, territory, or District of Columbia level which involves (A) interstate commerce; (B) the election of candidates for Federal office and the permissible terms of those so elected; (C) Federal taxation of individuals, corporations or other entities; or (D) the regulation of speech or press, or any other right guaranteed under the U.S. Constitution. The definition of ballot initiative expenditure parallels the definition of ballot initiative contribution.

Conference substitute

Adopt the House provision.

SECTION 702. AMENDMENT TO DEFINITION OF CONTRIBUTION

Senate bill

No similar provision.

House amendment

Amends the definition of "contribution" under the Act to exclude ballot initiative contributions.

Conference substitute

Adopts the House amendment.

SECTION 703. AMENDMENT TO DEFINITION OF EXPENDITURE

Senate bill

No similar provision.

House amendment

Amends the definition of "expenditure" under the Act to exclude ballot initiative expenditures.

Conference substitute

Adopts the House provision.

SECTION 704. ORGANIZATION OF BALLOT INITIATIVE COMMITTEES

Senate bill

No similar provision.

House amendment

Amends provisions of the Act pertaining to the organization of political committees to make them applicable to ballot initiative political committees.

Conference substitute

Adopts the House amendment.

SECTION 705. BALLOT INITIATIVE COMMITTEE REPORTING REQUIREMENTS

Senate bill

No similar provision.

House amendment

Amends provisions of the Act pertaining to political committee reporting requirements to make them applicable to ballot initiative political committees.

Conference substitute

Adopts the House amendment.

SECTION 706. ENFORCEMENT AMENDMENT.

Senate bill

No similar provision.

House amendment

Provides that the civil penalties of the Act shall apply to the organizational, recordkeeping and reporting requirements of a ballot initiative political committee.

Conference substitute

Adopts the House provision.

SECTION 707. PROHIBITION OF CONTRIBUTIONS IN THE NAME OF ANOTHER.

Senate bill

No similar provision.

House amendment

Provides that no person shall make a ballot initiative political contribution in the name of another person, and that no person shall knowingly accept a ballot initiative political committee contribution made by one person in the name of another.

Conference substitute

Adopts the House amendment.

SECTION 708. LIMITATION ON CONTRIBUTION OF CURRENCY

Senate bill

No similar provision.

House amendment

Provides that no person shall make a ballot initiative contributions of currency which, in the aggregate, exceed $100.

Conference substitute

Adopts the House amendment.

TITLE VIII—MISCELLANEOUS

SECTION 801. PROHIBITION OF LEADERSHIP COMMITTEES

Senate bill

Section 401 prohibits Federal candidates or officeholders from establishing, maintaining, or controlling a political committee, other than an authorized candidate committee or party committee.

House amendment

Section 601 prohibits a candidate for Federal office from establishing, maintaining or controlling any political committee other than a principal campaign committee, authorized committee, party committee, or joint fundraising committee. One year after the effective date of this Act, leadership committees must have disposed of their funds by giving them to charity, to the Treasury, to political parties, or to candidates subject to a $1,000 limitation per candidate.

Conference substitute

Adopts House amendment with modification to apply prohibition to a Federal officeholder as in Senate bill.

SECTION 802. POLLING DATA CONTRIBUTED TO CANDIDATES

Senate bill

Section 402 provides that contributions of polling data to Senate candidates be valued at fair market value on the date of the poll's completion, and depreciated at a rate of no more than 1% a day from the completion to the transmittal of the data.

House amendment

No similar provision.

Conference substitute

Adopts Senate provision applicable to all Federal candidates.

SECTION 803. DEBATES BY GENERAL ELECTION CANDIDATES WHO RECEIVE AMOUNTS FROM THE PRESIDENTIAL ELECTION CAMPAIGN FUND

Senate bill

Section 406 establishes that in order for general election candidates for President to

be eligible to receive public financing they must agree in writing to participate in at least 4 debates; candidates for Vice President must participate in at least 1 debate. If the Commission determines that such candidates have failed to participate in a debate, the candidate shall be ineligible to receive payments from the Presidential Election Campaign Fund and pay to the Treasury an amount equal to the amount of payments made.

House amendment

No similar provision.

Conference substitute

Adopts Senate provision.

SECTION 804. PROHIBITION OF CERTAIN ELECTION-RELATED ACTIVITIES OF FOREIGN NATIONALS

Senate bill

Section 410 of the Senate bill sought to curb the influence of foreign nationals in the U.S. electoral process, beginning with a statement of Congress' intent that such participation is to be prohibited. It amended section 319 of the Act, extending the prohibition on contributions by foreign nationals to cover any influence in directing, dictating, controlling, or participating in (even indirectly) any persons' or committee's decision making concerning contributions or expenditures in any election. It further required political action committees to state in solicitations that foreign nationals may not contribute and to certify to the FEC that foreign nationals did not participate in any decision making.

House amendment

Section 603 of the House bill amended section 319 of the Act to extend the prohibition on contributions by foreign nationals to cover any influence in directing, dictating, controlling, or participating in any person's election-related activities, such as making contributions or administering a political action committee.

Conference substitute

The conference substitute includes the House provision prohibiting influence by foreign nationals in any person's or committee's decisions regarding contributions and expenditures. It also includes the Senate solicitation requirement for PACs, but it deletes the Senate bill's FEC certification requirement and its statement of findings. It was felt that the conference substitute will adequately protect the political process from undue foreign influence, such as that perceived by some in a time of foreign ownership of many American corporations, while still safeguarding the political rights of employees of such businesses.

SECTION 805. AMENDMENT TO FECA SECTION 316

Senate bill

No provision.

House amendment

Permits union and corporate expenditures for candidate appearances, debates and voter guides as exempt from prohibition on corporate and union contributions and expenditures in Federal elections if certain conditions are met that are intended to assure that there is no express advocacy or favoritism through the structure or format of the activity.

Conference substitute

Adopts House amendment.

SECTION 806. TELEPHONE VOTING BY PERSONS WITH DISABILITIES

Senate bill

Section 501 requires the Commission to conduct a feasibility study on the development of telephonic voting for persons with disabilities. This would not supersede or supplant efforts by State or local officials from making polling places physically accessible to persons with disabilities. The Commission is required to file a report to the Congress within one year following the enactment of this Act.

House amendment

No similar provision.

Conference substitute

Adopts Senate bill provision.

SECTION 807. PROHIBITION OF USE OF GOVERNMENT AIRCRAFT IN CONNECTION WITH ELECTIONS FOR FEDERAL OFFICE

Senate bill

No provision.

House amendment

Provision would limit use of government aircraft in connection with a Federal election to the President and Vice President, and require that the government be reimbursed for actual cost of that portion of the use allocable to political activities and require full disclosure of the costs and the amount paid.

Conference substitute

Adopts the House provision.

SECTION 808. SENSE OF THE CONGRESS

Senate bill

No provision.

House amendment

Section 1301 of the House bill stated the sense of the Congress that it should consider legislation to provide for a constitutional amendment providing for limitations on Federal election expenditures. This was intended to allow Congress greater latitude in this area, in view of the restrictions imposed by the Supreme Court's 1976 ruling in *Buckley v. Valeo*.

Conference substitute

Adopts the House provision.

TITLE IX—EFFECTIVE DATES; AUTHORIZATIONS

SECTION 901. EFFECTIVE DATE

Senate bill

Provides that the Act, except as specifically provided elsewhere, should take effect on the date of enactment of the Act, but should not apply to any activities in connection with any election occurring before January 1, 1993.

House amendment

Similar provision.

Conference substitute

Conference agreement provides the Act, except as specifically provided elsewhere, should take effect on the date of enactment of the Act, but should not apply to any activities in connection with any election occurring before January 1, 1993. Moreover, the conferees have adopted section 902 which supersedes language in S. 3 and the House amendment that enacted various effective dates that were contingent upon different funding mechanisms. The approach of the Conference agreement establishes that the effective date of the provisions of the Act is the latter of Section 901 or the date of enactment of subsequent legislation as specified in Section 902.

SECTION 902. BUDGET NEUTRALITY

Senate bill

The Senate bill included Senate Amendment 244 which expressed the "Sense of the Senate" that funding for any benefits to candidates provided under the legislation is to be derived from removing the subsidy for political action committees with regard to their contributions and for other organizations with regard to their lobbying activities. The latter envisioned curtailing section 162(e) of the Internal Revenue Code, allowing for a deduction against federal income tax liability of certain expenses to lobby the federal government for changes in federal laws and regulations. Under the Senate's construction, deductions would be denied to businesses for amounts incurred directly or paid to lobbying firms for a purpose other than that which would have direct impact on the business of that person. Lobbying firms could continue to deduct expenses incurred in representing clients before the Congress and Federal agencies. The Joint Committee on Taxation provided an estimate that enactment of this provision would raise federal budget receipts by $500 million over the Fiscal Year 1992 to 1996 period.

It was also the Sense of the Senate that benefits would not be paid for by increasing revenues, reducing federal programs, or in any way increasing the federal budget deficit.

Moreover, section 101 of the Senate bill stated that, with regard to the broadcast vouchers provided to participating Senate candidates, funding was to be derived from voluntary contributions by citizens and groups, tax checkoff donations which do not stem from any tax liability (such as under the Presidential Election Campaign Fund's checkoff), or from persons and organizations made in connection with election activities.

House amendment

Title III of the House bill provides that estimates of the costs under Section 252 of the Balanced Budget and Emergency Deficit Control Act ("Deficit Control Act") will not immediately be counted towards the pay-as-you-go scorecard for sequestration purposes for Fiscal Year 1992. Instead, by January 1, 1993, all net costs of the bill must be fully offset by provisions to either raise revenues or reduce spending. Because the bill does not obligate expenditures, in terms of providing benefits to eligible candidates, until the second quarter of Fiscal Year 1994 at the earliest, the cost estimates required under Section 252 of the Deficit Control Act must be offset by savings that accrue from provisions to raise revenues or reduce spending for both Fiscal Years 1994 and 1995.

Moreover, the House amendment specified that if the following conditions have not been met by January 1, 1993, then the provisions of the Title VII relating to excess funds of incumbents, section 201 relating to the limitations on political committee and large donor contributions, and sections 504 through 509 relating to provision of matching payments and establishment of a Make Democracy Work Fund do not become effective: provisions creating incentives for individuals to make voluntary contributions to the candidate of their choice and for individuals or organizations to make voluntary contributions to the Make Democracy Work Fund.

Under the parameters of Title III of the House amendment, no revenue measure is implemented. The amendment establishes a Make Democracy Work Fund as the account to provide funds for matching payments pursuant to section 504 and to offset initial costs assumed by the Commission in the increased computerization of reporting requirements. The Make Democracy Work Fund is a Treasury account as specified under section 504(e), but the Committee on House Administration recommended that this account could be administered by a non-

governmental organization similar in structure to the "Points of Light Foundation Act" or the National Endowment for Democracy. The Committee further believes that the Make Democracy Work Fund could be entirely funded by voluntary private contributions by individuals or organizations subject to the long-standing principles underlying contributions to federal elections. Moreover, other avenues of investigation should include the addition of provisions for federal income tax purposes whereby taxpayers could voluntarily increase their tax liability and direct such sums to the Make Democracy Work Fund.

Conference substitute

The Conference agreement does not provide for any source of funds to pay for the benefits contemplated under Title I. Since the conference vehicle is a Senate bill, it would violate Article 1, Section 7 of the United States Constitution which requires that all bills which affect revenues must originate in the U.S. House of Representatives. Consequently, the Conferees have omitted any statutory language linking the established or administration of any account to the United States Government.

The Conferees have adopted the authorization approach of title III of the House amendment. Section 902 of the Agreement specifies that none of the provisions of the conference agreement shall be effective until the Congress enacts subsequent legislation effectuating this Act. This provision prohibits any estimated costs of the bill from being counted towards the pay-as-go scorecard for sequestration purposes. Furthermore, the conferees intend that this provision creates an open-ended authorization framework for campaign finance reform. And that designating the source of financing is an issue to be decided in subsequent legislation.

The Conference agreement also provides for a Sense of the Congress resolution that subsequent legislation effectuating this act shall not provide for any general revenue increase, reduce expenditures for an existing federal program, or increase the federal budget deficit. The Conferees believe that this Sense of the Congress approach best reflects the desire of both Houses to avoid the commitment of public resources to financing any part of Congressional campaigns.

SECTION 903. SEVERABILITY

Senate bill

The Senate bill provides that if any parts of S. 3, other than the spending limits and public benefits section, are held invalid, other parts of the Act are unaffected. However, if the spending limits and public benefits section was held invalid, the rest of the bill would also be invalid.

House amendment

The House amendment provides that if any part of the spending and contribution limits, matching funds, and reduced mail rates are held invalid, all of the political action committee and large donor limits are also held invalid.

Conference substitute

In an effort of avoid enacting piecemeal legislation, the Conference agreement provides that if key sections of in the Spending Limits and Benefits section (section 101) are held invalid, or any section of the House amendment aggregate limit on political action committee and large donor contributions (section 122) are held invalid, the entire bill is invalid. However, if any other parts of the bill are held invalid other provisions remain intact.

CHARLIE ROSE,
SAM GEJDENSON,
RICHARD GEPHARDT,
AL SWIFT,
LEON E. PANETTA,
MIKE SYNAR,
GERALD D. KLECZKA.

For consideration of sections 103 and 202 of the Senate bill, section 802 of the House amendment, and modifications committed to conference:

EDWARD J. MARKEY.

For consideration of sections 104, 404, 409, and 411 of the Senate bill, section 103 of the House amendment, and modifications committed to conference:

W.L. CLAY, FRANK MCCLOSKEY.

Managers on the Part of the House.

WENDELL H. FORD,
DAVID L. BOREN,
GEORGE MITCHELL.

Managers on the Part of the Senate.

GENERAL LEAVE

Mr. OWENS of New York. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the subject of my special order on today.

The SPEAKER pro tempore. (Mr. HAYES of Illinois.) Is there objection to the request of the gentleman from New York?

There was no objection.

A REVIEW OF THE STATE OF LIBRARIES IN THE NATION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York [Mr. OWENS] is recognized for 60 minutes.

Mr. OWENS of New York. Mr. Speaker, my special order today relates to libraries of the Nation. As is the custom each year, I take time to review and summarize the state of libraries in the Nation during National Library Week.

It has been my custom in the past that I also begin the discussion by reading a letter from the President with respect to the declaration of National Library Week, and I will do that again this year, from the President, the White House—

Henry David Thoreau rightly observed that books are the treasured wealth of the world and the fit inheritance of generations and nations. Indeed, when we unlock these wonderful stories of knowledge, creativity and wisdom, we enrich our minds and often our hearts as well. For example, reading enables us to transcend time and space, giving us means to explore the past or the vast frontiers of science. Reading can also broaden our sympathy by helping us to understand the experiences of persons from different backgrounds.

And I continue to quote the President:

In addition to providing us with access to books, our Nation's libraries also offer access to information and ideas through a wide range of periodicals, audio and videotapes, electronic data bases and educational and research services. Whether helping children to learn how to read or supporting adult literacy programs, librarians play a great role in making America a nation of students which is one of our national education goals. Because an educated and informed public is the lifeblood of democracy, librarians also help to preserve our Nation's great experiment in liberty and self-government.

And I continue to quote the President:

For all of these reasons, I am pleased to join with the American Library Association in celebrating National Library Week. Barbara and I encourage all Americans to visit their local library and to exercise their right to know.

The letter is signed by George Bush.

Mr. Speaker, I am including the letter in its entirety in the RECORD.

Mr. Speaker, I always begin by reading the President's statement on National Library Week, because I would like for all of the librarians in the Nation to know, and I would like for all of the people who use libraries, whether they use school libraries, public libraries, special libraries, college libraries, I would like for them all to know that this administration understands the value of libraries. They understand that libraries are at the heart of the education process. They understand that.

I want everybody to know that they understand it, because the contrast between their understanding and what the President says in his letters and the actions that are taken by this administration are, indeed, appalling. There is a great gap between words and actions when it comes to libraries.

Indeed, this President, this administration, is not as bad as the last administration. For 8 years, the previous administration placed zero in the budget, zero dollars in the budget for aid to libraries from the Federal Government. This administration has not been quite as bad. But it is almost as bad.

This administration, despite its flowery words about libraries, placed $35 million in the budget for aid to libraries under the Library Services and Construction Act. The Library Services and Construction Act is the primary vehicle for providing aid to public libraries and various other projects related to public library service. $35 million, that is down from what the present appropriation is. The present appropriation for the Library Services and Construction Act is $132 million. $132 million is the present appropriation, and that is totally inadequate. That is the only Federal aid directly to public libraries.

The American Library Association is asking for $207 million. Contrast what the President put in the budget, $35 million, with the request of the American Library Association for $207 million.

Even the $207 million is a very moderate request. Consider for a moment the fact that $207 million to aid all of

the libraries throughout the entire 50 States, the entire Nation, $207 million, consider what that means in terms of modern costs. Just compare for a moment the fact that $207 million, if that were granted, would not even be one-third of the cost of a B-1 bomber. A B-1 bomber is estimated to cost now about $700 million. So $207 million would not even be one-third the cost of one B-1 bomber.

When you consider the fact that the cold war is over, the evil empire of the Soviet Union has been defeated, you might ask yourself the question: Why are we continuing to build Seawolf submarines? Seawolf submarines cost $2 billion, $2 billion, and we are continuing to build weapons that could fund the Library Services and Construction Act for 10 years.

Consider how paltry the sum of money is that is being proposed by the administration or how small the sum of money we are requesting is a moderate request for the needs of libraries.

I would like to continue by beginning to show again that the administration has a great gap between its words and its deeds. As we all know, the administration is proposing a set of programs for rescissions. A rescission means that they will take back money that has already been put in the budget. The administration has the right to come to the Congress and recommend rescissions, that we not spend the money for programs that have already been appropriated.

□ 1450

I was shocked to find that under consideration at present, they have not offered the list yet, but the second list is on its way, I understand, and under consideration are several programs relating to libraries. Library programs of tiny amounts of money are being called pork barrel projects, pork barrel.

Mr. Speaker, I think that the very fact that the term pork barrel could be applied to tiny, very sparsely funded library programs, is an indication of the depth to which common sense has fallen in this city. There obviously is no common sense, no decency anymore in terms of terminology when you call public library programs and other programs funded for libraries programs that are pork barrel programs; but there is a rescission list which includes library programs. The administration has begun proposing certain fiscal year 1992 program projects for rescission, and 68 rescission requests have already been sent to Congress, and no library education projects are included in the first 68, but the library programs are on the second list.

Mr. Speaker, to continue with my special order on libraries, I was noting the fact that the administration, which by its letter shows that it recognizes the importance of libraries, nevertheless by its actions on the budget is demonstrating a lack of concern, a lack of really understanding the role that libraries play in the educational process. We are at an hour now where education is on the list of everybody in Washington. We have heard of America 2000 and the President's strategy for improving education and numerous proposals for improving education.

We have six goals that we are trying to meet. All those goals require that libraries be involved; nevertheless, the same administration that proposes the six goals and so many other forward movements on education, is recommending to cut libraries.

On the hit list for libraries is the LSCA-5 program. This is the Library Services and Construction Act Title 5 Program, which provides direct competitive discretionary grants to State and public libraries for the acquisition of foreign language materials. Foreign language materials become very important as we move into a new world order where the obvious global coming together will take place at a faster rate. Without the evil empire, without the competition between communism and capitalism, it is likely that we are going to have a speedier rate of interaction between cultures and nations. Foreign languages have become far more important than they have in the past, not just to people in universities and colleges, but there should be a lot of distribution of foreign language books in general.

Only a small amount of money is involved. We are talking about 32 States requesting a total of about $4 billion. That is on the hit list as a pork barrel project.

The Higher Education Act, title 6, section 607, which also deals with international and foreign language studies, that is on the proposed hit list of pork barrel projects.

It is unfortunate that at a time when the term "new world order" has been coined by the President and by this administration, we are taking steps backward from our preparation for the new world order merely by understanding languages and cultures of various nations throughout the globe.

Mr. Speaker, I ask unanimous consent to enter the entire text of this piece entitled "Library Programs May Be Proposed For Rescission" into the RECORD.

The SPEAKER pro tempore. (Mr. HAYES of Illinois). Is there objection to the request of the gentleman from New York?

There was no objection.

The article above referred to is as follows:

[ALA Washington Office Fact Sheet]

LIBRARY PROGRAMS MAY BE PROPOSED FOR RESCISSION

BACKGROUND

The Administration has begun proposing certain FY 1992 "pork barrel" projects for rescission. Some 68 rescission requests have already been sent to Congress with a recommendation to defund a variety of already funded projects which had no peer review. No library or education projects are included in the rescission requests pending as of April 2.

LIBRARIES ON HIT LIST?

Indications are that the Administration's broader "universal list" of possible future rescission requests includes two small library grant programs—the Library Services and Construction Act title V for the acquisition by state and local public libraries of foreign language materials; and the Higher Education Act title VI section 607 program for the acquisition and sharing by research libraries of periodicals published outside the United States. Other funded library programs which have been proposed for elimination in Administration budgets may also be included on the "universal list."

LSCA V

The LSCA V program provides direct competitive discretionary grants to state and public libraries for the acquisition of foreign language materials. Such materials require special effort and extra cost to identify, purchase, process, and service, but libraries need them to serve our increasingly diverse population. Large numbers of recent immigrants speaking dozens of foreign languages require native language materials geared to both children and adults for recreation, education, and life-coping skills.

Through initial FY91 funding of $976,000, LSCA V grants went to 31 libraries in 13 states from Alabama to Alaska. Under the FY92 appropriation of $976,000, 131 applications from libraries in 32 states are pending, requesting a total of more than $4 million. Are these libraries to be told they have invested precious time and scarce resources in vain because of a possible rescission?

HEA VI SEC. 607

The HEA VI international and foreign language studies program includes in part A, sec. 607, a program of direct competitive discretionary grants to research libraries for the acquisition of periodicals published outside the United States. Recipients are institutions of higher education or libraries or consortia which have appropriate collection strengths and a commitment to share their resources.

Funded for the first time in FY92 at $500,000, sec. 607 responds to a double crisis. First, a dramatically changing political, social, and economic international landscape has generated renewed demands for emphasis on international research and education in order to regain a competitive edge for this country. U.S. researchers must have access through their libraries to the latest research findings from around the globe.

Second, foreign periodicals are among the most expensive materials for libraries to acquire, a condition magnified by the decline of the dollar on international currency markets. The average periodical price is now close to $150 per title; costs have risen 72 percent in only five years. The number of periodical titles purchased by major research libraries has declined by one percent per year despite the fact that periodicals now account for more than three of every five dollars spent for on-campus materials in the average research library.

CONCLUSION

All LSCA and HEA library programs administered by the Department of Education are effective, stimulative, and competitive. Library programs are not "pork," and would be highly inappropriate candidates for rescission.

Mr. Speaker, I have a special sympathy and understanding of libraries because I happen to be a librarian by profession, the only librarian in the Congress. I welcome my colleagues today who have submitted various items for this special order. Each year we have a number of Congressmen, my colleagues, who do join me in taking note of the fact that libraries make a great contribution to our society and our Nation at a very low cost. Libraries are probably the best bargain we have on the educational shelf. For the small amount of money we spend on libraries, we get a tremendous return.

Public libraries throughout the United States are now facing the worst financial crisis since the Great Depression. Public library systems around the Nation are reeling from extensive budget cuts, forcing branch closing, layoffs, reductions in hours, and a dramatic curtailing of new books in serial acquisition. This crisis is in some respects even worse than that of the Depression, because during the Depression not one public library was forced to close its doors, but today libraries are closing their doors all over the Nation.

In north New Jersey, for example, a $1.2 million budget cut has forced the Newark Public Library to shut down three branches, to eliminate all Sunday hours, and to close the entire library system on the first Monday of every month.

In my home borough of Brooklyn in New York City—Brooklyn has one of the finest public libraries in the Nation, probably in the world—but 46 of the Brooklyn Public Library's 58 branches are now only open 2 to 3 days a week. The remaining 12 branches are open only 5 days a week and the central library, which used to be open all 7 days a week, is now open only 6 days.

In Brooklyn, 120 librarians and support personnel have been laid off. This is at a time when we are talking about the need for the improvement of education in America. We have six goals. We are looking forward to the year 2000 when America will be first in education, when our students will be world class students, our schools will be world class schools. We cannot accomplish this if we are so callously treating our libraries.

The case in Chicago, just as it was at the opening of the largest public library in the world in Chicago, budget cuts forced the Chicago Public Library to reduce hours for 80 of its branches and lay off 100 personnel.

As you know, Mr. Speaker, Chicago recently opened its new main branch of the central library, which is the largest public library in the world, and at the same time they were opening that magnificent facility, they were forced to reduce hours at 80 of the branches and lay off 100 of their personnel.

Public library funding is really the smallest part of our national education budget. On the one hand, it is the smallest part of our national education budget; on the other hand, it serves more people than any other educational institution we have.

Think of the fact that every American has access to public libraries from school, or the cradle, all the way to the grave. Preschool children, kindergarten children, elementary and secondary students, high school students, college students, senior citizens, people who are studying to continue their education, everybody has access to libraries. For the small amounts of money we put in, we could provide an educational opportunity to learn for the greatest number of people.

We spend $213 billion on our elementary and secondary education system, and we educate about 40 million young people nationwide.

We spend $140 billion on our system of higher education and we educate about 13 million students, but we spend only—and when I say spend, I mean the total of all governments combined, the local government, the State government and the Federal Government, the Federal Government spends very little of the proportion—but the total expenditures for libraries from all three branches of government is only about $4 billion to support public library services nationwide.

The current estimates are that 120 million adult Americans regularly use the library services. There are 120 million who regularly use the services that are available to every American who wants to use them.

The $4 billion we spend every year on public libraries is about the same that we spend as a Nation to go to the movies every year or to purchase sneakers and athletic shoes. It is just 10 percent of the amount we spend on tobacco products. That $4 billion spent for libraries is just 10 percent of the amount we spend for cigarettes, cigars, and other tobacco products every year.

The $4 billion that is spent—again I am talking about all three branches of government, spent by the local government as well as the State and the Federal Government—that $4 billion if added up would be the equivalent of only 10 Army Apache helicopters.

□ 1500

The Army has more than 500 Apache helicopters. What we spend on libraries would be about 10 Apache helicopters.

Looked at another way, according to the General Accounting Office, the Department of Defense now has about $28 billion in excess aircraft spare parts, aircraft spare parts that the Department of Defense cannot use any time in the foreseeable future. We could have run our public library system for 7 years with the amount of money that the Department of Defense spent on aircraft parts that it cannot use.

You want to understand where waste is in Government? You want to understand where the real scandal in Washington is, how ridiculous it is when we begin to appropriate money for education for social programs, how ridiculous our discussions are? Then look at the fact that we are spending $28 billion from the Department of Defense to take care of excess aircraft spare parts, spare parts that we will never be able to use.

The Federal Government contributes, of this $1 billion that I talked about, the Federal Government contributes about 1 percent of the total of public library funds. The Federal Government contributes only about 1 percent of library funding.

It does not do much better in the area of elementary and secondary education. In the area of elementary and secondary education, we contribute, from the Federal Government, only about 6 percent of elementary and secondary education funding. Local school districts and States fund most of the budget of our schools.

In the area of higher education, colleges and universities, the Federal Government traditionally has been more active there and had a history of support for higher education. The Federal Government spends about 15 percent of the costs for higher education.

Still, most of the costs for higher education come from States and local governments and, of course, from the private sector since we have the finest private universities and colleges in the world.

But even this small amount that the Federal Government is spending for education, including the 1 percent for libraries, is critical; it is critical that the Federal Government continues to spend this amount and do more because it has been directed to making the critical improvements in library services which would not otherwise be possible.

Federal funding over the last 20 years has helped public libraries to initiate special programming for children, for senior citizens, for immigrants, for people with disabilities, and for other innovative services.

Federal funding of public libraries has helped to expand public access to library services through bookmobile services, interlibrary loans, electronic networking, and the renovation and construction of new library facilities.

Unfortunately, the Bush administration is determined to wipe out even this small amount of Federal funding. I have already indicated how they are proposing to cut the present funding that comes from the Federal Government, from the paltry sum of $132 million down to $35 million.

Mr. Speaker, I would like to just sum up again that this administration has all the right words. I would like to state again that they have the right words. They understand how important libraries are.

Let me quote from President Bush:

America 2000 calls for a revolution in American education. Libraries and information services stand at the center of this revolution. And today our more than 15,000 public libraries serve nearly 70 percent of our population. They loan 1.3 billion items each year, and they use less than 1 percent of our tax dollars. I think you will agree that is quite a bargain. Our libraries serve as school rooms for lifetime learning and the launching pads for our future.

That was the President.

Now, the Secretary of Education, Lamar Alexander, also knows the right words, on the other hand offers very little support.

I quote the Secretary of Education:

There is no part of American education that is more central to a community's moving toward the national education goals. We need the people's universities, our libraries at the center of that revolution, helping America community by community to reach its potential.

Mr. Speaker, both of these last two quotes, one from the President and one from the Secretary of Education, were quotes taken from the White House Conference on Libraries, which was held last July, 1991.

Mr. Speaker, I would like to enter into the RECORD a number of important facts summarizing the state of libraries in our Nation today.

There is a document entitled "The Status of Major Library-Related Legislation Active This Month," which gives us a rundown as of April 3, 1992, the items that were in process either in committees, in the House of Representatives or in the Senate. Each item related to libraries in some way.

Mr. Speaker, I enter that in its entirety, "The Status of Major Library-Related Legislation Active This Month."

STATUS OF MAJOR LIBRARY-RELATED LEGISLATION ACTIVE THIS MONTH

As of April 3, 1992	House	Senate
Library Program Appropriations: Despite a speech to the White House Conference calling libraries central to his educational reform initiatives, President Bush proposes to reduce LSCA and HEA library program funding by 76%, from $147.7m in FY92 to $35m in FY93; to fund only one program, LSCA I; and to fund only one LSCA I purpose, adult literacy activities.	L–HHS–ED Appropriations Subcommittee hearings underway.	L–HHS–ED Appropriations Subcommittee hearings underway.
Possible Rescissions? The Administration has begun proposing certain FY92 "pork barrel" projects for rescission or defunding. The Administration's "universal list" of possible future rescission requests includes two small library grant programs—LSCA V for public library acquisition of foreign language materials, and HEA VI sec. 607 research library acquisition and sharing of foreign periodicals. The "universal list" may also include other funded library programs the Administration has tried to eliminate. Library programs are effective and competitive; they are not "pork;" and would be highly inappropriate on such a rescission list.	Early warning only—Not currently pending but may be (inappropriately) proposed.	Early warning only—Not currently pending but may be (inappropriately) proposed.
LSCA II Funds in Emergency Funding Bills: Three economic stimulus bills include new funding for LSCA II public library construction and renovation projects. H.R. 4416, introduced in March by Appropriations Committee Chairman Whitten and 29 Democratic cosponsors, includes $50m for LSCA II. S. 2137 (Sens. Kennedy and Wellstone) and S. 2293 (Sen. Riegle) each include $60m for LSCA II.	H.R. 4416 Pending in Appropriations Committee.	S. 2137, S. 2293 No action to date.
Congressional Budget Activity: The House-passed congressional budget plan assumes a freeze level for the education and training wedge of the budget pie. A more favorable House option would have over $4b for education and Head Start, but was predicated on removal of the budget "walls" separating defense, domestic, and international spending. However, both House and Senate failed to approve measures allowing defense spending cuts to be used for domestic programs.	H. Con. Res. 287 passed; H.R. 3732 defeated.	Budget Committee markup began April 2; S. 2399 postponed after move to close debate failed.
ESEA Chapter 2 School Block Grant: School block grant includes school library resources and librarian training among 7 targeted purposes. Administration requests $465.2m, a 2% cut, and proposes that 50% of funds be used to promote educational choice programs.	L–HHS–ED Appropriations Subcommittee hearings underway.	L–HHS–ED Appropriations Subcommittee hearings underway.
Postal Revenue Forgone: Administration request of $121.9m is $360m short of amount USPS estimates is needed to keep preferred rates for schools, libraries, etc. at current levels. Admin. proposals to narrow eligibility would, for instance, preclude most public library use of 3rd-class nonprofit mail as a non-school use.	Treasury, Postal Service Appropriations Subcommittee hearings underway.	Treasury, Postal Service Appropriations Subcommittee hearings underway.
Government Printing Office: GPO SuDocs needs full budget request of $30.9m to support distribution to depository libraries in every congressional district, especially 1990 census materials and electronic government information.	Legislative Appropriations Subcommittee hearings completed.	Legislative Branch Appropriations Subcommittee hearings completed.
Library of Congress: LC needs full budget request of $357.5m. Of the 9% increase, ⅔ is for maintaining current services to Congress, the nation's libraries, and scholars. Other needs are for increased space to maintain and preserve the growing collections, provide ergonomically correct work stations, and improve sci/tech information services.	Legislative Appropriations Subcommittee hearings completed.	Legislative Branch Appropriations Subcommittee hearings completed.
National Agricultural Library: Administration requests $1.8m, a 1.7% increase. Elaine Albright, University of Maine, representing the U.S. Agricultural Information Network, is scheduled to testify in support of the NAL budget on April 7 before the House Appropriations Subcommittee on Rural Development, Agriculture, and Related Agencies.	Elaine Albright testifies April 7 at 2:30 pm, Rayburn House Office Building Rm. 2362.	Agriculture Appropriations Subcommittee hearings underway.
National Library of Medicine, Medical Library Assistance Act: Administration requests $108.7m, of which $15.2m is for MLAA	L–HHS–Ed Appropriations Subcommittee hearings underway.	L–HHS–ED Appropriations Subcommittee hearings underway.
National Archives, National Historical Publications and Records Commission: Administration requests $165m, including $4m for NHPRC, $1.4M below current level. $10m is needed for NHPRC grants, which should be added to the National Archives total.	Treasury, Postal, General Government Appropriations Subcommittee hearings underway.	Treasury, Postal, General Government Appropriations Subcommittee hearings underway.
National Endowment for the Humanities: Administration requests $187m, a 6.3% increase. The $18m included for the brittle books initiative is short of NEH's own 5-yr. plan which calls for $20.3m in FY93. Humanities Projects in Libraries would be level-funded at $2,750,000; at least $3m is needed.	Interior Appropriations Subcommittee hearings underway.	Interior Appropriations Subcommittee hearings underway.
Higher Education Act Reauthorization: Both House and Senate HEA bills include library groups and higher education associations. Education Subcommittee conferees on these bills are urged to support: (1) the House bill's more adequate authorization levels for existing HEA II programs ($75m compared with $32.5m); (2) the House authorization of $25m for a new HEA II program to strengthen libraries and library education programs at historically black colleges and universities (as recommended by White House Conference delegates); (3) the House authorization of $8.5m for HEA VI sec. 607, acquisition and sharing of foreign research materials (compared with the Senate level of $1m), but without the House limitation of only 8 grants per year; and (4) the Senate authorization of $400m for improvement of academic and library facilities under HEA VII–A.	H.R. 3553 Passed 365–3 on March 26; Crane (IL); Doolittle (CA), Stump (AZ) voted no.	S. 1150 Passed 93–1 on February 21; Helms (NC) voted no.
GPO WINDO: Government Printing Office Wide Information Network Data Online Act would establish online access to public government information through GPO. The GPO WINDO would be a single account, one-stop-shopping way to access and query federal databases, complementing other agency dissemination efforts. Information would be priced for most subscribers at approximately the incremental cost of dissemination, and provided without charge through the depository library program. Introduced by Rep. Charlie Rose (NC) with cosponsors Owens (NY), Rahall, Ritter, Matsui, Penny, Kopetski, Evans, Bacchus, Vucanovich, Sanders, and Fazio.	H.R. 2772 Hearings planned this session by House Administration Committee.	No comparable bill as yet.

Mr. OWENS of New York. Mr. Speaker, I enter into the RECORD at this time an item entitled "Summary of American Library Association Appropriations Recommendations for Fiscal Year 1993, Labor-Health and Human Services-Education Appropriations."

SUMMARY OF AMERICAN LIBRARY ASSOCIATION APPROPRIATIONS RECOMMENDATIONS FOR FISCAL YEAR 1993 LABOR-HEALTH AND HUMAN SERVICES-EDUCATION APPROPRIATIONS

Library programs	Fiscal year— 1991 Appropriation	1992 Appropriation	1993 Authorization	1993 administration request	1993 ALA recommendation
Library Services and Construction Act	$132,163,000	$129,663,000	Such sums	$35,000,000	[1] $207,500,000
Title 1, Public Library Services	83,898,000	83,898,000	do	[2] 35,000,000	100,000,000
Title II, Public Library Construction	19,218,000	16,718,000	do	0	55,000,000
Title III, Interlibrary Cooperation	19,908,000	19,908,000	do	0	35,000,000
Title IV, Indian Libraries [3]					
Title V, Foreign Language Materials	976,000	976,000	Such sums	0	1,000,000
Title VI, Library Literacy	8,163,000	8,163,000	do	0	10,000,000
Title VII, Evaluation and Assessment	0	0	do	0	500,000
Title VIII, Library Learning Center Programs [4]	0	0	do	0	6,000,000
Higher Education Act Library Programs	10,735,000	18,084,000	Needs new authority	0	[5] 24,000,000
Title II–B, Training and Research	976,000	5,325,000	do	[6] 0	6,000,000
Title II–C, Research Libraries	5,855,000	5,855,000	do	0	10,000,000
Title II–D, Technology	3,904,000	6,404,000	do	0	7,000,000
Title VI, section 607 Foreign Periodicals	0	500,000	do	0	1,000,000
Hawkins/Stafford Elementary/Secondary School Improvement Act, ESEA Chapter 2 [7]	469,408,000	474,600,000	$706,000,000	465,220,000	500,000,000

SUMMARY OF AMERICAN LIBRARY ASSOCIATION APPROPRIATIONS RECOMMENDATIONS FOR FISCAL YEAR 1993 LABOR-HEALTH AND HUMAN SERVICES-EDUCATION APPROPRIATIONS—Continued

Library programs	Fiscal year—				
	1991 Appropriation	1992 Appropriation	1993 Authorization	1993 administration request	1993 ALA recommendation
National Commission on Libraries and Info. Science	732,000	831,000	Such sums	1,000,000	1,000,000
National Center for Education Statistics (including library surveys)	63,524,000	77,213,000	....do	128,400,000	128,400,000
National Library of Medicine (including Medical Library Assistance Act)	91,408,000	100,303,000	42 U.S.C. 275	108,662,000	108,662,000

[1] For LSCA, ALA recommends amounts authorized for fiscal year 1990 in Public Law 101-254, signed March 15, 1990.
[2] Proposed to be used only for adult literacy activities.
[3] Funded at 2% of appropriations for LSCA I, II, and III.
[4] Under Public Law 101-254, no appropriation may be made for LSCA VIII unless the total for LSCA I, II, and III is at least equal to the previous year's total plus 4 percent. (ALA's first priority for LSCA funding is restoration of LSCA programs currently funded.)
[5] ALA recommends amounts authorized for fiscal year 1987 for HEA II-C and HEA VI, section 607; and modest increases for HEA II-B and II-D.
[6] Part of a proposed consolidation of several graduate fellowship programs with Secretary setting priorities for each year.
[7] The targeted uses of Chapter 2 funds include school library resources and training of librarians.

Mr. Speaker, in this summary there is a recommendation for $207,500,000 for library services and construction, along with other recommendations that are very important.

Mr. Speaker, I have another document entitled "What the States Would Lose," in terms of public library services, "What the States Would Lose," in terms of public library construction and technology enhancement, and "What the States Would Lose" in interlibrary cooperation and resource sharing. I enter those three documents into the RECORD.

[ALA Washington Office Fact Sheet—Library Services and Construction Act Title I]

WHAT THE STATES WOULD LOSE

PUBLIC LIBRARY SERVICES

Purpose: Grants to the states to extend and improve public library services to geographic areas or groups of persons for whom current service is inadequate, and to assist libraries "in making effective use of technology to improve library and information services." When appropriations exceed $60 million, a portion of the additional funds is earmarked for urban libraries.

Appropriation fiscal year 1992	$83,898,000
Admin. Budget Request fiscal year 1993	35,000,000
ALA Recommendation fiscal year 1993	100,000,000

Impact of the Administration's Budget: The wide array of library activities supported through title I priorities would be narrowed into one use—adult literacy. The budget would eliminate any flexibility in program activities (e.g., literacy programs for parenting teens and their babies, or daycare outreach programs would not be possible). If LSCA I funding is lost, the states would lose the following sums based on the FY 1992 appropriation.

What State would lose based on $82,220,040[1]

Alabama	$1,346,333
Alaska	356,050
Arizona	1,239,842
Arkansas	866,912
California	8,643,055
Colorado	1,134,635
Connecticut	1,132,570
Delaware	388,995
District of Columbia	372,180
Florida	3,870,549
Georgia	2,037,900
Hawaii	514,410
Idaho	485,519
Illinois	3,442,914
Indiana	1,772,903
Iowa	987,778
Kansas	902,899
Kentucky	1,245,535
Louisiana	1,397,226
Maine	548,369
Maryland	1,556,524
Massachusetts	1,906,887
Michigan	2,837,119
Minnesota	1,441,236
Mississippi	930,033
Missouri	1,651,737
Montana	426,698
Nebraska	647,795
Nevada	530,966
New Hampshire	514,700
New Jersey	2,393,090
New Mexico	629,832
New York	5,303,975
North Carolina	2,080,575
North Dakota	381,231
Ohio	3,277,376
Oklahoma	1,092,417
Oregon	1,006,380
Pennsylvania	3,570,877
Puerto Rico	1,199,218
Rhode Island	484,687
South Carolina	1,189,194
South Dakota	397,460
Tennessee	1,583,680
Texas	5,019,151
Utah	688,780
Vermont	359,657
Virginia	1,955,382
Washington	1,580,703
West Virginia	708,818
Wisconsin	1,587,817
Wyoming	328,685

[1] This figure does not include the 2 percent required to be set aside for LSCA IV, Library Services for Indian Tribes and Hawaiian Natives.

[ALA Washington Office Fact Sheet—Library Services and Construction Act Title II]

WHAT THE STATES WOULD LOSE

PUBLIC LIBRARY CONSTRUCTION AND TECHNOLOGY ENHANCEMENT

Purpose: Assists in building, purchasing, and improving library buildings, not only to provide needed repairs, but also to take advantage of technological enhancement, provide handicapped access and ensure safe working environments. Federal share of each project may not exceed one-half.

Appropiration fiscal year 1992	$16,718,000
Admin. Budget Request fiscal year 1993	0
ALA Recommendation fiscal year 1993	55,000,000

Impact of Proposed Program Elimination: Demand for federal library construction funds exceeds availability by several magnitudes. LSCA II is particularly valuable because it stimulates twice the amount of nonfederal matching money. According to a 1983 study conducted by the Bureau of Labor Statistics, one billion dollars in construction funds provides 24,000 full-time jobs for one year. If LSCA II is zero-funded, the states would lose the following federal funding amounts based on the FY 1992 appropriation.

What States would lose based on $16,383,640[1]

Alabama	$277,599
Alaska	124,176
Arizona	261,100
Arkansas	203,323
California	1,408,072
Colorado	244,802
Connecticut	244,482
Delaware	129,281
District of Columbia	126,676
Florida	668,674
Georgia	384,744
Hawaii	148,711
Idaho	144,251
Illinois	602,421
Indiana	343,688
Iowa	222,050
Kansas	208,899
Kentucky	261,984
Louisiana	285,485
Maine	153,972
Maryland	310,165
Massachusetts	364,446
Michigan	508,566
Minnesota	292,303
Mississippi	213,103
Missouri	324,916
Montana	135,122
Nebraska	169,376
Nevada	152,825
New Hampshire	148,756
New Jersey	439,773
New Mexico	166,593
New York	890,753
North Carolina	391,355
North Dakota	128,078
Ohio	576,774
Oklahoma	238,261
Oregon	224,931
Pennsylvania	622,246
Puerto Rico	254,808
Rhode Island	144,106
South Carolina	253,255
South Dakota	130,592
Tennessee	314,372
Texas	846,625
Utah	175,726
Vermont	124,735
Virginia	371,959
Washington	313,911
West Virginia	178,831
Wisconsin	315,013
Wyoming	119,937

[1] This figure does not include the 2 percent required to be set aside for LSCA IV, Library Services for Indian Tribes and Hawaiian Natives.

[ALA Washington Office Fact Sheet—Library Services and Construction Act Title III]

WHAT THE STATES WOULD LOSE

INTERLIBRARY COOPERATION AND RESOURCE SHARING

Purpose: Grants to states for planning, establishing, and operating cooperative net-

works of libraries at local, regional, or interstate levels. Title III also provides for developing the technological capacity of libraries for interlibrary cooperation and resource sharing, and an optional statewide preservation plan.

Appropriation fiscal year 1992	$19,908,000
Admin. Budget Request fiscal year 1993	0
ALA Recommendation fiscal year 1993	35,000,000

Impact of the Administration's Budget: Interlibrary cooperation of all kinds has been stimulated by LSCA III. In the 26 years since the addition of this title to LSCA, tremendous planning and implementation efforts have taken place among the different types of libraries. Eliminating funds for this title would halt the continuation or expansion of existing regional network systems and the initiation of any new systems. If LSCA III funding is lost, the states would lose the following amounts, based on FY 1992 appropriations.

What States would lose based on $19,509,840[1]

Alabama	$318,182
Alaska	77,869
Arizona	292,339
Arkansas	201,840
California	2,088,884
Colorado	266,809
Connecticut	266,308
Delaware	85,864
District of Columbia	81,783
Florida	930,736
Georgia	486,005
Hawaii	116,298
Idaho	109,312
Illinois	826,961
Indiana	421,698
Iowa	231,171
Kansas	210,573
Kentucky	293,721
Louisiana	330,532
Maine	124,539
Maryland	369,189
Massachusetts	454,212
Michigan	679,952
Minnesota	341,212
Mississippi	217,158
Missouri	392,294
Montana	95,013
Nebraska	148,667
Nevada	122,742
New Hampshire	116,369
New Jersey	572,199
New Mexico	144,308
New York	1,278,586
North Carolina	496,361
North Dakota	83,979
Ohio	786,790
Oklahoma	256,564
Oregon	235,685
Pennsylvania	858,014
Puerto Rico	282,481
Rhode Island	109,085
South Carolina	280,049
South Dakota	87,918
Tennessee	375,779
Texas	1,209,468
Utah	158,613
Vermont	78,744
Virginia	465,980
Washington	375,056
West Virginia	163,475
Wisconsin	376,783
Wyoming	71,228

[1]This figure does not include the 2 percent required to be set aside for LSCA IV, Library Services for Indian Tribes and Hawaiian Natives.

For example, my State of New York would lose $5 million if the President's budget recommendation goes through and not the recommendation of the Congress. If we reduce the amount of money available in LSCA from $132 to $35 million, New York State would lose $5 million. The State of Missouri would lose $1,651,000. The State of Illinois would lose $3,452,914. It goes on and on, with the smallest loss being $356,000 lost by the State of Alaska. That is in public library services.

In library construction, in many States the only construction money they have is from the Federal Government. They would lose all of that. The same is true of interlibrary cooperation and resource sharing.

Mr. Speaker, I would like to take just a moment to remind all Americans that the Library of Congress is a part of the legislative branch of Government, part of the congressional budget. The Library of Congress does much better generally when it is up before the Congress for consideration. However, this year they face a problem of budget cuts or a refusal of even the slightest increases which are necessary to keep abreast of inflation.

I would like to remind all of the people of the Nation that, in addition, the Library of Congress, being the library which services the Congress and provides the best reference service in the world to the Congress, it also services many other people throughout this Nation. It has many services provided for States, local governments, and also has direct service to the blind and physically handicapped. They are asking for an increase of $3.8 million to improve that service. It has numerous services to the Nation that ordinarily most people do not know and do not understand.

The Library of Congress provides cataloguing records to libraries in all 50 States. The Library services over 900,000 readers. It responds to over 1.5 million information requests each year. It also answers more than 35,000 requests a year from every State for free interlibrary loan. The Library of Congress provides online access to information files containing more than 25 million records for congressional offices, State libraries and libraries who are cooperating catalogue partners throughout the Nation. On and on it goes.

The primary function of the Library of Congress is to serve as a reference and research support for Congress, but its national library services have a direct impact on library users all over the Nation in every congressional district.

Mr. Speaker, at this time I will enter the document entitled "Library of Congress Services and Budget" into the RECORD.

[ALA Washington Office Fact Sheet—Library of Congress]

LIBRARY OF CONGRESS SERVICES AND BUDGET

The Library of Congress is requesting $357,528,000 for FY93, including the authority to obligate $24.9 million in receipts, for a net increase of $27.7 million, or nine percent, over FY92. In his budget testimony, Librarian of Congress James Billington said that the library was "requesting only those funds necessary to provide the best possible research and reference services to the Congress, to continue aggressively the reduction of our backlog of unprocessed materials, to maintain our traditional core services to the nation, and to begin to modernize our capability to deliver scientific and technological information to the Congress and to the country."

Nearly two thirds of the requested increase is to keep pace with inflationary costs and mandatory pay costs. The remaining $10.7 million is intended for enhanced services.

In FY 1992, the Library of Congress made major progress in reducing its arrearages, cutting unprocessed items by 4.2 million to a new low of 36.4 million items.

The Library of Congress intends to use $800,000 to establish a National Center for Science and Technology Information Services to provide Congress, the private sector, and the research community with scientific and business information. This Center would complement the work being done by the National Library of Medicine and the National Agricultural Library. These funds would also begin to modernize the Geography and Map Division though the installation of an automated Geographic Information System, which would improve access to the Library's map collections.

The Library is requesting $3.8 million to rent new storage space and to convert the Landover, Maryland, warehouse space to collections storage. The book stacks in the Jefferson and Adams buildings are reaching capacity, and the Library must now spend ever increasing amounts of time and money shifting books around to gain ever smaller amounts of shelf space. The Library anticipates adding one million books, requiring over eighteen miles of shelf space, to the general collections through FY 1994. Storage space for some special collections, such as motion pictures and sound recordings, has nearly reached capacity. Converting the Landover building to collections storage will accommodate collections growth for the next five to seven years, which meet the Library's needs until other long-range plans can be developed.

A request of $400,000 will strengthen Constituent Services automation capabilities in the general reading rooms, and $200,000 will allow the Law Library to provide greater access to foreign legal databases and make effective use of computer equipment.

An increase of $3.5 million is requested to upgrade workstations to ergonomic standards and to install metal detectors at building entrances. Presently, Library buildings are the only buildings on Capitol Hill which do not have these security measures.

The Library is asking for $550,000 to bring telecommunications cabling in the Madison Building up to the same standard available in the Jefferson and Adams buildings. This will enable the Library to handle more requests for more information more efficiently at less cost.

An increase of $3.8 million for the National Library Service for the Blind and Physically Handicapped will maintain the reading program at a constant level of service.

Katherine F. Mawdsley, Associate University Librarian for Public Services, University of California at Davis, representing the American Library Association and the Association of Research Libraries at hearings on

the LC budget on January 29, urged the Subcommittee to meet the Library's funding request. Full funding, she said, "will provide the needed momentum to continue with several key initiatives such as tackling the arrearages while addressing critical internal needs such as collection storage and automation support."

Services to the Nation. The Library of Congress maintains a collection of almost 100 million items in over 450 languages. Its national library services include the following:

The Library provides cataloging records to libraries in all 50 states. LC estimates that this service saves America's libraries over $370 million annually.

The Library serves over 900,000 readers and responds to over 1.5 million information requests a year. It also answers more than 35,000 requests a year from every state for free interlibrary loan.

The Library provides online access to information files containing more than 25 million records for Congressional offices, state libraries, and libraries who are cooperative cataloging partners throughout the nation.

The Library's Center for the Book promotes reading and literacy through its 25 state affiliates.

The Copyright Office processes over 650,000 claims for copyright registration and answers almost 400,000 requests for copyright information annually. The Office administers U.S. copyright laws and promotes international protection of intellectual property created by American citizens.

The National Library Service for the Blind and Physically Handicapped circulates over 20 million discs, cassette, and braille items annually for 700,000 blind and physically handicapped readers through 147 regional and subregional libraries and multistate centers.

Since 1976, the American Folklife Center has preserved and presented American folklife through its programs of research, documentation, archival preservation and services, live performance, exhibition, publication, and training. The American Folklife Center's archive of over one million items is America's national repository for ethnographic documentation of folk music, folklore, and folklife. Without the archive, countless vibrant traditions of American culture might have been lost. Many projects of the Center both provide assistance to state and regional cultural efforts and add to the collections of the archive.

Services to the World. In addition to providing services to the Congress and to the nation, the Library also provides services to other nations:

The Library sells cataloging data to more than 100 countries.

The Library trains officials from Third World countries in international copyright law and the protection of intellectual property as a basis for free markets.

During the past year, the Library, through the Congressional Research Service, has provided practical assistance to Poland, Hungary, Bulgaria, and the Czech and Slovak Federal Republic. This assistance has included books for parliamentary libraries, help in creating a research and analysis capability, and training of staff and members of the fledgling parliaments.

Congressional Action Needed. (1) The primary function of the Library of Congress is to serve as reference and research support to Congress, but its national library services have a direct impact on library users in every congressional district. LC is part of the Legislative Branch of the U.S. government, and its budget is under the jurisdiction of the House and Senate Legislative Branch Appropriations Subcommittees. For the most effective service to Congress, for its keystone role in the nationwide system of interconnected libraries, and for its essential role in undergirding the nation's libraries, the Library of Congress budget request of $357,528,000 should be approved. (2) LC's American Folklife Center requires reauthorization this year. Reauthorization will allow the Center to continue to carry out its mission to make all Americans more aware of their diverse cultural heritage and to make its archives more accessible to the American people.

Mr. Speaker, Government Printing is a major source of information. I would like to take a moment to highlight during this National Library Week the fact that that, too, needs the support of all the Members of Congress.

The Federal Government currently produces thousands of databases and documents that are stored electronically. Unfortunately, for most Americans it is a daunting task to locate this information and to establish accounts with different agencies to purchase information and to process information into a readily usable form.

Many agencies only sell electronic information on magnetic tape, which is difficult or impossible for most citizens to use.

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The Government Printing Office wide information network data online is a new proposal, a bill introduced by the gentleman from North Carolina [Mr. ROSE] on June 26 of 1991, and this act would establish online access to public government information through the Government Printing Office. The databases and documents offered through this GPO what we call Windo, GPO Windo, would initially consist of a group of core databases which will be extended as the system matures. It will be expanded to include more databases. This is a very important project. It is legislation that should be supported by all Members of Congress.

I enter into the RECORD the document entitled "Government Printing Office Wide Information Network Data Online Act."

[ALA Washington Office Fact Sheet—GPO Windo Act]

GOVERNMENT PRINTING OFFICE WIDE INFORMATION NETWORK DATA ONLINE ACT

The federal government currently produces thousands of databases and documents that are stored electronically. Unfortunately, for most Americans, it is a daunting task to locate this information, establish accounts with different agencies to purchase the information and process the information into a readily usable form. Many agencies only sell electronic information on magnetic tape, which is difficult or impossible for most citizens to use.

The GPO Wide Information Network Data Online (GPO WINDO) Act (HR 2772), introduced by Rep. Charlie Rose (D-NC) on June 26, 1991, would establish online access to public government information through the Government Printing Office (GPO). This GPO Windo would be a single account, one-stop-shopping way to access and query federal databases, complementing rather than supplanting other agency efforts to disseminate information. It would not be an exclusive method of dissemination. Its purpose is to make it more convenient for the public to obtain low-cost access to government information.

The databases and documents offered through the GPO WINDO would initially consist of a group of core databases, which will be expanded as the system matures. While the initial offering would be determined after a period of planning and public comment, core data would likely include such high-interest services as the *Federal Register*, *Congressional Record*, Economic Bulletin Board, National Trade Data Bank, the Department of State *Dispatch*, agency and White House press releases, CENDATA, DOE *Energy*, AGRICOLA, FEC Campaign Contributions, NTIS Research Abstracts, U.S. Supreme Court opinions, and many others.

These choices would be based on a combination of technical feasibility, costs, and user interest. They would include online services already offered by GPO to selected depository libraries and those that are currently available through commercial vendors only. The GPO would start with the least costly and the technologically simplest services, making incremental expansions as the program matures. The long-term goal is to provide online access to as many federal databases as possible, limited only by technological and costs constraints.

The information available through the GPO WINDO would be priced for most subscribers at approximately the incremental cost of dissemination, and provided without charge through the depository library program.

GPO would work with agencies to determine the best means to disseminate information online through a gateway service, connecting callers to agency online services with GPO handling the billing to the caller through the single account; and online access to federal databases directly through GPO.

GPO would rely upon an agency's data storage and retrieval software unless agencies cannot do so or if GPO can provide better service or lower prices. Access to the information will be provided through all available telecommunications modes, including dial-in telephone modem access and computer networks.

GPO would have the authority to develop a friendly user interface, with menus, indexes, online help, and other aids to make it easier for users to locate databases of interest. GPO would also work with other agencies toward the development of standards that will make it easier to use different databases. It is contemplated that GPO will regularly solicit comments on the service from users and the public in an annual report detailing the steps it has taken to implement the congressional objectives and to address user concerns.

The following organizations are supporting the concept of the GPO WINDO:

American Association of Law Libraries.

American Association of University Professors.

American Council on Education.

American Historical Association.

American Library Association.

Association of Research Libraries.

Association of Library and Information Science Education.

American Society of Journalists and Authors.

CAUSE, The Association for the Management of Information Technology in Higher Education.

Chief Officers of State Library Agencies.

Coalition for Networked Information.

EDUCOM.

National Association of Housing and Redevelopment Officials.

National Coordinating Committee for the Promotion of History.

National Security Archive.

Organization of American Historians.

Project Censored.

Public Citizen.

Special Libraries Association.

Taxpayer Assets Project.

For more information on the GPO WINDO, contact:

American Library Association, 202-547-4440.

Taxpayer Assets Project, 609-683-0534.

Mr. Speaker, another very important item vital to all libraries is the postal revenue forgone appropriation, postal subsidies in short. Our postal subsidies date back to the earliest days of the Republic. The purpose then, as now, was to promote the dissemination of information through the Nation through free and reduced rate postage for certain preferred classes of mail. This is very important to libraries. Free mailing to or from blind or visually disabled persons of braille, and recorded books and other eligible materials and equipment is very important. Mailing at reduced rates of small circulation or in-county publications, such as local and rural newspapers, the publications that are used in school classrooms, or religious instruction classes, publications of religious, educational, charitable and other nonprofit organizations and numerous other items are part of this postal forgone rate. It provides a great service to libraries. If it was cut, it would mean that many of the libraries would have to make up for that expenditure by continuing to cut services and personnel.

A congressionally mandated study report entitled "Report to the Congress, Preferred Rate Study" conducted by the Postal Rate Commission in 1986 documented the dependence of our schools, our colleges and libraries on these postal rates. Educational organizations account for 32.6 percent of third class nonprofit mail volume. Educational publications with 22.4 percent of the subsidy for the fourth class library rate for both books and audiovisual materials, excluding colleges, accounted for 54 percent. These are very vital rates which bring down the cost of educational materials, and it is very important.

I introduce for the RECORD the postal revenue forgone appropriation in its entirety.

[ALA Washington Office Fact Sheet—Postal Revenue Forgone]

POSTAL REVENUE FORGONE APPROPRIATION

PROGRAM TITLE

Postal Revenue Forgone Appropriation, as authorized by the Postal Reorganization Act of 1970, Public Law 91-375, as amended.

PURPOSE

Some postal subsidies date back to the earliest days of the Republic. The purpose then, as now, was to promote the dissemination of information throughout the nation through free and reduced-rate postage for certain preferred classes of mail. The Act says the statutory criteria for setting postal rates and fees shall include special recognition of the "educational, cultural, scientific, and informational value to the recipient of mail matter" [39 USC 3622(b)(80)].

WHO RECEIVES FUNDING

Those who benefit from free and reduced-rate postage include the blind and visually disabled; local newspapers, libraries, schools, and colleges; and religious, charitable, and other nonprofit organizations who qualify for free matter for the blind, or 2nd-, 3rd-, and 4th-class preferred rates. In many cases, those who mail items to such entities are also able to use preferred rates, thus reducing the postal costs passed through to eligible institutions.

FUNDING HISTORY

Fiscal year	Administration budget	Postal service estimate [1]	Congressional appropriation
1990	[2] $23,696,000	$459,755,000	$435,425,000
1991	372,592,000	484,592,000	472,592,000
1992	182,778,000	[3] 649,301,000	470,000,000
1993	121,912,000	481,912,000	Pending.

[1] By law, the U.S. Postal Service must estimate the amount needed to set preferred rates at full attributable costs.

[2] Free mail for the blind and overseas voters only.

[3] Estimate revised after general postal rate increase took effect February 3, 1991.

KINDS OF ACTIVITIES SUPPORTED

Free mailing to or from blind or visually disabled persons of braille or recorded books and other eligible materials and equipment.

Mailing at reduced rates of small circulation or in-country publications such as local and rural newspapers; publications for use in school classrooms or in religious instruction classes; publications of religious, educational, charitable, and other nonprofit organizations; bulk-rate mailings of similar nonprofit organizations for purposes such as fund-raising letters; books, periodicals, and audiovisual materials loaned or exchanged between schools, colleges, or libraries (such as film-sharing circuits, interlibrary loan, books-by-mail programs), and shipments of such items to eligible entities by publishers or distributors.

IMPACT OF THE ADMINISTRATION'S BUDGET

The Bush Administration's request falls $360 million short of the amount needed for FY93. Of this, $95 million would come from restricting or eliminating eligibility for certain preferred rates. The proposals, none of which are new, include: (1) full regular rates for nonprofit 2nd-class publications whose content includes more than ten percent advertising; (2) denial of nonprofit 3rd-class rates to mail that includes advertising or political advocacy material, as well as educational material for organizations that are not schools; and (3) denial of 4th-class library rates for commercial publishers.

All of these proposals would require USPS to make inappropriate judgment calls. Last year, the Postmaster General cited the difficulty of defining "political advocacy." Excluding educational materials from nonschool organizations would preclude most public library use of 3rd-class nonprofit mail, yet libraries clearly serve educational purposes. The 4th-class library rate is intended to assist schools and libraries in receiving and exchanging books and other materials. If publishers must mail textbooks, library books, films, etc., at full commercial rates, the school and library recipients will incur higher postal costs and have less purchasing power for materials. The Administration's budget would also require schools, libraries, and charitable organizations to pay about 68 percent of the overhead costs for their mail. Preferred-rate mailers have been paying their full direct mailing costs since 1986, but the law calls for a permanent subsidy of preferred rates' shares of indirect or USPS overhead costs.

If the revenue USPS forgoes, because some rates are set at lower or preferred rates, is not provided by congressional appropriations, or is provided at less than the full $481,912,000 needed, rates can be raised immediately to make up the difference. The effect of eliminating all postal revenue forgone funding is illustrated by the examples below.

A congressionally mandated study, "Report to the Congress: Preferred Rate Study," conducted by the Postal Rate Commission in 1986 documented the dependence of schools, colleges, and libraries on these rates. Educational organizations accounted for 32.6 percent of 3rd-class nonprofit mail volume. Educational publications were 22.4 percent of the volume of preferred 2nd-class mail. Of the subsidy for the 4th-class library rate for books and audiovisual materials, schools and colleges accounted for 54 percent (23 percent as senders and 26 percent as recipients of packages from publishers and distributors where the postal cost is paid by the recipient as part of a purchase). Libraries represented 22 percent of the library rate subsidy (including 4 percent of publisher/distributor mailings).

PREFERRED POSTAL RATES

Typical examples	Current rate (cents)	Unsubsidized rate	
		Amount (cents)	Percent increase
2d-class classroom publication weekly, 12 oz., 15 percent advertising, 32 copies per piece, NYC-Chicago	17.3	21.5	24.3
3d-class nonprofit fund-raising letter, ¾ oz., nationwide distribution, required presort	11.1	15.4	38.7
4th-class library rate, 3½ lb. book package, between libraries	137.0	143.0	4.4

Mr. Speaker, the White House Conference on Library and Information Services summarizes many of the same recommendations that I am making today. That conference was held last year with the goal of using the recommendations from that conference as a basis for the preparation of new legislation.

I enter into the RECORD in its entirety the White House Conference on Library and Information Services and a second document called Priority Recommendations from the same source.

[ALA Washington Office Fact Sheet—WHCLIS]

WHITE HOUSE CONFERENCE ON LIBRARY AND INFORMATION SERVICES

The 984 delegates to the second White House Conference on Library and Information Services held on July 9-13, 1991 identified 95 recommendations for the improvement of library and information services to foster literacy, productivity, and democracy. President Bush transmitted these recommendations to Congress on March 6, 1992 in the Summary Report of the 1991 White House Conference on Library and Information Services. His accompanying message concluded:

"As we strive for a more literate citizenry, increased productivity, and stronger democracy, we must make certain that our libraries and information services will be there to assist us as we lead the revolution for education reform. As I stated in my speech at the White House Conference, 'Libraries and information services stand at the center of this revolution.'"

The American Library Association, in January 1992, adopted as its top legislative priority issues the first three of the recommendations earmarked by WHCIS delegates for priority action:

Adopt the Omnibus Children and Youth Literacy Initiative. This recommendation, designed to invigorate library and information services for student learning and literacy, is a multipart initiative based on recommendations prepared by an interdivisional task force of the three youth divisions of ALA—the American Association of School Librarians, the Association for Library Service to Children, and the Young Adult Library Services Association. A plan for implementation of this WHC recommendation is being developed by the ALA Youth Divisions Task Force in cooperation with other children and youth advocate organizations.

Congressional Action Needed: Although not yet in draft bill form, congressional attention is drawn to this very strong recommendation of WHC delegates from every state, district and territory in the United States. This proposal would enlist libraries as partners in meeting the national education goals.

Share Information Via Network "Superhighway." This recommendation calls for enactment, funding and implementation of legislation to enact the National Research and Education Network (NREN). The High-Performance Computing Act of 1991 (PL 102-194) was signed into law on December 9, 1991, the first action implementing a 1991 WHCLIS recommendation. The Act includes establishment of the NREN, a high-capacity computer network designed to link research institutions, educational institutions, libraries, government and industry in every state. The HPCA requires the involvement and coordination of activities by a number of federal agencies, including the Department of Education.

Through the efforts of the library community, the legislation includes libraries as NREN access points and information providers. However, ensuring broad participation by libraries in the development and evolution of the NREN will require a continued effort and is a high priority for the library community.

Congressional Action Needed: The NREN is a complex multiagency undertaking, and represents a partnership between the federal government, the research, education, and library communities, other levels of government, and industry. As such, it will require sufficient federal appropriations and active congressional oversight to ensure full implementation, involvement by all NREN user constituencies, and responsiveness to the research, education, and library communities.

Fund Libraries Sufficiently to Aid U.S. Productivity. This recommendation calls for sufficient funds from all sources for library services as an "indispensable investment in the Nation's future," and includes a comprehensive statement of the need for adequate funding for existing federal library and related programs, including the NREN.

Congressional Action Needed: In the FY93 appropriations process, provide adequate funding for federal library and related programs, despite the Administration's budget request to cut by 76% the LSCA and HEA library programs administered by the Department of Education. This is especially important at a time of recession-driven cuts in local and state budgets for libraries.

RESOLUTION ON WHCLIS II RECOMMENDATIONS IMPLEMENTATION

Whereas, Delegates to the White House Conference on Library and Information Services voted these recommendations as top priority action items:

(1) adopt the Omnibus Children & Youth Literacy Initiative

(2) support NREN implementation and access for all libraries

(3) encourage sufficient funding for libraries to aid U.S. productivity; and

Whereas, The ALA is on record with policies that support these initiatives; and

Whereas, All units and their constituencies of the ALA will benefit from association-wide unified action on these top initiatives that were supported by the majority of WHCLIS delegates; now, therefore, be it

Resolved, That the American Library Association adopt as its top legislative priority issues the following recommendations from the White House Conference on Library and Information Services:

(1) adopt the Omnibus Children & Youth Literacy Initiative

(2) support NREN implementation and access for all libraries

(3) encourage sufficient funding for libraries to aid U.S. productivity; and, be it further

Resolved, That the American Library Association will actively seek opportunities for implementation of other WHCLIS recommendations.

[Excerpt from Summary Report of the 1991 White House Conference on Library and Information Services]

PRIORITY RECOMMENDATIONS

ADOPT OMNIBUS CHILDREN AND YOUTH LITERACY INITIATIVE

That the President and the Congress adopt a four-pronged initiative to invigorate library and information services for student learning and literacy through legislation which would consist of:

School Library Services Title which would:

Establish within the U.S. Department of Education an office responsible for providing leadership to school library media programs across the Nation.

Create federal legislation to provide demonstration grants to schools for teachers and library media specialists to design resource-based instructional activities that provide opportunities for students to explore diverse ideas and multiple sources of information.

Establish grants to provide information technology to school media centers, requiring categorical aid for school library media services and resources in any federal legislation which provides funds for educational purposes.

Establish a federal incentive program for states to ensure adequate professional staffing in school library media centers. This would serve as a first step toward the goal for all schools to be fully staffed by professional school library media specialists and support personnel to provide, facilitate, and integrate instructional programs which impact student learning.

Public Library Children's Services Title, which would provide funding support for:

Demonstration grants for services to children.

Parent/family education projects for early childhood services involving early childhood support agencies.

Working in partnership with day care centers and other early childhood providers to offer deposit collections and training in the use of library resources.

(Concurrently, funding for programs such as Head Start should be increased for early childhood education.)

Public Library Young Adult Services Title, which would provide funding support for:

Demonstration grants for services to young adults.

Youth-at-risk demonstration grants to provide outreach services, through partnership with community youth-serving agencies, for young adults on the verge of risk behavior, as well as those already in crisis.

A national library-based "Kids Corps" program for young adults to offer significant salaried youth participation projects to build self-esteem, develop skills, and expand the responsiveness and level of library and information services to teenagers.

Partnership with Libraries for Youth Title, which would provide funding support to:

Develop partnership programs between school and public libraries to provide comprehensive library services to children and young adults.

Establish and fund agenda for research to document and evaluate how children and young adults develop abilities that make them information literate.

Establish a nationwide resource-sharing network that includes school library media programs as equal partners with libraries and ensures that all youth have access to the Nation's library resources equal to that of other users.

Encourage school and public library intergenerational demonstration programs which provide meaningful services (e.g., tutoring, leisure activities, and sharing of books, ideas, hobbies) for latchkey children and young adolescents in collaboration with networks and private organizations, such as conducted by the American Association of Retired Persons (AARP).

Create family literacy demonstration programs that involve school and public libraries and other family-serving agencies.

Provide discretionary grants to library schools and schools of education for the collaborative development of graduate programs to educate librarians to serve children and young adults.

Provide opportunities for potential authors who reflect our cultural diversity to develop abilities to write stories and create other communciations media about diverse cultures for youth.

Further, all legislation authorizing child care programs, drug prevention programs, and other youth-at-risk programs should include funds for appropriate books and library materials, to be selected in consultation with professional librarians.

SHARE INFORMATION VIA NETWORK 'SUPERHIGHWAY'

That the Congress enact legislation creating and funding the National Research and Education Network (NREN) to serve as an information "superhighway," allowing educational institutions, including libraries, to capitalize on the advantages of technology for resource sharing and the creation and exchange of information. The network should be available in all libraries and other information repositories at every level. The governance structure for NREN should include representation from all interested constituencies, including technical, user, and infor-

mation provider components, as well as government, education at all levels, and libraries.

FUND LIBRARIES SUFFICIENTLY TO AID U.S. PRODUCTIVITY

That sufficient funds be provided to assure that libraries continue to acquire, preserve, and disseminate those information resources needed for education and research in order for the United States to increase its productivity and stay competitive in the world marketplace. Thus, a local, state, regional, tribal, and national commitment of financial resources for library services is an indispensable investment in the Nation's future. Government and library officials and representatives of the private sector must work together to raise sufficient funds to provide the necessary resources for the crucial contribution information services make to the national interest. The President and the Congress should fully support education and research by expanding and fully funding statutes related to information services, such as the Higher Education Act, Medical Library Assistance Act, Library Service and Construction Act (LSCA), College Library Technology Demonstration Grants, the National Research and Education Network (NREN), and other related statutes. Further, recommended amending Chapter II of the Education Consolidation and Improvement Act to allocate funds for networking school libraries.

Mr. Speaker, chapter 2 block grants for schools is very important. Chapter 2 block grants do provide educational materials to be included in that process, a program of block grants to States to provide initial funding to enable State educational agencies and local educational agencies to implement promising educational programs that can be supported by State and local sources of funding after the progams are demonstrated to be effective. This is one of many purposes for chapter 2 which is very important to libraries.

I would like to enter the document entitled "Chapter 2 School Block Grants" in its entirety in the RECORD.

[ALA Washington Office Fact Sheet—Elementary and Secondary Education Act, Title I]

CHAPTER 2 SCHOOL BLOCK GRANTS

PURPOSE

A program of block grants to states to (1) provide initial funding to enable state educational agencies (SEAs) and local educational agencies (LEAs) to implement promising educational programs that can be supported by state and local sources of funding after the programs are demonstrated to be effective; (2) provide a continuing source of innovation, educational improvement, and support for library and instructional materials; (3) meet the special educational needs of at risk and high-cost students; (4) enhance the quality of teaching and learning through initiating and expanding effective schools programs; and (5) allow SEAs and LEAs to meet their educational needs and priorities for targeted eligible uses.

WHO RECEIVES FUNDING

Up to one percent of the funding is reserved for the insular territories, up to six percent is reserved for the Secretary's discretionary fund, and the remainder is divided among the states on the basis of their school-age populations. Each SEA must distribute 80 percent of its funding to LEAs on an enrollment basis with higher allocations to LEAs with the greatest numbers of high-cost children, such as those from low-income families and sparsely populated areas. Of the 20 percent which may be retained by the SEAs, up to one quarter may be used for administration, and generally at least one fifth is used for effective schools programs. The Chapter 2 block grant, like the antecedent programs, is advance funded to allow for long-range planning.

KINDS OF ACTIVITIES SUPPORTED

Reauthorization of Chapter 2 by the Hawkins-Stafford Elementary and Secondary School Improvement Amendments of 1988 (PL 100-297) substitutes six targeted uses for the 32 eligible uses under Chapter 2 of the former Education Consolidation and Improvement Act of 1981. Another eligible use was added through the National Literacy Act of 1991 (PL 102-93).

1. Programs to meet the educational needs of students at risk of failure in school and of dropping out, and students for whom providing an education entails higher then average costs.

2. Programs for the acquisition and use of instructional and educational materials, including library books, reference materials, computer software and hardware for instructional use, and other curricular materials that would be used to improve the quality of instruction.

3. Innovative programs designed to carry out schoolwide improvements, including the effective schools program.

4. Programs of training and professional development to enhance the knowledge and skills of educational personnel, including teachers, librarians, and others.

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

6. Programs designed to enhance personal excellence of students and student achievement, including instruction in ethics, performing and creative arts, and participation in community service projects.

7. Other innovative projects which would enhance the educational program and climate of the school, including programs for gifted and talented students, technology education programs, early childhood education programs, community education, and programs for youth suicide prevention.

Authorized activities include planning, development, or operation and expansion of programs designed to carry out the targeted assistance described above. Activities may include training educational personnel in any of the targeted assistance programs. The allocations of funds under Chapter 2 and the design, planning, and implementation of programs must include consultation with parents, teachers, and other groups involved in implementation as considered by the LEA. School librarians must be represented on the state Chapter 2 advisory committee.

FUNDING HISTORY

Chapter 2 authorization is $706,000,000 for FY 1993.

Fiscal year:	
1990 appropriation	$487,894,000
1991 appropriation	469,408,000
1992 appropriation	474,600,000
1993 budget request	465,220,000

IMPACT OF THE ADMINISTRATION'S BUDGET

For FY 1993, the Administration has requested $465,220,000, but as in FY92 proposes a legislative change to a state level set-aside of 50 percent of the block grant which would be used to support local adoptions of educational choice programs. This major change of the direction of the block grant would have a serious impact on school libraries.

The daily newspapers are full of articles about states and localities across the country suffering dire fiscal problems. Coupled with that, the cost of books, periodicals and other materials like computer software and audio visual materials has risen drastically. Many children's picture books now cost $18–$20, and the average subscription price for a children's periodical as of 1991, according to Library Journal, was $18.38. Prices of hardcover children's books averaged $13.07 in 1990, according to Publishers Weekly.

A study of Expenditures for Resources in School Library Media Centers FY 1989–1990, by Marilyn L. Miller and Marilyn Shontz, cites the median per pupil expenditure for books in 89–90 as $5.48. Considering the inflation rate for 1990 at 6 percent and the average price of books, the authors say "the average elementary library media specialist could purchase a little over one-half of a book per child; the average secondary library media specialist could purchase one novel for every four students." These statistics mean that library collections have to be deteriorating because of the inability of library media specialists to purchase one book per child per year." Library media specialists find it difficult to provide accurate, up to date information to children at a time when world events like the demise of the Soviet Union cause all atlases, history and geography books, encyclopedias, maps and globes to become obsolete. When the median library materials budget only allows $5.48 per child per year, it would take a child's entire school career to replace just two of those volumes.

In the reauthorization of Chapter 2, a set-aside provision for funds for library materials would ensure a fair and equitable distribution of support for all school systems. Reading and literacy efforts, as well as student achievements, are significantly improved and supported by a good school library. Expenditures for school library media services are the most important variable related to school achievement, according to a School Match analysis of data on all U.S. public school districts and 14,850 private schools. Parents and teachers alike are also aided in their efforts by a good school library. In a search for ways to improve overall learning and achievement, the school library, a crucial component in the learning process, should be encouraged and enhanced, not overlooked or neglected. No one doubts that the National Goals for Education (see attached) can be reached. School libraries and library media specialists should be first on the list of strategies to reach those goals.

AUTHORIZATION

PL 100-297, the Hawkins-Stafford Elementary and Secondary School Improvement Amendments of 1988, authorized Chapter 2 through FY 1993, with authorization levels of $640 million in FY 1991, $672 million in FY 1992, and $706 millions in FY 1993, Chapter 2 reauthorization is scheduled for 1993.

Finally, Mr. Speaker, I would like to enter as part of that chapter 2 presentation a restatement of national education goals and libraries, a statement on national education goals and libraries. Each one of the national education goals, goal 1 to goal 6, involves libraries of some kind, either libraries in

public sector or libraries in our schools and our colleges.

I enter into the RECORD in its entirety "National Education Goals and Libraries."

NATIONAL EDUCATION GOALS AND LIBRARIES

Goal No. 1: By the year 2000, all children in America will start school ready to learn.

Libraries are essential to the achievement of this goal. Education research indicates that the single most important activity in preparing pre-school children to read is reading aloud to them. Studies by Durkin (1966), Chomsky (1982), Goldfield and Snow (1984) and others have found that both the sheer quantity of the material read to a young child and the continued use of progressively more advanced reading material are directly related to the extent of that child's "reading readiness" skills when he or she enters school.

A study by William Teale, however, found that too many young children are missing out on this essential element of literacy preparation. While some of the children in the homes he studied were read to often by their parents and caregivers, most were not. In most homes, storybook reading averaged less than twenty minutes per month—less than four hours per year. Not all of these children come from poor or uneducated families; Teale's study and a similar one by Shirley Brice Heath both found that income, race, and parents' educational status are all unreliable predictors of the extent to which children are read to at home. Poor and rich, African-American and white, working-class and professionals—this is a deficit affecting all of America's children.

Libraries work to fill this gap by exposing young children and their parents and other caregivers to the wide variety of children's literature they need to develop their "reading readiness" skills. Many also provide training to parents and caregivers on how to select appropriate reading materials and how best to use them with children. They are shown not just how to read to their children, but how to read with them.

The Howard County (MD) Public Library's BABYWISE program, for example, has developed a series of teaching kits which they regularly deliver along with books, toys, and educational games to family day care providers in the community.

The Hennepin County (MN) Public Library conducts workshops for family day care providers on the selection and use of children's literature which the county social services agency has made a part of its in-service training requirement for providers. A special "preschool" bookmobile makes scheduled stops at family day care homes and child care centers throughout the area.

The Brooklyn Public Library's Child Place program serves 45,000 preschool children and their caregivers every year. The staff teaches parents, day care providers and others how to prepare their children to read and learn.

The New York Public Library maintains deposit collections of books and materials on the premises of many Head Start and child care facilities and conducts regular workshops for child care providers on the selection of materials for use with preschool children.

The Jacksonville (FL) Public Library conducts regular reading workshops for functionally illiterate parents and their children. While their children attend a story hour program, their parents are taught how to read, using the same books their children are listening to. Later, the parents then read the story to their children.

The Rogue River (OR) Public Library has an outreach program in which volunteers visit the families of newborns to give them a library card, deliver a presentation on the services of the library for parents of young children, and instruct them on how to read to children.

Goal No. 2: By the year 2000, the high school graduation rate will increase to at least 90 percent.

An estimated 14 to 25 percent of students entering high school nationwide will drop out before they finish. Research indicates that youth who are the most likely to drop out are those who are the least prepared academically and the least involved in school activities. Libraries have been playing an active role in targeting special services to these students to help improve their academic performance and prevent them from dropping out of school.

SUMMER READING PROGRAMS

Reading skills decline during the summer vacation if children do not read independently.

In Shawnee Mission, Kansas, the public and school district libraries have joined forces to sponsor an 8-week summer reading program for elementary and middle-school students. Every year about 2,500 students participate in the program, each averaging five visits to the library during the summer.

In South Carolina, public libraries sponsor 2,007 summer reading programs for low-income children attending summer food program sites. Over 46,000 children participated last summer.

In Illinois, public libraries sponsor summer literacy programs for 1st through 5th graders who have met minimum requirements and promotion but are behind in their reading skills.

AFTER-SCHOOL PROGRAMS

Libraries also sponsor after-school programs which supplement and support learning in the classroom.

In Baltimore, the Enoch Pratt Public Library operates three homework centers in which volunteers provide assistance to students in completing their assignments and offer a wide selection of books and materials which supplement the regular curriculum.

In Decatur, Georgia, the DeKalb Public Library operates a Homework and Study Center for students during after-school hours and on weekends. Library staff, which includes experienced teachers, provide homework help to students. Typewriters, computers, calculators and other equipment is available for students to do their work with. Books and other materials, including educational software and videos, are provided which are designed to complement the instruction students receive in the classroom.

The Cambridge (MA) Public Library operates a Books for Homeless Children program which provides books, cassette tapes, and story hours in Boston homeless shelters.

Goal No. 3: By the year 2000, American students will leave grades 4, 8, and 12 having demonstrated competency over challenging subject matter, including English, mathematics, science, history, and geography . . ."

Report after report on educational reform in recent years has proclaimed the importance of reorienting our current curricula and methods of instruction to better develop "information literacy", the new set of skills which are required in a knowledge-based economy.

For example, in its 1986 report "A Nation Prepared," the Carnegie Forum on Education and the Economy declared that:

The skills needed now are not routine. Our economy will be increasingly dependent on people who have a good intuitive grasp of the ways in which all kinds of physical and social systems work. . . . Such people will have the need and the ability to learn all the time, as the knowledge required to do their work twists and turns with new challenges and the progress of science and technology. They will not come to the workplace knowing all they have to know, but knowing how to figure out what they need to know, where to get it, and how to make meaning out of it . . . We are describing people who have the tools they need to think for themselves, people who can act independently and with others, who can render critical judgment and contribute constructively to many enterprises, whose knowledge is wide-ranging and whose understanding runs deep.

Information literacy is the foundation for all other skills in a knowledge-based economy—the one skill through which all other skills and competencies can be acquired and maintained. It is, in short, knowing how to learn.

Inevitably, libraries must be central to developing these new information access skills and facilitating the lifelong learning that has become an economic imperative. As one library educator put it: "If the challenge is to learn how to learn and how to place one's learning within a broader societal and information environment, then libraries and their resources become the logical center for such learning."

Libraries are at the heart of the revolution in classroom instructional strategies that many educators and researchers are now advocating. For years, elementary and secondary education has been dominated by a deadening, repetitive "drill and kill" approach. This moribund "factory-model" approach to teaching children includes the use of curricula driven by a rigid sequencing which requires the attainment of basic skills prior to the development of higher-order skills, the use of teacher-controlled instruction almost exclusively, and an emphasis on rote memorization and drill and practice exercises. There is a new consensus among educators that this approach is ineffective and fails to develop adequately the higher-order skills of reasoning, comprehension and problem-solving that our students must have. They advocate the adoption of new and more effective approaches in which the instruction is more interactive and the curriculum integrates the attainment of basic and higher-order skills and provides a clear, real-world context for the development and use of these skills. This new wave of instructional reform goes by many different names—"cognitive apprenticeships", "situated learning", "cognitively-guided instruction", "meta-learning"—and there are important differences in the various new instructional models that are being implemented with such success around the country. But they all have at least one thing in common. All of them, from Robert Calfee's "Inquiring School" to Howard Gardner's "Project Zero" at Harvard University to the celebrated interdisciplinary curriculum at Central Park East Secondary School in East Harlem, include the regular use of library resources and library skills as a central component.

Mainstream educators are, to some extent, only just now discovering what library professionals have known all along. Over the last thirty years, the library science community have produced a solid body of research which has established the link between access to and regular use of a library with aca-

demic achievement at the elementary, secondary, and postsecondary level. These studies have established that students who have access to a library staffed by a full-time professional and who are given instruction in its use read more books more often, score better on standardized tests, and have superior reading, spelling, vocabulary, comprehension skills to those of other students.

Goal No. 4: By the year 2000, U.S. students will be first in the world in mathematics and science achievement.

All of the recent reports concerning the crisis in math and science education have focused on the need to reconfigure our current authoritarian instructional approach in which "teachers prescribe and students transcribe"—to one in which there is greater participation and hands-on learning by students. The National Research Council, the National Science Board of the National Science Foundation, the National Council of Teachers of Mathematics, and the National Science Teachers Association have all called for an end to "mindless mimicry" in the classroom in favor of new curricula which integrate science, math, and other disciplines, and emphasize active-problem solving using real-life situations. Libraries and their resources are essential partners in this new, more interactive method of instruction. They provide multimedia materials to supplement classroom instruction and offer a noncompetitive environment in which independent, self-directed learning is facilitated. The Whitehall (MT) High School library worked with the school's science department to develop a Videotaping through Microscopes program to enhance student participation in difficult microbiology experiments and in learning how to use the microscope. The exemplary Discover Rochester program effectively teaches math, science and other concepts to at-risk 8th graders by exploring various facets of the Rochester environment through group and individual research projects that rely heavily on the resources of local libraries and archives. Libraries contribute to math and science instruction in other, more unexpected ways as well by introducing math and science teachers to literature outside their disciplines which may be useful in the classroom. Some of the most promising new curricula in elementary math instruction, for example, draws on such disparate sources as Gulliver's Travels and Haitian and African folk tales for math problems.

Public and school libraries also promote math and science education by using new technologies to give teachers, students, and parents greater access to science and math information and resources. The Radnor High School library in Pennsylvania, for example, instructs science students in the use of electronic databases like DIALOG for performing science research. Automated bibliographic networks allow users to identify, locate, and obtain highly specialized information from libraries throughout the nation.

A number of libraries also sponsor instructional television networks which provide instructional programming to the classroom and to the community at large. In Leon County, Florida, for example, the library-sponsored instructional television network offered a series of after-school programs designed to help students with their homework and to familiarize and involve parents with what their children are learning in the classroom.

Libraries also provide students and their families with free access to microcomputers and other expensive information technologies which they may not be able to purchase on their own. Last year 44,000 people used the free Apple microcomputers offered by the New York Public Library at 54 locations, many of them students working on classroom assignments. The library is the only place in all of New York City where microcomputers can be used for free.

Goal No. 5: By the year 2000, every adult American will be literate and will possess the knowledge and skills necessary to compete in a global economy and exercise the rights and responsibilities of citizenship.

Libraries continue to play an instrumental role in battle against illiteracy. They have proven to be particularly effective in reaching and educating adults with the lowest literacy levels. Frequently, adults with low literacy skills have had humiliating experiences in school classrooms and are more comfortable with literacy programs provided at their neighborhood library.

Because they do not have the same stigma as schools and other public institutions, libraries are an important way to reach people who are functionally illiterate. The Onondaga County (NY) Public Library conducts outreach for its literacy program at the waiting rooms of social service agencies; libraries in South Carolina target outreach to persons at substance abuse treatment centers; the Missoula Public Library in Montana offers a literacy program at a local mall; and the Lane County Library in Oregon uses a bookmobile to deliver literacy materials and instruction to rural residents.

Libraries have also been effective in delivering literacy instruction to members of special population who are often overlooked by other providers. In Colorado, a library-sponsored bookmobile provides low-literacy reading materials and literacy and English-As-A-Second-Language instruction to migrant farmworkers throughout the state. The Chicago Public Library offers library services and peer tutoring to inmates at the Cook County Jail. The New York Public Library has provided English as a Second Language instruction to 11,000 adults and literacy instruction to another 3,500 since 1984

In addition to attacking illiteracy, libraries also provide critical resources to respond to growing basic skills deficit in the American work force. There are few jobs that do not require sound basic skills. One study of a broad cross-section of occupations from professional to low- and non-skilled found that fully 98% of them required reading and writing skills on the job. Yet an estimated 20% of the work force today have deficient basic skills, reading at or below the 8th grade level. Most job-related reading materials, however, require at least a 10th to 12th grade reading ability.

As the "peoples' university", the public library is also an essential resource for the pursuit of lifelong learning by adults. Lifelong learning has now become an economic imperative as skill levels rise and the economy changes. As it is, Americans change employers and occupations more frequently than workers in all other advanced industrial economies. Every year 20 million Americans take new jobs. Only 25% have previous experience in the same occupation—the rest need additional training.

Libraries are working to fill the gap. Last year in New York State alone, over 428,000 people obtained job, career, and education information and counseling services through their local library. These users received career counseling and advice on developing a resume, information on job and educational opportunities, and participated in programs on how to start small- and home-based businesses.

Mr. Speaker, I would like to conclude by stating that libraries, books, and information were never more important to the American democratic process. We need information. We need information in our libraries that tells us what the real scandals in our Nation are. We need information that tells us what it means to have a savings and loan bailout, what it means to have banks going broke and the Federal Government using the taxpayers' money, having to bail them out. We need information about that. We need information about the expenditure of $28 to $30 billion on intelligence gathering, CIA and other intelligence operations. We need information to find out more about why they continue to spend that kind of money, $28 to $30 billion to gather information to spy when the cold war is over. We need information to tell us that welfare and welfare recipients is not the problem in this country. If we cut out all the welfare programs, left the widows to die, left the dependent children to die, left the homeless, if we cut out all the welfare programs in the country, we only reduce the budget by 1 percent, 1 percent. On the other hand, we continue to spend an enormous amount of money for weapons systems. We continue to spend $150 billion for overseas bases. We need information about how our Government is operating, how our Government has failed with people.

Mr. Speaker, the people of America are angry. They need information from libraries to tell them what to be angry about. The need information so they will not trivialize the Congress, trivialize the government process, and focus on items that have no consequences, diversionary kinds of information. They need to know what the real bank scandal is in America at this point. They need to know $155 billion has been expended to bail out the savings and loan associations and coming back for another $25 billion. They need to know that $25 billion has been appropriated for commercial banks, and they will be coming back soon.

American people need information more than ever before. It is a very complex society. We need as much education as we can get. We need as much information as possible. The people perish for lack of information. Our democracy will cease to work unless we have more information. Libraries are major vehicles for providing that information, and this National Library Week I hope that all Americans will understand that their Congressman, the legislators and decisionmakers in Washington need to be educated about just how important libraries are and the kind of bargain we get when we spend a dollar for our library services.

Mr. SPRATT. Mr. Speaker, America's libraries are at the forefront of the movement to-

ward meeting the national education goals. The contribution which public libraries make to the education of American children is far reaching. Yet if all children are to start school ready to learn by the year 2000, our public libraries must be strengthened.

In South Carolina, public libraries have traditionally provided materials and programs that enable parents to become their child's first teacher. the many parents who take advantage of these resources provide their children with a lifelong gift by introducing them to the public library.

I am especially proud of a project at the library in my home county of York, SC. This new project, funded by the Library Services and Construction Act, is called New Beginnings—Books and Your Baby. Parents of each newborn baby in the county receive a packet that includes a first picture book to be read to the child, an attractive brochure which focuses on the books, and videos and programs available at the library and in bookstores. The packet also gives tips for sharing books and stories with young children, and lists books and videos on parenting that the adult may borrow from the library. A list of public libraries in the country and an application for a library card complete the packet, which is distributed by the hospitals in York and mailed to families of babies born outside the county.

Statistics show that in South Carolina, more than half of mothers with children under 6 work outside the home. As a result, thousands of children spend most of their day in day care, child care centers, or group homes. Public libraries are directly concerned with this situation, and have an institutional mandate to provide books for all preschool children and to encourage their use by parents and adult caregivers. This function is an important early educational step, because reading aloud to children and demonstrating that reading is exciting are the most influential factors in raising readers.

Mr. Speaker, if our children are to start school ready to learn, programs such as New Beginnings need to be encouraged. These sorts of preschool activities at public libraries contribute to the overall readiness of our children as they prepare to enter school, and thus serve the public interest in a dynamic and vital way.

Mr. COSTELLO. Mr. Speaker, I rise today to speak about the importance of libraries to our Nation. The role played by libraries across our country is both necessary and critical to the education of our children and communities. Because it is currently National Library Week, it is fitting to recognize the significant function of libraries in society to provide information and to encourage reading and learning.

While the Federal Government does not have primary responsibility for the funding of public library services because of State and local obligations, it is evident that the Federal funds allocated to library systems through the Library Services and Construction Act do make a difference. LSCA dollars are generally used to improve service to underserved communities and residents who need extra efforts or special equipment. Funds are also used to help link libraries across State, county, and city lines to expand the information services available to our Nation's citizens.

The investment of Federal dollars in Illinois has directly improved and expanded library service to Illinois residents. Over 90 percent of the Federal funds allocated to the State have been used for actual programs rather than for administrative costs. Because more of Illinois is unserved than served by public libraries, it is critical for the Congress to continue its strong commitment to funding library systems.

As many of my colleagues are aware, Illinois is a State with significant historical interest. The contribution of libraries to the culture and continuing learning in southwestern Illinois is one that cannot be overlooked. Therefore, I believe it is important to reaffirm the need for a strong and vibrant library system. I stand ready to work with my colleagues to strengthen libraries through legislative action on literacy programs, the Library Services and Construction Act, and Higher Education Act title II grant programs.

Mr. DERRICK. Mr. Speaker, a library is often evaluated on the size of its collections or the size and condition of its buildings. Library collections, that is books, tapes, disks, magazines, newspapers, are the sources of information provided by our libraries.

Bricks and mortar are important elements in the provision of library services. The Congress has provided Library Services and Construction Act, title II to meet public library space needs.

But, perhaps the most important element in providing library services is not the size of the collection or the buildings, but the dedicated staff working in our libraries.

This week is National Library Week. This year's theme is "Your right to know: Librarians make it happen."

Librarians often introduce children to the wonders of language through story hours and other programs. Librarians help students locate information for school assignments, and more importantly, teach them how to use the library. They help the business community find the right piece of information to make informed business decisions. They provide a wide range of services for senior citizens. Librarians touch the lives of all our citizens.

The recent Second White House Conference on Library and Information Services passed four resolutions proposing programs to expand professional education and staff development in libraries. These programs are essential if libraries are to have the necessary staff required to meet the challenging informational needs of the 21st century.

Mr. Speaker, I am pleased to recognize all those who work in libraries as we celebrate National Library Week.

LIBRARY SERVICES AND CONSTRUCTION ACT

SPEECH OF

HON. FLOYD SPENCE

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 8, 1992

Mr. SPENCE. Mr. Speaker, the Library Services and Construction Act has targeted the elderly, the fastest growing segment of our Nation's population, as a priority. While most senior citizens enjoy good health and are able to visit their public libraries, many are unable to do so. Our public libraries have developed extensive outreach programs to bring library services to these people.

Public libraries have designed programs for nursing homes and senior citizen centers. A highly successful project is conducted in my home county of Lexington, SC. This project has a staff member who develops programs and presents them throughout the county. The programs are designed to inform and stimulate those attending. Originally funded by a Library Services and Construction Act grant, it is now entirely funded by local appropriations. This is a perfect example of using Federal funds to demonstrate a service which can be picked up with local funding, if successful.

Another project in my district in Richland County provides salary assistance for a staff member who provides personalized service to homebound patrons.

As people age, their eyesight often deteriorates. For those who need it, audio books are available from the South Carolina State Library in cooperation with the Library of Congress. These talking books continue to provide countless hours of reading enjoyment to senior citizens who are eligible for the service.

The role of public libraries is changing as our society changes. It is important that the Library Services and Construction Act provide funds at the State level as a catalyst for developing new and innovative programs in our communities.

THE REAL NEEDS OF THIS GREAT NATION

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

Mr. HAYES of Illinois. Mr. Speaker, it is now time for us to focus on what many of our citizens feel are the real needs of this great Nation. I, as a Member of this Congress for 9 years now, and will be bowing out at the end of this term this year, have, since 1984, raised what I consider to be an issue that has to be dealt with and can no longer be circumvented, and that is, of course, the question of jobs.

□ 1520

In 1984 I presented a bill called the Jobs and Income Act, which died without any real movement. A year or so later I raised the issue in a quality-of-life act in the form of legislation which was not acted upon.

So for the last decade, this country has been slowly falling into an economic catastrophe. Nearly 9 million Americans are unemployed and 1.6 million have exhausted their unemployment compensation. The current recession has showered our Nation with families that are struggling to put food on the table and pay the rent. To them it is no longer a recession, it is a depression.

Imagine the frustration and despair that the working fathers and mothers

endure when they cannot provide food or shelter for their children, or must choose between medicine and other bare necessities.

At times it seems as if this administration believes that human suffering cannot exist on American soil. People are homeless and hungry, and this administration's response until a few weeks ago was that the recession would be over soon. It seems that they are finally waking up to what is an economic crisis, but they are not prepared yet to really do anything about it.

Ask in any city or town in this country and they will freely tell you what the state of the Union really is. They will tell you that we are in need of rebuilding this Nation, the economy, the infrastructure, and how great the need is for housing.

I am certain the public will be quick to tell our President that the need for refurbishing, rehabiting, rebuilding, is right here on U.S. soil, as we continue to engage in debate as to how we are going to help other nations and their sick economies, such as the Soviet Union.

Our cities are suffering and States are suffering. We must ask why the leadership of this country, including the leaders here in this Congress, are so quick to support phenomenal levels of spending to help new and emerging democracies abroad when democracy is not even guaranteed here in America.

In order to be a part of the democratic process, it is important for a person to have a decent place to live and be able to have some food and get quality education. My priorities simply never change. We need to preserve our democracy right here at home. We need to provide jobs for American workers.

This is one of the best ways to reduce our deficit. Anyone knows that the best way to get out of debt is to increase your income. If we can take some of the people off of some of the public assistance programs, not in the manner in which they are doing it in my State of Illinois, where they are cutting people off of public assistance in order to so-call balance the State budget, who have no other means of subsistence, but if they had a job which they could go to and pay taxes, this would help the revenue side of our State's income. The same is true for the Federal Government.

There is a nationwide jobs emergency and this Government must immediately respond to that need. That is why I have introduced H.R. 4122, the Infrastructure Improvement and Jobs Opportunities Act of 1992. This legislation will help create jobs to build the infrastructure of this country, improve the quality of life, and return dignity to American workers.

Common sense should tell us that the best and most long lasting way to decrease the deficit is to put people back to work, and not view those who happen to be on some kind of public assistance programs as outcasts in our society. Many would prefer to have a job where they could earn their own income and not have to depend on these subsistence programs.

Yes, and I repeat this, this would, in fact, increase our revenue by increasing the pool of taxpayers.

The Infrastructure Improvement and Jobs Opportunity Act of 1992 will create job opportunities at the community-based job projects that renovate and rehabilitate the public infrastructure, including our Nation's roads and highways and bridges, and, yes, our antiquated sewage systems in many cities.

Public schools are closing in Illinois and in the city of Chicago, or being proposed to be closed, because we do not have funds to keep them open. There are historical sites that should be retained, but we do not have the funds to do it. But this could be jobs.

You are looking at a person now who during the early days of the Depression in the thirties upon finishing high school set out trees as part of a public works program. They called it the Civilian Conservation Corps. We set out trees on the banks of the Mississippi River in the State of Illinois in order to halt the erosion of soil into that river.

We need to have programs that are going to provide for the protection of our environment. Maybe not that same program, but something similar to that. Certainly it seems to be the direction we should go if we have some kind of public works program.

Each job project under the proposed bill that I mentioned will be selected by a local district executive council. The projects will provide employment and training, which is needed, and provide services for the American workers.

Over 2 million people are currently eligible to participate. The Bush administration's economic policies are clearly creating persistently high poverty and increasing the gap between the haves and the have nots. Not only have the rich gotten richer, but the poor have slipped so far behind that any real recovery at times seems uncertain. It looks like some of them will be slotted into the ranks of the permanently unemployed.

With shortfalls in the minimum wage, the spiraling cost of health care, and the diminishing coverage of unemployment insurance, those living in poverty continue to lose out under the current economic system. This is the state of the Union, and it must be addressed.

Those that are suffering because of the economy and this country's lack of direction must be recognized as part of the 1992 forecast. The quality of life is deteriorating as drugs, homelessness, and crime are on the rampage. Anyone that tells you that there is not a relationship between unemployment and some of the crimes which pervade our neighborhoods today does not know the facts of life.

□ 1530

The leaders of this country must remember that rhetoric is fine, but it does nothing to assure that Americans have a decent house, adequate health care, quality education. Without it, the likelihood of getting a job in the future is almost virtually nil. And jobs must be provided at a decent wage.

Some people who now may have jobs who used to a few years ago, before the plant moved or closed down where they used to work, if they are lucky enough to find a job, it is at a wage that keeps them at the poverty level, which is what the minimum wage does, if one has a family.

Investment in the citizens of this country is my primary concern, and a critical starting point is a decent paying job. As the first international union leader ever to be elected to this Congress, I have spent a lifetime working for ordinary people. I have heralded the cause for full employment for over 50 years. Jobs are certain to be one of the major issues addressed by this Congress in part because many of us in the Congress have maintained a vigil for a jobs bill over the years.

The President and others have just miraculously have happened upon this issue.

Mr. Speaker, the conditions of joblessness are apparent on every street corner in every city and town, and even some of our poor farmers are being forced to lose their farms.

I do not think they can any longer be ignored.

Mr. Speaker, I urge my colleagues to support the Infrastructure Improvement and Job Opportunities Act. And I look forward to assisting in the battle to create a comprehensive jobs bill before the end of this session. It is something that is really needed.

As we talk about the right to life of the unborn, we should consider those who are already here and not be hypocritical, do something about providing a way of life for themselves, for their parents and, yes, let us stop talking about what we are going to do or we cannot afford it.

Do we know how many houses that we could build in Chicago where people are sleeping in vacant buildings now, waiting for it to get a little warmer so they can go to the parks and sleep? Just at the price of one Stealth bomber or one B-2 bomber.

We have got to get our priorities straight. We should not have people going to bed hungry in a country, this great Nation of ours, which prides itself, some call us the superpower of the world. How can we be a superpower and forget so many of our people and citizens who are in need?

WHAT IS THE PRESIDENT'S PLAN?

The SPEAKER pro tempore (Mr. JONES of Georgia). Under a previous order of the House, the gentleman from Michigan [Mr. BONIOR] is recognized for 60 minutes.

Mr. BONIOR. Mr. Speaker, I thank my dear friend from Chicago, the gentleman from Illinois [Mr. HAYES], for his views with respect to employment or the lack of it in America today. That is the issue I wish to address this afternoon.

Mr. Speaker, last week the President announced his plan to provide billions, billions with a "b," billions of dollars in aid to the former Soviet Republics. He said in a grand speech that he wanted to provide a comprehensive plan, comprehensive plan, and one might expect us to be excited. But it was not geared toward dealing with the employment problems we have here at home and the structural job and unemployment problems in America.

It was geared toward the former Soviet Republics.

Today I want to send the President a very simple message. Jobs here, Mr. President, right here at home must come first.

Mr. Speaker, President Bush's proposal is full of contradictions. The questions begin with the plan itself. Nobody seems to know for certain what it is. We do not know what the plan is.

One week after it was unveiled, journalists are still scratching their heads trying to figure out exactly what the President wants to do. Out of one side of this mouth he talks about a massive $24 billion multilateral effort with the United States' share of about $5 billion. Then out of the other side of his mouth he says the plan will not cost that much at all, that it will not require any new money, that somehow this is all sort of going to materialize. And it has been in the works, and it is there and not to worry about our budget, not to worry about our priorities, that, in fact, this is not going to take any strain. We can do this without any new money.

What is he talking about? What is the President talking about when he talks about this grand scheme to help the former Soviet Republics? He talks to the Kissingers and all these think-tank people downtown who make their living dreaming up these schemes ahead of the U.S. worker and taxpayer and all these editorial writers who put other countries ahead of our work people here working in America?

There is a whole clique of these folks out there, and they sit around and they worry about the world. And they do good things sometimes, but sometimes they get off track. And they fail to understand that we have limited resources and that our priorities should start at home, that we ought to take care of our own first.

I could make a good argument that we have not been taking care of our own here in America for about 25 years.

□ 1540

All one has to do is look at the various sectors of our economy and plot on a graph the curve which our major manufacturing sector has taken: steel, automobiles, semiconductors, and where we are going or not going in the future in biotechnology, telecommunications.

We have not, in education or in health care, been taking care of our own. So what is the President talking about? The truth is very simple. President Bush is trying to blur the issue of how much his plan will cost the American taxpayers. He wants to say it is a big plan so he can satisfy the Richard Nixons and the Henry Kissingers and the editorial writers downtown here who did this incredible spread in the newspaper for about the last 6 months, telling everyone in the country and in this town that there would be massive starvation in the former Soviet republics; that the winter was crucial, foisting upon us this concept, the need of taking care of them and not our own, the internationalist idea of they are first and we are second.

Then he wants to say: "It is a small plan," the President, to assuage the American people who are still wracked by this Republican recession right here at home.

The President cannot have it both ways. Any way you look at it, the President's proposal will cost the American taxpayers billions of dollars. No matter how you disguise it, it is real money. It has not been spent yet.

That brings me to the real contradiction in the President's approach. It is not the details of the plan, and I would argue that clearly there is a need for stability within the former Soviet Republics and we ought to be as helpful as we can where we can. It is not the vagueness of the funding or the confusion about the substance.

The real problem has to do with the President's own priorities or the lack of priorities of this administration. While our own economy reels from 12 years of Republican mismanagement, and while our middle-class and middle-income families are squeezed at almost every angle, squeezed to pay their mortgage, squeezed to provide tuition for their child's education, squeezed to pay for health care benefits that are rising three and four times the rate of inflation, while our families are struggling, how can the President even consider a massive foreign aid plan for the former Soviet republics?

The Republican recession continues to grind away at American families. Unemployment. You would think we were in this boom period in America, if you listen to my colleagues on this side of the aisle, if you read the editorial writers, if you read the business page and the economists who say we are coming out of this recession.

We have been coming out of this recession for 2 years and unemployment is at its highest level now, 7.3 percent, officially. That is officially. I should tell you about "officially," because a year ago when the recession began the Bureau of Labor Statistics could not find 650,000 people who were out of work. They recently admitted to that. How can you lose over a half a million people?

So the official rate today, from those same people, is 7.3 percent. But if you include discouraged workers and people who are working part time and cannot find full-time employment, the percentage is closer to 14 percent of Americans today who cannot find full-time employment, 14 percent.

Of course, it is even higher in Michigan, where the official rate rose to 9.3 percent in March. Mr. Speaker, that is a half a million people out of work, people who have to go home, or are home, people who are mentally discouraged, who have to face their families and deal with all the rising expectations that this society lays upon them hour after hour through this telecommunication age that we live in.

If any of you know of people who are out of work or if you have been out of work yourselves or if you have had a parent or a family member, you know how mentally anguishing that is, let alone the deprivation of being able to provide for your family, how mentally anguishing it can be. Rising health care costs, rising education costs, and the Republican recession continues in this country.

How has the President responded? First he denied there was even a recession. We all remember the wonderful afterglow of the President relaxing, and he deserves a vacation, I don't fault him for that, he does work hard, but I will never forget those pictures on national television the summer before last, a summer ago, when the President, after the gulf war, was in Kennebunkport fishing, playing golf, and had before him a bill that we had passed in this body, over the Republican objections, for unemployment compensation for people who had been thrown out of work.

The President said: "We don't need it. It is not an emergency. We are not in a recession. Things are moving fine." In fact, the Secretary of the Treasury said at that time the recession was no big deal, slapping every working man and woman in this country in the face.

The other guru of economics downtown, Mr. Darman, said: "Unemployment compensation, you know, that is something that will just perpetuate people to not look for work." It is kind of interesting that the three folks down there that make economic policy,

Mr. Darman, Mr. Brady, and former Secretary of Commerce, Mr. Mosbacher, and people who live off their own trust funds. These are wealthy people. I don't begrudge them their wealth, but they have no sense of the pain that is going on out there to make statements like, "The recession is no big deal," "Unemployment compensation perpetuates people not working." What kind of nonsense is this?

We sent the President the unemployment compensation bill and he vetoed it because he said the recovery was right around the corner. Then he vetoed our tax cut that we provided for middle-income people who are squeezed on all these fronts, on health care and education, who have difficulty finding work. We were going to put $600 to $800 back into their pockets, paid for by the wealthiest Americans, the top 1 percent, about 2.5 million Americans who make between $315,000 to multimillion dollars a year, the wealthiest who made the best deals for themselves in the 1980's. We asked them to share in the sacrifice to get the economy moving again and to help those who are not so fortunate. The President vetoed that.

Now he wants to send billions of dollars to the former Soviet Republics. They still don't understand. They don't get it. Last week he gave a news conference where he pledged to mount a massive lobbying campaign on behalf of his Soviet aid plan. He said he would mobilize the executive branch, the Congress, and even the private sector to support his plan. It was almost like a mission coming out of his soul and his heart. It is as if he is stuck with international serum in his veins.

Secretary Baker said there was no higher priority than this aid plan, no higher priority.

Mr. Speaker, the President has got his priorities all wrong. He ought to be mobilizing a massive lobbying effort to support a plan to revitalize this American economy.

□ 1550

We hear nothing about how we are going to regroup and adopt an industrial policy in this country that will be competitive with the Germans, the French, the Japanese, most Western developed societies. They know where they want to go in engineering, they know what they need to protect in automobiles, they know where they want to go in biotechnology, they know where they want to be in computers, telecommunication, and they have a plan to get there. They have a plan to train their people so they are educated to meet the goals.

We do not even have a national health care plan in this country. All of these other places dealt with that issue generations ago. And we sit here with a health care system that is a disaster. It is out of control, and costs are rising three and four times the rate of inflation. People at the bargaining table are negotiating whether or not and how much of their health care system they can keep. Wages are not even on the table anymore. And at any one point in this year we will have 60 million Americans without health insurance. It is a disgrace. It is an utter disgrace.

We have no plans on how to get the economy moving, no plans to deal with the unemployed, no plans to know where we ought to go with an industrial policy, no plans for an educational system that will provide excellence.

Mr. Speaker, the President has got his priorities all wrong. His highest priorities ought to be our own economic recovery here at home, and even more important than that, where he wants to lead this country in the areas I have just dwelled on. What is he thinking about?

Mr. Speaker, I intend to do everything I can, I pledge to do everything I can to defeat the President's Soviet aid plan until he gets his priorities straight. Jobs for Americans must come first. An auto worker in Michigan is as important if not more so than an unemployed worker in Moscow. And until the President agrees to support two pieces of legislation to put our economy back on the road to recovery, I will actively oppose the Soviet aid proposal.

Our first domestic need is a bill to make permanent reform in the unemployment benefits program. We cannot have 14 percent of our work force, most of whom are not working, not receive benefits. Since the recession began in July 1990, Congress has passed four bills to provide emergency benefits to the victims of this Republican recession, and although President Bush killed two of them, he allowed two to become law, embarrassed into the third and acquiesced on the fourth. But these emergency bills will expire on July 4, even though the unemployment rate, as I said, is higher today than at any point since the recession began. We need legislation to provide an extension of the emergency benefits, and we need to make permanent, so that we do not have to go through this charade month after month after month while people worry where their next check is coming from. Every decent industrialized nation on the face of the Earth has an unemployment compensation policy that is in place and that is triggered, and that workers and their employers have invested in, and there is certainty of a payback when the economy moves downward, except us. Like everything else this administration stands for, there is no sense of where they want to be. We need to make permanent reforms so that we do not have to pass an emergency bill every 4 months when the American workers are hurting.

The second thing I am going to insist on is we need an accelerated jobs bill to put our own people back to work. My God, you walk, you ride, you fly across this country and you see America in many respects, despite its beauty, and its grandeur and its magnificence, in decay. Our parks, our schools, our highways, 61 percent of which need repair, our bridges, two of which fall apart every day. There is much work to be done in this country, and every community that we represent has a list sitting in city hall or the township hall of things they want to get done for their citizens, whether it is a water treatment facility or a boardwalk, a library or a school renovation, or bridges or roads that could put literally millions of people back to work. The building and construction trade industry in this country is suffering from unprecedented high unemployment, plumbers, carpenters. All these people could get put to work in a constructive way to make this a richer and a better country for our people to live in.

So I am advocating and will insist on an accelerated jobs bill to put our people back to work. And the gentleman in the respective committees who have advocated this, the gentleman from New Jersey [Mr. ROE], the gentleman from Michigan [Mr. CONYERS], and the gentleman from Mississippi [Mr. WHITTEN], all have proposals to do that.

We have to pay for it. I have an idea how to pay for it. I am not wedded to it. I will accept other ideas. But it seems to me we ought to be able to raise a surtax on millionaires like we did to pay for the middle-income tax cut bill, and raise millions of dollars over a period of time. We ought to cut deductions for the CEO's who make over $1 million a year, as bloated and as preposterous as that sounds and seems, and it is, and it happens on a daily basis in America, on a yearly basis, and they deduct that stuff from their taxes so that the rest of us have to pick it up. No more. We could save literally billions of dollars there to put our people back to work.

An unemployment compensation bill, permanent and accelerated public works jobs bill, these two pieces of domestic legislation can easily become law if the President will join us in taking care of our own here at home. If he showed the same determination to get these bills passed as he has toward the Soviet aid plan, his love for Red China, we could turn our economy around, and that is where we need to start. And once we have accomplished these goals that could be done in a matter of weeks, then and only then, can we move on to the President's plan for the rest of the world, which in some areas, and to some degree, has merit, and at some point which I will be willing to come forward and acknowledge. But not until we take care of our own here at home.

It is easy to get mesmerized around here by the charm and the elegance and the excitement of international relations. Most of us studied it in school who serve in this body. But the tough work is making sure things work here at home. That is where the responsibility is foremost, and that is where our attention ought to be focused.

So Mr. Speaker, I thank my colleagues for allowing me the time to express myself on these issues, and I yield back the balance of my time.

□ 1600

AID TO THE COMMONWEALTH OF INDEPENDENT STATES

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Iowa [Mr. NAGLE] is recognized for 60 minutes.

Mr. NAGLE. Mr. Speaker, I would not profess to have the eloquence of the gentleman from Michigan. I cannot speak with such force as he just did.

But I would say at the outset that while he is my good friend and a colleague of my party, I disagree with him, and I disagree with him most forcefully.

I think it would be a tragedy if this Congress and this House stood in history's light as having lost the peace. I note that we spend in this country $290 billion a year annually on defense, $290 billion of which, and this may shock those who read these words, $150 billion is spent defending Europe and Japan. Against what?

For the most part we have appropriated that money annually, and sadly in ever-increasing amounts, to defend against the threat of a world dominated by communism. We have gone to great lengths and great sacrifices since 1948 to defend Europe to ensure its freedom, to see that we had allies, and in the process ensure that we here at home were also secure.

Unfortunately I think that we are spending more than we need to spend.

I think our nuclear force is redundant. I think we have bought every program without necessarily the care that we should, and I think it is now time, if not time before, to say to our European allies and to the Japanese that while we do not expect them to rearm, we do expect them to pick up a portion of the cost of maintaining freedom and democracy and the security of their borders. Clearly their economies can afford more than what ours have. But would it not be wonderful, would it not be grand if this Congress, singularly despised by the public that we are, left behind a gift for future generations that no nation had to spend that kind of money defending against a threat because that threat no longer exists? And that really, in a nutshell, is what is at stake when we undertake the debate and the discussion of whether or not we should go to the aid of the Commonwealth of Independent States, the former Soviet Union, or not. I think that is at the heart of it.

I share the frustration of my colleague, the gentleman from Michigan, and his anger at the recalcitrance of this administration to recognize that the economy is down and needs fixing, that fails to be willing to stand back and repudiate 12 years of policies that have led us to this decline, and that is unwilling even in a moment of trial for many Americans to step forward with a bold new program that helps those who have lost their jobs, for those families that have seen their real net worth decline, and says to us again, as President Reagan said to us in 1980, that the way out of this morass is simply to give the rich people more money and hope that they share it with us.

I endorse his proposals for public works. I endorse his proposals for unemployment compensation. But I stand back from him, and I stand back probably from what is going to be the coming storm in debate within this Chamber that there should be linkage between the situation in the Commonwealth of Independent States and the situation in domestic America. I say do both. And I say do not link one to the other. Pass those bills.

Put the responsibility on the administration for acting or not acting or reacting.

You see, one does not preclude the other, and, indeed, if we are going to rebuild this country, then it is absolutely essential that we bring down the amount we are spending on defense, and no reasonable person could argue that the surest and the safest way to do that would not be to simply reduce the amount that we are spending on defense, because it is not needed.

Because the Commonwealth of Independent States, Russia, Ukraine, Belorussia, Kazakhstan, all 14 Republics can step into the community and the family of nations, not now as adversaries but as friends and trading partners, and the isolation that has blocked us from the advantages of their rich culture and their rich history can be removed, and the synergistic effect of the emergence of new ideas with the old can truly lead to world peace behind us.

But we have to act, and we have to act quickly. If I have a criticism of the administration it is that they have not acted quickly enough, and if I have a second criticism of the administration, it is that their proposal does not go far enough. It does not do enough.

I suspect it was made in response to criticisms voiced by myself and President Nixon and Governor Clinton that they decided that they had to put this package out, and I said at the time will they come down here and fight for it; will they make the case, or is it simply a political step back from the criticisms that they have been receiving for their timidness and their meekness in the face of challenge? To me it is puzzling, utterly and unalterably puzzling, that an administration that can organize the whole world to go to war is taking such a slow and recalcitrant step to go to peace. Be that as it may, that is what they have chosen to do.

I would like to think that I have developed some expertise in this area. I always face the burden when I speak to the floor that because I am from Iowa people assume I can only talk about farm issues, and I can talk at length about those, and I can talk at length about what the administration has done to American agriculture. But I have also taken the time over the last 3 years to study the relationship with the Commonwealth of Independent States, to familiarize myself with it, and I confess there is an Iowa root to that connection.

Because my great State has managed throughout the entire cold war, through periods of detente and periods of thaw to maintain a relationship with the then Soviet Union, but now the Commonwealth of Independent States. It actually started in 1958, when Nikita Khrushchev chose to come to this country and chose wisely, I think, in the course of coming to visit Iowa, and hook on with a man by the name of Roswell Garst and the Garst family, and their successor in interest, a young man at that time, now a man of moderate age, John Crystal, who has maintained and our State maintains, ties with them. Our Iowans went there, and Russians came to our country, and while the President and the Soviet Premier would be throwing barbs at each other and nuclear threats, Iowans would continue to talk back and forth to them.

We have come to appreciate their talents and their capabilities, and we do not appreciate and never did their system of government or their lack of democracy.

I went to Moscow in December. It was my second trip to the Soviet Union. I was there 2 years ago. I say quite categorically and on the record in public that I personally do not think that the odds of them being able to make a successful transformation economically on one side and politically on the other side is by any means preordained to succeed, and, indeed, I would argue that the odds are at best 50–50 that a Yeltsin type of government with a Russian Parliament can succeed, that we will be able to avoid ethnic strifes, that we will face the danger as we do to this day of civil strife in a country withnuclear capability or between two countries formerly united with nuclear capability.

I can tell you quite simply and quite sincerely that the situation on the streets of Moscow is desperate, desperate in some ways that even defy our imagination.

Before I went, I went to a hospital in Waterloo, IA, and I asked them to give me a list of everything that you would need if you were just basically going to run a hospital, things like syringes, insulin, aspirin, bandages, crutches, anesthetics, antiseptics, anesthesia. I went there and presented that list to the head of the equivalent of the oblast, region, of our medical association took him a handwritten list, and did not change it from what they had prepared. It was three pages long. He asked for a day for him to study it and for me to come back, and I did. We met at the White House, their White House.

□ 1610

He handed the list back in front of a group of other physicians the next day, and he said, "Congressman, we need everything on that list," and they do.

They said, "We need your medical equipment, but we do not need medical equipment made probably after 1980, because we do not have the expertise to use it, and if it breaks down, we wouldn't know how to repair it; but your antiquated medical equipment is something we need."

We talked about how Russian citizens today are treated, and it is very simple. If you are old and ill, you simply lay in your home. If you are young, they are particularly short of medicine for children.

They need everything that a hospital has, and they need it desperately and they need it quickly.

That is not their only problem. When I was there in June 1990, the ratio of a ruble to a dollar was 3-to-1, three Russian rubles to one American dollar was the official exchange rate. Whan I arrived back there in December 1991, the ratio was 90 rubles to 1 American dollar. When I left there a week later, the ratio was 100 rubles to $1.

The price of a chicken when I was there at the government store was 1 week's wages. You would work a week to earn enough to buy one chicken for your family. A slab of baloney, and anyone from Iowa has some expertise on that, I like to think anyway, a slab of baloney was 10 days' worth of work.

People were standing on the street corners, near the empty department stores, selling personal items, their ties, bras, pins, handkerchiefs, coats and clothes, to try to get enough to buy food to keep up with inflation.

Now, you take a country that has no history whatsoever of democracy from the time of the Czars and you take a history in which there is not adequate medical supplies, and there are not, and you take a country which has no history of free economic systems, and you tell them to make those transformations overlaid on social unrest and hardship, you put an enormous burden on them. It is in our interest that we make sure that they make that transformation, because everything that the gentleman from Michigan cares about and that I care about can be done so much easier if we are in accord with them, as opposed to being in opposition to them.

So I disagree with linkage and the concept of linkage.

When I came back, I did something that received some note. I called every major Democratic Presidential candidate, got them on the phone, they were kind enough to take my call, and I said to them, "You know, we have got to give the President a political license to act if he chooses to do so."

Paul Tsongas from Massachusetts, the first one I talked to, fortunately, on a Saturday afternoon said, "You know, we ought to send a letter and we ought to tell the President that assisting Russia and the Commonwealth of Independent States to make the transformation is beyond politics. It is a matter of statesmanship and it is a matter of policy."

I said to him, "Senator, that is an excellent idea. I will undertake to draft a letter and circulate it among the six candidates and ask them to sign it and present that to the President so that he will know from our side he is free to act boldly and he is free to act vigorously."

It took a week, not an uncommon length of time when you are dealing with six different Presidential campaigns and three different time zones, with Presidential candidates scattered all over the country at that time in December, but by the end of 10 days we had an agreement and we had a letter signed by Governor Wilder, who was then in the race, by my own Senator HARKIN, by Governor Clinton, by Senator Tsongas, but Senator KERREY chose to issue his own letter, but the text was almost identical to ours.

What we said to the President was, "Mr. President, you may act. We will not criticize you."

It was an extraordinary act by those candidates, each vying with the other to receive political advantage, to be willing to step back from that combat and those contests and say to the President of the United States, "We will act as statesmen. Here is our check,"—a poor term today—"here is our endorsement for you to go ahead and act and aid them."

The President was on his way back from Japan when we called the White House and informed him of it, fortuitous timing because the President was in the process of coming back from Japan and criticizing Democrats for not supporting his initiative, but we did.

Thereafter, we have waited and we have waited and we have waited for the administration to boldly step forward and offer a plan to preserve the peace that we could support, and by their tardiness I fear now that plan is jeopardized in what can best be regarded as partisan wrangling, held hostage to other bills and its fate uncertain.

What frustrates me, when I introduced this legislation in 1990 everyone said, "You're crazy."

When I went to the Soviet Union in 1990, I met with the Pravda editorial board and I met with a remarkable Russian that I have really come to like, Mr. Shachnazarov, a close advisor to then-President Gorbachev. He said to me, "You know, you are the first Congressman that has ever come to Moscow and accused an American administration of being too hard on communism."

I said then and I have pushed that ever since because I am convinced that cultural exchanges and the free flow of information are more important, particularly when times are difficult between enemies and adversaries, but on November 20 under the leadership of Senator NUNN, he of the other body, and Mr. ASPIN, the chairman, of course, as we know of the House Armed Services Committee, allocated the administration $165 million in humanitarian assistance. It was distressing to me to learn 2 weeks ago that most of that money has not been spent and that those goods are still tied up in American ports, languishing there while we wait for the administration to free them and spring them. It was distressing to me, did not bother others, but it bothered me to the devil, the fact that a lot of the money is being used by the State Department to give to the Department of Defense to pay for the transportation costs. It seems to me that we meant that money to be used for them, not for one branch of the executive wing to reimburse another division of the same executive wing, set that aside.

On November 23, an organization called Prodintorg came to me and said they wanted to buy 30,000 metric tons of the best of American pork, and they wanted a GSM, that is a guaranteed sale, at a world price, which would require an EEP, that is an export enhancement—you do not have to know about that—but what they wanted to do was they wanted that sale and they wanted to buy it from us. That was November 23.

The USDA finally got around to approving it sometime in January and sent it to what is called the IGA, the Interagency Group, the Trade Policy Council, where the administration proceeded to review it, review it and review it.

Now, while that review was going on, the St. Petersburg oblast, which is a region of St. Petersburg, came in and they wanted to buy 21,000 more metric tons.

I want to tell you something, that is a lot of pork. Sure, the hogs would prefer it to be beef, but they wanted pork.

Now, 50,000 metric tons of pork represents 50,000 days of labor in the meat

packing industry. Fifty-thousand metric tons of pork represents an increase of one-half, by 50 percent, of our worldwide exports for all of last year. It uses up 5 million bushels of corn and a million bushels of soybeans.

This was not a giveaway. For those of my colleagues who may not know, it is 12 to 15 cents a pound on a live hog. It is a lot of money.

□ 1620

It would go to American farmers. And it was exactly what the Russians needed.

On March 25—you heard me correctly—March 25, that is 5 months and 2 days later, the administration said, "No." And the sale was lost. And I met last week with the Pusdontorg as they left town, discouraged, not really believing the administration really was committed to help. The $165 million in humanitarian aid was still sitting on the docks waiting to be shipped.

Now the administration comes forward with its proposal, proposes to stabilize the ruble, which is good; it proposes finally to allow them to join the International Monetary Fund, which is good, but continues to exclude them from the OECD, the Organization for Economic Cooperation and Development. It continues to exclude them from what is called the Mitterrand bank. It continues to oppose their inclusion into the GATT negotiations other than as observers. Once we get them into this marvelous accomplishment, we are going to have to go back and negotiate trade agreements with them and we are not going to start the integration that they need to have into the world economy.

They want to buy our finished products, our farm products. I can tell you that their processing system, the time it takes to get a hog from slaughter to pork that you could put on a supermarket shelf, their processing system is just as messed up as their distribution system.

The mayor of one small Russian village south of Moscow about 75 miles told me his village sent 324,000 chickens to Moscow to be processed, never got one of them back. Another individual told me, he from the outer regions, a member of Parliament, that in his region—and we were talking to two of them together sitting right across from me—he said in his region they do not have any livestock. The fellow next to him said, "In my region we have livestock but it is starving to death and we cannot process the food." You cannot believe until you have seen it how fouled up, how messed up, how distorted the Communist market economy system is or the Communist system is. It just does not work.

Before I went there in 1990, I asked Dr. Brezinski what is the fundamental problem with the Soviet Union? He told me, he said, "Congressman, the fundamental problem is nothing works." I said, "Oh, you are a hardliner." I said that out of respect. I said, "You are a hardliner, you don't like Communists, you don't believe in them, and I don't accept that." Well, I went there and I saw that he was too modest in his assessment. Nothing works and nothing changes.

But they have a chance to make that transformation if they have the involvement of the international community and if we can recognize what is at stake.

Part of the administration's theory of assistance that I agree with, with some reservation, part of the administration's agreement in theory at least is the fact that they want to allow on the free market system the free enterprise system to go in there and rebuild the country. I do not think that that is necessarily a bad idea if it is done with some restraint.

I worry that some of the people being sent over there are true ideologues who believe that Adam Smith went too far, will not tell them about the SEC's and FDA's, will not tell them about the need to regulate the products as they come on the market and the need to regulate the environment as they come out, but nonetheless I think it is a good theory. I think it will help.

I think there are two prongs to our attack. One has to be to give them and see that they have access to enough food and medicine in the short run, to maintain the standard of living that will allow them to retain social stability. That means the finished products we talked about.

The second is I think their markets have to be open to ours and we have to have access to them.

Unfortunately for American businessmen who just want to try to take this opportunity, there are a series of legal legislative barriers that we have erected through the years that prohibit American business from interacting with them in the same way you would with anybody else in any other country.

I approached them with some trepidation, but 2 years ago I went to the groups that are most vitally affected by this policy and asked them if it was not time to step back from that. And I think I got a consensus, not from everyone, but, "Yes, it was time to step back and reexamine it and see if it is still appropriate."

I am talking about a law on our statutes known affectionately as Jackson-Vanik. What Jackson-Vanik does is it prohibits trading with any country whose stands on human rights and emigration or migration do not meet acceptable standards. It was imposed on the Soviet Union because of their absolutely deplorable record on emigration of Soviet Jewry and suppression of Soviet Jewry and the denials of Soviet Jewry. And we insisted that they pass an open emigration law, which their parliament did. Yet I noticed when the President's proposal came down here today, he proposes to perpetuate the system we now have which allows them to waive for 1 year the applicability of Jackson-Vanik. And he has done that, to be applauded, but if you are a business person in the United States and you are looking at an opportunity for an investment and you need to go there, you need to know that you are going to be able to go there on favorable term for more than a year at a time.

So, I have suggested, and I will introduce next week, legislation which would set it aside initially for 3 years and then for a 5-year period after that so that you are assured you have access there.

Now, if things turn bad, and they may, then in that case there will be a trigger mechanism to allow reimposition. But things being normal, we will not have to worry about this administration or the next administration having to go in there and waive it again and waive it again and waive it again. If you are an American business person, you can go in there and you can trade, knowing with some degree of security that you are going to be able to be there. And it does, I might add, take time to negotiate with that system that they have.

Second, behind those are four amendments called Johnson/Byrd/Stevenson/Church, and they basically say that even if you waive Jackson/Vanik, there are still restrictions on the involvement that you can have with Russia, the Soviet Union.

The President proposes to lift those for now, but again on a temporary basis. One of them, particularly the Church amendment, I believe, prohibits Soviet investment in securities and exchanges of over $40 million. One of the things they would like to do, I think, from my conversations out at the Embassy, one of the things they would like to do is to use their oil and gas reserves as security to get an infusion of hard cash.

I think the Church amendment, if I am not mistaken, prohibits that. Our businesses can go there, but there are restrictions on what is called OPIC's, that is Overseas Private Investment Corporation. In some countries we will, because we want that country to succeed, we will guarantee the business against a portion of their loss, to encourage investment abroad by our companies, joint ventures, and that sort of thing for the benefit of both the American worker and the recipient country's workers, and to see that they in fact buy our products if they are made here.

We have got to lift the cap on that. We also have to free any credit restrictions on what is called Eximbank's credit and trade. I would set those

aside also for much longer than what the administration has proposed.

Last, well, maybe not last, but I think the administration has to recognize that we need to take a long look at the barriers of technology.

They finally, 2 weeks ago I think, or 3, lifted some of the restrictions on technology. During the war we had a system where we put up a barrier, what you could trade and what you could not trade, with Communist countries.

It worked. Believe me, it worked very, very well because we will not send them technology that would be used to convert it into weapons. It is called dual-use. We would not restrict the level of technology through an organization called COCA. But now that our business is going there, we cannot go there and take our best products because of the technology restrictions.

Just this week, last week we agreed to buy some of their technology. At one point earlier this year, the Russians brought some of their most advanced technology over here and wanted to show it to us, and their technology transfer barriers prohibited them from even showing us what they had.

Well, our businesses cannot compete if we cannot take our best technology over there. I am not talking about militarily sensitive technology, but I am talking about phone and communications, those types of things.

Anyone who has ever been in Moscow and tried to call back here knows the problems with the Russian phone system.

□ 1630

It is almost impossible to get a phone call out of there given the difficulties that their phone system has. Their computers are, at best, antiquated. What they have, their Xerox machines, are almost nonexistent, and, if our business is going to go in there, we need to have access to that technology, to take it with us.

Mr. Speaker, I wondered about those things, and I put them in anyway. I thought in 1990 that the more they learned about us, the more they would want to be like us.

Now to the pessimist, they say, "They'll never make it. You're wasting your time. Keep the restrictions up because there will be another revolution, and they're going to fail." I do not want that to happen. And then the pessimist will also say, "They'll never make it. They're not smart enough. They're so ingrained with their system that, even if you take a modern system, they won't be able to handle it."

Mr. Speaker, I think back, about two examples to kind of show my colleagues the historical magnitude of where we are at as a Congress, and as a Government and as an administration. If that philosophy held true, the English, and the French, and the Dutch and the Spaniards, to name a few, would never, following 1492, have invested in this country. It was too far away. One could not communicate with it. It took 3 months to get there. The indigent population was hostile to us or, at best, unreceptive to our continuing presence and buildup. But French, and Dutch, and British, and Spanish investors said, "We'll take a chance. We'll invest."

And they did, and they made profit. And the profit is there for us. If they could to it, then we surely can do it now. We surely can capture that market. We surely can be part of their economic regeneration.

And the second thing they said was, "Yeah, they'll never make it because they have no experience with democracy"; I will grant that.

In 1945, we walked into Japan as conquerors. It is almost not too little to say there was not a stone left in that country. We had destroyed their infrastructure. We had destroyed their capacity. We had destroyed their machinery and their warmaking capabilities. All as we should have. And we stepped into a society that had been feudal, with an emperor, and we said. "We're going to give you democracy."

Within 5 years Japan was a functioning democratic nation. Within 10 years, modestly speaking, their economy had started to rebound, and within 20 years they are a world economic power, and I do not need to tell my colleagues about their strength today.

Mr. Speaker, to say that Russia cannot make it because they do not have a history of it is almost expressing a cultural bias or a cultural superiority that we do not deserve. If we do this right, they will make it. They will be great traders. They will be great friends. They will be great allies.

But we have to see that they make it, just as the Japanese did, just as our ancestors saw the opportunity here. Open up trade with them, and I must say to my colleagues that in the process of visiting there I went to stores, and restaurants, and hotels that were owned by foreign entities in partnership, in partnership with them, and they work. As a matter of fact, there is one in Moscow. I think it is called the Pateeya, and I say to my colleagues, "You couldn't tell you weren't in New York City in that hotel. They spoke excellent English. They extended courtesies. It was expensive, but it was good. It was a fine hotel, and generally you'll find, when given the opportunity to utilize the free-enterprise system, they are capable of utilizing it and utilizing it quite successfully."

But we literally stand today at a brink of either opportunity or of denial. I do not know what history is going to write. I would like to speak on the floor. I think of the people who have stood on this floor before me, Americans far greater than myself. From the podium behind me have stood Presidents, and heads of state and national heroes, and they have struggled with this Nation's policies since this House was opened for business in the mid-1860's, right after the Civil War. I think of how they have plodded, and fallen, and stumbled and made mistakes, but I would also like to believe that, when one comes to this room, this House, that somehow, some way, not by oneself, but through the collective arguments of our colleagues, and their persuasion, and their perception and their capacity to share that with us, in the better days this House has had than this week or this year, that collectively somehow we manage to figure it out and we manage to do it right. It is almost as if, by putting everybody together, somehow we find it. I have no question that at that podium, on the day of December 8, 1941, every American knew clearly what was at stake, knew clearly what was required of us, knew clearly what needed to be done and did it, as they have on other occasions, as they responded to Roosevelt at the height of the Depression, as they listened to Wilson, as they listened to others and as they listened to each other.

But this crisis is more subtle. It is not right on our doorstep. It does not dominate our news. The choice facing the American public has not been adequately put forth. People are afraid to do, I think, what I have done today, to stand on the floor for my colleagues to read, or if they watch in their office, to hear, someone defend a Republican President's initiative and say, "It's not enough," and take the case to the American people.

But I think when that debate takes place here, if we realize the magnitude of the opportunity before us, and the dangers if we fail, reason will prevail. My colleagues on the Republican side and my colleagues on the Democrat side will hear me and hear those of us that stand forward, and we will pass through this portal of moment into history, having done, as this House has done so often before after such great struggle, the right thing and taken the right steps. Because ultimately what we have to do is my colleagues and I have to trust the American public, which I firmly believe, if given all of the facts, and given all of the reasons and all of the arguments for and against, they will trust us, they will make the right decision.

I should give attribution almost because that was the thoughts of Ambassador Strauss when he testified before the House Committee on Armed Services about the need for this package, about the need for the administration to act quickly and boldly. You take the case to the American people and make it, and I will not step back from that responsibility. I know people are going to say we need it here at home. I know

people are going to say they are Communists still; why should we help them? I know people in my own party are going to say, Why are you helping a Republican President?

Partially he needs all the help he can get, but, aside from that, partially because this time I think he is right. We should step forward and we should help, and I hope we will.

□ 1640

Finally, in closing, I would like to reflect just for a minute on a thought I started to share with you about this House and about how if fits into this crisis and the other crises that this country faces.

This is an absolutely remarkable institution. It pains my soul literally to hear Members of this body, distinguished Members, come to the floor and rail against Members of Congress, as if somehow they are not here, not drinking the water and eating the food, but they just blew into town new, and they and they alone have the infinite wisdom to know what the rest of us should do, and we are all knaves and fools, unintelligent and ineffectual.

This is a marvelous place. There are 435 individuals here. They come from every region of the country that has roughly 500,000 people. They come from Hispanic districts, they come from farm districts, they come from deep within Harlem. They come from the conservative hills of Mississippi, they come from the flat plains of Iowa and Nebraska, they come from skyscrapers in Boston and New York, and they come from Florida in the sun. They are men and they are women, and they are freely chosen to be here and to come here and exchange their ideas with 434 other Members, none of whom are alike, none of whom have exactly the same perception or the same problem, and fight it out and try to determine as well.

I would like to say in the House it is an ordinary street fight every day. It is a spontaneous body in which people can come forward and can argue and debate, and they can listen and they can agree. And this place is capable of being magnificent and generous at one moment, and bitter and vindictive the next.

It is a lot like the country. It is a lot like a country that frankly does not always agree, rarely does, divides itself on everything, sees competition as part of its culture almost, and does the right thing, does the wrong thing, elects the right people, and elects the wrong people.

But democracy is not a guarantee that you are always going to get it right. Democracy simply guarantees that you get to try again if you got it wrong the first time. And that is what this House reflects.

We will this week take on the difficult task of the reformation of the House, the privileges and perks that this institution has had for too long, that just kind of got here.

A lot of people do not know the House bank was opened in 1837. If you read the history of the Ethics Committee report, the Committee on Standards, you will see that about every 10 years there was trouble.

When the Republicans ran the House it was in trouble. When the Democrats ran the House, it was in trouble. But it is ancient and it is archaic, and we have been slow to change it.

We have had other privileges of office that in modern times do not seem to fit the decorum of what a Member should be. Not only above impropriety, but above the appearance of impropriety. Not privileged class, but privileged to serve.

What prides me about the House, despite this difficult hour, despite the weighty decision we are going to have to make, is it was this House, freely chosen and freely elected, that responded. We may never get credit for that, but we should. We did not shun public outrage. We did not shun public concern. We moved aggressively to correct it, to take the steps we need to bring ourselves to modern times.

I daresay that this will not be the last time the House has to look closely at itself. But as long as it retains the ability to look at itself, as long as it is willing to bear the criticism, as long as it is willing to stand in public light, with open doors, it remains a unique body of value to the Nation, of strength for ourselves and weakness to our foes.

We have to have the capacity to have faith in this institution and reflect on it and its role and its purpose. So we will close this week I believe with reform. Then I hope next week, and the week after that, and the week after that, that this House will turn to function, to debate the magnitude of problems that face us, and to address them, hopefully with a cooperative administration, but even without, and decide the fate of this country.

I hope in the course of that debate to bring this full circle, that we make the right decision, that this House be the House that won the peace with our vanquished adversary. I hope that future generations will debate not how much to spend on defense, but how much to spend on peace. That is what I hope, and I have the confidence that this House has that capacity and that ability. Magnificent and generous one moment, insightful the next, and forgetful the third, but always functioning, an institution I do not apologize for serving in, and, frankly, an institution that I love.

REPORT BY CHAIRMAN OF SUBCOMMITTEE ON HUMAN RESOURCES OF COMMITTEE ON POST OFFICE AND CIVIL SERVICE

The SPEAKER pro tempore (Mr. JONES of Georgia). Under a previous order of the House, the gentleman from Pennsylvania [Mr. KANJORSKI] is recognized for 30 minutes.

Mr. KANJORSKI. Mr. Speaker, on a Wednesday afternoon such as this it is a pleasure to take the floor of the House, because I have an opportunity to address some issues that my subcommittee has been undertaking for the last several weeks in open hearings, but also has been addressing in a study position for more than a year. I am pleased to be chairman of the Subcommittee on Human Resources of the Committee on Post Office and Civil Service.

Mr. Speaker, as lost as that name sounds, we actually have jurisdiction over the expenditures of the Office of the President and the White House and the Office of Administration and other divisions of the Executive Offices of the Presidency and the White House.

In that regard, most recently we have started hearings, a week ago, at which time the White House did not attend those hearings. Lo and behold, even though we had been planning to establish this set of hearings for more than a year and had done the research in support of these hearings over the course of last year, by time, happenstance, and the fact that the occurrences here with the House bank and House post office and the confrontation with the White House occurred some 2 weeks ago, we found ourselves in what appeared to be an attempt to fashion light on a subject to discourage the attention of the people from this House.

Nothing could actually be further from the truth. As a matter of fact, perhaps the attention that was drawn to the management problems here in the House are actually going to be most helpful as we examine the other branches of Government.

What I wanted to do today was have the opportunity to alert my colleagues as to what we intend to do, what we are doing, and what the end result of what we want to accomplish as a result of these hearings is.

I think those people that are watching on C-SPAN or on television will appreciate what we want to do, too, because I think it is the conclusion of something I have had as a dream coming to this House, that in fact some of the back bench Members such as I can eventually have an effect on not only how this House operates, but in how the entire Federal Government operates.

With the jurisdiction of my subcommittee over the White House, what I tried to analyze is when we reauthorize the expenditures for personnel,

travel, entertainment, and all other expenses in the White House, what do we actually end up doing?

Much to my chagrin, I discovered that one of the items in the White House budget, that comes to the Congress every year and gets routinely approved and then ends up going to the appropriations committees and getting approved and appropriated, is travel.

We found that the line item for the Presidential travel in the United States is $100,000 a year. That item in itself is probably ludicrous on its face since we know the cost of traveling.

But worse than that, we find out that only $29,000 of that money is actually expended, so that a naive eye would tend to think that that is the total cost item involved in that particular appropriation and reauthorization item in the White House budget.

□ 1650

We all know in fact, however, from the study that we have made from other sections of the budget as to what amounts go for travel of the President and the staff and personnel of the White House that this item actually will go somewhere between a minimum of $74 million to possibly $130 million.

I am not shocked by these figures because since I have come to Washington, I have learned that a million here or a million there tends to be change in most people's eyes inside the Beltway, rather shocking to people outside the Beltway. So in two instances, it causes a problem.

Very often those of us who are in charge of Government do not pay an awful lot of attention to it, as we should, in oversight. And it is offensive, annoying, and causes great belligerence when read about in the newspapers or seen on television by the average American people, all to the gross dismay of the respect for government generally, specifically for this House and its failure to oversight areas of Government and perhaps some embarrassment for the executive branch, too, since whenever true numbers come out like that and they are not explained and they come out in a raw form, they tend to be embarrassing.

It has not been the intention of my committee or myself to in any way embarrass this House, the Government and, most particularly, the President. What we are really attempting to do is start with a process that if we do follow it through to conclusion, affords us the opportunity for the first time in 50 years to start analyzing the real cost of Government, where savings can be made, how accounting should be made, and then how we can have full disclosure, which I happen to believe is ultimately the way the Government's money should best be spent.

When we hold it up to the sunlight of public scrutiny, we can bet our lives on the fact that we would not spend that dollar if we knew full well our constituents would know about it, unless we could stand and justify the expenditure of that money and give the logical reason for why it is spent.

I think if we apply that principle of honest, adequate, complete and full accounting, not only to the White House but to the Congress of the United States, to the judicial branch of the United States, it is at the time when we satisfy the American people that we honestly tell them what these three branches of Government spend that we can attack the deficit problem, which is the most disturbing problem for the American people.

But as long as we allow either by reality or by appearance an idea that Government deals with smoke and mirrors and does not respond with telling the truth about expenditures, we will not only not have the respect of the American people and the support of the American people but, in fact, we will have their disdain.

It is an attempt to have adequate, complete, correct, real disclosure, real accountability that the investigation that I am undertaking in the furtherance of passing the White House Authorization Act of 1992.

What we are basically starting out is saying to the White House, we care about what is spent, but we really do not care about knowing particular numbers or particular individuals. What we want to end up with at the conclusion of these hearings is that anyone next year that receives the audit of the White House can truly say, "This is what it costs to operate the Office of the President and the White House."

And if we can end up with that figure in the White House, we should be able to do the same for the Congress. At the end of the year, we should be able to stand up and say, this is what was budgeted. This is what was expended, and this had the capacity of having real auditing; that is, an auditor could come in like they do in private business, examine the accounts, prove the accounts either by random sample or by total sample, to say that in reality this is the entire amount it costs to handle the congressional branch of Government. And we should be able to do the same for the judiciary branch of Government.

One of the reasons this caught my attention is that ever since I have been in Congress 7 years, periodically every 6 months we get these stories of travel expenses. We get these stories of unusual expenditures that are embarrassing to each and every one of us, and we tend to say, "That is not our function as an individual Representative. Why do we have to meet the wrath of our constituents at home or the disrespect from the constituency of the entire United States toward Government when, if they only knew that we didn't know or that we weren't responsible for this, they wouldn't hold us responsible?"

Well, I think they have made it clear to me these last several weeks that I do not think we can give an argument like that. A lot of American people do not understand the existing Government process, and I have to confess, I am not so totally acceptable of the fact that the process we use today is the process that should be used. I am not at all sure that we are not driving around in automobiles and still using the horse and buggy directions and control signals on the highway of Government.

I think what we have to do is honestly, objectively stand back, look at our own Congress, look at the judiciary branch, and look at the White House, and look at the executive branch with a detached effort to say, is this understandable to people? Do they believe it? Should they believe it? Can we prove it and are we telling the truth, the absolute truth to them?

It is only when we can come to that standard that I think we can turn the lack of respect for Government generally, whether it is in our frugality, effectiveness, or efficiency or whether it is just in the fact that the figures we disclose are in fact correct figures.

When I looked at the Office of the President, clearly I realized that we potentially spend somewhere between $75 and $130 million for travel. We should not have an account that says we spend $100,000 for travel and we only spend 29 percent of that. That is a gross, misleading situation that we have allowed to occur here by legislation that we pass here in the Congress.

This is not what the White House asked for. This is not what the President asked for. This is the result of the Reauthorization Act of 1978, when we authorized the White House.

We allowed an account to be put in there that obviously was not correct. I do not think it was correct at that time, but I know it is not correct at this time because it is something like $129 million, 900,000 more than is reflected in the budget. So we set about saying this: That if we can collect within the Office of the White House, the Executive Office of the President, all the costs of personnel, of entertainment, of travel, have them truly reflected out of the accounts of the White House, it is at that point that we will honestly be able to say to the American people what the Office of the President, the maintenance of the White House costs the American taxpayers.

To this day, I am embarrassed to say, I could not give my colleagues a figure within $100 or $200 million because it is not reflected anywhere in a consolidated statement of the budget or the audits of the United States that are performed.

What we find in fact is in travel there are at least 4 or 5 agencies of the Federal Government that actually pay for the cost of travel. It is the Air Force Wing 89 and at the Defense Department that is, the finance is something like $120 million, a portion of which is spent for White House travel. And I believe that portion is about 50 percent. I believe 10 percent of that portion is spent on travel of the Congress, and I believe that another 40 percent is for other Federal agencies.

I think we should clearly allow the Air Force to operate Wing 89. We should not be involved with the efficiency that the Defense Department can handle that wing with, but there is not any reason that whether it is the President of the United States, whether it is his chief of staff, whether it is a lonely staff person that is required to take one of those 24 aircraft and fly somewhere, that the actual cost of that is not related to the White House so that they have to keep it on their account that that is what the expense of that flight was.

The truth should be the same thing when the Congress uses that plane. The cost of that element should be apportioned to the Congress. It should be in an open account that, in fact, that portion of expenditures was made for congressional travel. And if it is used by the judiciary branch, it should be allocated there, or for any of the other executive departments of the Federal Government.

Then we are going to have that account handled by the Defense Department, the wing handled by the Defense Department, but the actual accounting process will be in the individual areas of Government, individual branches of Government, individual departments or agencies of Government, because of where those expenditures are made.

I came from private life. I do not really refer to myself as a professional politician, but I guess I would have to admit, after 7 years in Congress, one would have to say one is probably a professional politician.

I came from a legal background. I did not proceed into office through the legislature, through a town council, through the State Senate or other process. I came immediately out of private practice of the law to the Congress of the United States.

□ 1700

In my 20 years of practice of law I represented a lot of corporations that do exactly what I am recommending that we do. They have what we call cost accounting. They actually take the dollars spent and attribute them to the individual areas where they are expended, so that at the end of the year the managers, the executives of the corporation, have the opportunity to review the expenditure, allocate it to what was accomplished or what was the objective, and test whether the expenditure was reasonable in light of what the objective or the goal was; in other words, the simple question: Was this trip necessary; was the method of the trip necessary; did it accomplish its end; and does it have a sufficient priority in expenditure that we are going to reserve and appropriate that kind of money for that kind of travel, if we have to cut something else.

Ultimately if we are going to get the deficit under control in the United States, I sometimes find myself faced with terrible dilemmas. We have Members of Congress that will introduce resolutions to cut a particular appropriation 10 percent, 5 percent, 2 percent across the board. Many of us who feel we want to be fiscally responsible find it abhorrent that we would be called upon to vote on a blanket cut. People out there may say, "Why?" They do not understand the appropriation process in Government.

When you appropriate, for instance, for HHS, you may be appropriating for everything from the study of cherries or the packaging of cherries to cancer research. When you make a 10-percent across-the-board cut, you may be cutting out the $5,000 study of how to package cherries, and that is a savings of $500, but you are also going to be cutting out the 10 percent of the $300 or $400 or $500 million for cancer research, which is $50 million, and the equations of value and priority there are not having anything to do with reality, with real priorities.

So that our present process does not afford us the opportunity here in the Congress when we vote to appropriate money to do that in a rational, reasonable, prioritized way. It ends up that either we cut 10 percent out of everything, the good, the bad, the wasteful, the absolutely necessary, or we end up not cutting anything at all because we don't want to injure cancer research or some important element that we all feel very strongly about.

The only way we are going to force ourselves into a disciplined method of setting priorities, I think, is to establish a responsible system in Government, something analogous to what we have been using in American industry for 100 years, and that is cost accounting, the ability to consolidate costs on balance sheets and profit and loss statements, to know whether or not the expenditure, the goal of the expenditure, is attained, whether it was reasonable or rational.

Let me give you another example. Just recently, this afternoon, I spent time with the General Accounting Office going over travel expenditures. I imagined and suggested to them, "What would you do as a manager if you were asked to determine what allocations of expenditures your staff and personnel should make if you don't have an actual breakdown of that cost?"

At last week's hearings one of the Members brought to the attention of the committee an example. The example was that a person who was personnel in a medium position in the White House had a luncheon engagement across the street from the White House, and they commissioned the White House limousine and driver to take them to the luncheon and to wait for them to be transported a block away, back to the White House.

I don't know what the cost of the limousine is because the White House doesn't have any limousines it pays for. That comes out of the General Services Administration. You would have to spend probably a month to find out where in that budget that is allocated. We don't know what the cost of the chauffeur is because the chauffeur probably comes from either Transportation or the Treasury budget, not from the White House budget.

So there is absolutely no way to relate the actual, real costs of that driver and limousine, and the gasoline, God only knows where that comes from. So we have no way to know what that actual cost is. So that person uses that vehicle for 3 hours.

Now, we can go to commercial rates. We know in Washington, DC, that a limousine and driver is a minimum of $75 an hour, and you are required to take it at least a half a day, four hours, so we are talking that if you wanted to have a limousine and driver in Washington as a private individual citizen, you are talking about a minimum of a $300 expenditure.

If we applied the actual cost of the limousine, the chauffeur, the cost of his benefits and salary and the costs of gasoline and all of the attendant responsibilities of that limousine, it may end up costing the Federal Government more than $300 or less than $300. We don't really know. But nowhere on an accounting item as it is presented now would that item show up for the manager of the White House who is responsible for administration, so that they would have no way of saying to Mary X or Joe X, "Did you know you spent $300 to go one block for lunch, and that is not a reasonable expenditure?"

They are not aware of that fact, so there is no reason for them to lay down a rule or a policy that can't be permitted.

Second, by not having that knowledge they don't know what they would cut off as a matter of policy if they wanted to save money, because they are not even aware of the expenditure. So what we are trying to do in a very simplistic way is to just take the White House, because that happens to be the jurisdiction of my subcommittee, and say to them that, "At the end of these hearings what we really would like to have is the capacity to pass an authorization bill providing to the President and his staff all the money

necessary to perform the functions of the Presidency and the White House, with all the security and all the protections necessary, but to know what that real cost item is."

Then we know that cost item in the future, if there is a determination that those of us in Government have to cut back, and I truly believe we do, rather than cutting the physician away from the White House or rather than inhibiting the activities of the President that are necessary, we could ask Mary X or John X to take a cab for three blocks, not $300 in the cost of the limousine.

I think that is effective cost accounting. That is what my clients, when I was in private practice, did every day of their lives. Any business that gets in trouble and starts running behind in revenue as compared to expenditure, they basically sit down and say, "Where is the fat? What can we cut?"

You can't cut the fat if you don't know where the fat is, because you don't have the picture of all your expenditures. So all we are attempting to do is ask the cooperation of the White House to provide us with that accounting system and the internal control system that will give us that display.

The second thing we are doing is, because there is not a manager in Government, those of us who are elected for terms of office, in the House of Representatives 2 years, in the U.S. Senate 6 years, and the Presidency 4 years, we only have one boss. The boss is the people that vote for us to put us here. Who else should have the benefit of this information but the people that employ us?

We need in all the other branches of Government, and that we do have here in the House of Representatives, the capacity for total disclosure. If a member of my district wanted to know what the expenditure of any Member in the Congress of the United States was in the last 3 months or at any time prior to that, they could ask me and I could go to the Clerk's office and get a detailed volume that lists every item of expenditures that is charged against a Member's office.

I can tell you this from my personal experience, that that has a great management tool capacity to it, because when I first took office I had a member of my staff who inadvertently, inadvertently, who is paid a per diem when they are in my district to perform functions if they live in Washington, DC, they happened to charge breakfast one morning. It amounted to coffee and a donut. It was 80 cents. It showed up on that chart. It also showed up in the local newspaper, I must say. And you can bet your life no member of my staff ever went out and had a coffee and donut for breakfast in the morning and charged it to the U.S. Government. I said, "That is just not acceptable. I am not going to have it."

I think the President and I think the managers of the White House and a lot of the managers of the Federal Government are very professional people. If they are elected they are still professional because they come from that element of our society. They do not purposely waste taxpayers' money, but they do participate in a system that allows taxpayers' money to be wasted.

However, if we can find an accounting system that will truly, at the end of the year or 2-year cycle, however we change our systems of appropriation and accounting, truly reflect in the accounts what is actually expended, then we can have auditing processes by the General Accounting Office or a chief financial officer of the Government, whatever we put in place to increase the management capacity of this Government, come by and make an honest audit and then, at the time of the close of that audit, we can have a mechanism for total, complete, accurate, real disclosure.

I think if we take that principle and implement it in the White House as early as possible, and we can do that through the Reauthorization Act my committee is working on, we hope to be able to have that for the Congress' action and for the House's action sometime in June or July, and if we can ask the committees that have jurisdiction over the Congress to do the same accounting and the same ability to set up a cost accounting system so that we can have auditing and then full, accurate, and complete disclosure, which we now have, but even make it simpler for people to know what those costs are, and if we can move to the judiciary, I think we can accomplish several things.

□ 1710

First, we can develop micromanagement tools for at least the three heads of the three branches of Government, here in the Congress, the judiciary and the White House, and we can set an example governmentwide to say we are going to provide this type of open accounting, we are going to provide this type of disclosure, and we are going to put the test of decision making of how money is spent as what would you like to see in your local newspaper or in the national headlines as the actual expenditures.

Over this weekend, as a result of perhaps our hearings last week, and some of the General Accounting Office disclosures, and I think the Office of Government Ethics recently did a disclosure on travel, the statement was made by the Secretary of State that he was astounded that he had actually spent $388,000 of taxpayers' money on private transportation for 11 vacation trips or private trips. Many people will say, "That's impossible. How could he be astounded?" I can understand how he could be astounded. I can understand that the Secretary of State has never been provided with that figure, and the fact of the matter is if he were to ask for that figure it would literally take maybe a year or 18 months to have the General Accounting Office go down and dig it out, and probably it took that time to get this figure. And above that, the Secretary of State is not keeping an account record on a regular basis of what he spends. I think he is carrying out the foreign policy of the United States, the thing he is appointed to do, and he has been doing it pretty well. It is unfortunate that we caused him embarrassment. We did not intend to do that, and I do not think he should be embarrassed. Who should be embarrassed are those of us who are in the Congress, those of us in elected office, such as the President and Vice President, that we have not seen fit to set up an accounting system, an auditing system and a disclosure system so that this would be made available. And I would go one step further. I think every high official of this Government at the end of the year should get a tab of what it cost you to perform your functions.

We get that in the House of Representatives. We get a budget. The budget is broken down into everything from travel to stamps and to office furnishings, telephones and all of the items at the end of every year. Every one of us knows at the end of the year and we sit down with our administrative staffs and go through those items. And why do we go through those items? One, we know they have been disclosed, and if somebody is taking an abuse, we are going to stop it in the bud. Second, we know we have a limited budget, and if we go over that budget it has to be paid personally by the Member. It is not something that can be taken out of an appropriated account. And three, if you cannot control the expenditures in your office that way, then you are going to have a tough time getting the job done that we have to do as representatives. It takes time, but it is a every responsible thing, and every one of us at the end of the year knows full well that we can sit down and identify everything we have spent for travel in that year.

I think that is a good system. I think we should make that system available to the rest of the Government. I think we should be able to say to all of the secretaries and to all of the departments of the executive branch, to the under secretaries, to the assistant secretaries, to the deputy secretaries, here is your cost item on travel.

Why was the Secretary of State shocked? I can tell you why. You can travel from here to California on a first class ticket for $2,200. You can travel on a tourist ticket for about $500 round trip. But if you take the Presidential plane to California, back and forth, you are talking about an expenditure of around $600,000. Now, if you knew that difference, that by driving to the air-

port and getting on a commercial airline you could save the U.S. Government $498,000, I think there would be a great incentive for one, you to do it as a responsible person, but two, you would sure do it if you knew the press and the American people were going to know about it if you did not do it.

So I think that disclosure here is the only behavior pattern that I can see, the only incentive that clearly can draw public elected officials and appointed officials to use good, commonsense judgment in the expenditure of public funds. I think if we can do that in the White House, I think if we can do that in the Congress, and I think if we can do that in the judicial branch of Government we will have established a mechanism here where when we finally have to go and attack the deficit of the United States we will have a benchmark of cost accounting that we want to be and to have applied across Government. And when we accomplish that, we can finally get to the $400 billion deficit that we are all facing.

If I had to say what the hue and cry of the American people is, it is not really the actual House bank problem. It is the fact that that could happen, and why was the management so poor, and why was that allowed to happen, and they demanded a disclosure and they now have disclosure. But if we just end it because we disclosed it, and we move not on from that position and start saying let us get our house in order here in the Congress, in the White House, in the full executive branch of the Government, in the Supreme Court and in the judicial branch, then we will have missed really the lesson of these last several weeks that the American people are putting upon us.

Mr. Speaker, I just ask my colleagues on both sides of the aisle, neither my Democrats should cheer by what my committee is doing because it is not intended, nor will it cause anyone embarrassment, political or otherwise in the White House, and I am not going to allow it to happen. And I want to say to my colleagues on the Republican side of the aisle that this is not something that happened overnight because I saw a negative reaction to the House bank and the post office. This is something I have been doing for a year. It is something I fundamentally believe in, and quite frankly I can tell my colleagues from the minority members on my committee that they have the same feelings of responsibility toward Government as I have. They want to find a system whereby we can effectively control the costs, not curtail activities, official activities of the President, but control costs, have them adequately really accounted for, and then provide for an honest, complete and adequate disclosure. If we can accomplish that, we can move this government on a whole new track, in a whole new direction. And as a backbencher from Pennsylvania who does not like to consider himself a professional politician, but I guess I have to concede I am now after 7 years, if I could only accomplish the start of that I will have thought my congressional career more than successful.

GENERAL LEAVE

Mr. JONTZ. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the subject of my special order today.

The SPEAKER pro tempore (Mr. JONES of Georgia). Is there objection to the request of the gentleman from Indiana?

There was no objection.

OUR NATION'S FORESTS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana [Mr. JONTZ] is recognized for 60 minutes.

Mr. JONTZ. Mr. Speaker, I rise this evening to address a subject which has received a great deal of attention by the people of this country recently, and is also the subject of attention by several of the committees of this House, and that is the issue of our Nation's forests, and what we are doing to see that they are preserved and protected for the benefit of future generations.

I think one of the most important responsibilities that we have as Members of Congress is to be good stewards of our Nation's resources. I believe that when we are judged, one of the questions that should be asked, and will be asked, is what have we done to see the natural resources of this country are passed on to the next generation in as good a shape as we found them. And as we look at some of the resources of our country, we have reason to question how good we have been as stewards. And in particular this evening, I would like to look at the status of the forests of our Nation and what needs to be done by those of us in Congress, what needs to be done across our country to see that these magnificent forests are passed on to our children, and to their children, and to all future generations for their enjoyment and the benefit of all of the people of this country for all time.

I think that the great forests of our country are our national treasures. They are just as much a part of our Nation's heritage as is the Grand Canyon, or Yosemite, or Independence Hall. They are something which we can be proud of as Americans.

Yet, we see these forests diminished in some ways. We have but 2 percent left of the original native forests which were at one time covering vast expanses of our Nation. Almost all of the entire Eastern part of our United States and many parts of the West were covered by these great forests, but as changes occurred in our Nation many of those forests have disappeared, and now we have just 2 percent left.

I think a critical question that has to be addressed is what is the proper balance.

□ 1720

We are going to continue to have a wood products industry in this country. We are going to continue to produce commodities from our forests. But I think when we have come to the place where only the last 2 percent of our native forests remain, we have to ask the question: Have things gotten out of balance?

That is, indeed, the question that is being asked by many in the Congress today.

I am pleased to be joined this evening in this special order by a distinguished colleague, the gentleman from New York [Mr. SCHEUER] and the gentleman from New York has concerns about our environment that are truly global. He has been a tireless advocate for our forests, and I appreciate him joining me this evening in this special order.

I yield to the gentleman from New York [Mr. SCHEUER] for his contribution to our special order this evening.

Mr. SCHEUER. It is a great pleasure to appear with the gentleman from Indiana [Mr. JONTZ] and I wish to congratulate him on the extraordinary leadership he has shown over the years, not only in terms of preserving America's glorious forest resources, but also his concern that we engage in a meaningful global reforestation program to replace the trees and the savannas and the shrubs and the grasses that were typical, for example, of the entire Middle Eastern region as much as 2,000 years ago, instead of the utterly parched desert that we see there now created through misuse, created through galloping population explosion, too many people and too many animals trying to live on too fragile an infrastructure with the result that the land in effect collapses. It just collapses, and a good, solid agricultural land where there was grazing, where there was growth of all kinds of food products, reverts then to desert, the process that we call desertification, surely one of the saddest and most heartbreaking examples of human misuse of our resources and human misuse of this fragile planet Earth.

Mr. Speaker, this legislative body must very soon begin to address the problems that surround the long-term stability of our Nation's forests, or we will face the most awesome consequences.

I plan to be a participant in the congressional group that is going down to Rio in the middle of June to work with other parliamentarians from other nations to see if we cannot create some

kind of global sense, some global rationale, some global wisdom to replace our depleted and, in some sad cases, vanished forests all over the world, not just in our own country.

Mr. Speaker, of course, as you know, the United States was once covered by many kinds of natural forests. Little now remains of these great forests outside of the Pacific Northwest region.

It is estimated that these forests once covered 15 million to 20 million acres in the Northwest alone. Only about 2 to 2½ million acres now remain, and virtually all of these acres lie within the national forests and the Bureau of Land Management lands in the State of Washington, the State of Oregon, and northern California. These ancient forests, also known as old-growth forests, contain the largest coniferous trees in the world, a part of America's most noble natural resources that the gentleman from Indiana [Mr. JONTZ] and I look forward with pleasure and pride to handing down to our children and our grandchildren if there are any left.

These largest old-growth forests contain the largest coniferous trees in the world, and they are part of America's last remaining temperate rain forests. Ancient forests contain a vast diversity of plant and animal life.

This lush ecosystem, Mr. Speaker, is home to more than 200 species of animals including the threatened spotted owl, and more than 1,000 different types of plants. Most of its Douglas fir, cedar, hemlock trees range in age from 250 to 1,000 years old. Imagine, long before, 400, 500 years before Columbus and his men ever set foot, ever set foot on the Americas, when they sailed in on the *Nina, Pinta,* and the *Santa Maria,* 500 years before that, these old-growth trees were saplings, and they still grace us today.

It is home to the Pacific yew, this Northwest region, a shrub whose bark contains the chemical compound taxol, which has shown such great promise in treating various kinds of cancer. We have all seen the stories on today's television on the use of taxol to treat breast cancer and ovarian cancer.

Our ancient forests now are threatened by our unsustainable logging practices. That means, in very simple terms, that we are taking out more than we are putting in, and any sustainable use of resources must mean achieving an equilibrium between what we put in, what we invest in, and what we take out every year. That is called sustainable development, and it is sadly lacking in so many areas of our national life.

The U.S. Forest Service clearcuts, and that means absolutely wipes out every vestige of a tree or a shrub, clearcuts about 60,000 acres of old-growth forest annually in the Pacific Northwest. The size, quality, and value of ancient-forest timber has made it the mainstay of the Pacific Northwest's timber industry.

Now at issue in this debate is not merely the continued existence of the spotted owl but that of the entire forest ecosystem. The owl versus the logging, this dichotomy is too simplistic to convey the reality of the problem. The spotted owl is just an indicator, just a signal, just a token, just a warning amber light as to the failing health and threatened stability of the ancient forest ecosystem.

Today's spotted owl controversy will evolve into controversy involving another bird next year, the marbled murrelet, which some scientists say makes the spotted owl look prolific in its population numbers.

We must move our environment policy away from Band-Aid species by species approach to environment problems. This has failed. We must become proactive and holistic in our policies and move toward adopting an integrated-ecosystem approach to land use and conservation. In other words, we cannot rely any further on the endangered-species approach, because by the time we detect a bird or an animal that is endangered and we go through a 3- or 4- or 5-year process of establishing that, boom, it is gone; it is history. We have lost the chance to protect it.

I would like to express my support for H.R. 842, the Ancient Forest Protection Act, introduced by my colleague, the gentleman from Indiana [Mr. JONTZ], which eschews the endangered-species approach which has failed us so badly, and it embraces an endangered-ecosystem approach. In other words, if we forget about saving the spotted owl, which becomes very difficult with a 3- 4- 5-year bureaucratic time frame before it is actually declared endangered, if we eschew that in favor of preserving an endangered ecosystem, a larger piece of land with hundreds and hundreds of varieties of flora and fauna, then we have got something, because then we have enough of an area where we can preserve intact very large numbers of animals. We can preserve intact the trees, the flora, the fauna on a sound, sustainable basis.

This bill that has been introduced by the gentleman from Indiana [Mr. JONTZ], my honored friend who has played such an enormously important leadership role in the whole question of natural resources and conservation, addresses the sustainability of our ancient-forest ecosystem and moves environmental policy forward.

Mr. Speaker, the Government should be managing our forests for many purposes, including the preservation of biological diversity. Indeed, the fact is that the long-term sustainability of our biological resources is critical to our survival.

□ 1730

There simply is not enough ancient forest acreage left to sustain the timber industry at current cutting levels. At current cutting rates, the ancient forest ecosystem will be destroyed almost by the time we hit the third millennium. Is that not an irony? By the time we hit the year 2000 and are into our third century, we will be within 5, 6 or 7 years of destroying these glorious ancient forests and the ecosystem in which they are found.

Further, in as little as 4 years, key national forests will be devoid of their old growth. The rapid pace and extent of the destruction of these forests will cause untold ecological damage in the long run.

Eliminating one part of the ancient forest ecosystem will have adverse affects on the whole system—for the whole is indeed greater than the sum of its parts. The stability and resilience of our ecosystems are dependent upon the species connections contained within them.

How many undiscovered taxols remain in our ancient forests? The yew had long been regarded as inconsequential, so that little was known about how many even existed in the forests. It was burned as a weed after logging an area. Yet, to the 10,000 women who die annually from ovarian cancer, the yew is a highly significant species, a life saving species, in our ancient forests.

To me, it is ironic that at the same time the United States is working internationally to negotiate a set of forestry principles for the world's nations to adopt this June at the U.N. Conference in Brazil on Environment and Development [UNCED], our own country fails to adopt these same principles in its domestic forestry policies. The tenet of these principles is what we have discussed before, the sustainable management of the world's forests.

It is ridiculous and pious and utterly disingenuous of our country to ask Brazil to manage its tropical rain forests for sustainable development when we do not ask the same of ourselves in managing our temperate rain forests.

Now, we do the same thing ourselves in managing our tropical forests which can be found in the State of Hawaii. Hawaii is a fraction of 1 percent of the land area of the United States, yet between two-thirds and three-quarters of all our threatened species, including tropical rain forests, reside within the State of Hawaii. We ought to give that beleaguered State far more resources and far more scientific backup and a far greater opportunity than we give the State of Hawaii now to save her previous natural resources.

Mr. Speaker, I would like to close this brief comment by quoting the 13 U.S. Forest Service supervisors from Forest Service region 1 in a letter they wrote to Forest Service Chief F. Dale Robertson:

We are seeing a drastic increase in the number of challenges to our land and re-

source management activities, challenges which are not easily overcome by throwing more money at them or working harder to educate our public or increasing the amount of documentation.

Many people believe in this country, as around the world, that the current emphasis on National Forest Service programs does not reflect the land stewardship values which are embodied in our forest plans.

Congressional emphasis and our traditional methods and practices continue to focus on commodity resources. We are not meeting the quality land management expectations of our public and our employees. We are not being viewed as the conservation leaders Gifford Pinchot (father of forestry in the U.S.) would have us become, despite strong support of the rhetoric in our mission statement. We are worried that if we do not make some major changes as an agency, our mission statement will never move from rhetoric of reality.

Mr. Speaker, if I am able to acquire some time later, I would like to talk about some forest rehabilitation and renovation plans that are ready to go in the Middle East, plans that I have helped develop. I have talked to the Japanese lending agencies about financing them. I have talked to Egypt about being the first country that would cite half a dozen different reforestation areas in Egypt as role models for the entire Middle East, and when I have some time I will get into that.

Mr. JONTZ. Mr. Speaker, I want to thank the gentleman from New York for participating in our special order. I think that the Congress is very fortunate that the gentleman from New York [Mr. SCHEUER] will be representing us in Brazil at this international conference. I hope that when he travels to Brazil he will be able to tell the parliamentarians around the world that we are taking action in our own Congress to protect our resources, and only when we recognize and we take appropriate action to protect our forests can we really ask other countries, which are much less prepared from a standpoint of their understanding perhaps of the science of forestry, and also from the standpoint of the resources they have available to them, and it is very awkward for us to be asking other countries to do what we are not willing to do ourselves, so I appreciate the comments of the gentleman from New York.

Mr. Speaker, I am pleased also to be joined this evening in this special order by a colleague, the gentleman from South Carolina [Mr. RAVENEL]. The gentleman from South Carolina [Mr. RAVENEL] is a member of the Committee on Merchant Marine and Fisheries, which has important jurisdiction over many issues relating to our natural resources, such as the Endangered Species Act.

The gentleman from South Carolina [Mr. RAVENEL] is a cosponsor of H.R. 842, the Ancient Forest Protection Act, as are 137 other Members of our House.

I would like to thank the gentleman from South Carolina for his steadfast support for our legislation and for his articulate voice on behalf of protecting our forests.

Mr. Speaker, I yield to the gentleman from South Carolina to add his contribution to our special order this evening on the subject of our Nation's forests.

Mr. RAVENEL. Mr. Speaker, I thank the gentleman from Indiana [Mr. JONTZ] and my good neighbor, the gentleman from Georgia.

I stand here today as an original cosponsor of Congressman JONTZ's Ancient Forest Protection Act. This bill offers us a chance to preserve one of the last remnants of our magnificent natural heritage, our precious ancient forests in the Pacific Northwest.

As the gentleman from Indiana [Mr. JONTZ] knows, I went out there about a year ago and toured the Olympic Peninsula. Of course, we flew around the Olympic National Park, which of course is protected. We looked at some State forests and then we saw the devastation that is going on out there in the national forests adjacent to the park. It really just tore me up to see what was going on out there.

As the gentleman knows, because I know he has been out there, there is timber in those slopes, very severe slopes. They go in there and they cut all those magnificent trees down and then whatever is left they just burn and the rains come, the heavy rains and the red clay and the dirt is washed down into the little streams and just chokes them up. It looks like the area around Mount Helen's actually right after the devastation there of that eruption of the volcano.

In Charleston the other night, there was a group there and there were some people representing the timber industry. We were discussing the situation, and I remarked that I had been out there and seen the devastation going on in the Olympic National Forest and how upset I was about it.

You know, that many told me that what I saw with my own eyes, I had not seen. He said, "That situation does not exist, does not exist."

So I said, "Well, I know the Sun is going to reverse itself in its orbit now and water is going to start to run uphill."

Some of these ancient forests have trees that were full grown when Columbus first set his foot on American soil. Of course, the anniversary of that is right this year.

These forest ecosystems remind me of natural cathedrals. We have a few of them there in South Carolina. We do not have a great many, but we probably have 25,000 or 30,000 acres.

There is one tract there that was preserved by a Chicago industrialist by the name of Beidler. The Audubon Society was able to buy it from his family.

□ 1740

It is the Beidler Forest not far from Charleston, SC. They have bald cypress trees there. They have trees in there nothing of the height of the Pacific Northwest but these magnificent bald cypress trees, some of them reputed to be as old as 2,000 years old, if you can imagine that; Audubon has built a boardwalk out into this swamp. It is the Four Hole Swamp in the Beidler Forest.

Mr. Speaker, I have a Down's syndrome son who is pretty severely retarded. He is educable, with an IQ of only 17. Of course, his social IQ is about 140.

Well, Mr. Speaker, I took him down into that swamp one day on the boardwalk, real cold New Year's Day, probably about 35 degrees, not a breath of air moving, bright sunshine. We got down to the end of that boardwalk and we looked around, and there we were in this magnificent ancient forest of bald cypress trees.

I said, "William, where are you?" And he says, "Church." Man, that just had a telling effect on me.

When I was out in the Olympic Peninsula, I thought of that day that William and I had down there in our own little piece of the ancient forest that we have not far from Charleston.

As I said, these forest ecosystems remind me of natural cathedrals. Now, when I wrote that, I thought of the day that we spent down there with these trees that tower hundreds of feet over your head while sunlight peeks through the canopy and a quiet serenity envelops all who enter.

For those of you who have not been, you need to go to our Northwest ancient forests and see for yourself. Unlike any other experience you will ever have.

This is exactly how I felt when I first saw these magnificent forests. The trees we have in the South are very young trees by comparison with those in the Pacific Northwest. How someone could even think or imagine going in there with a chainsaw and cutting down a tree that is almost a thousand years old, 300 feet tall, and one that we measured, 42 feet in circumference, is just beyond my comprehension. They are almost 4½ times older than our country. Mr. Speaker, the Jontz bill recognizes that you cannot protect only a part of these ecosystems, you have to protect them in their entireties, trees, plants, streams, animals, all of which contribute to the ecosystem as a whole.

What we have are other interests who are seeking only to look at individual parts of this ancient forest ecosystem. The timber industry and many of the Federal agencies, and I hate to say it but it is true, many of the Federal agencies involved have tried to characterize this issue in just that light. In their view, protecting the northern

spotted owl which inhabits some of these ancient forests deprives them of timber. It is an industry with them, it is just business. I would remind those concerned that the Forest Service itself, the Forest Service itself, chose the northern spotted owl as a indicator species for the ancient forest ecosystem. Years ago, as you know, miners would take canaries into the mines with them when they went down, to protect themselves from poisonous gas. When the canary died, this was an indication of danger, and the miners would scramble to get out as fast as they could.

Now the spotted owl has become the canary for ancient forests and is listed as a threatened species. Therefore, that indicates that the ancient forest ecosystem, itself, is in trouble.

As a low-country South Carolinian and a member of the subcommittee with jurisdiction over the Endangered Species Act, we have been down that road before with threatened and endangered sea turtles.

You all have heard me on this floor in this particular area before with threatened and endangered sea turtles and turtle-excluder device regulations. After legal action by the environmental community, which was totally unnecessary—the administration just would not, would not comply with the law until they were threatened with court orders—then the Commerce Department and the Coast Guard got serious about enforcing TED regulations in 1990. And what happened? Well, shrimpers began to comply by pulling the TED's. I can tell you with a great deal of pride that last year on our beaches in South Carolina and, Mr. Speaker, your beaches down in Georgia, with virtual compliance by the shrimping community, the number of turtle strandings were at a record low.

Detractors of the Endangered Species Act often accuse it of being inflexible, yet the experience with TED regulations in South Carolina demonstrates the act's flexibility.

Back on September 26, 1988, I stood in this Chamber and spoke for the act's reauthorization. There is one statement I made that I find of particular relevance today:

> Aldo Leopold, the father of modern conservation, observed that the first rule of intelligent tinkering is to save all the parts. Even when you don't understand what a particular part does, you throw it away at your peril. The Endangered Species Act commits us to saving all the parts and, by doing so, saves us from the foolish mistake of casually eliminating a species because we don't yet know how it works or what good it does.

Mr. Speaker, and I say to the gentleman from Indiana [Mr. JONTZ] it seems to me we are engaged in some unintelligent tinkering in the Northwest today and that our actions will have far-reaching consequences if we do not do something about it, consequences that we do not even begin to see yet. If we begin to throw away parts of our ancient forest ecosystem, we do so at our peril.

Mr. Speaker, as a member of the party of Roosevelt, Teddy Roosevelt, I urge my colleagues on both sides of the aisle to support the gentleman from Indiana, Mr. JONTZ's, Ancient Forest Protection Act and become a cosponsor today.

Mr. Speaker, I thank the gentleman from Indiana [Mr. JONTZ].

Mr. JONTZ. Mr. Speaker, I want to thank the gentleman from South Carolina for his powerful statement this evening, and his contribution to our special order. The gentleman has pointed out that the issue of the forests of our country and how they are managed is not a partisan issue.

Americans of all different political philosophies agree that we need to be concerned about what is happening with our forests, and I thank the gentleman especially for telling the story about William, because many of us who have been in the forests know the spiritual experience of being able to see these great creatures, these giant trees, so much bigger than we are and so much older than we are, and it gives us a sense of perspective, I think, about our lives. And we want our children and their children to be able to have this experience as well.

I thank the gentleman from South Carolina [Mr. RAVENEL], and the gentleman from New York [Mr. SCHEUER], both for speaking to the importance of the endangered species and also speaking to the shortcomings of addressing these issues one species at a time.

I do not think the question is: "Is the Endangered Species Act a bad law?" It is a very important law. We should not reach the conclusion that the Endangered Species Act should be weakened or repealed in any way. I think the conclusion one must reach is that we are asking the act to do too much. We cannot wait until the habitat of a species is so decimated that they become endangered.

We should have learned that from the experience with the spotted owl. It is not just the spotted owl, however, which is at risk in the Pacific Northwest. More and more we are realizing that there are many, many species that are affected.

One area where increasing attention has been given is the fisheries of the Northwest and how they are threatened. Just a few days ago, several commercial fishing and sport fishing groups joined environmentalists asking the U.S. Forest Service to immediately halt logging in the Pacific Northwest which is damaging the fishery resources.

□ 1750

A letter was signed by groups, including the Oregon Rivers Council, United Anglers of California, the Independent Troll Fishermen of Oregon and addressed to the regional foresters in the Pacific Northwest making the point that the threat to the fishery resources is very immediate. To quote Jim Johnson, who is the president of the Troll Fishermen, the commercial fishermen, "Our jobs are on the line. Once the fish are lost, so is our way of life." The American Fisheries Society, which is a professional organization of scientists who are experts on the fisheries, have identified 214 depleted stocks of anadromous fish in Washington, Oregon, and California.

Now sometimes when the issue of fisheries is discussed, the blame for the problems is laid at the foot of the dams on the Columbia River, and that is a factor, but two-thirds of the fish that are cited by the American Fisheries Society, two-thirds of those 214 depleted fish, are fish that are outside of the Columbia River basin. The decline in many of these stocks is in almost all of them to some extent attributed to the logging activities. There is no question that the fishery resources of the Northwest are in decline, and I believe that scientists today are in virtually unanimous agreement that the major cause of that decline is the degradation of habitat for these species, and we are virtually going to see an endangered species of the month parade of, not just fish, but other species if something is not done to protect the forests. This Friday the Pacific Fishery Management Council will meet in San Francisco to decide whether to ban ocean salmon fishing for this coming year because some runs are falling short of the numbers believed needed to spawn a new generation.

Does commercial fishing pressure have something to do with the problem? Yes. Do the dams on the Columbia River have something to do with the problem? Yes. But I believe most of all the degradation of habitat that has resulted from the overcutting of the forest in the Pacific Northwest is the cause of the problem.

So, I would argue that we cannot wait for the Endangered Species Act to take effect if we are to be wise stewards of the resources, and I would argue that we need an endangered ecosystems act that looks, not only at forests, but at the other ecosystems in our country, the prairies, and the deserts and the ocean ecosystems, and view these natural systems from the perspective of how they function and put into law the requirement that we manage these systems for their sustenance.

Our land management laws in the past have been based on the idea that we should balance different uses, and there still is a place for a variety of uses for our public lands. There are many places where we can cut timber and where we can have other commodity uses. But I believe that the laws of

this country should be changed so that the first objective of our land management agencies, whether it is the Forest Service, or the Bureau of Land Management, or the Fish and Wildlife Service, or the National Park Service, or any of the other of our Federal agencies that own and manage our Nation's lands, the first objective should be to sustain the natural systems that these resources depend on because, if we cannot sustain these ecological systems, we are diminishing the productivity of these resources, and we are passing them on to the next generation diminished.

Our understanding of how to sustain these resources and how to know if their productivity is being adversely affected is far advanced over what it used to be. Our scientific understanding of how these systems function is much advanced. In the old days we did not realize the importance of biological diversity. We would view perhaps different plants or different animals as being interesting, but not really very important from the standpoint of the productivity of the resource. We used to view forests just in terms of how many boardfeet of timber could be produced and are we sustaining the number of boardfeet of timber that can be produced over time.

Well, today we realize that biological diversity, the breadth of specie, the number of specie and the genetic diversity within the specie, is a very important measure of the productivity of those systems, and, when biological diversity is threatened, then the systems themselves are threatened, and we need provisions in the law for the Forest Service, and for the Bureau of Land Management, and for all these agencies that requires them to sustain biological diversity.

It just happens that the one ecosystem in our country which is on the brink, which is on the verge of collapsing at the present time, is the ancient forest ecosystem of the Pacific Northwest. Up until recently, when the courts found that our agencies were violating the law and directed them to stop some of their past practices, we were cutting these ancient forests in the Pacific Northwest at a faster rate than the rain forests of Brazil were being cut. Most of the public knows the problem in Brazil. Most of the public in our Nation has become aware of the issue insofar as the rain forests in Central America and South America are concerned. But only recently have the American people become aware of the problems we have in our own forests and the fact that we have cut, cut them to a much greater extent. The forests in Brazil have been decimated to a much lesser extent than the forests in our country have been cut over, and we need to take action now. This is literally at the crisis stage.

The gentleman from South Carolina [Mr. RAVENEL] who joined me earlier spoke to his experience in flying over the forests in the Olympic Peninsula and seeing the devastation. Mr. Speaker, I submit to you that, if every American could fly over these forests, and see the landscape, and see the clearcuts, and see the erosion, we would see the Ancient Forest Protection Act passed within this body within a matter of days. One does not have to be an ecologist, one does not have to know the term "biological diversity" to see that something is wrong, that the integrity of the landscape has been violated.

The irony in these forests in the Pacific Northwest is what is left is almost entirely in public ownership. The forests that were on private lands have been cut. And what is left, so far as ancient forests are concerned, is practically all on public land.

Now the opportunity that we have as the Congress is critical because no one else will make the decisions about these public lands. It is our responsibility. We are the stewards. For too long the decisions about how these lands would be managed were not made with an understanding of the scientific consequences. They were not made from the perspective of the well-being of all of the people of our country, and that has to change, and I think we are seeing those changes, and I believe that we will see the appropriate committees in the Congress, the Committee on Agriculture, and the Committee on Interior and Insular Affairs, of which I am a member, and the other committees bring to the floor soon legislation which will put our policies back on the right basis.

Very recently our committees held hearings in which representatives from the agencies came forth, and we discussed with the agencies what plans the administration has to protect our forest resources. I was very discouraged at what I heard. I do not think we can let the agencies continue without a change in the law. I think we have to give them new directions.

One of the interesting aspects of this controversy is that in fact it has been the scientists from the agencies, like the Forest Service, that have revolutionized our understanding our understanding of how forests function. It was research that was done on our national forests, such as the H.J. Andrews Experimental Forest in the Willamette Forest in Oregon, that has changed our complete understanding of how forests function. One can still go someplace and hear people talk about decaying, dead, decadent forests and talk about how wasteful it is to have snags or dead logs, and how necessary it is to remove these dead and decaying material and to cut those forests down so that young healthy forests can take their place.

Well, that is the way we used to believe that forests functioned. Today we know better. Today we understand that those snags, that those downed, decaying logs, are the biological legacy of the forest. They are the source of nutrients for the growth of young trees; they are an integral part of the forest ecosystem, and nature wastes nothing.

One of the characteristics of the ancient forest in the Pacific Northwest which makes these unique is the complexity of these ecological systems. They evolved over thousands and thousands of years, and here we are at the beginning of exterminating them as viable ecological systems at the very moment in history when we are beginning to understand how they function.

□ 1800

Who knows what other plants, what other trees, what other genetic resources may be harbored in those forests?

Up until recently we saw the Pacific yew as a shrub, as an unimportant species that could be burned. Now we know that the Pacific yew is the source of a drug called taxol which may be a cure for cancer. Scientists are able to study the taxol and, fortunately, are near to being able to synthesize its chemical. Had we proceeded in cutting our forests so that the yew was gone, the ability of scientists to study that chemical and to replicate it would be nil.

We just have no way of knowing what other drugs may come from the forests. We only understand a small fraction about those forests function. So it would be hasty and imprudent to cut those forests to the point where they failed to function as a viable ecological system.

Some people ask, "Don't we have wilderness? Don't we have parks? Why do we need to set aside additional areas as ancient forest preserves?"

Well, we do have wilderness areas in the Pacific Northwest and throughout our country which are very valuable, but they were not designated by and large for ecological reasons. Wilderness areas were designated and have been designated and will be designated because they are scenic, because they are remote, because they provide outstanding opportunities for recreation, for solitude. But they are not designated specifically for their ecological function.

So in the Pacific Northwest we have a situation where we have lots of high elevation areas that have been put into wilderness, but we do not have other areas which are also very important parts of the forest.

So what the Ancient Forest Protection Act would do that I have spoken about this evening is to look at the landscape from an ecological perspective, to look at the existing wilderness areas, to look at the existing areas that have been protected under the Endangered Species Act as a critical habi-

tat for the spotted owl, and ask the question, what more must be done to see that these systems can be sustained as viable, functioning ecological systems?

The Ancient Forest Protection Act would give the responsibility to ask that question to a panel of scientists which would be appointed by the Council on Environmental Quality and could be appointed by some other group. The important thing is we need to ask the individuals in our Nation with the scientific understanding of how forests function to look at this question, to examine what is happening on these publicly owned forests, which belong to all of us in this country, and to bring back to the Congress recommendations about which areas need to be set aside in addition to existing wilderness or parks, and also how we should manage the other forest lands.

I believe that it will take both. It will take additional reserve areas where there will be no logging, no road building, and it will take a change in the management practices in other forests.

We will continue to produce timber from the forests, the privately and publicly owned forests in the Pacific Northwest. But I think we will do it in a different way. And we will produce a smaller amount of timber, because that is all that can be sustained by these forests.

In essence, during the decade of the 1980's we overcut these forests. We incurred an ecological deficit. Throughout the decade of the 1980's we cut somewhere in the vicinity of 10- to 15-billion board feet of timber more than we should have.

Perhaps there was an excuse for that a number of years ago when we did not understand how much we could take from the forests. But today there is no question that we can only take so much. We have been taking too much in the past, and we have to adjust the management of these forests. We have to adjust our timber economy to the reality, the biological reality that there is only so much ancient forest there.

Very recently, within this last year, there was a group of scientists that was convened by the House Agriculture Committee and the House Merchant Marine and Fisheries Committee and asked this question: what recommendations would they make about protecting additional forests or managing forests to see that the value of old growth and fisheries and other species were sustained?

This group, called the Portland Group, consisted of scientists from the land management agencies themselves. They were brought together in an unprecedented meeting to debate and study and prepare recommendations.

That report came to the Congress just a few months ago. We now can use that report as the basis of legislation which the Agriculture Committee and the Interior Committee will produce soon.

Mr. Speaker, the inescapable conclusion from these scientists is we cannot continue to cut 4 billion board feet a year, or even 3 billion board feet a year, or maybe even 2 billion board feet a year from these forests in the Pacific Northwest, in region 6, Oregon and Washington State, if we are going to sustain the environmental values that are so important to us.

This group of scientists outlined for us a number of options that we can pursue. I believe that this report gives us the scientific information we need to write the legislation.

Included in this legislation will be a more thorough scientific study which will give us the information we need to make long-term decisions.

There are a couple of other questions that have been raised about this legislation that I want to address in the time that remains in the special order on forests tonight. One of those questions is where are we going to get the timber that our Nation needs if we do not cut these ancient forests?

Well, I think it is important to put the whole issue in perspective. At the present time most of the wood products from our country, that are used by our country, come from the private lands, not from the public forests.

The national forests right now are something in the vicinity of 15 percent of the timber that is used in our country. We have vast privately owned forest lands in the Pacific Northwest, in the South, in the Midwest, and all across our country. The irony is we have been neglecting these private lands. We have been neglecting the productivity of these lands in private ownership, while we have been fighting about what will happen to our public forests.

That policy has to change. Whether the Ancient Forest Protection Act passes, no matter what happens to the spotted owl or the other endangered species, we will need more of our wood products produced from the private forests.

We need a comprehensive program to invest in those private forests and to increase their productivity. We fortunately do not need to cut down 400-year-old trees to produce 2 by 4s. The wood products industry in the Pacific Northwest is undergoing a change. The reason they are undergoing that change is because the ancient forests are elements of resource. The industry has recognized this and has retooled many mills so that they can cut the smaller trees, the second growth trees that are quite adequate for producing veneer or producing 2 by 4s or for virtually all other uses.

I think we have an obligation to the communities that are affected and the industries that are affected to try to help with this transition to a second growth economy. The transition will be made sooner or later. It will either be made when the last of the ancient forests are cut, except for those that are set aside in parks or forests which are recognized by scientists as not enough to sustain these forests' ecosystems, or it will occur when we decide that we want to save some of the last of those ancient forests.

Fortunately, we have the technological means. We have the economic means. It only will be determined by whether we have the political will to make that transition in time to save the last of those forests so they can function as an ecological system.

From a national standpoint there is no question we do not need the 400-year-old trees to meet the wood products needs of our country. We have millions of acres of timber base in the Pacific Northwest, and, in fact, the privately owned lands by and large are the more productive lands in the Pacific Northwest, as they are in the other parts of the country, because those lands were acquired from the public domain by different individuals and companies, and the lands that were left in our national forests when those were created early in this century were the lands which were by and large least productive.

□ 1810

So we have ample forest resources to meet the wood products needs of our country, if we manage them wisely. We do not have to sacrifice the last of these magnificent cathedral forests in order to meet the needs for timber, for homes or for whatever purpose. It is a false impression which is left by some that this is the choice that we face. That is not the choice at all.

We should be concerned, however, about the impact on specific communities. In fact, the number of jobs in the timber industry has been going down in the Pacific Northwest from factors that are not related to the spotted owl or the Endangered Species Act or this controversy over the state of our forests at all. The industries have modernized. That has been necessary for them to meet the competition.

Some of the companies involved, many of them have shifted their investments to other parts of our Nation. So there are communities where jobs have been lost and will be lost.

I think we do need to look at what can be done to assist those communities and assist those working families. I have said from the day that I first introduced the Ancient Forests Protection Act that it should be passed as a package of legislation with an economic component to complement the ecological component.

There are many things we can do. One thing we can do is to address the

issue of log exports. Our Nation continues to export in the vicinity of 3 billion board feet of logs a year. That is the equivalent of exporting jobs, because when we send those raw logs to Japan or Korea or any other Pacific Rim nation or wherever we send them as raw logs, we are losing the opportunity to mill those logs. I think that we should at least for the foreseeable future require that the logs be milled in the United States. We should keep those jobs in the United States. That would more than make up for whatever loss of jobs will occur under the Endangered Species Act or other legislation that may be passed.

It is not a question of owls versus jobs. It is a question of whether we are going to let the profits of some individual companies take precedence over the interests of the public in this issue. If we are truly concerned about jobs, then we will declare that there will be no log exports from the Pacific Northwest for the foreseeable future, that those logs will be milled in the Pacific Northwest and that we will keep those jobs here.

We can sell Japan finished products. Virtually no other country in the world exports raw logs except the United States, and we need to insist that the jobs are kept here in the United States.

Mr. Speaker, in our special order this evening, we have tried to outline the issue that should be of concern to all Americans. That is, what are we doing in the Congress of the United States to see that these forest resources are passed on to the next generation unimpaired, that we maintain for those who will come after us the natural resources of this country as a part of our heritage?

I want to thank the gentleman from New York [Mr. SCHEUER], the gentleman from South Carolina [Mr. RAVENEL], for joining me. There are many other Members of this House who have become cosponsors of our Ancient Forests Protection Act to signify their support for the goals of this legislation.

Very soon the Committee on Agriculture, the Committee on Interior and Insular Affairs, through the leadership of their distinguished chairmen and subcommittee chairmen will be bringing to this House legislation to address this problem. I think it is important that we take action on this legislation and resolve the controversy so that we can go home to the people we represent and say, "We are passing on these forests to you, to your children, to their children, as a resource for their benefit and enjoyment, not just our own."

Mr. Speaker, I thank my colleagues for their contribution.

Mr. BROWN. Mr. Speaker, while much of the current debate on ancient forest protection legislation has focused on the Pacific northwest—and rightly so—we should not lose sight of the fact that this same debate will be replayed in the coming years, this time focusing on national forests throughout all of California, if we exclude the Sierra Nevada region in any ancient forest protection act.

Because of a history of more than a decade of overcutting—actively promoted by the U.S. Forest Service and driven by political interference from the executive branch as well as the Congress—and now 6 years of drought, and countless years of air pollution—the ancient forests of California, especially those in the Sierra Nevada Range, are in danger of falling apart. These forests are in danger of losing their ability to function as a complex interconnected ecosystem.

If we continue to follow a pattern of overcutting—driven by environmentally destructive cut levels—we will have no one to blame but ourselves when the inevitable occurs. If Congress does not act, two events will occur in a few short years.

Thousands of loggers and millworkers will be unemployed, and the ecosystem of the ancient forests will be destroyed. We must, for the future of our workers and the future of our forests, attain sustainable cut levels for our national forests. Our current policy simply is not working.

California is an extremely important timber producing State, providing more than 6 billion board feet of timber to our economy each year. In terms of public lands, more timber is cut in California than any other State except Oregon. As a native Californian I am aware of the fact that we play an important part in the production of timber, and that is precisely why I am concerned about the timber management practices of our Federal Government.

If the U.S. Forest Service had followed the direction provided by Congress in 1976, when we enacted the National Forest Management Act, we might not be in this predicament. We directed the Forest Service to establish sustainable cut levels—we directed the Forest Service to establish long-term plans—we gave the Forest Service ample time to develop these plans—and here we are today, 15 years later, faced with a crisis in the Northwest.

It may be too late to correct some of the damage inflicted by the cut-now-and-plan-later policy followed by the Forest Service, and this administration, but it is not too late to do something for the ancient forests that remain.

California has an unequaled diversity of ancient forests, ranging from the giant sequoias in the southern Sierra Nevada Mountains, all the way north to the Klamath National Forest, where 17 different species of conifer trees are found in 1 square mile. In terms of conifers, this area is the most biologically diverse spot on Earth.

California's ancient forests are also experiencing an incredibly great demand for recreation. For example, the Inyo National Forest on the east slope of the sierra has the greatest recreational use of any national forest in the Nation. Millions of southern Californians visit the southern sierra every year for hiking, backpacking, fishing, and more. As our State's population expands and development further encroaches on our forests, the demand for recreation in ancient forests will only increase. We need to plan for the needs of our children, recreational as well as economic. We must not continue the exploitation of our remaining natural resources, including our ancient forests.

California's ancient forests must be protected. We need a strong ancient forest protection act, scientifically based and permanent. And the ancient forests of the Sierra Nevada must be included in any legislation that we pass. Much like our other natural treasures, ancient forests must be left for future generations to enjoy.

We can continue to follow a short-term, environmentally destructive, economically unsustainable forest policy, or we can finally put in place, and enforce, a long-term, environmentally conscious, and sustainable forest policy that benefits both people, and the environment. We must remember that economic development and environmental protection are not mutually exclusive. We can, in fact, have it both ways. More than that, we must have it both ways.

Mr. LEVINE of California. Mr. Speaker, saving our Nation's ancient forests is an enormous task, and I would like to commend my colleague Congressman JONTZ for his leadership in this effort.

Our ancient forests are among our Nation's most beautiful and important natural resources. They are home to an incredible variety of plant and animal species. And the trees and plants which make up these forests are breathtakingly beautiful. Anyone who has ever had the opportunity to visit these areas comes away stunned by their majesty.

We are only just beginning to understand just how valuable a resource our ancient forests are. Unfortunately, they are being destroyed at an alarming rate.

The Bush administration has made it clear that it has no intention of upholding its responsibility to protect the ancient forests and the critical habitats within them. If the administration would devote as much time and energy to enforcing our environmental protection laws as it devotes to circumventing them, our ancient forests would be secure.

For example, Secretary Lujan recently created yet another interagency task force to study the northern spotted owl. But unlike its predecessors, this new task force is to be unconstrained by existing laws in recommending a solution to the owl problem, laws like the Endangered Species Act, and the National Forest Management Act. Mr. Speaker, the scientific studies have been done, and the results are clear: It is past time to protect the old growth forests.

The intransigence of the administration with respect to the northern spotted owl has, in many people's minds, made the debate on ancient forests synonymous with protecting that endangered species. However, the spotted owl does not, and should not, define the limits of the old growth debate. Like the magnificent forests of the Pacific Northwest, the old growth in California's Sierra Nevada has sustained severe damage, and is as threatened as that in Oregon and Washington.

The 11 national forests in California's Sierra Nevada range are home to some of the most massive conifers in the country, and are rich in biological diversity. Unfortunately, this national treasure is in jeopardy. Less than 10 percent of the original Sierra Nevada ancient forest remains, and it too will be gone unless

Congress acts to protect them. These forests form a delicate ecosystem that is home to more than 100 species of wildlife, like the California spotted owl, the white-headed woodpecker, the willow flycatcher, the fisher, the pine marten, and the northern alligator lizard, all of which prefer this old growth habitat. The vast diversity of these forests is threatened by intense logging of the forests. Unless Congress acts quickly to protect their habitats, we are likely to be faced with more endangered species.

What little remains of the Sierra Nevada's forests is threatened due to the combined effects of past overcutting, erosion, drought, and air pollution. As many as one in five trees is dying of these causes. The forest simply cannot sustain continued intense logging of the remaining healthy trees. I look forward to working with my colleagues in the coming months to protect the Sierra's forests from further deterioriation.

Mr. ATKINS. Mr. Speaker, I rise tonight to speak on the subject of protecting our Nation's remaining ancient forests. I commend Representative JIM JONTZ, the author of the Ancient Forest Protection Act, for his tireless efforts to keep this topic before the minds of our colleagues here in the Congress.

I am often asked why, as a Representative of Massachusetts, I get involved in protecting the ancient forests of the Northwest. First and foremost, I am involved because, as an American, they belong to me and to all of us. Second, I am involved because these forests play a vital role in the global environment by protecting watersheds, insuring water quality, providing wildlife habitat, maintaining the carbon cycle, and conserving biological diversity. Third, I am involved because I strongly believe the situation in the Pacific Northwest is simply an example of mismanagement by the U.S. Forest Service which unfortunately is becoming more evident across the country.

Under the National Forest Management Act, the National Environmental Policy Act, and the Endangered Species Act, Federal forest management policy in our country has the stated purpose of maintaining healthy forests and diverse wildlife populations. That is the policy is to protect ecosystems and all species, whether or not we are wise enough to understand their value. If it is true that endangered species serve as environmental barometers for the health and productivity of ecosystems, then the decline of the spotted owl population is sending us a dramatic message about the mismanagement of our natural resources.

Last February, in the Interior Appropriations Subcommittee, I presided over nearly 7 hours of testimony concerning the mismanagement of public forests across the entire country, not just in the Pacific Northwest. What I heard was deeply distressing to me and convincing enough to believe that the situation in the Pacific Northwest will be repeated throughout the national forests, unless we begin now to reform the Forest Service. Let me share with you just a few examples from this hearing:

Together, the Forest Service and the Appropriations Committee instructs each national forest about the amount of timber they must offer for sale each year without regard to what the ecosystem can sustain or what the market will buy. For instance, despite the fact that Florida's national forests contain two of the world's most endangered ecosystems—the ancient scrub of the central and coastal ridges and the longleaf-wiregrass complex of the coastal plain—and despite the fact that the southern national forests harbor twice the number of endangered, threatened and sensitive species than any other region, the forest plan calls for a doubling of commercial timber output from Florida's already overharvested public lands.

Another example arises in Vermont where only about two-thirds of the timber offered for sale by the Green Mountain National Forest in 1990 received bids from industry. The Forest Service's response? Double the amount of timber offered the following year and find new markets for the wood. Now some of New England's remaining forests are to be ravaged in order to produce electricity for the New England power grid. And this is occuring during a power glut, I might add.

The Forest Service contends that these timber targets are sustainable, pointing to regrowth in clearcut areas that will be available in years to come. However, the evidence presented at the hearing last week caused me and others to call these phantom forests. Several groups testified that the Forest Service has not acknowledged the many reforestation failures that have occurred in clearcut areas around the country, particularly on steep slopes of southern Oregon. For example, the Forest Service, in their computer program, shows that an area that had been clearcut 20 years ago is now covered with trees over 20 feet tall. However, when you go out on the ground, there aren't any trees there, instead the ground is covered instead with shrubs and brush. Furthermore, the Forest Service has made repeated efforts to regrow these trees, only to experience repeated failures.

Even though we do not know how to regrow these forests, the Forest Service also includes outlandish estimates of how fast they will regrow. The Forest Service's computer model shows that these new tree farms would grow two times as fast as natural stands, while the Bureau of Land Management estimates that tree farms would grow three times as fast. According to these models, if the trees were allowed to grow rather than be harvested, they would reach a height of 650 feet. Now I don't know of a tree anywhere in the world that reaches the height of 650 feet, but the Forest Service's tree experts claim to. The Forest Service's computer model assumes these phantom forests will be available for future harvests forests to justify today's unsustainably high harvest levels.

The final outrage: Taxpayers are asked to support this mismanagement at an enormous cost to the Federal Treasury. The Forest Service itself admits that of the 122 national forests across the country, only 57 forests made money last year. Others estimate that number is closer to 20. How much money is lost? It is hard to tell, because of how the Forest Service accounts for these sales. In reports to the Appropriations Committee, the Forest Service estimates it earned $630 million on timber sales in 1990. But when actual costs for roads, reforestation, and administration are counted, the Treasury paid out $100 million to give away that timber. A report prepared by Mr. Bob Wolf, a retired forester, for the Government Operations Subcommittee on Environment calculated that the Forest Service may have lost the Treasury over $6.3 billion since 1979 selling our timber below cost. That's a huge taxpayer subsidy to the timber industry.

Mr. Speaker, we have ignored the warnings that endangered species have presented to us over the years. We must stop fooling ourselves. We cannot continue to discard ecological pieces—ecosystems and species like these ancient forests and the spotted owl. We must protect ecosystems for all the many values we know they provide, as well as for their value and intrinsic worth we have not yet discovered but our children and grandchildren may.

The Ancient Forest Protection Act is one way of insuring that the remaining fragments of old growth forests are protected, rather than destroyed forever by clearcuts. But we must also pursue reform of the U.S. Forest Service—specifically phasing out below cost timber sales and returning the incentive to manage for ecological values, not for commercial reasons. Finally, we must also look toward a strong reauthorization this year of the Endangered Species Act that continues to protect species and biodiversity for our own sake and for the sake of our children. I look forward to seeing that this legislation is enacted soon.

Mr. WALSH. Mr. Speaker, as a cosponsor of H.R. 842, the Ancient Forest Protection Act, I rise to reiterate my support for legislation that would establish long term, permanent protection for the ancient forests of the Pacific Northwest. I am also concerned about the current abuse of the Endangered Species Act by Secretary of Interior Manuel Lujan.

For the last 40 years, the ancient forests of the Pacific Northwest, Federal and private, have been systematically clearcut. Ancient forest resources on private lands have been virtually eliminated, and it is clear that if logging continues unabated on Federal lands, the remaining ancient forests soon will be destroyed as well.

The ecological aspects of ancient forest destruction have been analyzed and are widely known. In a few short decades, we have destroyed 90 percent of an ecosystem that evolved over many thousands of years. The plight of these forests was recently covered by the New York Times, and I would like to include a copy of this article in the RECORD with my remarks.

I first became aware of the grave consequences of the rapid and irresponsible logging of natural forest ecosystems during my work as a Peace Corps volunteer in Nepal. My work in the expansive forests of Nepal has provided me with first hand knowledge of the tragedy and destruction created by poorly planned timber management practices. These magnificent Nepalese forests had existed for thousands of years and yet, due to an ill-advised resettlement program initiated by the Nepalese government, these forests have totally disappeared within 20 years. These forests were home to tigers, rhinos, pythons, wild buffalo, and hundreds of bird species of every color and hue. Now they are gone: Both the trees and the animals. We can't afford to make that mistake with our ancient forests.

During my years in the Peace Corps, my experience has led me to conclude that we cannot avoid the fundamental linkage between the environmental and economic health of a region or nation. Ultimately, bad forest management practices or other economic activities tend to undercut the economic future of the Nation or region.

The effort to protect our ancient forest depends, in large part, on dispelling the myth that protecting old growth or ancient forests will devastate the forest products industry and ultimately the regional economy. While fundamental changes are already underway within the industry and the region, sustainable forest management can support both a viable timber economy and a healthy environment.

The present course of action can do neither.

It is clear that the timber industry is undergoing a fundamental transition in its role in the region. The timber industry has recognized these changes for years. George Weyerhaeuser warned the industry of its own transition in February 1986. In a speech to industry employees, Mr. Weyerhaeuser has some harsh truths to share:

> The industry has changed in fundamental and permanent ways. A set of economic factors both within and beyond the industry has combined * * * to transform the lumber and log markets.
>
> The harsh reality is that the competitive environment within the forest products industry has changed dramatically and permanently since 1980. Forest products companies, both big and small, must learn to play by a new set of rules if they are to survive.

The timber industry, which once dominated the region's economy, has been in a nearly decade long transition that has featured improved labor productivity, mill modernization, log exports, and sadly an enormous decline in direct employment. These job losses have come at time when the timber industry has been cutting trees at record speed. The industry's share of the region's economic activity has been cut in half over the past 20 years, from 7 to 3.5 percent.

How has this happened? It has happened in part because a decade ago it took 4.5 workers to produce every 1 million board feet of lumber and plywood; today it takes just three workers to produce the same volume of wood products.

And what has been the timber worker's reward for this improved productivity? Fewer jobs, fewer shifts, and much lower wages. More than 26,000 jobs were lost during the 1980's because the timber industry became more automated.

These jobs were lost before a single acre of Federal land was protected as spotted owl habitat.

Log exports have also cost thousands of domestic timber workers their jobs. The Forest Service has estimated that 860 U.S. timber jobs are lost for every 100 million board feet of raw logs exported. Last year, some 3 billion board feet of raw logs were exported from Pacific Northwest ports. These exports generated a huge profits for the timber industry, and cost local workers a potential 25,000 jobs.

As a result of this ongoing transition, the timber industry is no longer a dominant component of the region's economy, and never will be again. The region's economy is growing and diversifying—in the last 2 years more than 250,000 jobs were added. While the timber industry will always have a place in the region, it is folly to assume that continued, unsustainable, logging levels will contribute to the region's economy.

We need to abandon the myth—once and for all—that cutting more trees is going to create more jobs. This did not happen during the industry's boom years during the 1980's when logging hit record levels. It will not happen now.

We do need to take a realistic look at the needs of timber dependent communities and address these needs in light of the ongoing and inevitable transition within the industry and the regional economy.

What is appropriate is a two part strategy of economic diversification and resource conservation. We need to link a sound economic package to the strong ancient forest protection legislation that must be passed by Congress.

Unfortunately, the ancient forest policies of the Department of Interior and other Federal agencies are focused solely on the spotted owl, with its probable goal of limiting the spotted owl's protection. These agencies have tended to ignore the fundamental linkage between the plight of the owl and the imperiled status of ancient forests. They have ignored the pain that shortsighted, unsustainable, logging policies have caused the citizens of the region.

Mr. Lujan's decision to convene the Endangered Species Committee, or the so-called God squad as its commonly called, demonstrates a willingness to attempt to circumvent both the facts and the law. This committee is also being used as a platform to weaken the Endangered Species Act.

It is clear that a fundamental change in our Federal forest policies is necessary to prevent the destruction of the ancient forest ecosystem, species extinctions, and the loss of biological diversity.

Ignoring the weakening environmental law will not bring resolution to this issue or address the needs of the people of the Pacific Northwest. We must bolster our efforts to protect our forests and wildlife. An integral component of these changes must be the creation—as would be accomplished by H.R. 842—of a permanent system of ancient forest reserves. I urge my House colleagues to support the ancient forest protection of H.R. 842 as well as a sound economic transition package.

I respectfully close by posing a question which I believe has only one answer. How can we seek to persuade other Nation's—particularly the developing nations in South and Central America—to protect their natural forest ecosystems when we will not choose to protect our own? I submit that we cannot.

THE CONTINUING CRISIS IN THE BALKANS

The SPEAKER pro tempore (Mr. JONES of Georgia). Under a previous order of the House, the gentlewoman from Maryland [Mrs. BENTLEY] is recognized for 60 minutes.

Mrs. BENTLEY. Mr. Speaker, I first want to commend the gentleman from Indiana [Mr. JONTZ] for his statement that we should not be exporting logs and we should keep the jobs in the United States. I think that is something we all need to be concerned about, and I agree with the gentleman 100 percent on that. We are going to look at his bill very carefully after listening to him today.

Mr. Speaker, earlier today, my esteemed colleague from Michigan, Mr. BROOMFIELD, asserted that the United States should send aid and technical assistance to the recently recognized breakaway Yugoslav Republics.

That aid is needed, I concur, but not in the form that Mr. BROOMFIELD advocated.

The situation in the Balkans is still very tense. According to news reports today, fighting continues unabated, as it has since Sunday. Reuters correspondent Nikola Antonov reports:

> Recognition of Bosnia's independence from Yugoslavia by the European Community and the United States on Tuesday has done little to end fighting between minority Serbs who opposed the split and Moslems and Croats who supported it.
>
> Artillery, mortar and machinegun fire rattled through the city throughout the night, despite repeated calls for a ceasefire by Bosnia's leaders.
>
> Sarajevo radio said more than 30 people had been killed in the capital alone since Sunday in the republic's worst crisis since World War Two. Dozens more have been wounded.

Yes, the Yugoslav Republics—all of them—need aid, Mr. Speaker. They need aid to stop the current unrest. They, however, do not need military aid. This would just increase the fighting. They need the aid of a competent mediation panel to work out their deep-seated differences.

Had the European Community, the United Nations, and the United States stopped to think about it, surely they would have realized that in a situation as tense as Bosnia-Hercegovina where fully a third of the people do not support the status quo, that some form of serious mediation is required.

But instead, the EC decided to go ahead with recognition of Bosnia-Hercegovina, even though they have scheduled a meeting on April 11 with the leaders of the various ethnic groups in Bosnia to resolve their differences.

The current Croat-Moslem partnership in Bosnia is a marriage of convenience, there historically having been no love lost between those two groups, and without an acceptable mediation of the concerns of all three ethnic groups in Bosnia-Hercegovina, a repetition of the interethnic violence that plagued this region during the Second World War is inevitable.

But now, the European Community, and more importantly, the United States, have given two of the groups the upperhand—the Croats and the Moslems—and have left the third—the Serbs, the only group that openly sup-

ported the allies in both World Wars—even more scared than before. And their fright is based on the genocide from 1941 to 1945 of 750,000 Serbs, Jews and Gypsies in the same area of Croatia by the Ustashi. And today's fighting has spilled over from the current Serb-Croat civil war.

Last week, neo-Nazi extremists seized the ethnic Serbian town of Kupres in northern Bosnia. These extremists, members of Dobroslav Paraga's HOS, came from the Republic of Croatia. Even President Tudjman of Croatia acknowledged this, although he also says he has no control over these forces.

According to Reuters, "Kupres was the biggest town seized by Croat militias during several days of fighting over independence in which dozens of people have been killed. It is the key town in an area which contains several federal military installations."

Surely, if the Croatians were in search of a peaceful solution to the strife in Bosnia, they would not have even attempted to seize the town.

This fact also is belied by the alleged slaughter of at least 12 ethnic Serbs in the town of Sijekovic in northern Bosnia by Croat and Moslem gunmen at the end of March.

Mr. Speaker, there are many facets to the current situation in the Balkans, and they cannot be hidden under simple buzzwords or catchall phrases: Why do you call Moslems or Croats "freedom fighters" when they are involved in the actions which I described above? Why do you call the Yugoslav army "Serb-led" when the prestigious Financial Times recently published that the JNA and the Republic of Croatia entered into a joint manufacturing venture to produce T-84 tanks which is going on right now.

Mr. Speaker, there are many sides and many ways to view the current strife in Yugoslavia. It is imperative that the United States not become blinded in its Yugoslav policy. The United States must see the big picture for what it is. This Congress must not lose sight of the fact that Germany has, by its recognition of Croatia, once again supported the aspirations of its Nazi ally from the Second World War. Is it too much to ask that the United States, the United Kingdom, and France at least accord fairness to the minority Serbs in Croatia and Bosnia-Hercegovina, their allies from both world wars, and not limit its views to those of the EC, the United Nations, or any other single proponent involved in the current strife.

The United States should not provide aid only to the breakaway Yugoslav Republics, Mr. Speaker, as Mr. BROOMFIELD advocates. Instead, let the United States take the forefront in mediating the current crisis, and provide for the concerns of all people involved, including the minority Serbs, and not just one group or the other. That is the kind of aid that the Yugoslav Republics and the Balkans need right now. These ancient and deep-seated ethnic animosities will not just go away. So let us attempt to resolve the current situation, not just ignore it or condone unfairness.

The world has recognized that there is a serious problem in the Balkans. Without proper mediation, a repeat of the ethnic strife which characterized the area during the Second World War and began World War I is inevitable.

REPORT ON RESOLUTION PROVIDING FOR MOTION TO SUSPEND THE RULES ON APRIL 9, 1992

Mr. MOAKLEY, from the Committee on Rules, submitted a privileged report (Rept. No. 102-488) on the resolution (H. Res. 425) providing for consideration of a motion to suspend the rules on April 9, 1992, which was referred to the House Calendar and ordered to be printed.

WAIVING POINTS OF ORDER AGAINST CONFERENCE REPORT ON S. 3, CONGRESSIONAL CAMPAIGN SPENDING LIMIT AND ELECTION REFORM ACT OF 1992, AND AGAINST CONSIDERATION OF SUCH CONFERENCE REPORT

Mr. MOAKLEY, from the Committee on Rules, submitted a privileged report (Rept. No. 102-489) on the resolution (H. Res. 426) waiving all points of order against the conference report to accompany the bill (S. 3) to amend the Federal Election Campaign Act of 1971 to provide for a voluntary system of spending limits for Senate election campaigns, and for other purposes, and against consideration of such conference report, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF HOUSE RESOLUTION 423 AMENDING RULES OF THE HOUSE TO PROVIDE CERTAIN CHANGES IN ADMINISTRATIVE OPERATIONS

Mr. MOAKLEY, from the Committee on Rules, submitted a privileged report (Rept. No. 102-490) on the resolution (H. Res. 427) providing for consideration of the resolution (H. Res. 423) amending the Rules of the House of Representatives to provide for certain changes in the administrative operations of the House, which was referred to the House Calendar and ordered to be printed.

□ 1820

U.S. POLICY TOWARD THE MIDDLE EAST

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York [Mr. SCHEUER] is recognized for 30 minutes.

Mr. SCHEUER. Mr. Speaker, I yield to the gentleman from Texas [Mr. PICKLE].

REPORT ON OVERSIGHT INVESTIGATION INVOLVING THE CARLOS CARDOEN EXPORT CONTROL CASE

Mr. PICKLE. Mr. Speaker, I simply want to make a report to the Congress, and I appreciate being given a chance to do that.

Mr. Speaker, last year the Subcommittee on Oversight of the Committee on Ways and Means examined the Bush administration's effort to enforce United States export control laws. The subcommittee at that time was particularly interested and concerned about the illegal exports of weapons and weapons technology to Iraq and to other Middle East countries. You will remember that we had rumors and reports that several individuals were selling deadly weapons and munitions to countries even like Iran and Iraq, and that American goods were actually ending up in those countries. It is very difficult to find out how to catch these people. Overall, I would have to say that at that time I was not particularly impressed with the administration's efforts in this critical area. We just seemed to not be able to trace them down, or they could get off the hook some way or another. That is the frustrating thing for us.

We examined in detail three specific cases of major illegal transfers of deadly materials and related technology from sources in the United States to Iraq which were used to manufacture mustard gas, cluster bombs, and mid-range ballistic missiles and attack helicopter prototypes. Most of the individuals involved in these illegal transfers have gone scot-free. The United States cannot touch them because they are foreign citizens living outside the United States, or in one case, were foreign diplomats with diplomatic immunity at the time they committed the crimes. I am sorry to say that the hard-working dedicated Federal law enforcement agents who spend years investigating these cases usually come up with nothing to show for it at the end of the day, or at the end of the investigation.

However, and this is the good part about these efforts, those Federal agents have managed to get some measure of satisfaction in one of the cases that the subcommittee examined last year. After more than a year of sifting through myriad shell corporations and bank accounts all over the world, they have traced profits from the illegal sale of cluster bombs to Iraq by Carlos Cardoen, a native Chilean. Those goods were transferred to sale of real property and other assets in the United States. Last week, and continuing into this week, the Federal agents have seized Cardoen assets valued in excess of $30 million.

Federal agents from the U.S. Customs Service and the Department of Commerce, Office of Export Administration, worked for months to unravel Cardoen's financial transactions. They traced the flow of proceeds from Cardoen's illegal deals with Iraq through Swiss bank accounts to numerous Cardoen-controlled shell corporations in the United States, Switzerland, and Chile and eventually to a Cardoen-controlled company in Miami, FL, Swissco Properties, Inc. Swissco Properties used these illegal proceeds to make several investments for Cardoen.

Today, Mr. Speaker, Mr. Cardoen still is free. He can walk the streets in Chile without apprehension. We may never be able to get our hands on him because he is in a foreign country, but at least today he is $30 million poorer, and our Government is $30 million better off. So sometimes we have to say to ourselves sometimes our Federal agents, like the Customs Service, Export Control, Commerce, they can conduct valuable investigative work.

Today I want to commend them for this very exhaustive, thorough, stick-to-it type of relentless investigation that has at least seized $30 million of illegal munitions sales to merchants. I think that is good news for us.

Mr. SCHEUER. Mr. Speaker, I thank the gentleman from Texas [Mr. PICKLE] for his most interesting remarks. I think the net result on the bottom line of the situation he has described in an absolute disgrace, that our laws should have been so blatantly and ruthlessly exploited and abused by an American citizen. It is a matter of shock to me. It is hard to understand the kind of an individual who would abuse our laws and help a country that is endangering his own region, with a chief of state who is brutalizing his own people, endangering and threatening the region.

Mr. PICKLE. I would say to the gentleman, at least one merchant has been apprehended, and we seized his assets. If we keep after some of these other merchants of death and destruction, we can nail some more.

Mr. SCHEUER. I would say to the gentleman, he has done us all great service by bringing this to our attention.

Mr. Speaker, We heard last night on television that Yasser Arafat, the founder and leader of the PLO, was lost somewhere in the Libyan desert. After 15 hours of waiting, we found in the morning that he was safe and well, suffering only a few scratches and bruises after landing someplace in the Libyan desert in a sandstorm. The streets of Arab capitals of refuge camps in the West Bank and Gaza, and of Eastern Jerusalum erupted with dancing masses of jubilant Arabs celebrating Mr. Arafat's survival, just exactly as they celebrated the Scud attacks on Israel just 1 year ago.

□ 1830

I think all of us can be pleased that a human being escaped a fiery death in an airplane accident. No one wishes that on anybody. And so we welcome Mr. Arafat back into the world of the living, which he came perilously close to departing.

But nevertheless, a bit of rumination is in order. What I find strange about the news coverage of this story, at least to this point in time, is little attention has been paid to who Mr. Arafat is, what he stands for and what he was doing when he flew into that sandstorm. Mr. Arafat was on no mission of peace, believe me. He is a terrorist. Believe that. He stands for the violent conquest and subjugation of Israel. He was flying, as I said, not on a peace mission, but on a mission to encourage the continuance of conflict, of death and of terror. One would barely notice it in the news reports, but Yasser Arafat was on his way to visit a PLO guerilla base in Sudan, a guerilla base, a base where they train PLO soldiers and convert them into terrorists so that they can attack even more viciously and more skillfully civilians in Israel and abroad, attacking men, women, and children in buses, in supermarkets, in the parks, on the beaches, attacking them with the aim of maiming and killing as many as they can.

And he was flying over a vast desert. Where? Libya. He was flying over Libya, the same country that refuses the United Nations and the United States demands the surrender of two terrorists responsible for the cowardly and dastardly destruction of Pan Am 103 over Lockerbie, Scotland.

And what was his destination? His destination was the Sudan, that African country that Iran has recently taken under its radical wing in an attempt to transfer it into a fundamentalists Islamic state.

These aspects of the PLO chairman's trip show his true nature and the true nature of his organization, the Palestine Liberation Organization. He was not on a peace mission, and they are not on a peace mission. That is not what Yasser Arafat is all about, and that is not what the PLO is all about. No, the PLO is committed to the overthrow and destruction of the State of Israel. The PLO is committed to driving the last Israeli into the Mediterranean. The PLO has never given up its dreams of conquest and liberation of what they perceive to be Arab and through armed struggle and revolution.

Mr. Speaker, at a time when such agendas should be tossed onto the ash heap of history, at a time when we have already seen the other great global superpower announce the end of the cold war, at a time when we have seen our ideals—of freedom and democracy and independence, of the liberation of the human spirit prevail, when we have seen the Russian State capitulate disintegrate and after that the Warsaw Pact countries rush to adopt our ideals of liberty and independence and dignity of the human spirit through democratic forums. At a time like this, Mr. Speaker, would you not think that the PLO would search its innermost soul to see if it could not have a more constructive mission? But no, they are still committed to the overthrow and destruction of Israel. And they still have not given up their dreams of conquest and liberation. They still have not given up their dreams of the days of Saladin a thousand years ago when the Arabs ruled a large portion of the civilized world, and when the Arab civilization was preeminent in the world at that time. It is just a pity at a time when such agendas should be tossed into the ash bin of history and be replaced by a thoughtful, democratic concept of a new world order where nations would live in peace with nations and people would respect each other, it is unfortunate that the Arabs have been given signals of encouragement from our own administration, the American administration to persist in their fantasies.

Our President's demonstrated willingness to criticize Israel constantly and systematically, his lack of concern about maintaining any kind of a warm United States relationship with Israel, has indeed encouraged rejectionist Arab states all over the world. They have been reinvigorated by this administration's attitude toward them.

In the last few months we have seen very disturbing signs of a resurgence of terrorism. Terrorists bombed the Israeli Embassy in Argentina, killing dozens of innocent people. Terrorists killed innocent worshipers in Turkey at the Jewish synagogues there, and terrorists in Israel itself have stabbed, slashed, and sliced into pieces Israeli soldiers and civilians.

□ 1840

Mr. Speaker, the President's attitude toward Israel has become perfectly clear to the entire world and especially to the chiefs of state of the Arab countries. He has engaged in persistent and unremitting criticism of Israel. He has accused Israel of breaking faith with the United States and making our military secrets available to China and perhaps other countries—all without any proof, as the State Department belatedly admitted just a few days ago.

He has sent, by his absolute obsessive singleminded concern with Israel's settlement policy, a very clear signal to the Arabs and that is that he, the President, and the Secretary of State view the State of Israel as the sole obstruction to peace in the region.

When Mr. Baker and President Bush refer to Israel's settlements policy as the sole obstruction to peace, they do not count any of the Arabs' aberrational and destructive behavior also as

obstructionist to peace. You never hear Mr. Bush or you never hear Mr. Baker talking about the Arab economic boycott of 44 years as being an obstruction to peace, even though in diplomatic terms it is actually an act of war. You never hear Mr. Baker or Mr. Bush refer to the constant flow of poison and venom from Arab media, from radio, from television, from the press, poisoning the minds of their young people who will be the next generation's leaders. You never hear that referred to by the President or the Secretary of State as impediments to peace.

You never hear of the consistent support by some Arab countries, many Arab countries, of state-supported terrorism, most of it directed against Israel, as an impediment to peace. How can that be?

Mr. Speaker, it is hard for me to understand why the President does this, but it is not hard for the Arab chiefs of state to understand why he does that. He is sending them a very clear signal. He is sending them a signal that Israel is the problem, and that all the Arab chiefs of state have to do is sit on their hands not negotiate, not conciliate, not meet Israel halfway, and not bite the bullet, or make a serious attempt to face the world of reality as it is today. Just stay intransigent, just stay unyielding, just wait until the United States delivers Israel hog-tied and powerless to the Arab negotiators. Now, this is the message the administration is sending to the Arab leaders today even as the negotiations are going on, and it is a very destructive message, because there is not a man or woman in this room who really believes that the Israelis are going to let themselves be delivered into a state of insecurity.

They will not pay that price for the $10 billion of loan guarantees or for anything else.

For decades the United States has been demanding for Soviet Jews the right to emigrate to the country of their choice and most of them have gone to Israel. The United States has been a stalwart supporter of such emigration, and the United States has always promised aid. Now, when the time has come and the Soviets have opened the gates to their Jewish population—and nobody knows how long those gates will stay open—and when there is a stream of Russian immigrants coming to Israel in the next 3, 4, 5 years that is estimated at a million or more, almost half of whom have advanced degrees in science, mathematics, engineering, and brilliant musicians by the thousands, the United States is reneging on its solemn promise, is turning its back on Israel and is telling Israel, "Now, we are going to attach a condition. If you want our aid, you must stop the settlements."

For the United States to now apply conditionality to their willingness to extend the $10 billion loan guarantee, to my mind, is a shameful abandonment of the United States' obligation to Israel and the Russian Jewish community.

Why apply conditionality for loan guarantees only to Israel. In the last 5 years, Mr. Speaker, the United States expended $12 billion of loan guarantees to the Arab world—$3 billion in the last year alone—and whereas Israel has never defaulted on a loan, ever, and would surely repay the $10 billion loan which they hope the United States would guarantee, the United States has already had to pay $360 million for a loan that they guaranteed to Iraq in the 1980's and which Iraq defaulted on.

There was never any suggestion of conditions on these loan guarantees to the Arab States—conditions like ending the Arab economic boycott, or ending the state of war which the Arabs have insisted on maintaining for 44 years, all of them except Egypt.

No, Mr. Speaker, there was no suggestion of conditionality on the cessation of the vicious flow of poison emanating from all of the Arab media, either.

So I say that this administration's policy has done a grave injustice to Israel, to the Soviet refugees who would like to come to an Israel that could afford to find jobs for them and find housing for them. But the worst injustice is to the peace process itself, because of the way it has encouraged Arab stonewalling.

So the President has really thrown a wrench into the machinery of the peace process and has threatened its viability, has threatened the integrity of the process by his overwhelming consistent and systematic bashing of Israel and sending a signal to the Arabs that he is going to take care of the Israelis.

□ 1850

We are paying a terrible price for the lost opportunities of peace, the lost potential to all the people of the Middle East of engaging in a peace process that counts.

I spoke earlier with the gentleman from Indiana [Mr. JONTZ] who is suggesting a rational lumber policy, a rational policy for the United States to preserve and save its last major northwestern forests, these glorious trees of up to 300 feet. This is relevant to the potential of peace in Israel. Let me tell you why.

The Middle East of ancient times had numerous forests. But not any more. Now it is desert because the trees were not preserved. Now, there is enormous potential for reforestation in the Arab lands, just as the Israelis have proved with reforestation in Israel, where they planted several hundred million trees and where a satellite photograph will show the green crescent of Israel, surrounded by a sandy wasteland of the Arab countries, with just a green squiggle in Egypt—the Nile River—and the several miles on each side that is arable land.

Well, Mr. Speaker, the possibilities of cooperation between Arabs and Israelis once we have peace achieved are absolutely mind-boggling and staggering.

I will give full credit to the Secretary of State for his shuttling about the region last year to get the parties together, and to Mr. Bush for producing a significant result in getting the parties to sit down at the conference table. But this current egregiously foolish policy—of sending a signal to the Arabs that the United States will deliver Iszrael and that Arabs do not have to meet the Israelis halfway or a quarter of the way or make any compromise or make any concession—threatens the very integrity, the very possibility of success in the peace process which our country so nobly and effectively initiated.

Now, what could be the product of peace? Well, first of all, the possibilities of scientific cooperation between Israelis and Arabs presents an absolutely limitless opportunity for progress to help people. I have been participating in this personally for 10 years. There is an organization known as the IOLRI, the Israeli Oceanographic and Limnological Research Institute, or—in layman's terms—the Israeli Institute for the Study of Oceans and Lakes.

I have been participating in a quiet, effective program of scientific cooperation in which they have been involved with Egyptian marine biologists and Jordanian marine biologists.

For what purpose? For cleaning up the Gulf of Aqaba which is bordered by Israel, Egypt, Jordan, and Saudi Arabia. And they have worked together prodigiously. The Israelis have had a joint science project, a sharing project, to help the Egyptians become farmers of the sea, to engage in large scale marine farming to fulfill their protein needs, and the Egyptians are absolutely delighted at this new high technology that the Israelis have been able to give them.

The Israelis and the Egyptians together are using the most sophisticated computerized underwater measuring devices to measure the velocity and the direction of the waves and the currents that are eroding the Nile Delta, which is of tremendous concern to the Egyptians. The Egyptian experts and Israeli experts have worked very successfully integrating their knowledge, integrating their technology to prevent further erosion of the Nile Delta.

Now, this has been going on for a decade. I have met with Israeli and Arab scientists in Jerusalem. I have met with them in Cairo. I met with them in Alexandria and I have invited them to my home in Washington when they held conventions here to discuss their past progress and their future hopes, their future programs.

It is possible, it is very possible for Arabs and Israelis to work together for the betterment of all their people. The potential is there for marine biology. The potential is there for forestry management, for the planting of vast tracts of grasses—the Savannah grasses—the shrubs, and the trees that were typical of that whole Middle Eastern area 2,000 years or more ago. All it takes is dedication, a willingness to work together, and some financing.

Look at the potential of cooperation in interregional telecommunications, in interregional education, in the exchange of students, and in the creation of an Arab-Israeli peace corps to help every nation's young.

Think of the flow of medical personnel coming from Russia to the State of Israel, far more than Israel needs. Think of joint programs between the Arabs of Egypt, Jordan, and other countries, in which Russian doctors would advise and participate in creating a health services delivery system that could help every single Arab family in need of health care.

The prospects and the potential for cooperation between Arabs and Israelis are exciting beyond measure and the parties have shown over the last 10 years that they can do it. I just hope that this administration comes to its senses and begins to encourage the peace process fairly, instead of destroying the prospects for peace in the Middle East.

SPECIAL ORDERS GRANTED

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

(The following Members (at the request of Mr. RIDGE) to revise and extend their remarks and include extraneous material:)

Mr. MILLER of Washington, for 60 minutes, on May 6.

Mr. THOMAS of Wyoming, for 5 minutes, today.

(The following Members (at the request of Mr. COX of Illinois) to revise and extend their remarks and include extraneous material:)

Mr. ANNUNZIO, for 5 minutes, today.

Mr. ROSTENKOWSKI, for 5 minutes, today.

Mr. GONZALEZ, for 60 minutes, today.

Mr. STALLINGS, for 60 minutes, today.

(The following Members (at their own request) to revise and extend their remarks and include extraneous material:)

Mr. GLICKMAN, for 5 minutes, today.

Mr. HAYES of Illinois, for 60 minutes, today.

Mr. BONIOR, for 60 minutes, today.

Mr. NAGLE, for 60 minutes, today.

Mr. KANJORSKI, for 30 minutes, today.

Mr. SCHEUER, for 30 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mr. RIDGE) and to include extraneous matter:)

Mr. BROOMFIELD in two instances.

Mr. GEKAS.

Mr. VANDER JAGT in three instances.

Mrs. JOHNSON of Connecticut.

Mr. GOODLING.

Mr. GUNDERSON.

(The following Members (at the request of Mr. COX of Illinois) and to include extraneous matter:)

Mr. SKELTON.

Mr. LANTOS.

Mr. ERDREICH.

Mr. KILDEE.

Mr. MAZZOLI.

Mr. TORRES.

Mr. CLEMENT.

ENROLLED JOINT RESOLUTION SIGNED

Mr. ROSE, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a joint resolution of the House of the following title, which was thereupon signed by the Speaker:

SENATE ENROLLED JOINT RESOLUTION SIGNED

The SPEAKER announced his signature to an enrolled joint resolution of the Senate of the following title:

Liberia and authorizing limited assistance to support this process.

ADJOURNMENT

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

The motion was agreed to; accordingly (at 7 p.m.), the House adjourned until tomorrow, Thursday, April 9, 1992, at 11 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

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

3274. A letter from the Assistant Secretary for Environmental Restoration and Waste Management, Department of Energy, transmitting notice that the report on research and technology development activities supporting defense waste management and environmental restoration will be delayed until June 1, 1992, pursuant to Public Law 101-189, section 3141(c) (1), (2) (103 Stat. 1680); to the Committee on Armed Services.

3275. A letter from the Secretary, Department of Housing and Urban Development, transmitting the Department's 1991 report on the Supportive Housing Demonstration Program, pursuant to 42 U.S.C. 11387; to the Committee on Banking, Finance and Urban Affairs.

3276. A letter from the Secretary of Education, transmitting Final Regulations—Eisenhower Mathematics and Science Education Program—State Grant Program, pursuant to 20 U.S.C. 1232(d)(1); to the Committee on Education and Labor.

3277. A letter from the Secretary of Energy, transmitting a report on enforcement actions and comprehensive status of Exxon and stripper well oil overcharge funds; to the Committee on Energy and Commerce.

3278. A letter from the Secretary of Health and Human Services, transmitting the 1991 annual report on the National Institutes of Health AIDS Research Loan Repayment Program; to the Committee on Energy and Commerce.

3279. A letter from the Secretary of Health and Human Services, transmitting a revised national strategic research plan for balance and the vestibular system and language and language impairments, pursuant to Public Law 100-553, section 464D; to the Committee on Energy and Commerce.

3280. A letter from the Acting Under Secretary for Export Administration, Department of Commerce, transmitting revisions to the 1992 Annual Foreign Policy Report; to the Committee on Foreign Affairs.

3281. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting copies of the President's determination authorizing the furnishing, sale, and/or lease of defense articles and services, pursuant to section 503 of the Foreign Assistance Act, to Czech and Slovak Federal Republic, Hungary, and Poland, pursuant to 22 U.S.C. 2311; to the Committee on Foreign Affairs.

3282. A letter from the Director, Office of Management and Budget, transmitting a pay-as-you-go status report for direct spending and receipts legislation enacted as of March 31, 1992, pursuant to Public Law 101-508, section 13101(a) (104 Stat. 1388-582); to the Committee on Government Operations.

3283. A letter from the Director, Office of Management and Budget, transmitting OMB estimate of the amount of change in outlays or receipts, as the case may be, in each fiscal year through fiscal year 1993 resulting from passage of House Joint Resolution 456, pursuant to Public Law 101-508, section 13101(a) (104 Stat. 1388-582); to the Committee on Government Operations.

3284. A letter from the Chairman, Board of Governors of the Federal Reserve System, transmitting a report of activities under the Freedom of Information Act for calendar year 1991, pursuant to 5 U.S.C. 552(d); to the Committee on Government Operations.

3285. A letter from the Chairman, Federal Communications Commission, transmitting a copy of the annual report in compliance with the Government in the Sunshine Act during the calendar year 1991, pursuant to 5 U.S.C. 552b(j); to the Committee on Government Operations.

3286. A letter from the Executive Director, National Mediation Board, transmitting a report of activities under the Freedom of Information Act for calendar year 1991, pursuant to 5 U.S.C. 552(d); to the Committee on Government Operations.

3287. A letter from the Secretary of Housing and Urban Development, transmitting a report of activities under the Freedom of Information Act for calendar year 1991, pursuant to 5 U.S.C. 552(d); to the Committee on Government Operations.

3288. A letter from the Acting Assistant Secretary for Land and Minerals Manage-

ment, Department of the Interior, transmitting the Department's notice on leasing systems for the central Gulf of Mexico, sale 139, scheduled to be held in May 1992, pursuant to 43 U.S.C. 1337(a)(8); to the Committee on Interior and Insular Affairs.

3289. A letter from the Deputy Associate Director for Collection and Disbursement, Department of the Interior, transmitting notice of proposed refunds of excess royalty payments in OCS areas, pursuant to 43 U.S.C. 1339(b); to the Committee on Interior and Insular Affairs.

3290. A letter from the Deputy Associate Director for Collection and Disbursement, Department of the Interior, transmitting notice of proposed refunds of excess royalty payments in OCS areas, pursuant to 43 U.S.C. 1339(b); to the Committee on Interior and Insular Affairs.

3291. A letter from the Secretary of the Interior, transmitting a copy of the Colorado River System Consumptive Uses and Losses Report for 1981 through 1985, pursuant to 43 U.S.C. 1551(b); to the Committee on Interior and Insular Affairs.

3292. A letter from the Chairman, Merit Systems Protection Board, transmitting the Board's case decisions during fiscal year 1991, pursuant to 5 U.S.C. 7701(i)(2); to the Committee on Post Office and Civil Service.

3293. A letter from the Tennessee Valley Authority, transmitting a revision to their 1992 report on labor-management relations; to the Committee on Post Office and Civil Service.

3294. A letter from the Assistant Secretary for Civil Works, Department of the Army, transmitting a report recommending a modification to the authorized flood damage reduction project for the South Fork Zumbro River, Rochester, MN; to the Committee on Public Works and Transportation.

3295. A letter from the Secretary of the Interior, transmitting a draft of proposed legislation to authorize an exchange of lands in the States of Arkansas and Idaho; jointly, to the Committees on Agriculture and Interior and Insular Affairs.

3296. A letter from the Acting Administrator, Federal Aviation Administration, transmitting the report on the effectiveness of the Civil Aviation Security Program for the period January through December 1990, pursuant to 49 U.S.C. app. 1356(a); jointly, to the Committees on Public Works and Transportation and Foreign Affairs.

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. ROSE: Committee of conference. Conference report on S. 3 (Rept. 102–487). Ordered to be printed.

Mr. GORDON: Committee on Rules. House Resolution 425. Resolution providing for the consideration of a motion to suspend the rules on April 9, 1992 (Rept. 102–488). Referred to the House Calendar.

Mr. FROST: Committee on Rules. House Resolution 426. Resolution waiving all points of order against the conference report to accompany S. 3. A bill to amend the Federal Election Campaign Act of 1971 to provide for a voluntary system of spending limits for Senate election campaigns, and for other purposes, and against consideration of such conference report. (Rept. 102–489).

Mr. MOAKLEY: Committee on Rules. House Resolution 427. Resolution providing for consideration of House Resolution 423. Resolution amending the Rules of the House of Representatives to provide for certain changes in the administrative operations of the House. (Rept. 102–490). Referred to the House Calendar.

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. GONZALEZ:

H.R. 4803. A bill to promote the nonproliferation of weapons of mass destruction by denying funding to the international development institutions until such institutions revoke the membership of countries not adhering to appropriate nonproliferation regimes, and for other purposes; to the Committee on Banking, Finance and Urban Affairs.

By Mr. BALLENGER:

H.R. 4804. A bill to suspend until January 1, 1995, the duty on formulated fenoxaprop; to the Committee on Ways and Means.

By Mr. ROSTENKOWSKI (for himself, Mr. STARK, Mr. MOODY, and Mr. CARDIN):

H.R. 4805. A bill to amend the Balanced Budget and Emergency Deficit Control Act of 1985 to allow Medicare administrative funding to increase and thereby combat waste, fraud, and abuse, and for other purposes; jointly, to the Committees on Government Operations and Rules.

By Mr. BLACKWELL:

H.R. 4806. A bill to amend the Fair Credit Reporting Act to protect the credit rating of consumers with satisfactory credit ratings who become unemployed due to recession or to an employer's transfer of the job function performed by a consumer to another country, and for other purposes; to the Committee on Banking, Finance and Urban Affairs.

By Mr. CARPER:

H.R. 4807. A bill to suspend until January 1, 1995, the duty on quizalofop-ethyl; to the Committee on Ways and Means.

H.R. 4808. A bill to suspend until January 1, 1995, the duty on Pigment Red 254; to the Committee on Ways and Means.

H.R. 4809. A bill to suspend until January 1, 1995, the duty on Pigment Blue 60; to the Committee on Ways and Means.

H.R. 4810. A bill to suspend until January 1, 1995, the duty on Pyrrolo (3,4-C) Pyrrole-1, 4-Dione, 2,5-Dihydro 3,6-Diphenyl; to the Committee on Ways and Means.

H.R. 4811. A bill to suspend until January 1, 1995, the duty on (±)-Methyl p-(2-hydroxy-3-(isopropylamino) propoxy) hydrocinnamate hydrochloride; to the Committee on Ways and Means.

H.R. 4812. A bill to suspend until January 1, 1995, the duty on 3-(a-acetonyl benzyl)-4-hydroxycoumarin sodium salt; to the Committee on Ways and Means.

By Mr. COBLE:

H.R. 4813. A bill to suspend until January 1, 1995, the duty on 1,8-Dichloroanthraquinone; to the Committee on Ways and Means.

By Mr. DE LA GARZA:

H.R. 4814. A bill to extend the temporary suspension of duty on fresh cantaloupes imported between January 1 and May 15 of each year; to the Committee on Ways and Means.

By Mr. GOODLING (for himself and Mr. GUNDERSON):

H.R. 4815. A bill to amend the Age Discrimination in Employment Act of 1967 to provide compensatory and punitive damages that are consistent with the damages authorized by section 1977A of the revised statutes, and for other purposes; jointly, to the Committees on Education and Labor, Post Office and Civil Service, and House Administration.

By Mr. GRANDY:

H.R. 4816. A bill to suspend until January 1, 1995, the duty on Fomesafen; to the Committee on Ways and Means.

By Mr. GUNDERSON:

H.R. 4817. A bill to amend title II of the Social Security Act to provide that a monthly insurance benefit thereunder shall be paid for the month in which the recipient dies, and to cover the costs thereof by means of benefit reductions in the first month of entitlement for future beneficiaries proportionate to the periods before entitlement, and to further cover early costs by providing a $0.50 reduction in monthly benefits for current beneficiaries for a transitional period of 5 years; to the Committee on Ways and Means.

By Mr. HALL of Ohio:

H.R. 4818. A bill to establish the Department of Energy Nuclear Weapons Complex Reconfiguration Commission; to the Committee on Armed Services.

By Mr. HATCHER:

H.R. 4819. A bill to suspend until January 1, 1995, the duty on Triphenylmethyl chloride, Imidazole Intermediate, 1,3-Dihydroxyacetone, N-Chlorosuccinimide, Losartan (active) and Avistar (formulation); to the Committee on Ways and Means.

By Mr. JACOBS:

H.R. 4820. A bill to suspend until January 1, 1995, the duty on exomethylene ceph v sulfoxide ester; to the Committee on Ways and Means.

By Mrs. KENNELLY (for herself and Mrs. JOHNSON of Connecticut):

H.R. 4821. A bill to amend the Internal Revenue Code of 1986 to allow a credit for the purchase of a principal residence by first-time home buyers; to the Committee on Ways and Means.

By Mr. KILDEE (for himself, Mr. EMERSON, Mrs. SCHROEDER, and Mr. HALL of Ohio):

H.R. 4822. A bill to make appropriations to begin a phasein toward full funding of the special supplemental food program for women, infants, and children [WIC] and of Head Start Programs, to expand the Job Corps Program, and for other purposes; to the Committee on Education and Labor.

By Mr. LEHMAN of California:

H.R. 4823. A bill to extend until January 1, 1995, the existing suspensions of duty on tartaric acid, potassium antimony tartrate, and potassium sodium tartrate; to the Committee on Ways and Means.

By Mr. LOWERY of California:

H.R. 4824. A bill relating to the tariff treatment of gear boxes of certain agricultural horticultural equipment; to the Committee on Ways and Means.

H.R. 4825. A bill to suspend until January 1, 1995, the duty on gear boxes of certain agricultural or horticultural equipment; to the Committee on Ways and Means.

By Mr. RICHARDSON:

H.R. 4826. A bill to suspend temporarily the duty on rifabutin (dosage form); to the Committee on Ways and Means.

By Mr. SHARP (for himself, Mr. HAMILTON, Mr. JACOBS, and Mr. MCCLOSKEY):

H.R. 4827. A bill to suspend until January 1, 1995, the duty on certain high displacement industrial diesel engines and

turbochargers; to the Committee on Ways and Means.

By Mr. SHAW:

H.R. 4828. A bill to extend the existing suspension of duty on metal oxide varistors; to the Committee on Ways and Means.

By Mr. SOLOMON (for himself, Mr. ACKERMAN, Mr. BOEHLERT, Mr. DOWNEY, Mr. FISH, Mr. GILMAN, Mr. GREEN of New York, Mr. HOCHBRUECKER, Mr. HORTON, Mr. HOUGHTON, Mr. LENT, Mr. MARTIN, Mr. MCGRATH, Ms. MOLINARI, Mr. NOWAK, Mr. RANGEL, Mr. SCHEUER, Mr. SCHUMER, Ms. SLAUGHTER, Mr. SOLARZ, Mr. TOWNS, Mr. WALSH, Mr. WEISS, Mr. MCNULTY, and Mr. PAXON):

H.R. 4829. A bill to establish the Hudson River Artists National Historical Park in the State of New York, and for other purposes; to the Committee on Interior and Insular Affaris.

By Mr. SUNDQUIST (for himself and Mr. FORD of Tennessee):

H.R. 4830. A bill to restore duty-free treatment for combination convection microwave ovens; to the Committee on Ways and Means.

By Mr. VOLKMER:

H.R. 4831. A bill to establish a congressional commemorative medal for veterans of the Battle of Midway; to the Committee on Banking, Finance and Urban Affairs.

By Mr. WEISS:

H.R. 4832. A bill to amend the Federal Home Loan Bank Act to require the Resolution Trust Corporation to maintain residential properties of institutions for which the Corporation is conservator or receiver in compliance with local property maintenance and safety laws; to the Committee on Banking, Finance and Urban Affairs.

By Mr. ZIMMER:

H.R. 4833. A bill to suspend until January 1, 1995, the duty on Trimethyl Hexamethylene Diisocyanate; to the Committee on Ways and Means.

H.R. 4834. A bill relating to the tariff treatment of isophorone dissocyanante [IPDI]; to the Committee on Ways and Means.

By Mr. FAZIO:

H.R. 4835. A bill relating to the tariff treatment of Benthiocarb; to the Committee on Ways and Means.

By Mr. IRELAND:

H.R. 4836. A bill to reduce Department of Defense balances of expired appropriations by canceling certain unliquidated obligations that have been determined by audit to be invalid; to the Committee on Appropriations.

H.R. 4837. A bill to amend title 31, United States Code, to limit the authority of the President and heads of agencies to prevent the closing of appropriation accounts available for indefinite periods; to the Committee on Government Operations.

By Mr. NOWAK:

H.R. 4838. A bill to direct the Secretary of the Army to construct a visitor center at Mt. Morris's Dam, Mt. Morris, NY; to the Committee on Public Works and Transportation.

By Mr. BLILEY (for himself, Mr. BATEMAN, Mr. ALLEN, Mr. WOLF, Mr. OLIN, Mr. MORAN, Mr. SISISKY, Mr. PAYNE of Virginia, Mr. PICKETT, Mr. BOUCHER, Mr. ERDREICH, Mr. TOWNS, Mr. DEFAZIO, Mr. EMERSON, Mr. WALSH, Mr. PASTOR, Mr. COBLE, Mr. SPENCE, Mr. JONTZ, Mr. MARTINEZ, Ms. HORN, Mr. MCDERMOTT, Mr. SKEEN, Mr. POSHARD, DANNEMEYER, Mr. LEWIS of California, Mr. WOLPE, Mr. OXLEY, Mr. DUNCAN, Mr. AUCOIN, Mr. ANDERSON, Mr. ROGERS, Mr. ENGEL, Mrs. BENTLEY, Mr. ECKART, Mr. FEIGHAN, Mr. HERGER, Mr. ROE, Mr. TALLON, Mr. HOBSON, Mr. EWING, Mr. THOMAS of Georgia, Mr. HARRIS, Mr. NEAL of Massachusetts, Mr. GUARINI, Mr. ESPY, Mr. DE LUGO, Mr. LOWERY of California, Mr. ROHRABACHER, Mr. WYDEN, Mr. WAXMAN, Mr. WILSON, Mr. STOKES, Mr. SAXTON, Mr. TAYLOR of North Carolina, Mr. NATCHER, Mr. BEREUTER, Mr. WYLIE, Mr. GILMAN, Mr. MCNULTY, Mrs. MEYERS of Kansas, Mr. HUGHES, Mr. WASHINGTON, Mr. COUGHLIN, Mr. LAGOMARSINO, Mr. MAVROULES, and Mr. SMITH of New Jersey):

H.J. Res. 465. Joint resolution designating January 16, 1993, as "Religious Freedom Day"; to the Committee on Post Office and Civil Service.

By Mr. GEKAS (for himself, Mr. COBLE, Mr. CRAMER, Mr. BATEMAN, Mr. MCDADE, Mr. WOLF, Mr. GALLEGLY, Mr. HAMILTON, Mr. KOLTER, Mr. STALLINGS, Mrs. UNSOELD, Mr. FISH, Mr. TOWNS, Mr. SKEEN, Mr. GUARINI, Mr. LAGOMARSINO, Mr. WILSON, Mr. HORTON, Mr. SCHUMER, Mr. BILIRAKIS, Ms. HORN, Mr. MAZZOLI, Mr. FAZIO, Mr. BROWDER, Mr. RAMSTAD, Mr. MCDERMOTT, Mr. SWETT, Mr. ERDREICH, Mr. GREEN of New York, Mr. CHAPMAN, Mr. MOORHEAD, and Mr. MCNULTY):

H.J. Res. 466. Joint resolution designating April 26, 1992, through May 2, 1992, as "National Crime Victims' Rights Week"; to the Committee on Post Office and Civil Service.

By Ms. HORN (for herself, Mr. KOPETSKI, Mr. BEVILL, Mr. GREEN of New York, Mr. MCMILLEN of Maryland, Mr. MARTIN, Mr. HUBBARD, Mr. ERDREICH, Mr. MAZZOLI, Mr. DURBIN, Mr. TOWNS, Mr. SISISKY, Mr. WALSH, Mr. PASTOR, Mr. SWETT, Mr. SHAW, Ms. KAPTUR, Mr. JONTZ, Mr. MARTINEZ, Mr. OWENS of New York, Mr. MCDERMOTT, Mr. LAGOMARSINO, Mr. GUARINI, Mr. LIPINSKI, Ms. OAKAR, Mr. MCCANDLESS, Mr. LOWERY of California, Mr. RINALDO, Mr. LAROCCO, Mr. SMITH of Florida, Mrs. MEYERS of Kansas, Mr. INHOFE, Mrs. PATTERSON, Mr. HOBSON, Mr. MACHTLEY, Mr. CLEMENT, Mr. EMERSON, Mr. MATSUI, Mr. REED, Mrs. MORELLA, and Mr. FROST):

H.J. Res. 467. Joint resolution designating October 24, 1992, through November 1, 1992, as "National Red Ribbon Week for a Drug-Free America"; to the Committee on Post Office and Civil Service.

By Mr. WEISS (for himself, Mr. FASCELL, Mr. BROOMFIELD, Mr. SOLARZ, Mr. WOLPE, Mr. GEJDENSON, Mr. DYMALLY, Mr. TORRICELLI, Mr. OWENS of Utah, Mr. FALEOMAVAEGA, Mr. MURPHY, Mr. KOSTMAYER, Mr. FOGLIETTA, Mr. ORTON, Mr. GILMAN, Mr. LAGOMARSINO, Mr. LEACH, Mrs. MEYERS of Kansas, Mr. MILLER of Washington, Mr. BLAZ, Mr. GALLEGLY, Mr. HOUGHTON, and Mr. CONYERS):

H. Con. Res. 306. Concurrent resolution condemning the extraconstitutional and antidemocratic actions of President Fujimori of Peru; to the Committee on Foreign Affairs.

By Mr. EWING (for himself, Mr. PENNY, Mr. IRELAND, Mr. WEBER, Mr. ARCHER, Mr. DELAY, Mr. SOLOMON, Mr. HUNTER, Mr. ROHRABACHER, Mr. PACKARD, Mr. SMITH of Oregon, Mr. HORTON, Mr. DOOLITTLE, Mr. BOEHNER, Mr. MOORHEAD, Mr. GALLEGLY, Mr. BURTON of Indiana, Mr. KOLBE, Mr. DUNCAN, Mr. ALLARD, Mr. SUNDQUIST, Mr. KYL, Mr. LIVINGSTON, Mr. CAMP, Mrs. VUCANOVICH, Mr. ROBERTS, Mr. ALLEN, Mr. PORTER, Mr. STUMP, Mr. CUNNINGHAM, Mr. TAYLOR of North Carolina, Mr. STEARNS, Mr. DORNAN of California, Mr. RIGGS, Mr. HASTERT, Mr. ZELIFF, Mr. LIGHTFOOT, Mr. MCCANDLESS, Mr. JOHNSON of Texas, Mr. BARRETT, Mr. HANCOCK, Mr. HANSEN, Mr. BEREUTER, Mr. LOWERY of California, Mr. RAVENEL, Mr. HOLLOWAY, Mr. BAKER, Mr. DICKINSON, Mr. ARMEY, Mr. BROOMFIELD, Mr. COMBEST, Mr. YOUNG of Alaska, Mr. RITTER, Mr. SKEEN, Mr. NICHOLS, Mr. INHOFE, Mr. DANNEMEYER, Mr. HYDE, Mr. CRANE, Mr. THOMAS of Wyoming, Mr. LAGOMARSINO, Mr. PAXON, Mr. MCMILLAN of North Carolina, Mr. LEWIS of Florida, Mr. GRANDY, Mr. TANNER, Mr. VANDER JAGT, Mr. HOUGHTON, Mr. SCHAEFER, Mr. EMERSON, and Mr. SENSENBRENNER):

H. Con. Res. 307. Concurrent resolution expressing the sense of the Congress that the President should extend for a period of 1 year the 90-day moratorium on new unnecessary Federal regulations; to the Committee on Government Operations.

By Mr. GEPHARDT (for himself, Mr. HOYER, Mr. FAZIO, Mr. ROSE, Mr. MOAKLEY, Ms. SLAUGHTER, and Mr. OBEY):

H. Res. 423. Resolution amending the Rules of the House of Representatives to provide for certain changes in the administrative operations of the House; jointly, to the Committees on Rules and House Administration.

By Ms. OAKAR (for himself, Mr. JONNS, Mr. JERRSON, and Mrs. LLOYD):

H. Res. 424. Resolution providing for the elimination of perquisites in the House of Representatives; to the Committee on House Administration.

By Mr. SCHULZE:

H. Res. 428. Resolution expressing the sense of the House of Representatives that secondary schools throughout the Nation should implement a financial planning program using the proven techniques of the College for Financial Planning in partnership with the U.S. Department of Agriculture Extension Service and participating Land-Grant University Cooperative Extension Services; to the Committee on Education and Labor.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

362. By the SPEAKER: Memorial of the General Assembly of the Commonwealth of Virginia, relative to the credit crisis; to the Committee on Banking, Finance and Urban Affairs.

363. Also, memorial of the General Assembly of the Commonwealth of Virginia, relative to the corporate average fuel economy standards; to the Committee on Energy and Commerce.

364. Also, memorial of the Legislature of the State of Florida, relative to the physical desecration of the American flag; to the Committee on the Judiciary.

365. Also, memorial of the Legislature of the State of Florida, relative to naming a courtroom in the Federal courthouse in Bay

County, FL, for the late Lynn C. Higby; to the Committee on Public Works and Transportation.

366. Also, memorial of the General Assembly of the State of South Carolina, relative to reform of medical insurance; jointly, to the Committees on Energy and Commerce and the Judiciary.

ADDITIONAL SPONSORS

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

H.R. 371: Mr. RIGGS.

H.R. 643: Mr. SCHIFF and Mr. ROEMER.

H.R. 780: Mr. EVANS and Mr. GILCHREST.

H.R. 812: Mr. ATKINS, Mr. GLICKMAN, Mr. SIKORSKI, Mr. KOPETSKI, Mr. MATSUI, Mr. TORRICELLI, and Mrs. KENNELLY.

H.R. 888: Mr. RICHARDSON.

H.R. 941: Mr. TORRES and Mr. LAGOMARSINO.

H.R. 1003: Mr. STEARNS.

H.R. 1049: Mr. UPTON.

H.R. 1200: Mr. BATEMAN.

H.R. 1241: Mr. DELAY, Mr. MAZZOLI, Ms. HORN, Mr. MILLER of Washington, and Mr. KASICH.

H.R. 1456: Mr. MAVROULES and Mr. DUNCAN.

H.R. 1468: Mr. BILIRAKIS.

H.R. 1502: Mr. MURPHY, Mr. GILCHREST, and Mr. CRAMER.

H.R. 1572: Mr. COLEMAN of Missouri.

H.R. 1628: Mr. YATRON, Mr. DELLUMS, Mr. CARPER, Mr. LIPINSKI, Mr. SMITH of Florida, Mr. MCCANDLESS, Mr. KANJORSKI, Mr. CLINGER, Mr. VALENTINE, Mr. COX of California, Mr. MURTHA, Mr. HAYES of Illinois, and Mr. SCHULZE.

H.R. 1664: Mr. HAYES of Illinois.

H.R. 1691: Mr. WALSH, Mr. LEVIN of Michigan, Mr. GINGRICH, Mr. GUNDERSON, and Mr. ABERCROMBIE.

H.R. 1726: Mr. DEFAZIO.

H.R. 1820: Mr. DIXON.

H.R. 1870: Mr. ATKINS.

H.R. 2070: Mr. STEARNS, Mr. SISISKY, Mr. CLEMENT, Mr. HYDE, Mr. MCCANDLESS, Mr. LAROCCO, Mr. BREWSTER, Mr. REGULA, Mr. INHOFE, Mr. BAKER, Mr. PAXON, Ms. SNOWE, and Mr. PARKER.

H.R. 2126: Mr. ENGEL.

H.R. 2200: Mr. GILCHREST.

H.R. 2248: Mr. CUNNINGHAM, Mr. GORDON, Mr. HAYES of Louisiana, and Mr. BURTON of Indiana.

H.R. 2253: Mr. GINGRICH.

H.R. 2299: Mr. STUDDS and Mr. SOLARZ.

H.R. 2415: Mr. ENGEL.

H.R. 2600: Mr. GUNDERSON.

H.R. 2782: Mr. WILLIAMS, Mr. MORRISON, Mr. SMITH of New Jersey, Mr. MINETA, Mr. BACCHUS, Mr. DOOLEY, Mr. SIKORSKI, Mr. SWIFT, Mrs. COLLINS of Illinois, Mr. SHARP, Mr. VOLKMER, and Mr. DURBIN.

H.R. 2797: Mr. ALEXANDER, Mr. COYNE, Mr. DICKS, Mr. DIXON, Mr. DOOLEY, Mr. ERDREICH, Mr. GLICKMAN, Mr. HALL of Ohio, Mr. HERGER, Ms. KAPTUR, Mr. LEVIN of Michigan, Mr. MFUME, Ms. MOLINARI, Mr. NAGLE, Mr. PAYNE of New Jersey, Mr. PORTER, and Mr. SAXTON.

H.R. 2861: Mrs. ROUKEMA.

H.R. 2881: Mrs. BOXER.

H.R. 2890: Mr. DICKINSON and Mr. SIKORSKI.

H.R. 2964: Mr. GORDON.

H.R. 2966: Mr. GINGRICH, Mr. HOAGLAND, Mr. LIGHTFOOT, Mr. SKAGGS, and Mr. COLEMAN of Missouri.

H.R. 3071: Mr. PARKER, Mr. RICHARDSON, and Mr. SLATTERY.

H.R. 3121: Mr. WELDON and Mr. WALSH.

H.R. 3138: Mrs. BOXER.

H.R. 3198: Mr. HOPKINS, Mr. BUSTAMANTE, Ms. COLLINS of Michigan, Mr. MYERS of Indiana, Mr. JOHNSON of South Dakota, Mr. LAGOMARSINO, Mr. SANTORUM, and Mr. ORTIZ.

H.R. 3215: Mr. SKEEN.

H.R. 3220: Ms. OAKAR.

H.R. 3222: Mr. GILCHREST.

H.R. 3393: Mr. OBERSTAR.

H.R. 3407: Mr. NEAL of Massachusetts and Mr. MINETA.

H.R. 3598: Mr. GILLMOR and Mr. STUMP.

H.R. 3639: Mr. ENGEL.

H.R. 3681: Mrs. JOHNSON of Connecticut, Mrs. MINK, and Mr. LAFALCE.

H.R. 3712: Mr. JONES of North Carolina, Mr. JOHNSON of Texas, Mr. DORNAN of California, and Mr. HUNTER.

H.R. 3780: Mr. STENHOLM and Mr. PETERSON of Florida.

H.R. 3836: Mr. DORGAN of North Dakota.

H.R. 3908: Mr. JONTZ.

H.R. 4018: Mr. RICHARDSON.

H.R. 4025: Mr. TALLON.

H.R. 4045: Mr. PETERSON of Minnesota and Mr. MCMILLEN of Maryland.

H.R. 4079: Mr. JONTZ.

H.R. 4097: Mr. WEISS.

H.R. 4099: Mr. HERGER, Mr. HANSEN, Mrs. VUCANOVICH, and Mr. DAVIS.

H.R. 4104: Mr. MAZZOLI, Mr. CUNNINGHAM, and Mr. EWING.

H.R. 4169: Mr. MCCRERY.

H.R. 4190: Mrs. SCHROEDER.

H.R. 4220: Mr. BLACKWELL.

H.R. 4235: Mr. OWENS of New York.

H.R. 4261: Mr. PETERSON of Minnesota.

H.R. 4275: Mr. MCCANDLESS, Mr. MAVROULES, Mr. FEIGHAN, Mr. HENRY, Mr. MILLER of Washington, and Mr. ATKINS.

H.R. 4278: Mr. NEAL of Massachusetts.

H.R. 4292: Mr. PAXON, Mr. THOMAS of Wyoming, and Mr. DANNEMEYER.

H.R. 4294: Mr. ARMEY.

H.R. 4295: Mr. ARMEY.

H.R. 4296: Mr. ARMEY.

H.R. 4297: Mr. ARMEY.

H.R. 4315: Mr. LENT.

H.R. 4338: Mr. COBLE, Mr. EWING, Mr. LOWERY of California, Mr. ALLEN, Mr. MCMILLEN of Maryland, Mr. SWIFT, Mr. HEFLEY, Mr. HARRIS, Mr. VANDER JAGT, Ms. PELOSI, Mr. LEHMAN of California, Mr. COYNE, Mr. KENNEDY, Mr. STUDDS, Mr. ALEXANDER, Mr. TRAXLER, Mr. NEAL of North Carolina, Mr. LIVINGSTON, Mr. TORRES, Mr. REGULA, Ms. KAPTUR, Mr. MFUME, Mr. HUBBARD, Mr. AUCOIN, Mr. POSHARD, Mrs. JOHNSON of Connecticut, Mr. JENKINS, Mr. FAZIO, Mr. SCHEUER, Mrs. KENNELLY, Mr. GILCHREST, and Mr. RHODES.

H.R. 4427: Mr. FIELDS.

H.R. 4452: Ms. LONG, Mr. JOHNSON of South Dakota, Mr. HATCHER, Mr. STALLINGS, and Mr. STAGGERS.

H.R. 4513: Mrs. MEYERS of Kansas.

H.R. 4533: Mr. CONDIT.

H.R. 4539: Mr. WHITTEN, Mr. MONTGOMERY, Mr. ESPY, and Mr. PARKER.

H.R. 4571: Mr. RANGEL, Mr. SPRATT, Mr. KOSTMAYER, Mr. DWYER of New Jersey, Mr. EVANS, and Mr. FROST.

H.R. 4617: Mr. THOMAS of Wyoming, Mr. COX of California, Mr. KYL, Mr. ZELIFF, and Mr. LENT.

H.R. 4618: Mr. CONDIT, Mr. GOSS, Mr. ROHRABACHER, Mr. THOMAS of Wyoming, Mr. COX of California, Mr. KYL, Mr. ZELIFF, and Mr. LENT.

H.R. 4619: Mr. CONDIT, Mr. GOSS, Mr. ROHRABACHER, Mr. THOMAS of Wyoming, Mr. COX. of California, Mr. KYL, Mr. ZELIFF, and Mr. LENT.

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H.R. 4625: Mr. CONDIT, Mr. GOSS, Mr. ROHRABACHER, Mr. THOMAS of Wyoming, Mr. COX. of California, Mr. KYL, Mr. ZELIFF, and Mr. LENT.

H.R. 4626: Mr. CONDIT, Mr. GOSS, Mr. ROHRABACHER, Mr. THOMAS of Wyoming, Mr. COX. of California, Mr. KYL, Mr. ZELIFF, and Mr. LENT.

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H.R. 4630: Mr. CONDIT, Mr. GOSS, Mr. ROHRABACHER, Mr. THOMAS of Wyoming, Mr. COX of California, Mr. KYL, Mr. ZELIFF, and Mr. LENT.

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H.R. 4641: Mr. CONDIT, Mr. GOSS, Mr. ROHRABACHER, Mr. THOMAS of Wyoming, Mr.

COX of California, Mr. KYL, Mr. ZELIFF, and Mr. LENT.

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H.R. 4651: Mr. CONDIT, Mr. GOSS, Mr. ROHRABACHER, Mr. THOMAS of Wyoming, Mr. COX of California, Mr. KYL, Mr. ZELIFF, and Mr. LENT.

H.R. 4652: Mr. CONDIT, Mr. GOSS, Mr. ROHRABACHER, Mr. THOMAS of Wyoming, Mr. COX of California, Mr. KYL, Mr. ZELIFF, and Mr. LENT.

H.R. 4653: Mr. CONDIT, Mr. GOSS, Mr. ROHRABACHER, Mr. THOMAS of Wyoming, Mr. COX of California, Mr. KYL, Mr. ZELIFF, and Mr. LENT.

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H.R. 4661: Mr. CONDIT, Mr. GOSS, Mr. ROHRABACHER, Mr. THOMAS of Wyoming, Mr. COX of California, Mr. KYL, Mr. ZELIFF, and Mr. LENT.

H.R. 4662: Mr. CONDIT, Mr. GOSS, Mr. ROHRABACHER, Mr. THOMAS of Wyoming, Mr. COX of California, Mr. KYL, Mr. ZELIFF, and Mr. LENT.

H.R. 4663: Mr. CONDIT, Mr. GOSS, Mr. ROHRABACHER, Mr. THOMAS of Wyoming, Mr. COX of California, Mr. KYL, Mr. ZELIFF, and Mr. LENT.

H.R. 4664: Mr. CONDIT, Mr. GOSS, Mr. ROHRABACHER, Mr. THOMAS of Wyoming, Mr. COX of California, Mr. KYL, Mr. ZELIFF, and Mr. LENT.

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H.R. 4680: Mr. CONDIT, Mr. GOSS, Mr. ROHRABACHER, Mr. THOMAS of Wyoming, Mr. COX of California, Mr. KYL, Mr. ZELIFF, and Mr. LENT.

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H.R. 4684: Mr. CONDIT, Mr. GOSS, Mr. ROHRABACHER, Mr. THOMAS of Wyoming, Mr. COX of California, Mr. KYL, Mr. ZELIFF, and Mr. LENT.

H.R. 4689: Mr. SHAYS, Mr. LEACH, Mr. AUCOIN, and Mr. PAXON.

H.J. Res. 81: Mr. RAMSTAD.

H.J. Res. 121: Mr. MARTINEZ, Mr. SANDERS, Mr. LANCASTER, Mr. SERRANO, Mr. COUGHLIN, Mr. MATSUI, Mr. JONTZ, Ms. KAPTUR, Mr. BROOMFIELD, Mr. GORDON, Mr. CLINGER, Mr. YATRON, Mr. SMITH of Iowa, Mr. MCCRERY, and Mr. GAYDOS.

H.J. Res. 283: Mr. MOORHEAD.

H.J. Res. 371: Mr. BLAZ, Mr. BREWSTER, Mr. CARDIN, Mr. CRAMER, Mr. DIXON, Mr. DWYER of New Jersey, Mr. FROST, Mr. HAYES of Louisiana, Mr. KILDEE, and Mr. LAUGHLIN.

H.J. Res. 388: Mr. HYDE, Mr. EVANS, Mr. NEAL of Massachusetts, Ms. SNOWE, Mr. BENNETT, and Mr. TAUZIN.

H.J. Res. 393: Mr. BLILEY, Mr. LEVINE of California, Mr. MCDERMOTT, Mr. QUILLEN, and Mr. VENTO.

H.J. Res. 399: Mr. HATCHER and Mr. FROST.

H.J. Res. 417: Mr. DEFAZIO.

H.J. Res. 418: Mr. ARMEY.

H.J. Res. 445: Mr. LAFALCE, Mr. ROYBAL, Mrs. UNSOELD, Mr. WILSON, Mr. WEBER, Mr. MORAN, Mr. PURSELL, Mr. CALLAHAN, Mr. DEFAZIO, Mr. HOCHBRUECKNER, Mr. MCMILLEN of Maryland, and Mr. MOAKLEY.

H.J. Res. 457: Mr. GALLEGLY, Mr. RAMSTAD, Mr. BENNETT, Mrs. COLLINS of Illinois, Mr. BARRETT, Mr. BOEHNER, Mr. BUSTAMANTE, Mr. DELAY, Mr. DONNELLY, Mr. EDWARDS of Oklahoma, Mr. FAWELL, Mr. GALLO, Mr. GREEN of New York, Mr. HEFLEY, Mr. HENRY, Mr. LENT, Mr. LIVINGSTON, Mr. MILLER of Washington, Mr. PACKARD, Mr. RHODES, Mr. RIDGE, Mr. ROBERTS, Mr. SCHAEFER, Mr. SHAYS, Mr. SOLOMON, Mr. VANDER JAGT, Mr. WEBER, Mr. CRANE, Mr. HOUGHTON, Mr. MONTGOMERY, Mr. MYERS of Indiana, Mr. SUNDQUIST, Mr. UPTON, Mr. JEFFERSON, Mr. MCDADE, Mr. MORRISON, Ms. SLAUGHTER, Mr. QUILLEN, Mrs. UNSOELD, and Mr. STUMP.

H. Con. Res. 289: Mr. HAYES of Louisiana, Mr. HORTON, Mr. ZELIFF, and Mr. DWYER of New Jersey.

H. Con. Res. 291: Mr. PAXON.

H. Con. Res. 297: Mr. ZELIFF, Mr. FOGLIETTA, Mr. ACKERMAN, Mr. JEFFERSON, Mr. LEVINE of California, Mr. KOPETSKI, Mr. YATRON, Mr. FAZIO, Mr. BILBRAY, Mr. WAXMAN, and Mr. PAXON.

H. Res. 204: Mr. WELDON.

H. Res. 271: Mr. LEWIS of Georgia and Mr. COX of Illinois.

H. Res. 404: Mr. SENSENBRENNER, Mr. LIVINGSTON, Mr. PAXON, Mr. POSHARD, Mr. GALLEGLY, Mr. ZELIFF, Mr. SHAW, Mr. BALLENGER, Mr. KOLBE, Mr. BACCHUS, Mr. ROEMER, Mrs. MEYERS of Kansas, Mr. GILCHREST, Mr. ATKINS, and Mr. ROBERTS.

H. Res. 417: Mrs. BOXER and Mr. KOSTMAYER.

H. Res. 419: Mr. REGULA, Mr. RHODES, Mr. BEREUTER, Mr. BOEHNER, Mr. MARTIN, Mr. SENSENBRENNER, Mr. GOSS, Mr. PAXON, Mr. CAMPBELL of California, Mr. JAMES, Mr. WALSH, Mr. OXLEY, and Mr. CAMP.

PETITIONS, ETC.

Under clause I of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

147. By the SPEAKER: Petition of the 29th Division Association, Inc., Boonsboro, MD, relative to the notch Social Security law; to the Committee on Ways and Means.

148. Also, petition of the Louisiana Republican Legislative Delegation, Baton Rouge, LA, relative to President Bush's economic growth program; to the Committee on Ways and Means.

SENATE—*Wednesday, April 8, 1992*

(Legislative day of Thursday, March 26, 1992)

The Senate met at 8:30 a.m., on the expiration of the recess, and was called to order by the Honorable WENDELL H. FORD, a Senator from the State of Kentucky.

PRAYER

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

Let us pray:

There is a way which seemeth right unto a man, but the end thereof are the ways of death.—Proverbs 14:12.

God of truth and justice for whom integrity is the hallmark of virtue, grant discernment and wisdom to all who labor in this place, that their priorities may be correct, their frustration minimal, their failure negligible. Immersed as our culture is in the television 30-minute solution syndrome, pragmatic as we are required to be in a democracy, deliver us from the assumption that immediate results are the criterion for effective leadership. Save us from being overwhelmed by the urgent while sacrificing the essential. Help us to see that it is not immediate results with shortcuts and detours that determine effectiveness, but the long-term destination. Inundated as we are with agendas, save us from becoming brokers of special interests. Help us not to sacrifice the welfare of the whole for the squeaky wheel, the future for the present.

In the name of Him who was never in a hurry but finished the eternal work He came to do. Amen.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

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

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, April 8, 1992.

To the Senate:

Under the provisions of rule I, section 3, of the Standing Rules of the Senate, I hereby appoint the Honorable WENDELL H. FORD, a Senator from the State of Kentucky, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

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

RESERVATION OF LEADER TIME

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

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be a period for the transaction of morning business with Senators permitted to speak therein for not to exceed 5 minutes each, with the time between 9:30 and 10:30 a.m. under the control of the majority leader or his designee.

The Chair, using his prerogative as a Senator from Kentucky, suggests the absence of a quorum.

The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered. The Senator is recognized for 1 hour.

LEADERSHIP FROM PRESIDENT BUSH?

Mr. GORE. Mr. President, as we meet today, the world waits for the start of yet another round of negotiations on global climate change, for the convening of the Earth summit and yet another attempt to forge solid meaningful agreements that will finally move this Nation and every other nation in the world to real action to protect the global environment.

You could say at this moment between meetings that the world is catching its breath, taking stock of how far we have come, and looking ahead to see how much farther there is to go. Sadly, we have not traveled far and the steepest roads requiring the toughest work are still before us. We cannot turn back or give up, too tired or frustrated to move on or too afraid to work up a sweat, and we cannot continue an unconscionable effort to stop everyone else from moving forward.

The United States, because of the policies of President Bush, has been a lead weight on this process. We have put on the brakes, put up the barricades and challenged the rest of the world to get by. "I dare you" might be George Bush's motto. "Make my day."

President Bush has made our policies the principal obstacle to progress. He is the 800-pound gorilla blocking the door, the neighborhood bully with the threat meant to strike fear, stop action, and halt progress where this global negotiation is concerned.

So far, unfortunately, the routine has been working pretty well. International negotiations on new environmental agreements are now stalled. The Earth summit is in jeopardy and dangerously missing every deadline, all thanks to the policies of President George Bush and his administration. "Hasta la vista" seems to be his attitude toward the Earth summit.

Is this really what being a leader is all about? Is this really what leadership looks like? Is this what it means in the post-cold-war world to be President of a superpower? Is this what the "new world order" is about, politics by intimidation and intransigence, policy by stonewalling and sleight of hand, victories measured by ground held instead of progress made?

Mr. President, yesterday, this body debated quite thoroughly a resolution dealing with the upcoming Earth summit and with specific calls for actions to be taken at that meeting. That debate raised serious questions that remain unanswered. Will President Bush attend the Earth summit? Will he block or prompt historic new agreements that could offer bold new protections for the environment and for our future? Will he agree to specific timetables and targets for reductions in carbon dioxide, the principal cause of global warming? Will he sign broader agreements on fundamental principles?

But for all these important questions that remain to be answered, there is one more disturbing, disturbing first because it has to be asked at all and, second, because the answer is still uncertain: Will President Bush provide the leadership our country and the world is so desperately seeking on these issues and on so many others? Sadly, the record provides little reassurance.

This is the man who says he will do anything to get reelected. This is an administration moved by political winds, not by principle. In this White House, policy is made by poll and measured against its ability to win votes. Nothing but reelection matters. No ideology, no core commitments, no responsibility to leave a legacy other than an election day margin of victory. There is not even a sense of direction.

It is not my intention today to be partisan. I do not take to the floor as a Democrat, although I readily admit

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

my preference for a Democratic victory in this fall's election, and my remarks are critical of President Bush as a leader. But I take to the floor as someone deeply disturbed by the sense of drift pervading our Nation. I was not a big fan of Ronald Reagan, but he was predictable. You knew where he was coming from and where he was going. With George Bush, you do not know either and he does not himself. Does he have a sense of where we should be heading as a nation? Does he have any idea of how we should get there? Does he have a clue about what this new world order means? Maybe we should not be surprised that overwhelming numbers of Americans now believe our country is on the wrong track. President Bush is a conductor without a compass.

What President Bush does have is good reflexes. When something happens, he responds.

Voters express their deep anxiety about health care by electing a less well-known Democrat over a heavy weight, established Republican and President Bush decides he should then talk about health care.

Voters make it crystal clear they are tired of business as usual in Washington so President Bush, with an entire career in Government, the insider's insider resume, and an unshakeable commitment to the status quo, suddenly decides he will be the outsider campaigning for change and so he makes speeches that use the word change, change, change, change, just over and over again, because his image makers have told him the concept of change is one with which he must rhetorically identify in the minds of the voters. Everyone else is trashing Congress so he decides he ought to join in as well in hopes that it will keep folks from bashing him.

Someone, somewhere whispers that he may be having a hard time convincing people that he is really living up to his promise, his laughable promise to be the environment President, so he visits the Grand Canyon and invites a crowd of television cameras to come with him.

When similar questions are raised about his empty promise to be the education President, he schedules a trip to a Washington-area classroom where students complain to reporters about being used as props in a photo opportunity. When Patrick Buchanan irresponsibly challenges President Bush in the Republican primaries for being too liberal, President Bush fires the head of the National Endowment for the Arts.

President Bush basked in the glory of the Desert Storm victory, and rightfully so, but what happened afterwards? It was not until the world community and the media exposed the brutal treatment of the Kurds that President Bush finally responded, belatedly, to help relieve their misery.

Former President Richard Nixon suggests that we are losing a once-in-a-lifetime opportunity to really create a new world order. Democratic Presidential candidate Bill Clinton schedules a speech on the same subject and 20 minutes before Governor Clinton can say a word President Bush unveils his aid package for the former Soviet Union. Beat-the-clock meets the White House.

I could go on with these points, but I will not. I hope you get the idea. Leadership is not about putting your finger to the wind and deciding which way to travel. Leadership is not about running to the front of a parade that stepped off blocks earlier. Leadership is not about figuring out what people want to hear and then repeating it. There is a reason so many Americans think we are on the wrong track; why so many Americans are staying home when they should be voting; why so many Americans are just plain disgusted with their Government. The American people see through it. They know better.

The American people know that a visit to the Grand Canyon will not improve their environment any more than a visit to a classroom will improve their children's education. They know that talk is cheap and health care is expensive. They know we are at a turning point in our history when vision, courage, and a clear sense of guiding principles are essential to navigate uncertain times in rough waters.

Leadership is not about reflexes. It is about being brave enough to move forward before the crowd turns one way or the other. Leadership demands courage, vision, and a strong sense of direction. It means you take the first steps and through the strength of your conviction and the power of your ideas move others to travel with you. It means that for a time you fight the conventional wisdom, the skeptics, and the status quo. It means you take the right course, not the easy one.

Nowhere is leadership more critically needed now than on issues affecting the global environment. And nowhere, unfortunately, is exactly where President Bush can be found.

Yesterday, as the President's supporters challenged the resolution on the Earth summit, they quoted the skeptics, a small but persistent group whose work echoes the example of the scientists who work for tobacco companies and claim that there still is an insufficient quantity of evidence to link smoking with lung cancer. And the President's supporters refuse to admit what hundreds of scientists have concluded: Global warming is real. The depletion of the ozone layer is occurring at dangerously rapid rates. Forests are being destroyed at the rate of 1½ acres every second. Species are being lost at a rate 1,000 times faster than at any point in the last 65 million years.

And the global environment faces a crisis unlike any we have ever experienced in the entire history of humankind on this planet. Where is President Bush? He is listening to a crackpot view of those who say, "There is no crisis, do not worry about it; just continue with business as usual." Some people still believe that the moon landing was staged in a movie lot. President Bush presumably does not listen to them, but he does listen to those who tell him, "There is no environmental crisis, do not worry about it, Mr. President."

We are facing environmental changes that could disrupt life on Earth as we know it, with implications far beyond the lifetime of our children, and still, this White House and this President says, "do not worry." The President and his advisers tell us that we do not know enough yet about global warming to decide whether or not it is really a problem. And besides, the effort to respond is simply too difficult. That is exactly what those tobacco company doctors told us about cigarette smoking and lung cancer. It took an ozone hole above Kennebunkport, or the prospect of one, to get President Bush's attention on that issue. That makes it frightening to think about what kind of environmental catastrophe it would take to finally move President Bush to run to the head of the parade where the global crisis is concerned.

Because of this administration's intransigence, the Earth summit and the entire process of crafting new international agreements on key issues is now threatened. While every major leader in the world has committed to attending and participating fully in the Rio Conference, President Bush has not decided yet. He is not saying whether he will even go.

Is that not embarrassing to our country? Walk in any classroom in America, Mr. President, and ask the children in that classroom, what is the most important threat to our future? They will say the global environmental crisis. How do you tell these young boys and girls in the classroom that, yes, you are right about this, but do you know what? Every world leader is going to do something about it, except the President of the United States. How do you tell them to have confidence in our ability to face the future; have confidence in our leadership; have confidence in your President?

He does not even care enough to decide to go to the Earth summit, much less to remove the roadblocks that have prevented progress in the negotiations. This is a historic turning point. The ecological balance of this Earth is at risk. Industrial civilization is colliding with the ecological system of the Earth. Nations all over the world are planning to attend this historic Earth summit and work on important agreements to change the practices that are causing this collision. The leader of the most powerful nation in the world,

with an economy twice as large as any other nation, with the mantle of political and moral leadership in the world, is refusing even to go. And he is instructing our negotiators to stop any progress toward binding commitments to do something about this.

President Bush's policy toward the Earth summit is a disgrace, Mr. President. Historians will look back on this failure of leadership and wonder in amazement how it could have taken place. While every industrial country in the world has now pledged to stabilize emissions of carbon dioxide, the principal greenhouse gas, President Bush has said no. Why? His counsel made it clear 2 weeks ago when he invited the heads of major coal companies into the White House and gave them a solemn pledge: We will not change that position, because we know it will hurt your profits if we do.

Meanwhile, other countries, like Japan, are moving aggressively on this front, because they know the way to create millions of new jobs and profits and economic progress is to mobilize to create the new technologies necessary to allow economic progress without environmental destruction.

On the issue of forests, we are seeing an acre and a half slashed and burned every second. We are seeing living species disappear very rapidly as a result. President Bush has told the rest of the world that they ought to preserve their forests, but not to worry about our forests. Meanwhile, he fights efforts here in the Congress to eliminate the taxpayer subsidies for clearcutting our national forests.

In other words, on environmental issues, the parade has stepped off of the curb, is rounding the final corner and, still, President Bush cannot decide whether he ought to jump in front of it and at the very least move this vast international network through the difficult steps toward these important agreements.

Years of work in preparing for the Earth summit may now be lost. As a consequence, we face the prospect of an ever-escalating environmental crisis that portends severe economic dislocation and untold human suffering for communities in the United States and around the world. Tragically, because of the President's obstruction of the UNCED proceedings, we stand to lose a historic opportunity to bring the world community together, to move forward in a spirit of true global partnership to meet the challenges, and seize the opportunities that will define our common future.

Perhaps we should be surprised that Mr. Bush, the environmental President, would jeopardize an effort of such crucial importance to the world community's ability to confront the environmental problems we face. But the record shows that the President's performance in the UNCED preparations exemplifies the rule, rather than the exception, to the kind of leadership he has shown.

In 1988, when the Nation was suffering a severe drought and heat wave, Mr. Bush vowed that he would combat the greenhouse effect with the White House effect. Remember that one? That was a good line. After this disturbed his friends in the energy industry, however, Mr. Bush quickly changed course and discovered instead the whitewash effect. Let us wait, the President argued, until the scientists tell us if this really is a problem at all.

Well, the international scientific community has since told us, not once, but three times, that global warming is the worst environmental crisis human civilization has ever faced. If we continue with business as usual, if we continue to pump carbon dioxide and other greenhouse gases into the atmosphere at ever-accelerating rates, these scientists—some 700 of them from 150 countries around the world—have warned that we risk disruptions in the Earth's climatic balance greater than any experience in the entire history of human civilization on earth, and that these changes will occur rapidly and dramatically and disrupt civilization in ways that will cause enormous human suffering.

Still, the President cannot decide to act. He is worried about the election. He gives every appearance of caring less about what happens to the next generation. But the argument from President Bush is one I hope the American people will reject. He says, "We do not know enough. We cannot afford to respond. We cannot afford to confront global climate change."

Welcome to voodoo economics, circa 1992, the environmental chapter. The President's advisers at the Department of Energy predict that controlling carbon dioxide emissions will have a significant and negative impact on GNP. But they reach that conclusion by priming their computers with incredible assumptions. According to their models, our economy currently operates perfectly efficiently and on the basis of complete and perfect information. Any change to our standard operating practices therefore necessarily means that we will be worse off. It is painful to watch this analysis.

Let us look instead to the obvious. Our economy is not perfectly efficient. In fact, we have to expend at least twice as much energy as our leading competitors to produce the same amount of product. It is only if we reduce our energy consumption that we will remain a viable economic force. Other studies—from Government and private sector scientists—show that we can confront global warming and simultaneously strengthen our economy. Common sense should tell us we are presented with a tremendous opportunity for growth in industries responsive to environmental concerns. We know already from example: Northern TeleCom invested $1 million in research and now saves $4 million each year because they no longer buy ozone depleting chlorofluorocarbons; Amoco recycles more than 32,000 tons a year of hazardous waste and realizes a disposal savings of at least $1.5 million; Alcoa estimates that at least 30,000 people in the United States are employed in aluminum recycling—twice as many as are employed in the primary aluminum industry.

Strange that Japan and Germany have been among the leaders in the world community in calling for reduced CO_2 emissions. Would the President suggest that they are softheaded when it comes to economic policy? Clearly not. Rather, they simply recognize and are gearing up to seize a challenge and an opportunity that the President—desperately afraid even to question the status quo—would much prefer to see go away.

Across the landscape, the President's environmental policies have reflected this same pattern of false starts. No net loss of wetlands? The plan the President produced to put that promise into effect in fact would have led to the loss of more than 50 percent of the Nation's wetland areas. The plan was so disastrous in fact that scientists at the EPA and other agencies quit rather than endorse it.

And what of the Clean Air Act the President loves to brag on as his own? Apparently, the President thinks it looks nice on paper, but that we should not get carried away and actually try to implement it. Indeed, he has launched DAN QUAYLE on a campaign to undermine EPA's efforts to comply with the law. Huge loopholes have been carved for industry to increase toxic air emissions—without challenge from citizens or the courts; utilities will be able to circumvent controls on emissions that cause acid rain simply by saying that they are upgrading—but not really adding anything new to their facilities; and auto companies—receiving a personal pre-Michigan primary present from the President—will not have to ensure that the cars they produce meet the volatile chemical standards outlined in the law. Indeed, so determined has the President been to eviscerate this—his premier environmental accomplishment—that several of our colleagues in the House and the Senate may bring a lawsuit to force the administration's compliance.

Mr. President, I believe that we must have a change in these policies.

I speak today motivated by many of the same concerns that moved our debate yesterday. I plan to speak on the Senate floor again tomorrow, with the last of a series of speeches on these issues designed to provide some direction to an administration and a policy that continues to drift.

I believe strongly, passionately, to my very core, that the global environment must be the central organizing principle for this post-cold-war world and that we must focus our energy, our talent, our attention and our collective will on confronting these issues. The Earth summit in Rio provides an important, historic opportunity to begin this task and to create a process that will allow progress to continue. It is an opportunity the White House is in the process of missing with slow footed, uncertain hesitancy that simply cannot be understood, condoned, forgiven, or continued. We cannot allow this critical moment to be lost because President Bush cannot find his way.

It is my hope that this administration will change course in time to save the Earth summit; that our President will demonstrate real leadership at a time when it is urgently needed. To President Bush, our message should be simple: The Earth summit is important. Make it a priority. Make it a success. Or answer for its failure.

The strong bipartisan vote yesterday of 87 to 11 sends that message to the President loudly and clearly.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. KOHL). The Chair recognizes the Senator from Arizona [Mr. MCCAIN].

Mr. MCCAIN. I thank the Chair.

(The remarks of Mr. MCCAIN pertaining to the introduction of S. 2543 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

The PRESIDING OFFICER. The Senator from Tennessee is recognized.

Mr. GORE. I thank the Chair.

(The remarks of Mr. GORE pertaining to the introduction of S. 2543 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mrs. KASSEBAUM. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

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

CONGRESSIONAL REFORM

Mrs. KASSEBAUM. Mr. President, last Friday, President Bush delivered a major address in Philadelphia that focused on the need for governmental reform and specifically reforms in the Congress. This seems to have become the target of much attention—and probably well-deserved attention—in recent weeks and months. One of the President's key points was the need to overhaul what he called the "sticky web of 284 congressional committees and subcommittees." He went on to praise the bipartisan initiative of Senators BOREN and DOMENICI in calling for a joint House and Senate committee to study and recommend reforms.

As a cosponsor of the Boren-Domenici proposal, I strongly believe we need to move forward this year in a bipartisan effort to deal with the problems all of us know exist in our current structure and that all of us know should be dealt with. We are not exactly sure how we would deal with them. We have gone through a number of commissions that have studies and made recommendations. But I think the fact that we are losing some very worthy Members of the U.S. Senate is another reason for us to try to address the problems that we feel are before us without wearing, necessarily, a hair shirt about all that has gone wrong.

I have my own legislation, Senate Resolution 66, that offers a specific set of reforms for our current committee structure, and I am pleased that this legislation has gained bipartisan support. This bill now has been cosponsored by Senators INOUYE, DASCHLE, DODD, LUGAR, MCCAIN, COHEN, PELL, GORTON, SIMON, and NUNN.

By any measure, that is an impressive lineup, and I believe it speaks to the deeply felt need, in both parties, for us to put the Senate in order. While I doubt that any of these cosponsors support each and every provision of Senate Resolution 66, all of them support fundamental change in the way we conduct our business.

The joint goal of all of us is to improve both the quality of life here in the Senate and the quality of our work product. In fact, I suggest that it is the quality of our work product that is by far the most important. It goes beyond just the quality of life in the Senate. I worry that today, with the emotional frustration of the public as well as our own inability to move to substantive issues, largely because we have been distracted by many of the others—which in the long run will be trivial issues—that we indeed risk destroying the institution itself in its need to build confidence with the public that we serve.

If we cannot do that, we are at risk of being unable to pull together a consensus of support for dealing with the substantive issues—our deficit, health care reform, and others issues that are before us.

One way that Senate Resolution 66 would do this is by giving our leaders the power to lead. Another would be by creating clear lines of authority and at the same time clear lines of accountability. While this legislation is far from perfect, I strongly believe it sets out basic key principles that must be part of any overhaul of our committee system, and I urge my colleagues to consider it carefully or to offer specific proposals of their own. In the 13 years I have been here, Mr. President, I have seen two commissions which made reports on how we could better improve the process here in the Senate, and we have adopted some of those measures. But some are still just parts of reports.

It seems to me we need to go beyond "just another commission," as important as that may be, and look to specific recommendations that we can agree with or improve upon, or offer alternatives.

I believe that much of the anger the voters now feel toward Congress is a direct result of our institutional gridlock and the feeling that we cannot get anything done in a timely, efficient and effective manner. We should not only pay attention to that anger, but we should respond in a productive and serious fashion.

I hope that we can begin the process of committee reform this year. It is, I believe, a step that is long overdue.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. ROBB). Without objection, it is so ordered.

CAMPAIGN FINANCE REFORM

Mr. BOREN. Mr. President, the House is preparing to act probably tomorrow on a historic piece of legislation. It is a piece of legislation on which many of us have worked for more than a decade. I cannot think of any more important piece of reform legislation that will be considered this year by this Congress than the conference report on Senate bill 3. S. 3 is the bill that would bring true campaign finance reform to our political process.

Mr. President, in many, many ways, the people of this country are expressing frustration with the way in which the people's business is being done. They are expressing their frustration with politics as usual and campaigns as usual. We saw it again in the election results yesterday, obviously an electorate not satisfied with the choices and frustrated by the direction which the country has taken. We have seen it in poll after poll, the most recent polling data indicating that three out of every four Americans are expressing displeasure at the way the Congress is conducting itself.

Mr. President, when we come into this Chamber each day, we should reflect upon the fact that this room, that these desks, the offices from which we come do not belong to us, they belong to the people. We are a part of a continuum of history that really is at the heart of the political process of this country and the genius of the Amer-

ican political system. We are the temporary occupants of these desks, these seats on this floor and, as such, we have a solemn obligation to serve as the trustees of this institution and to serve as trustees for the political process for the American people.

The tradition, of course, is that inside the desk drawers of each of these desks we have written our names, not on top of the desks like schoolchildren, but inside the desk drawer, and inside the drawers are the names of those people who have served before us, great names in American history like Webster and Clay and Calhoun, like Taft and La Follette and Humphrey and Truman and many, many others.

I have been privileged to have the use temporarily of the desk used by President Truman when he was a Senator from Missouri, by Hugo Black when he was a Senator before he became a Justice of the U.S. Supreme Court, by the great blind Senator from my home State who was our first Senator from Oklahoma, from statehood, T.P. Gore and so many others.

When you look at those names and you reflect upon people who have been the keepers, the trustees before us, surely it should cause us to reflect upon our duty. We have watched for more than a decade as our political system has really been attacked by a cancer that threatens to destroy it.

We have remained inactive for far too long, Mr. President. We have watched while the cost of winning a U.S. Senate seat on the average has risen from $500,000, the average amount spent by a successful candidate 14 years ago, to over $4 million this last year. When you think about the amount of money that it takes to successfully run for the U.S. Senate, that means if a Senator has a 6-year term, he must figure out how to raise $20,000 every week for 6 years to come up with the average amount of money it takes to win a Senate seat.

I am talking only about averages. I am not talking about New York or California or larger States where the figure may be $20 or $30 million instead of $4 million.

Not only is too much money coming into the political system, Mr. President, but it is coming from the wrong places.

When we started this effort, Senator Goldwater, who was then a Member of the Senate, Senator Stennis from Mississippi, and I almost 10 years ago to reform the way campaigns are financed, about 9 percent of the money coming to candidates came from special interest groups, political action committees, and people outside the States of the Members who were running

Now that figure is well above 50 percent—over half of the Members elected in Congress receive more than half of all of their campaign money, not in small donations from the people back home but from people outside their home States, outside their home districts, with special interests and axes to grind.

Then, Mr. President, not only is there too much money coming into politics and not only too much of it coming from special interests, from the wrong places, instead of the people from back home at the grassroots in small donations, but there is too much of a correlation between who wins an election and who can raise the most money. In the vast majority of cases, well over 90 percent, over 95 percent of the time the candidate that can raise the most money is the candidate who wins at the polls. Not only is there too much money coming in and too much of it coming from special interests, and the power of the money is too great in terms of deciding who wins the election, it is also distorting the process by giving incumbent Members a much greater chance to win elections than challengers.

In the last election cycle, incumbents, sitting Members of Congress, on the House side were able to raise eight times as much money as challengers, and in the Senate it was three times as much money as challengers.

When you get down to the special interest groups, the political action committees, and you want to know why incumbents can raise so much more money than challengers, look at where the special interest money is going.

In the last election cycle, PAC's gave $16 to incumbents for every $1 they gave to challengers; they gave $4 to incumbent Senators for every $1 that they gave to challengers. It is getting worse. In this election, so far, the special interests, the PAC's are giving $25 for sitting Members of the House for every $1 they are giving to challengers, and $15 for sitting Members of the Senate for every dollar they are giving to challengers.

Mr. President, when you look at those figures, when you look at the money chase, when you look at the fact that Members of Congress have had to become part-time Members of Congress and full-time fundraisers, when they have had to devote their time and effort and attention to raising money instead of solving the people's problems at a time in which many families are having a desperate time making ends meet, can we be surprised when we see poll numbers that reflect the lack of confidence in Congress? Can we really say we are amazed when a vast majority of the American people say they believe Congress does not belong to them anymore, that it belongs to special interest groups which can pour the most money into campaign coffers?

How can we express surprise at that, Mr. President, when we are a part of a Congress where the sitting Members are getting as much as 25 times as much from special interest groups to run their campaigns as the challengers?

So, Mr. President, the time has come for us to act. For the first time in virtually two decades, we have an opportunity, and we will be voting right after the Easter recess—hopefully, the House will vote this week—to pass and send to the President a bill which will stop this money chase, which will begin to treat the cancer that is eating at the heart of our political process, to take a step to try to restore the confidence of the American people back in their own political process again, to send a message to those people that this Congress, this institution, which has belonged to you through so many years as people like those whose names are written in these desks, who have served you so well over the years, once again is going to belong to you. We have that opportunity.

If both Houses of Congress pass this bill, as I hope and trust they will, the President of the United States will then have an opportunity to sign a bill which will do more to restore the confidence of the American people in the political process than any other bill that he has ever had a chance to sign during the course of his Presidency.

What will this bill do, Mr. President?

First of all, it will put limits on total spending. It will stop the money chase. It will even the playing field between incumbents and challengers because it is in the money chase, it is in the raising of money that incumbents have such an advantage. It will allow Members to stop being full-time fundraisers and start being full-time Senators again, dealing with the problems of the people.

If the spending limits had been in place during the last election cycle—and I think this is very revealing—82 percent of all incumbent Senators running last time would have exceeded the spending limit by an average of $2 million. It ought to tell us that if those spending limits had been in place, a lot less time would have been spent raising money and a lot more time would have been spent solving problems.

What about challengers? Some people have said spending limits hurt challengers. This is the most illogical argument ever advanced. Only 32 percent of the challengers would have exceeded the spending limit, and only by $400,000 if the spending limits had been in place, again as opposed to 82 percent of the incumbents exceeding the spending limits by an average of $2 million.

So if we want to level the playing field, if we want to give challengers a chance, if we want to give people with new ideas a chance to enter into the political process, the most important thing we can do is to put spending limits in place. It is at the very heart of any true reform of the campaign fi-

nance system. When special interests give to incumbents 25 to 1 over challengers, when incumbents can outspend challengers 8 to 1, when 82 percent of incumbents went over the spending limits in this bill by an average of $2 million, it is clear that spending limits are of crucial importance to restore fairness to the political process.

Some people are sad, and unfortunately some of those on the other side of the aisle argue that they are for campaign reform, but they do not want to do anything about limited spending. To say that you are for campaign reform and you do not want to stop the money chase, and you want to let millions and millions of more dollars flow into the political process, is like saying to the doctor you can look at the patient but we are not going to let you treat the disease. It makes absolutely no sense.

Campaign reform means limiting spending, limiting the influence of too much money in the process, and giving challengers a chance to compete on an even playing field. Real reform also in addition to spending limits means that we must reduce the influence of the special interest groups and the political action committees. Under this bill, a candidate would be able to receive not more than 20 percent of their aggregate contributions in a campaign from political action committees.

Mr. President, if those limits had been in effect in the 1990 elections, it would have cut by 53 percent—more than in half—the amount of special-interest money flowing into campaigns. So it is an important reform.

Finally, it would stop the flow of soft money into campaigns. We all know what soft money is. It is money given by individuals in evasion of the contribution limits. Individuals are only supposed to be able to give $1,000 to a candidate. What happens is this: They give money to political parties in the States; those parties then spread the money among other groups to influence the outcome of a Federal election. And we have had actual fundraisers held where it costs $100,000 each to come and to contribute. We are talking about tens of millions—$20, $30, $40 million—of soft money going into every election process in evasion of the contribution limits.

Under this bill, Mr. President, that soft money—what has been called sewer money by those who have studied the political process—that soft-money source would be cut off. All Americans would have to abide by the contribution limits which are written into law.

So when you look at the real test of what constitutes reform, meaningful campaign finance reform, S. 3 meets the test of real reform—limitations on overall spending to stop the money chase. Real reform must reduce the influence of special-interest political action committees and others, and bring the political process back home to the grassroots where it will belong to the people again, and where you will not be required to be able to afford to make huge contributions to feel that you can have an influence and impact on elections.

Third, it must do something to stop the flow of soft money, sewer money, into the political system. If we undertake these changes, not only am I convinced that the quality of our decisions in public life in this country will be improved, not only am I convinced that people with new ideas will have a greater chance to enter into politics, but I am also convinced that it will be an important step toward restoring the confidence of the American people in the political process. So often, they feel: Why should I vote; why should I bother to go to the polls?

We saw the turnout was down by 33 percent in the primary election yesterday; a tragedy. No longer will people feel as they do now, that the institutions of Government no longer belong to them, but they belong to those special-interest groups that are highly organized, that can bring into the system the money, the money which will make the difference in terms of who wins and who loses.

We can begin to restore the political process in a way that will cause people once again to think and to believe, and to believe with good reason, that the U.S. Senate Chamber here does not belong to special-interest groups; it belongs to them. It belongs to the people; it serves the people again.

Mr. President, how long are we going to wait? How long is the President going to wait before we finally enact this legislation into law, and before the President finally affixes his signature to it?

We waited while the cost of campaigns went from $500,000 on the average to $4 million. Are we going to wait, Mr. President, until it doubles again, and triples again, and quadruples again? At that rate, it is going to cost $15 million, on the average, to run for office 12 years from now.

What are we going to say—those who are going to make high school commencement and college commencement addresses this year? What are we going to say to those students who want to make a difference in the future of their country? Are we going to say: We hope someday you will aspire to public service? We hope someday you will run for the Congress of the United States? Or more particularly, for the Senate of the United States? And, by the way, if you want to save your country, change its direction, and make a contribution with your life, it is not enough just to think about what you would do; it is not enough to study hard; it is not enough to come up with good ideas; it is not good enough to be willing to give generously of your time, talent, to thinking through the problems of the day. Have you also thought about how you are going to raise the $15 million to get there?

Is that what we are going to do? How long are we going to wait? If we do not act as trustees of this institution, if the President of the United States, as the chief trustee of the political institutions of this country, does not join with us, no one else will do the job. No one else can do the job under the powers and responsibilities delegated by the Constitution of the United States, our basic document of Government.

No, Mr. President, we cannot duck and dodge. We cannot say it is someone else's problem. We cannot say we are helpless in this endeavor. We are the trustees. We are in power. We are given that responsibility by the Constitution, and it is time, once and for all, for us to do our duty; and it is time for the President to join us in doing his duty, as well.

Let us not wait another year. Let us not wait until 5, 10 or 20 percent more of the American people become disillusioned with their own political process. Let us not wait until more and more of our more talented Members throw up their hands in frustration and decide that they simply cannot fight this fight anymore and figure out how to solve our problems while they are worrying about raising millions of dollars of campaign money at the same time.

Let us not wait. Let us pass this bill. Let us hope that the House will act on the conference report this week. When we return after the April recess, let us pass this bill with the large bipartisan majority that this bill, this conference report, will merit. Then let us say to the President of the United States: Mr. President, we have done our duty as trustees; we have lived up to our high responsibility. Join us; join us. Sign this most important piece of reform legislation of your entire Presidency.

Let us begin the healing process in this country; let us begin the process which will restore the confidence of the American people in their own Government once more.

UNCED

Mr. SYMMS. Mr. President, I would like to say that as 15 members of the Senate prepare to go to Brazil in June to take part in the United Nations Conference on Environment and Development, we need to use some common sense and scientific facts as we prepare for this trip.

I am pleased to be part of this effort because I, too, along with others, am concerned about the global climate issue. However, I have not taken the giant leap that some of my colleagues have taken, and I support the comments that my colleague, Senator

WALLOP, has made on the floor with regard to this in his effort to bring some reason to this discussion.

I note some of my colleagues have been railing and calling for the President to go to Brazil, to Rio, for the conference, the global warming conference, saying the American people want him to go there.

I say what the American people want from this President is common sense; they want common sense on this issue. They recognize that there is no scientific evidence that says that somehow there is any global warming catastrophe taking place. There is no evidence that it is fully substantiated. A large part of the scientific community says that natural events have a bigger impact on global warming than anything the human race does.

I am not convinced, Mr. President, that we have a crisis on our hands. The conventional wisdom throughout much of the world these days seems to be as follows:

The increase of carbon dioxide from the burning of fossil fuels is enhancing the atmospheric greenhouse effect. By the next century, so we are told, the resulting global warming will present clear and present danger to humankind. We need to get moving on the radical solutions as quickly as possible to minimize certain catastrophes of violent weather, rising sea levels, and so on. The danger is so great, according to some, that the more ardent proponents of global warming theorize that this is somehow inappropriate, if not downright immoral, for any scientist to emphasize the evident uncertainties of global warming theory.

The proponents of global warming theories, who in many ways should be put in the category of utopians, who want to mandate Government force and regulations, any kind of conceivable impact that stops people from producing and creating wealth in our society, by some utopian scheme that they have; and so their argument is that it is better for world governments to do something, even if it turns out that they are wrong, even if it ruins the economy, than to risk studying and waiting for more certain persuasive data.

Most laymen would probably agree with this view, and that is not surprising. After all, the public has been exposed for years to a steady diet of exaggerated news stories, television pseudodocumentaries like "Crisis in the Atmosphere" and "After the Warming." However, these views are not generally held by specialists in atmospheric physics and climatology. There is certainly no scientific consensus in support of greenhouse warming. There is no consensus. The scientists do not agree with the theory that we are beat over the head with so much in the establishment news media and, oftentimes, here on the Senate floor.

During the summer of 1991, researchers at the Science and Environmental Policy Project, an independent Washington based research group, sent survey forms to more than 100 atmospheric scientists in the United States. All of these scientists had contributed to or reviewed a report prepared by the Intergovernmental Panel on Climate Change, IPCC, which operates under the auspices of U.N. agencies.

This IPCC report forms the basis for the forthcoming U.N. Conference on Environment and Development, UNCED, the so-called Earth summit I spoke of earlier. The summit is expected to attract some 70,000 participants to Rio de Janeiro. The report has been touted as constituting a scientific consensus about the reality and danger of enhanced greenhouse warming.

Researchers with the project decided to investigate this assertion after hearing complaints from several colleagues who worked on the report that its the so-called policymakers summary did not accurately convey their contributions. And, of course, most journalists and bureaucrats would read only the summary, not the rather technical report of some 300-plus pages.

As reported in the Wall Street Journal, the results of this survey were quite remarkable, Mr. President, very remarkable. About half of the scientists who responded agreed that the IPCC summary did not represent the report fairly and could be misleading to nonscientists. A majority agreed that there was no clear evidence in the climate record of the last 100 years for enhanced greenhouse warming due to human activities. And an even larger majority expressed skepticism about the theoretical global climate models being used to predict future warming.

This survey of scientists who worked on the IPCC report was conducted under the condition of anonymity. Many did sign their names, but in February 1991, the Science and Environmental Policy Project went a step further and wrote to some 300 atmospheric experts, most of them members of the technical committees of the American Meteorological Society, asking them to publicly endorse a strongly worded statement that the policy initiatives now being developed for the UNCED Earth summit were being driven by "highly uncertain scientific theories." More than 50 scientists did so. Here is their statement:

As independent scientists, researching atmospheric and climate problems, we are concerned by the agenda for UNCED, the United Nations Conference on Environment and Development, being developed by environmental activist groups and certain political leaders. This so-called Earth Summit is scheduled to convene in Brazil in June 1992 and aims to impose a system of global environmental regulations, including onerous taxes on energy fuels, on the population of the United States and other industrialed nations.

Such policy initiatives derive from highly uncertain scientific theories. They are based on the unsupported assumption that catastrophic global warming follows from the burning of fossil fuels and requires immediate action. We do not agree.

A survey of U.S. atmospheric scientists, conducted in the summer of 1991, confirms that there is no consensus about the cause of the slight warming observed during the past century. A recently published research paper even suggests that sunspot variability, rather than a rise in greenhouse gases, is responsible for the global temperature increases and decreases recorded since about 1881.

Furthermore, the majority of scientific participants in the survey agreed that the theoretical climate models used to predict a future warming cannot be relied upon and are not validated by the existing climate record. Yet all predictions are based on such theoretical models.

Finally, agriculturists generally agree that any increase in carbon dioxide levels from fossil fuel burning has beneficial effects on most crops and on world food supply.

We are disturbed that activists, anxious to stop energy and economic growth, are pushing ahead with drastic policies without taking notice of recent changes in the underlying science. We fear that the rush to impose global regulations will have catastrophic impacts on the world economy, on jobs, standards of living, and health care, with the most severe consequences falling upon developing countries and the poor.

This was signed by the following scientists: David Aubrey, Ph.D., senior scientist, Woods Hole Oceanographic Institute; Nathanial Guttman, Ph.D., research physical scientist, National Climatic Data Center; Hugh Ellsaesser, Ph.D., meteorologist, Lawrence Livermore National Laboratory; Richard Lindzen, Ph.D., Center for Meteorology and Physical Meteorology, MIT; Robert Balling, Ph.D., director, Laboratory of Climatology, Arizona State University; Patrick Michaels, Ph.D., associate professor of environmental sciences, University of Virginia; Roger Pielke, Ph.D., professor of atmospheric science, Colorado State University; Michael Garstang, Ph.D., professor of meteorology, University of Virginia; Sherwood B. Idso, Ph.D., research physicist, U.S. Water Conservation Laboratory; Lev S. Gandin, Ph.D., visiting scientist, National Center for Atmospheric Research; John A. McGinley, chief, Forecast Research Group, Forecast Systems Laboratory, NOAA; J. Jean Thiebaux, Ph.D., research scientist, National Meteorological Center, National Weather Service, NOAA; Kenneth V. Beard, Ph.D., professor of atmospheric physics, University of Illinois; Paul W. Mielke, Jr., Ph.D., professor, Department of Statistics, Colorado State University; Thomas Lockhart, meteorologist, Meteorological Standards Institute; Peter F. Giddings, meteorologist, Weather Service Director; Hazen A. Bedke, meteorologist, former Regional Director, National Weather Service; Gabriel T. Csanady, Ph.D., eminent professor Old Dominion University; Roy Leep, executive weather director, Gillett Weather Data Serv-

ices; Terrance J. Clark, meteorologist, U.S. Air Force; Neil L. Frank, Ph.D., meteorologist; Michael A. Uhart, Ph.D., meteorologist, National Weather Service; Bruce A. Boe, Ph.D., director North Dakota Atmospheric Resource Board; Andrew Detwiler, Ph.D., associate professor, Institute of Atmospheric Sciences, South Dakota School of Mines and Technology; Robert M. Cunningham, consulting meteorologist, fellow, American Meteorological Society; Steven R. Hanna, Ph.D., Sigma Research Corp.; Elliot Abrams, meteorologist, senior vice president, AccuWeather, Inc.; William E. Reifsnyder, Ph.D., consulting meteorologist, professor emeritus, Forest Meteorology, Yale University; David W. Reynolds, research meteorologist; Jerry A. Williams, meteorologist, president, Oceanroutes, Inc.; Lee W. Eddinton, meteorologist, Geophysics Division, Pacific Missile Test Center; Werner A. Baum, Ph.D., former dean, College of Arts and Sciences, Florida State University; David P. Rogers, Ph.D., associate professor of research oceanography, Scripps Institution of Oceanography; Brian Fiedler, Ph.D, associate professor of meteorology, School of Meteorology, University of Oklahoma; Edward A. Brandes, meteorologist; Melvyn Shapiro, meteorological research, Wave Propagation Laboratory, NOAA; Joseph Zabransky, Jr., associate professor, Plymouth State College; James A. Moore, project manager, Research Applications Program, National Center for Atmospheric Research; Daniel J. McNaughton, ENSR Consulting and Engineering; Brian Sussman, meteorologist; Robert D. Elliot, meteorologist, fellow, American Meteorological Society; Edward A. Brandes, meteorologist; Robert E. Zabrecky, meteorologist; William M. Porch, Ph.D., atmospheric physicist, Los Alamos National Laboratory; Earle R. Williams Ph.D., associate professor of meteorology, Department of Earth, Atmospheric and Planetary Sciences, Massachusetts Institute of Technology; S. Fred Singer, Ph.D., atmospheric physicist University of Virginia, director, Science and Environmental Policy Project.

Mr. MURKOWSKI. I wonder if I can ask my friend a question.

Mr. SYMMS. I am happy to yield for a question.

Mr. MURKOWSKI. I wonder if my friend is aware of experimentation, where they are core drilling in the Greenland icecap to the bottom, which is about 11,000 feet and which will give scientists an opportunity to analyze the changes that have occurred as a consequence of examining those ice borings over the last 150,000 years of the Earth's history. And, theoretically, what they hope to find is evidence of whether or not there have been substantial changes in the climate of the world as a consequence of the history that they can tell from these ice core analyses and the theory, as I understand it further, is that they can tell whether in effect we have had a change in the greenhouse application, or whether the burning of the forests in Europe in the 17th century were a contributing factor at that time, or whether there is global warming actually occurring; and that the theory is that the analysis will point out sound scientific evidence as opposed to much of the emotion that the Senator from Idaho has been referring to.

Mr. SYMMS. I am. I thank the Senator for bringing that point to us. I think it is worthy of more scientific data and sound science. I will not use it in this speech, but I plan to come to the floor and talk about chapter IV of the wonderful book by the former Governor of Washington State, Dixie Lee Ray, "Trashing the Planet." It tells us how science can help us deal with acid rain, depletion of the ozone and nuclear waste, among other things.

I say to my colleague that when people talk about the crisis of global warming Governor Ray in her book points out that thank God there is a greenhouse effect or else it would be 200 below zero at night and 200 above zero during the day or more like the Moon's climate and it would be impossible for human habitation and other living species on this planet.

I would just in summary say with this many scientists raising concerns, Mr. President, how can we not question the premise of the global warming debate?

It is worth repeating that unlike other surveys and declarations on global warming, which drew upon scientists from unrelated fields, such as biology or psychology, all of these are trained atmospheric physicists and meteorologists, it is remarkable—given the heavy overtones of political correctness on this issue—that so many scientists were willing to take such an open and visible stand as is the Senator from Alaska, pointing out that there is a lot of scientific evidence being uncovered. We seem to live in the world of Chicken Little—the sky is falling in this society we live in when, in fact, mother Earth has a way to heal itself and to continue to survive. There is a substantial body of scientific evidence that points out that it is natural events such as volcanoes and Sun spots that have much more impact on the climate, or any climate changes that may be in the offing, than we have from human contributions.

I might also say that as a member of the House Ag Committee in the other body in the 1970's, how well I remember we had witness after witness after witness, and the Senator from Alaska would be interested in this, who came in and made the point that we are now undergoing a huge polar reduction in temperatures and the polar caps are going to continue to freeze more. It is going to alter the temperatures of the North American, European, and Asian Continents farther south; we will not be able to feed the populations because we are getting colder.

Mr. Kenneth Barr, a former Chairman of Cyprus, attended an environmental meeting in Salt Lake City last year and brought to the attention of one person presenting the paper in the late 1980's about the global warming impact of the greenhouse effect. He pulled up a paper that the same person had presented in the 1970's where he was saying that the sky is falling because we are going to have global freeze instead. He asked what is the conflict. It has only been 17 years between then and now and you have changed sides.

The fact is that many of these people are not scientists. They are playing on emotions of people and are presenting more scare tactics, and it is a political thing.

I know the Senator wants the floor here. Could I just bring up one more point?

More evidence: a Gallup poll commissioned by the Center for Science, Technology, and Media, and reported in the National Review, March 16, 1992, found that of those scientists actively involved in global climate research, 53 percent do not believe human-induced global warming has occurred and 30 percent do not know. That is 83 percent. Only 17 percent feel there is now some evidence of global warming in the climate record—far short of the 98 percent figure widely reported by environmental pressure groups.

I note that that figure is used here on the Senate floor freely by some of my colleagues, and I think we need to look at the facts on that.

In view of the lack of scientific support for greenhouse warming, how urgent is it to take action now?

It is not urgent.

Despite the fact that the 1980's show some of the hottest years on record, global satellite temperature data, available only since 1979, have shown no warming trend—contrary to theoretical predictions. Therefore, it would be worthwhile to extend these measurements for at least another decade before jumping to conclusions about catastrophic greenhouse warming not verified by the data.

The global climate models themselves have changed. Scientists report that during the last few years, faster computers have allowed them to refine the models, generating a better treatment of clouds, ocean circulation, and other factors affecting climate.

As a result, temperature predictions have fallen, and so have predictions for a rise in sea level. Where the popular press once reported a rise of more than 30 feet—causing coastal flooding, population migration and the destruction of

coastal ecosystems—the latest projections, even among global warming true believers, are considerably less—from 3 to 11 inches. That is quite a comedown from catastrophe.

If we do not act now, will it be too late in 10 years? Let us put things in perspective. We have understood the basics of an enhanced greenhouse effect for 100 years, with little popular concern and virtually no publicity. Furthermore, according to prominent climate modeler Michael Schlesinger of the University of Illinois, a 10-year delay in controlling greenhouse gas emissions would have negligible—I repeat, negligible consequences on climate developments of the next century.

We can confidently expect that global climate models will continue to be fine tuned in the coming decade and will eventually provide a more reliable prediction of future climate. In the meantime, let us not take hasty and precipitous actions that would cripple our economy, cost us jobs and negatively impact our lives in ways we can only begin to imagine.

And I would just say that if you put a massive tax on the Western World on energy, a massive tax, you are going to make people poor, have less capital for investment, and that means there will be less new technology development. It will not make the environment better; it will make it worse.

It is the wealthy producing capitalist countries that can do things to improve the economy. The nonmarket economies have done nothing to contribute to the environment of the Earth. It is the wealthy, affluent entrepreneurial capitalist free societies that can come up with the technologies that can make for a better world.

We are skirting on the verge of having an opportunity to have a more peaceful world. We should be pushing ahead in this coming century to improve technologies to have simpler designs. The solution to pollution is design, Mr. President. It is not increasing taxes and regulation, stifling economic growth and activity.

So that is why, Mr. President, that I oppose the effort that Mr. KERRY made on the floor, and I ask President Bush as a leader of the free world to exert his leadership of common sense and speak out on this issue.

There is nothing that he will gain in this Senator's view by going to Brazil because nothing he will say will satisfy the extremists in the establishment news media and others who want to have just an absolute utopian scheme on how mankind is going to live and produce and use coercion and forms of government to somehow make their utopian schemes come true.

I urge the President to speak on the issue, yes, but speak as a leader of the free world for common sense and for a more entrepreneurial, technological society that can then, in fact, have the ability to develop the technologies that will make cheaper, cleaner sources of energy, therefore, higher wages for people, better standard of living for people in all the world. We are on the verge of being able to do that. We are seeing a reduction in the confrontation between the East and the West. I think as we look into the future, we should be pushing into modern technologies, not backing away from them.

Mr. President, I thank my colleagues for the time and I yield the floor.

The PRESIDING OFFICER. The Chair recognizes the Senator from Alaska [Mr. MURKOWSKI].

Mr. MURKOWSKI. I thank the Chair.

Mr. President, I would like to commend my colleague from Idaho. We are all concerned about climatic changes and global warming but the reality is we want to make decisions based on sound scientific evidence and not emotion. Clearly, few in this body have that expertise but by technology and by scientists who are willing to put their reputation, if you will, behind their recommendation with regard to this very important issue, these are I think the legitimate questions that we can ask the scientific community to come forward and relate to. I think and I am very, very fascinated by this idea of getting some answers from the ice borings in the Greenland icecap where we can actually analyze the history of the world for some 150,000 years. It is very much like the rings of a tree; it grows each year there is a climatic change and there is an identification perhaps a volcanic action or whatever. So I think the point that our friend from Idaho has brought up is very significant in relationship to the necessity of making these decisions on the basis of not emotion but evidence.

THE ARCTIC AS A DISPOSAL AREA

Mr. MURKOWSKI. Mr. President, today I rise to inform my colleagues of another issue that I think is very alarming and again it concerns the necessity of having decisions made by sound scientific evidence. This is in relationship to the Soviet Union's legacy of using the Arctic as a disposal area for radioactivity of various natures.

A gentleman by the name of Dr. Grigory Barenboim of Moscow's Physics and Technics Institute recently stunned a gathering of United States scientists in Washington, DC, with the revelation that "up to a billion curies" of radiation linger along the fringe of the Arctic ecosystem—the result of decades of peaceful Soviet nuclear explosions in that area.

In a recent Moscow weekly news magazine, 15 previously secret nuclear dump sites in and around the Arctic island of Novaya Zemlya were identified. Items listed as dumped include the following:

A cargo vessel with a damaged reactor;

A tanker with liquid radioactive waste;

The mid section of the ice-breaker Lenin containing allegedly three damaged reactors;

No less than 5 damaged nuclear submarines containing 10 reactors that still have their nuclear fuel; and

More than 10,000 containers of nuclear waste.

All of this nuclear waste, Mr. President, can be found in and around an island that has witnessed above and below ground nuclear testing for decades.

For the small cadre of international scientists who monitor and work in the Arctic, the flow of information let loose by the breakup of the former Soviet Union is slowly revealing an emerging environmental disaster.

In its relentless pursuit of development and industrialization, the Soviet Union for decades used nuclear explosions to harness the natural resources of the nation. Nuclear explosions were used for everything from creating subterranean pressure to extend the life of oil and gas wells to constructing dams. The result is a deadly legacy of communism whose effects will linger longer after the political and economic fate of the region is decided.

Published reports have identified more than 120 instances of nonmilitary nuclear devices detonated in the Soviet Union during the 1960's, 1970's and 1980's. These devices were used to build dams, mines, and underground storage for crude oil and toxic wastes. In addition to their tests on Novaya Zemlya, the Soviets also detonated hundreds of nuclear devices above and under the plains of Kazakhstan as part of their nuclear weapons testing and development program.

Like so many of the aftershocks created by the fall of the former Soviet Union, the effects of these Soviet nuclear explosions are not likely to be contained within the borders of the disintegrating empire. Nuclear contamination of ground water in the former Soviet Union is said to be rampant. If this radiation finds its way into the northward-flowing Siberian rivers that empty into the Arctic Ocean, there is concern that one of our planet's most important and fragile ecosystems—the Arctic—could be at risk.

Concern over the human and environmental hazards of Soviet nuclear activity is not confined to the scientific community. The United States and Russia share a population of indigenous residents, the Inuit, whose lives could be potentially affected by the Soviet Union's nuclear legacy in the Arctic. Since Arctic tundra mosses and lichen grow slowly and live for years, they collect and concentrate radionuclides. These lichen and mosses are eaten by caribou and reindeer which are later consumed by humans.

All people who live and work in the Arctic have cause to be concerned. The Russian scientists who are most familiar with the extent of this emerging environmental catastrophe are hoping that the United States—their Arctic neighbor by virtue of Alaska—will assist them in monitoring and containing this Arctic radiation. We must act immediately, and here is what we can do:

First, we should undertake a focused Arctic radiation monitoring program to fully understand the extent of the Russian nuclear problem, its potential spread, and its impact on the larger Arctic environment. I have asked United States Secretary of State James Baker to launch immediate talks with Russia to work out terms of a joint Arctic radiation monitoring program.

Second, we must make use of our existing environmental agreements with Russia. This May, United States and Russian officials will meet in Washington under the auspices of a United States-Russia agreement on environmental protection that has been in place since 1972. EPA Administrator William Reilly, the United States official responsible for implementing this agreement, should mark the 20th anniversary of the Environmental Protection Agreement by proposing and funding an action plan to address the range of environmental problems in the former Soviet Union that place United States citizens or interests at risk.

Third, we must fully leverage existing multilateral agreements, namely the Arctic Environmental Protection Strategy signed in Finland in June 1991. This agreement proposes the establishment of an Arctic Monitoring and Assessment Program to monitor and assess the effects of pollutants—including radiation—in all aspects of the Arctic environment. We must vigorously support and comply with this agreement.

Fourth, the United States should exploit the defense and intelligence collection methods at our disposal to monitor the movement of radiation as well a other environmental contaminants. As our intelligence community adjusts to the changing world situation, it must expand its environmental activities. I have already discussed this with Director of Central Intelligence Gates.

Finally, in all of these cooperative ventures we should encourage, to the maximum extent possible, the use of Russian scientists and technicians in an ongoing effort to assess and contain Arctic radiation. This area of research presents an excellent opportunity to provide these highly skilled individuals with employment alternatives outside of the weapons labs of Third World dictators.

Potentially elevated levels of radiation in any part of the Arctic is a global concern. The transformation of the former Soviet Union has provided us with the information, the resources and the opportunity to tackle this problem. None of us can afford to ignore this frightening new development in the emerging new world order.

THE WEST FRONT CONSTRUCTION OF THE CAPITOL

Mr. MURKOWSKI. Mr. President, I would like to remind my colleagues that currently construction is taking place on the west front of the Capitol. Eight thousand five hundred square feet of office space is under construction at approximately a cost of $500 a square foot. This consists of two new wings totaling 17,000 square feet in all that are supposed to be developed as additional office space.

I question the need for that, Mr. President. I think it should be brought to the attention of my colleagues, in view of recent announcements of other construction ceasing, including the proposed construction by the CIA of about 1.4 billion dollars' worth of construction to house those agencies in Virginia and West Virginia.

I think this Government is big enough. The requirement for that kind of an expenditure, which would total some $9 million, at this time I think is unnecessary. I may be asking my fellow Senators to join me in a sense-of-the-Senate resolution to address this matter further in the very near future.

I thank the Chair for his courtesy and I yield the floor.

Mr. WELLSTONE addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from Minnesota [Mr. WELLSTONE].

Mr. WELLSTONE. Thank you, Mr. President.

THE CATERPILLAR STRIKE

Mr. WELLSTONE. Mr. President, I rise to address the Senate about a labor struggle. I think it is a historic labor struggle now taking place in our country between the United Auto Workers and Caterpillar Inc. The work stoppage has lasted more than 150 days. I think that what we are witnessing in the country, Mr. President, really is not only historic but very serious in human terms.

I do not choose to speak on the floor of the Senate today about the specifics of the disagreement. But I do wish to express my concern on two fronts.

First of all, I am troubled by Caterpillar now calling in permanent replacements. Mr. President, I think that this just adds fuel to the fire. It concerns me that when workers are out on strike and there is some effort to try and get collective bargaining going, the company now hauls in other people, many of them desperate, to become workers and to become permanent replacements.

Mr. President, the problem is that ever since the Supreme Court's decision in Mackey versus Radio in the late thirties, we have had a situation in our country which simply does not work for working people; namely, that it is perfectly legal for a company to permanently replace someone who is out on strike. An employer cannot fire someone for going out on strike; that is illegal. But he can permanently replace his employees. That is a distinction without a difference.

Now for many, many years companies never did that and we had a contract between labor and management and it served our country well. But since the early eighties, what has happened in our country is that the right to strike has become the right to be fired, and working people have usually lost their collective bargaining rights. That is why this struggle is so significant.

So, Mr. President, what I want to suggest—and I believe it is constructive—is that there is an important role to play in this dispute for the Secretary of Labor.

I ask unanimous consent that a letter from Labor Subcommittee Chairman METZENBAUM, Labor and Human Resources Committee Chairman KENNEDY, and many of us on the Labor Committee for Labor Department Secretary Martin urging her intervention in this strike be printed in the RECORD.

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

U.S. SENATE, COMMITTEE ON LABOR AND HUMAN RESOURCES,
Washington, DC, April 8, 1992.

Hon. LYNN MARTIN,
Secretary, Department of Labor, Washington, DC.

DEAR MADAM SECRETARY: We are writing about the protracted labor dispute between Caterpillar, Inc. and the United Auto Workers (UAW). The work stoppage has now lasted more than 150 days. Approximately 12,000 workers are currently on strike at various facilities.

We are extremely concerned by recent reports that Caterpillar has begun the process of hiring permanent replacements for striking workers. We feel that the use of permanent replacements could have disastrous consequences for the company, the workers, and the communities in which they live.

Lawful economic strikes involve substantial risks for both labor and management, and we take no position on the merits of this particular dispute. We fear, however, that use of the "permanent replacement" weapon will convert this extended work stoppage into a far more contentious struggle, one in which thousands of workers may lose their jobs and the very existence of Caterpillar may become an issue. Surely, the experience at Eastern Airlines, Greyhound, the *New York Daily News*, and countless other, less publicized disputes, has shown that the introduction of permanent replacements is counterproductive. It often hardens positions on both sides, and prolongs the strike by converting a dispute over wages and benefits into a contest over the future of every striking worker's job.

We believe the public's interest in stable and peaceful labor-management relations will best served if Caterpillar and the UAW refrain from any further escalation of the current dispute, and instead agree to resume negotiations in the presence of a neutral mediator, without any preconditions. We urge you to use your good offices to persuade the UAW and Caterpillar to accept this approach, and also to convince Caterpillar to refrain from using permanent replacements. Finally, we urge you to appoint a respected individual to act as a mediator in the dispute.

This approach was used successfully by former Secretary of Labor Elizabeth Dole to resolve the lengthy coal strike at Pittston. In our judgment, a similar strategy is well worth attempting in order to resolve the current labor dispute at Caterpillar.

We stand ready to assist you in efforts to promote an early and peaceful resolution of the Caterpillar strike. The interests of the company, the workers, and the entire country would be well served by the Department's intervention to facilitate the resolution of this conflict.

Sincerely,

Howard M. Metzenbaum, Mark Hatfield, Don Riegle, Harris Wofford, Paul Wellstone, Jeff Bingaman, Carl Levin, Jay Rockefeller, Edward M. Kennedy, Paul Simon, Chris Dodd, Claiborne Pell, Tom Harkin, Brock Adams, Barbara A. Mikulski.

Mr. WELLSTONE. To summarize, I think that the import of this letter is that Secretary Martin really has a role to play; a positive, constructive role to bring in a neutral mediator to try and get the negotiations going again. Secretary of Labor Dole did that in the Pittston strike and it was very successful.

Mr. President, I believe that if this strike continues and, more importantly, if the company brings in permanent replacements, we are going to have a very volatile situation. It will be bad for our Nation. It will be bad for the company, and it will be bad for the people that work in the plants. So I hope that Secretary Martin will take some real leadership here.

My second point, Mr. President, is that I think those of us in the Senate can also take some leadership. I have in mind support for S. 55. It is time for us to pass legislation which says to companies, "You can't hire permanent replacements. You can't haul in people during a strike and make those people permanent replacements and essentially wipe out jobs for people who have worked for your company, many for decades."

Mr. President, I believe that we must restore some kind of balance of power between management and labor. Of course, it will be good for unions. But far more importantly, it will be good for working people. It will encourage higher levels of productivity. It will prompt greater labor-management cooperation. That is what we have to do to get our economy going. Finally, and most important Mr. President, it will be the right thing to do.

I urge my colleagues to pay close attention to the situation in Illinois and elsewhere with the Caterpillar strike, and to support S. 55 when it comes before the Senate. We must take action now on this legislation so critical to the lives and livelihoods of American workers.

The PRESIDING OFFICER. The Chair recognizes the Senator from Missouri [Mr. BOND].

THE GAO BLEW IT

Mr. BOND. Mr. President, last week I came to the floor to outline my grave concerns over the lack of professionalism in the Government Accounting Office. At that time I referred to it as "Alice's Restaurant" in that you could get anything you wanted at "Alice's Restaurant." You can get anything you want from the GAO. They will even cook it to your own recipe.

In addition I pointed out that contrary to popular belief the GAO did not suddenly discover the fiasco at the House bank, but had known about the problems and practices for many, many years.

In fact, I told the Senate the GAO was documenting the number of overdrafts and their total value as early as 1960; and that prior even to that the GAO audits were commenting on concerns about the overdrafts.

Unfortunately, the GAO was only providing this information to the House Speaker and Sergeant at Arms, as the audits performed by the GAO from 1952–76 were presented privately.

However, in 1977, when the audits became public, suddenly no mention was made of the number of overdrafts, dollar value of the checks, or even the scope of the problem.

Thus, Mr. President, I concluded that the GAO blew it instead of blowing the whistle in 1977. What other possible reason could there be for the GAO to cease discussing the problem when for 16 consecutive years they have included the facts on the dimensions and scope of the problem. For 16 consecutive years when the reports were private, the GAO described a growing problem which began as 2,791 checks worth $653,000 in 1960 and reached 8,428 checks worth $1,817,550 by 1976. Then in 1977, in a report made public, nothing.

Now of course the GAO will not admit that the reason they kept quiet about this issue for 12 years is that they were doing what they thought the House wanted them to, but I did not quite expect their response to be quite so bureaucratic. According to press reports, the GAO argues they simply were "implementing a standard accounting practice in financial audits, which moved information about bad checks to a note section of the documents."

Mr. President, perhaps the GAO should read their own reports, so they too could see the difference between pointing out potential problems, and simply ignoring them. But in case anyone wants to judge for themselves, I have two charts.

The first, shows a page from the last private GAO report issued for audit year 1976. It is a blow-up of a page 3 reference to a category referred to as "due from members."

Take a look at it.

Please note in particular the sections in yellow.

Unpaid checks at June 30, 1975, amounted to $43,775. During fiscal year 1976, unpaid checks numbered 8,428 and amounted to $1,817,550; redemption of unpaid checks totaled $1,825,675.

That left the balance of $35,000.

Down here it says "our analysis of unpaid checks showed that during the first half of fiscal year 1976 about 54 percent of the Members had at least one unpaid check." During the last half of the year they got better, "58 percent of the Members had unpaid checks."

This describes the dimensions and scope of the overdraft problem: 1.8 million dollars' worth of checks, over 8,400 checks, and over 50 percent of the House Members with at least 1 overdraft that year.

In addition, the report specifically notes that the Sergeant at Arms "does not have the records from which the frequency, duration and amounts of actual overdrafts can be determined with a high degree of accuracy."

Let us take a look at the standard accounting practice report. Let me show the first section. This is the standard accounting form. This is the public version. And this is the little footnote that includes and encompasses all of the practices previously laid out on that large page. Let me blow up this little section.

What that says:

Amounts due from Members: due from Members represent checks drawn on and cashed or paid by the Sergeant at Arms but not charged to the Members' accounts. Usually checks are held because of insufficient funds in a Member's account. The Sergeant at Arms told us that no loss had resulted from cashing Members' checks when funds on deposit were insufficient to cover the checks. He said many checks were outstanding for only a few days.

Mr. President, is that blowing the whistle? Does that little footnote tell you what that full page on the private report said? I think not.

What happened to the detail? What happened to the numbers, dollars and percentage of House members involved? What happened to the watchdog?

Mr. President, since I made my comments last week, I have discovered that most people thought the GAO had done a surprise audit and had caught the misdeeds—instead of the GAO finally, after 12 years, deciding to inform the public about what was going on.

The GAO now says the check-bouncing came to light only because of their actions. Which is a bit like the Dallas

Police Force patting itself on the back for solving the Kennedy assassination. Or better yet, it would be like Woodward and Bernstein getting a Pulitzer Prize for breaking the Watergate story in 1985.

The GAO also says they were "auditing the bank, not auditing Members." Now what does this mean? And if this is true, whatever it means, then why mention the overdrafts at all in their September 1991 report? Nothing had changed, in fact conditions were almost identical to those in the 1976–77 period.

Clearly the GAO cannot have it both ways, but by trying to be both the fearless watchdog that broke the story, and the careful auditor just following standard accounting conventions the GAO is beginning to remind one of the important role played by the lawyers, accountants, and assessors in the S&L debacle.

In the S&L case much of the fraud could not have occurred without auditors and assessors turning a blind eye to the mishandling of funds, and the sloppy or nonexistent recordkeeping. A fair case could be made that the GAO, by waiting for 12 years to publicly call attention to the scope of the problem, did the same type of disservice to the public that all of the accountants, auditors and assessors who never blew the whistle on the S&L scams.

Mr. President, I repeat what I said last week, the GAO needs to be reformed such that we can once again trust them to be straight-forward, independent, and factual.

In discussing this with several colleagues this past week, the idea of an outside, independent audit and review of the GAO's practices seems to be taking hold. I certainly plan to continue to pursue this, as well as explore the idea of the need for an Inspector General's Office within the GAO itself. This would create a place for those employees who believe there are internal problems at the GAO to go with their concerns.

Mr. President, I remain hopeful that we can reform the GAO and make it the tough watchdog it once was.

Mr. President, I ask unanimous consent that the relevant text of the two GAO reports be printed in the RECORD at this point.

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

PRIVATE GAO REPORT FOR FISCAL YEAR 1976

DUE FROM MEMBERS

Amounts due from Members (Members' unpaid checks) (see sch. 1) represent checks drawn on and cashed or paid by the Sergeant at Arms, which were not charged to the Members' accounts. This situation usually occurs because of insufficient funds in a Member's account and the checks are held to avoid an overdraft. However, some of the unpaid checks are held because of improper signatures, no signatures, or stop payment orders. Individual unpaid checks are listed on the Daily Settlement Sheet on the day they are received. The amounts unpaid at any time by individual Members can be determined only from the unpaid checks on hand. The Sergeant at Arms, however, does not have any records from which the frequency, duration, and amounts of actual overdrafts, in total or by individual Members, can be determined with a high degree of accuracy.

Unpaid checks at June 30, 1975, amounted to $43,775. During fiscal year 1976, unpaid checks numbered 8,428 and amounted to $1,817,550; redemption of unpaid checks totaled $1,825,675, leaving a balance of $35,650.

At the beginning of each month when salaries are credited to the Members' accounts, all unpaid checks are applied against the Members' accounts. However, balances after salary credit may not be sufficient to cover the total amount of unpaid checks. For example, on January 5, 1976, 29 Members had 77 checks amounting to $34,253 which did not clear. On July 1, 1976, 12 Members had 42 checks amounting to $11,326 which did not clear.

Our analysis of unpaid checks showed that during the first half of fiscal year 1976 about 54 percent of the Members had at least one unpaid check. During the last half of the fiscal year, 58 percent of the Members had unpaid checks.

The Sergeant at Arms informed us that no loss had resulted from cashing Members' checks when funds on deposit were insufficient to cover the checks. He said many checks were outstanding for only a few days. He considered that the Members generally were drawing against their accruing salaries, which would be paid on the first of the following month.

DUE FROM MEMBERS

Amounts due from Members (see sch. 1) represent checks drawn on and cashed or paid by the Sergeant at Arms but not charged to the Members' accounts. Usually checks are held because of insufficient funds in a Member's account.

The Sergeant at Arms told us that no loss had resulted from cashing Members' checks when funds on deposit were insufficient to cover the checks. He said many checks were outstanding for only a few days.

The PRESIDING OFFICER. The Senator from Washington [Mr. GORTON]. Under the previous order the Senator from Washington is to be recognized for up to 10 minutes.

OPERATION WEED AND SEED

Mr. GORTON. Mr. President, I am pleased to announce that last Monday the city of Seattle was chosen as a project site for the Department of Justice's Weed and Seed initiative. This $1.1 million grant involves an unprecedented effort by Federal, State, and local law enforcement and social services together with private individuals and businesses to take back our streets. Such an endeavor deserves the recognition and praise of the U.S. Senate.

Operation Weed and Seed will be carried out in 16 cities across the Nation that have experienced violent crime, drug use, and gang activity. The two-pronged goal is to eliminate drug and gang activity in a targeted neighborhood and replace that activity with economic opportunity for the community.

The central area in Seattle, which recently experienced one of its bloodiest weekends, will be the focus of the operation in Washington State. The area was chosen for its potential to revitalize itself and to serve as an example for other communities facing violent crime. Despite current violent crime problems, the community's commitment toward schools and the local economy is solid. Indeed, the planning and coordination required for the grant proposal is an indication of the commitment of central area residents to win back their neighborhoods.

In each city, a high-crime area is selected by the program for a strategy that incorporates the unique situation each community faces. Several elements are essential to the operation's success:

First, the elimination of gang and drug activity. The initiative will establish an unusual coordination of Federal, State, and local enforcement under the control, in our case, of the able Seattle Police Department. A law enforcement task force is created to implement this aspect of the operation. Members of the panel include the U.S. attorney, the office of the mayor of Seattle, the Department of Justice, the Federal Bureau of Investigation, the Seattle city attorney, the King County prosecutor, and the Seattle Police Department. This formidable coalition should and will strike fear into the hearts of those making the streets of Seattle unsafe for children and families.

Second, the prevention of future drug and gang activity. In conjunction with efforts to pursue, arrest, and convict drug dealers and gang members for criminal activities, police and community leaders will work to prevent the return of criminal elements. This effort is consistent with the ability of the Seattle Police Department to instill a sense of trust and cooperation with area communities.

Third, the provision of vital social and human services. In conjunction with the law enforcement task force, the operation will create a Community Revitalization Committee. This panel includes the U.S. attorney, the Department of Housing and Urban Development, representatives of eight existing community councils, representatives from the Central Area Planning Committee, the Seattle Police Department, the office of the mayor, and various community and business leaders. These agencies will coordinate programs which include Job Corps, Head Start, drug and crime prevention, educational opportunities and WIC to provide necessary assistance to at-risk youths and to allocate vital resources to needy families.

Fourth, the revitalization and expansion of economic opportunities. Per-

haps the most impressive element of this extraordinary public and private team effort is a commitment by local businesses to invest in the future of distressed neighborhoods. Private firms including the First Interstate Bank, Seattle First National Bank, and Security Pacific Bank of Washington, and U.S. Bank and a consortium of businesses entitled the Seattle Small Business Lenders Association, have pledged an astounding $6 million during the next 2 years. Other participants include Key Bank, Puget Sound Bank, and the Providence Medical Center. The private sector commitment to this initiative exemplifies the pride and strength of Seattle area businesses in their neighborhoods.

Despite the enormous degree of community support that I have outlined, the program has received criticism from a number of central area residents. I have listened to their concerns and understand their wariness of federally imposed solutions to local problems. I am confident, however, that this $1 million Federal grant recognizes the need for local control and operation and is designed to do just that. Under the able leadership of the Seattle police chief, the mayor, and the U.S. attorney, this operation will indeed meet local problems with local solutions backed by Federal and State resources. Their efforts to meet community concerns are genuine and will ensure the successful implementation of this ambitious proposal.

Eradicating gang and drug activity, providing necessary assistance, and restoring economic prosperity to a large, violent neighborhood will not happen overnight. Indeed, the commitment of the city of Seattle to coordinate this effort must be backed by a similar commitment from the Congress. One way to exercise such a pledge is to agree to the President's recommendation of $500 million for an expanded program in the fiscal year 1993 budget. As a member of the Appropriations Committee, I will do all I can to maximize congressional support of this initiative.

Mr. President, Operation Weed and Seed requires unprecedented cooperation and coordination to achieve neighborhood revitalization. I commend the leadership displayed by U.S. Attorney Mike McKay and mayor of Seattle Norm Rice in obtaining this valuable Federal grant and the inspirational commitment of central area leaders and Seattle area businesses in investing in their future of their neighborhoods. I fully support this effort to protect Washington State families from crime while expanding jobs and economic opportunities, and I will work toward its ultimate success.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. FOWLER). Without objection, it is so ordered.

Mr. ADAMS. Mr. President, I ask unanimous consent that I may proceed for 8 minutes as in morning business.

The PRESIDING OFFICER. The Senator from Washington is recognized for 10 minutes.

THE FISCAL YEAR 1993 BUDGET RESOLUTION

Mr. ADAMS. Mr. President, I am going to speak today on the budget resolution. I know that we will be in the time period for amendments later, but I want to speak on the resolution generally and as a former chairman of the House Budget Committee.

Mr. President, as we consider the fiscal year 1993 budget resolution, our budget priorities must be discussed in the context of a very weak domestic economy and an altered global security balance. It is unconscionable to me that Congress has been unable to agree upon breaking the budget firewall set up in the 1990 budget agreement. Breaking the firewalls is essential to renewing real economic growth and to putting Americans back to work. That is clearly the direction in which the United States ought to be moving. We ought to be using the peace dividend for our citizens. We ought to be repairing the years of neglect. We ought to be invigorating our economy. To those ends, we should not be dedicating the entire peace dividend to lowering the deficit. The deficit is largely structural. It stems from our inability to control that part of the budget that is outside the budget agreement caps: Entitlements.

Let us be clear about what we are considering here today. Without agreement to bring down the firewall in fiscal year 1993, we will face severe shortfalls in the domestic discretionary budget. Even a freeze at the fiscal year 1992 levels would exceed the domestic cap set by the 1990 agreement. We thus will be required to cut even more in fiscal year 1993 than we did in fiscal year 1992.

Given the recession that continues to plague much of our Nation and the dire straits facing some of our cities and counties, any additional cuts will be painful, indeed.

In certain situations, these cuts would be defensible. But not today. How can we tell the American people we are on their side, that we represent their interests, when we are throwing the peace dividend into a budget hole we dug ourselves, a hole we are unable to fix.

The American people deserve the peace dividend. They are the ones who have sacrificed to make it possible. I believe, Mr. President, that we should be prepared to follow the recommendation of the over 100 economists who have recommended that we put in place a $50 billion Marshall plan-type program to stimulate and rebuild America, both in its material and its human resources.

Mr. President, at this point I ask unanimous consent to have printed in the RECORD an article from Sunday's Washington Post by Hobart Rowen outlining the recommendations of this group and setting forth a daring plan for recovery.

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

[From the Washington Post, Apr. 5, 1992]

A DARING PLAN FOR RECOVERY

(By Hobart Rowen)

Ever so cautiously, Washington officials and private economists say that a recovery from the 1991-92 recession is underway. The problem is that "recovery" in this context is nothing to write home about: At best, it is anemic, and not necessarily durable.

Federal Reserve Board Governor Susan M. Phillips said as much in a speech at the University of Tennessee at Chattanooga last week. On balance, assessing the pluses and minuses, she believes that the economic numbers will look increasingly better as the year goes on. Yet she conceded that " it may be some time" before businesses and households feel the benefits of whatever upturn is emerging.

It is for precisely this reason that a group of more than 100 nationally known academic and business economists last week urged a short-term boost to the economy via a $50 billion public expenditure program, designed to expand economic growth.

Better to risk a temporary expansion of the budget deficit, said the University of California's Marshall Pomer—one of the organizers of the group—than to sit by and hope that lower interest rates will revive the economy, thereby risking "prolonged stagnation, or worse, no recovery at all."

Once the economy has recovered fully, the economists said, the nation should again concentrate on reduction of the deficit. But for the moment, the priority problem is to attack the under-performance of the economy.

The concept that the nation should openly embrace an increase in the huge budget deficit, even temporarily, is a difficult one for many to accept. But, as Nobel Award winner James L. Tobin of Yale University pointed out, the deficit can be enlarged with little danger of inflation while the economic growth rate is measured in fractions above zero.

Robert Solow of the Massachusetts Institute of Technology, another Nobel winner in the group of economists advocating going for growth (there were six Nobel winners in all), suggested that the growth rate could be pushed to 6 percent before the second stage of the economists' program would need to be activated. At that level of recovery, the correct policy would require cutting the deficit to free resources for long-term investment, raising taxes if necessary to do so.

Solow and others freely conceded that there are two dangers inherent in their controversial strategy: first, that the financial markets would assume that the $50 billion

stimulative program would trigger inflation, resulting in higher long-term interest rates. That would be counterproductive because higher interest rates would reduce the ability of business to expand and generate jobs.

The second concern is that once public sector spending was boosted, it would be difficult to get the politicians in either party to reverse course—and raise taxes to cut off expansion of the deficit.

The response from Tobin, Solow, the Boston Co.'s Allen Sinai and others went this way: The added $50 billion thrust should not significantly boost long-term interest rates, especially if the Federal Reserve followed another of their recommendations and cut interest rates another one-half or full percentage point.

And whatever risk might ensue from marginally higher long-term rates would be less costly to the overall economy than continuing on the present stagnating basis, they contend.

As to the difficulty in getting Congress and the president to try to slow down the economy—particularly through higher taxes later on—there is no real answer. "If the Congress and the president are determined to screw up the economy," Solow said, "there is nothing we can do about it."

So there is a risk that the program recommended by the economists would boomerang—if the politicians bought the first part and not the second part. But I'm persuaded that there are equal, if not greater, risks in not acting to jerk this economy out of the rut it's in.

It is fallacious to be comforted by the notion that this recession is, after all, not so bad as others in the post-World War II era. The fact is that this recession comes at the end of a terrible decade, one that Republican revisionists would have us believe delivered a wonderful boom.

Richard D. Bartel, editor of Challenge, a magazine for professional economists, rightly chastises a New York Times reporter for alleging in a Feb. 14 article that "the bad old eighties were actually a lot like the good old sixties."

In the '60s, Bartel points out, the jobless rate never rose above 6.7 percent (in one year, 1961), whereas it never fell below 7 percent in each of seven years in the '80s. With sub-par economic growth ahead, the jobless rate will remain close to that 7 percent level.

High unemployment generates competition for jobs and minimal pay raises. Stagnant income means that consumer spending will remain sluggish. Without consumers acting as an engine for growth, the nation can forget any notion of boom times.

The Tobin-Solow-Pomer 100 have the right policy prescription: In addition to monetary policy, we need a fiscal thrust—not via lower taxes that feed consumption, but from the expenditure side, feeding investment.

For this year and next, we would be accepting a budget deficit of $450 billion or so instead of $400 billion. The economists' proposal is daring, but some politician or political party has to step forward to sponsor it. That will take a substantial amount of guts.

Mr. ADAMS. As a former chairman of the House Budget Committee, in fact the first chairman that took a budget resolution through, and as an author of the congressional budget process, I understand the need for discipline. I appreciate the importance of crafting a congressional budget document. Not an administration document, but a congressional document.

I also understand the need for Government in times of prolonged recession, which we have, to stimulate the economy with both fiscal and monetary policy to bring us out of the slump. It will do us no good if we stimulate fiscal policy and in turn have a restrictive monetary policy. We have to have fiscal policy and monetary policy acting together.

But the discipline of the budget agreement is now a straitjacket. The world has changed completely since that agreement was made in 1990.

Internationally, we no longer face the threat of the Communist bloc, but we do face the challenge of increased competition from our cold war allies and from the newly industrialized nations of Asia and Latin America.

Domestically, we no longer face the threat of inflation in the short term, but we do face enormous need among the people, both in our cities and in our rural areas.

As I previously mentioned, with respect to the article I have placed in the RECORD, some of the country's most prominent economists, ones who favored deficit reduction over increased Government spending as recently as a few months ago, are now arguing for renewed public spending, at least in the short term. I believe, as they do, and as Senator BRADLEY and Senator HARKIN and many of our colleagues do, that the most responsible course is to support our citizens, support our cities, invest in our economy. So I shall support those amendments which say let us get out of this recession first, and then we can talk about handling the structural deficit.

This can best be achieved through greater defense cuts and through a combination of increased public spending and deficit reduction.

I support every effort to keep this critical issue before the Congress, and I will continue to vote for renewed investment in America, in our children, in our workers, in our elderly, and in our infrastructure.

As a former Secretary of Transportation, I can tell you that if we speed up the highway program, we will produce not only more jobs, but we will also place our economy in a position where goods move more quickly to market and we will begin to see a pick-up in the manner in which our economy is functioning.

It may not be the political thing to do, Mr. President, but it is the right thing to do. It is time to put in place a plan that helps Americans. This is not throwing money away. This is investing in America, and I think it is time this Congress and this administration do it.

Mr. President, yield the floor.

IT IS TIME TO CLEAN UP THE CAMPAIGN FINANCE SYSTEM

Mr. SANFORD. Mr. President, in the next few weeks the Senate will begin consideration of the conference report on S. 3, the Congressional Campaign Spending Limit and Election Reform Act of 1992. I rise this morning to voice my strongest support for this historic measure.

When I was elected to the Senate in 1986, I made a promise to the people of North Carolina. I promised that I would listen to all sides of each issue before the Senate, paying particular attention to the letters and phone calls to my office from North Carolinians. On this issue, my constituents have spoken forcefully. They want a fundamental change in the electoral process. They deserve it.

The electoral process has effectively served to lock out the people. We see evidence of this every time a new poll is released showing that the American people have lost confidence in their elected officials, in the Congress, in the Government. Some of the letters I receive focus on congressional or executive branch perks, or special interest groups, or negative campaigns, or a lack of responsiveness on the part of the Congress. The consensus of their voices is that we need reform in the way we do business, and in the appearance of the way we do business here in the Congress, and the first step in that process of congressional reform is passage of the conference report on S. 3.

This legislation will provide access to the electoral process by encouraging small, in-State contributions, by placing aggregate limits on political action committee contributions, and most importantly by establishing a system of voluntary flexible spending limits, a key to true campaign finance reform.

Mr. President, I look forward to this debate, and I will have more to say on this subject when we take up consideration of the conference report. Today, however, I urge my colleagues who are prepared to vote against campaign finance reform to take another look at your mail and your phone calls. I encourage you, as you travel throughout your State over the Easter recess, to pay close attention to what your constituents are saying. Their frustration, and their anger, and their resentment illustrate more than anything else that the people feel shut out of the electoral process, and they want back in. They want to clean up the process by which Senators and Representatives are elected. They want to reduce the importance of money in campaigns, and so do I. Passage of the conference report on S. 3 is an important step in that direction.

Thank you, Mr. President, and I yield the floor.

MR. BASEBALL

Mr. MACK. Mr. President, I rise today to honor a man who in my hometown was known as "Mr. Baseball." 41 years ago Chuck Ross moved his family

from Brooklyn, NY, to Fort Myers, FL. He brought to Fort Myers a unique and wonderful mix of Brooklyn chutzpa and fatherly love.

No one that I know has so positively affected so many lives. In 1945 he started little league in Lee County. When he died he was coaching children of his former Dodgers. Chuck's immediate family of Elaine his beloved wife of 47 years, his sons Richard, Matthew (Choo Choo) and daughter Nina knew and understood that his "family" numbered in the thousands. Chuck lived for laughter, love and kids. As president of the Sportsman's Club, he raised hundreds of thousands of dollars for youth programs. If it had to do with kids it was good. If it had to do with baseball Chuck was there. When his close friend Joe Burke and the Kansas City Royals left Fort Myers, Chuck was crushed, but it was not long before he was working hard to convince the Minnesota Twins that Fort Myers was where winners trained. When his former little league Dodger, now Mayor Billy Smith wanted to lure the Red Sox to Fort Myers, it was his old coach who helped convince the Twins that the area was ready to support two teams.

Yes, wherever there was baseball and wherever there were kids, there was Chuck. If there was a kid in need of a job or a grownup in need of baseball tickets or anyone just in need, there was Chuck. He never asked how or why, he just did.

His trademark was his boisterous greeting of "How are ya?" He bellowed it out in stadiums, on street corners and in offices. He came with a "How are ya," a joke, and a hug.

Chuck always said he was going to die in the dugout going out a winner. On April 3, 1992, while coaching his beloved Dodgers and leading 5 to 1 Chuck Ross had a heart attack and died in the dugout. Lee County, FL will never be the same. I will grant you one thing: Our lives have been blessed and a thousand "How are ya's" will now fill the stadiums, the streets and the offices and Chuck Ross' legacy of love, laughter and helping kids will be passed down from generation to generation.

IRRESPONSIBLE CONGRESS? HERE IS TODAY'S BOXSCORE

Mr. HELMS. Mr. President, the Federal debt run up by the U.S. Congress stood at $3,890,836,750,569.20, as of the close of business on Monday, April 6, 1992.

As anybody familiar with the U.S. Constitution knows, no President can spend a dime that has not first been authorized and appropriated by the Congress of the United States.

During the past fiscal year, it cost the American taxpayers $286,022,000,000 just to pay the interest on spending approved by Congress—over and above what the Federal Government collected in taxes and other income. Averaged out, this amounts to $5.5 billion every week, or $785 million every day.

What would America be like today if there had been a Congress that had the courage and the integrity to operate on a balanced budget?

NED STRATEGY DOCUMENT

Mr. HATCH. Mr. President, I would like to make a few points regarding the future of the National Endowment for Democracy [NED].

The National Endowment for Democracy was created in 1983 to support groups and invidivuals abroad working to establish democratic institutions. The radically changed landscape that has emerged from the cold war has made NED more important than ever. This new landscape has forced NED to refocus its substantive agenda.

I have been a strong supporter of NED since its establishment. It has proven to be an important leader in educating other countries about democracy and helping them to establish democratic institutions. NED's new strategy document reveals three main reasons as to why it will remain a vital asset in the post-cold-war period. First, as a nongovernmental institution, it can position itself at the cutting edge of democratic change. Second, it can respond comprehensively to democratic needs because of its multisectoral structure. Third, given its sole mission to promote democracy, it can serve as a vital center for democratic thought and action. I hope that Members of this Chamber will continue to support NED's efforts and take time to review this important document.

Mr. President, I ask unanimous consent to submit a copy of NED's strategy document into the RECORD.

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

NATIONAL ENDOWMENT FOR DEMOCRACY

STRATEGY DOCUMENT

The Board of Directors of the National Endowment for Democracy formally adopted this strategy document in January 1992 as a means of setting forth broad program objectives for the next three to five years. The strategy outlined herein is based upon the Endowment's operating Statement of Principles and objectives and is intended to serve as a framework for annual priorities documents which target specific areas of work intended to advance the Endowment's longer-term strategic objectives.

I. A NEW ERA

In the short span of years since the founding of the National Endowment for Democracy, the international political landscape has been utterly transformed. When the Endowment began its work in 1984, the Cold War was still at its height, and only a few lonely outposts of freedom were to be found outside the Western democracies. In Latin America, however, a series of democratic transitions had already begun that has since accelerated and swept virtually the entire region. This democratic tide also extended to Asia, reaching the Philippines, Korea, Pakistan and Taiwan, and by the beginning of the 1990s its ripples were being felt in sub-Saharan Africa and even in the Middle East. Most dramatic of all was the success of democratic forces in bringing down seemingly impregnable Communist regimes, first in Eastern Europe in 1989 and then in the Soviet Union itself in August of 1991.

The victories of these democratic movements, most of which received vital assistance from the National Endowment for Democracy, have brought hundreds of millions of people new hope for a freer and more prosperous future. They have also achieved extraordinary gains for the United States, not only by advancing the democratic values that Americans hold dear, but also by bringing an enormous increase in American national security. The dismantling of the Warsaw Pact and the diminution of the Soviet threat to the U.S. and our allies are the direct result of the spread of democracy in the formerly Communist world. The historical records shows that liberal democracies rarely, if ever, go to war with one another. Open societies, in which governments are accountable to the freely expressed will of their citizens, offer the best possibility for the peaceful settlement of international conflicts.

The end of the Cold War and the prospect of a more peaceful world are due, above all, to the sacrifices and the triumphs of indigenous democratic movements around the world. But international encouragement and assistance also played an important role, as the courageous leaders of these movements have themselves attested.

Yet in many of the countries that have recently emerged from dictatorship the situation remains fragile; few of them can be considered strong and stable democracies. Democracy is not an easy form of government to maintain, especially in countries that lack an educated populace, a substantial middle class, an established market economy, or a democratic culture. Although the threat to democracy from left-wing insurgencies or military coups has in most countries receded, new threats have arisen from ethnic conflict and religious intolerance. In addition, most of the new democracies confront severe economic problems. If they fail to meet the rising expectations of their citizens for improved material well-being, there is real danger that democracy could be discredited.

Moreover, a substantial portion of the world's population continues to live under dictatorial governments, including more than a billion people who suffer under the yoke of Communist regimes still clinging to power. In many of the areas that have so far resisted the advance of freedom, powerful cultural factors pose significant obstacles to democratic progress. Yet virtually everywhere in the world there are individuals who aspire to democracy and are dedicated to attaining it in their own countries.

The remarkable events of 1989-91 should not blind us to the fact that achieving and maintaining democracy take time and effort. Today's remaining dictatorships will not easily give way, and there will inevitably be some backsliding into authoritarianism among countries that are now on the democratic path. Such critical countries as the former Soviet Union and South Africa are still in the midst of complex and difficult transitions whose democratic outcomes are by no means assured.

Thus the challenges and the opportunities facing the National Endowment for Democracy are in some ways even greater and more

complex today than they were in 1984. The momentous changes that have taken place in the world make it imperative that the Endowment reassess the overall strategy that guides its programs.

II. ELEMENTS OF CONTINUITY

The reassessment attempted in this document suggests some important shifts in emphasis and priorities, but it also points to significant elements of continuity. We believe that the basic mission and approach outlined in the Statement of Principles and Objectives adopted by the Endowment Board in 1984 remain no less valid today. As a reading of that document shows, the Endowment's mission was from the very outset conceived not as anti-communist but as pro-democratic. Its aim was not only to assist those seeking to bring down dictatorships and carry out democratic transitions, but also to support efforts to consolidate new democracies.

The basic program categories set forth in the Statement of Principles and Objectives have also proven their worth and continuing relevance. The Endowment has funded programs primarily in three major functional areas—pluralism; democratic governance; and education, culture and communications. Programs in these areas have as their goals the strengthening of civil society, democratic political institutions, and democratic culture, respectively. Although political scientists and other experts may disagree about the relative importance of these three aspects of democratic development, it is generally acknowledged that all three are essential to the achievement and maintenance of stable democratic orders.

Pluralism involves the development of strong, independent private-sector institutions, especially trade unions and business associations, as well as civic and women's organizations, youth groups and cooperatives. Endowment programs in the areas of labor and business are carried out, respectively, through the Free Trade Union Institute (FTUI) and the Center for International Private Enterprise (CIPE).

The program area of Democratic Governance and Political Processes involves, above all, efforts to promote strong, stable political parties that are committed to the democratic process. The National Democratic Institute (NDI) and the International Republican Institute (IRI) carry out such party-building programs. This area includes, as well, programs that promote the rule of law and respect for human rights, strengthen the unity and effectiveness of the democratic forces in transitional situations, encourage dialogue among different sectors of society, and advance solutions to national problems. It also includes programs which bolster the effectiveness of parliaments, improve relations between civilian and military authorities, promote constitutional reform, and strengthen electoral processes.

The program area of Education, Culture and Communications involves programs that nourish a strong democratic civic culture, including support for publications and other communications media. Also included here are training programs for journalists, the production and dissemination of books and other materials to strengthen popular understanding and intellectual advocacy of democracy, and programs of democratic education.

The Endowment also devotes modest funding to research on questions related to democratic development, and to programs that encourage regional and international cooperation in promoting democracy. These two smaller categories of programming are addressed in the final section of this document.

III. ADAPTING TO CHANGE

The democratic revolution that has swept the world during the past decade, embracing countries as diverse as Benin and Bulgaria, Haiti and Hungary, Chile and Czechoslovakia, Nicaragua and the Philippines, South Africa and the Soviet Union, has reshaped both the international and the domestic environment in which the Endowment works. This extraordinary wave of democratic transitions requires the Endowment to refocus its programmatic agenda, as well as to address dramatically new institutional realities that have arisen in its wake. Like the democratic movements it has supported, the Endowment, too, must adapt to revolutionary change.

Foremost among these new institutional realities facing the Endowment is the emergence of significant alternative funding sources for democracy promotion in countries where dictatorships have fallen and democratic institutions need to be consolidated. These sources include private foundations and, most importantly, the U.S. Agency for International Development (A.I.D.), as well as new funders in other countries, including the British Know-How Fund and the Canadian Center for Human Rights and Democratic Development.

The existence of these new funding sources demonstrates that democracy promotion, which only a few years ago seemed like a pioneering venture, has become an established form of international assistance. As such, it is a further sign of the extent to which democracy is now recognized internationally as the most legitimate form of political and social organization. Moreover, the existence of additional resources is a welcome development, since the funds available until now for democracy promotion, including those of the Endowment, have hardly been sufficient to meet the needs of the emerging democracies and other countries still struggling for political freedom.

At the same time, this development creates a new and complex set of issues to which the Endowment must respond. It will obviously affect how the Endowment chooses to apportion its own limited resources. And it requires the Endowment to define its role based not only upon its fundamental mission to promote democracy, but also upon a fresh understanding of its unique institutional capabilities. The Endowment will be successful in adapting to new circumstances by accentuating in its strategic and program planning the institutional features that give it a comparative advantage in assisting democratic political development.

IV. A STRATEGY OF COMPARATIVE ADVANTAGE

There are three institutional features of the Endowment that give it a distinct comparative advantage: its nature, its structure, and its mission.

(1) As a non-government organization, the Endowment can provide political assistance to democratic forces in repressive or other sensitive situations where U.S. government support, even if channeled through intermediary non-governmental organizations, would risk serious diplomatic complications. In addition, democratic groups abroad often have a strong preference for receiving assistance from a non-governmental source, believing that their credibility or even their independence would be compromised by accepting funds from a U.S. government agency. Assistance through non-governmental channels is also more cost-effective than government-to-government aid. Finally, the Endowment's autonomy gives it the flexibility to respond quickly to changes taking place in countries around the world.

(2) The Endowment's unique structure, which includes its four constituent institutes in the fields of labor, business and party development as well as discretionary grantees active in other sectors, enables it to respond comprehensively to democratic needs. The Endowment's structure reflects an understanding that the establishment of democracy is not limited to the successful conduct of elections but involves, as already noted, the strengthening of civil society, democratic political institutions and democratic culture. Moreover, the Endowment's multi-sectoral structure enables it to provide a "full package" response to the complex needs of emerging democracies—especially important in light of the close relationship between political and economic reform—as well as targeted assistance to movements struggling to defend democratic values in closed societies.

(3) The fact that the Endowment's sole mission is the promotion of democracy accounts for its ability over the past eight years to reach out to and work with democratic activists around the world in an authentic and unambiguous manner and on the basis of common values and a shared vision. Unencumbered by other considerations, the Endowment has been able to act upon a coherent set of principles and goals, including consistency in applying its purposes to diverse political situations and movements and responsiveness to the pressing needs of democratic forces. The compromise of any of these principles would have jeopardized the strong international reputation the Endowment has enjoyed and the relationships of trust and solidarity it has established with democratic activists in many complex and dangerous situations.

The institutional features that give the Endowment these comparative advantages have important strategic implications:

First, the fact that the Endowment is a non-governmental institution suggests that it should position itself at the "cutting edge" of democratic advance, where historically it has been most effective. In this context, it will be recalled that the Endowment's 1991 Priorities Document, as well as the Statement of Principles and Objectives, lists four broad categories of countries, corresponding to their state of democratic development. The first two "post-breakthrough" categories include emerging democracies, i.e., countries that have achieved democratic breakthroughs but not yet consolidated democratic institutions, and transitional countries where repressive political authority is collapsing and democratic groups committed to peaceful transition and the establishment of alternative structures exist and need support. The other two "pre-breakthrough" categories include closed societies that repress all institutions independent of the state, and authoritarian systems that tolerate the elements of civil society but where democratic development can only be viewed as a long-term prospect.*

Despite the dramatic breakthroughs of the past decade, over half of the world's population continues to live under authoritarian rule. Non-democratic regimes are concentrated in Africa, the Islamic World and East Asia. A "cutting edge" strategy would

*In Fiscal Year 1991, NED devoted approximately 80% of all obligated program funds to projects in the "post-breakthrough" category and 20 percent to the "pre-breakthrough" category.

seek to place greater emphasis on these countries, where there is significant resistance to democratic political change from government authorities and powerful entrenched interests. To reinforce the relatively weak and often inexperienced democratic movements in these countries, the Endowment would provide "venture capital" to help them overcome the many social, cultural, political and historical obstacles they face. This is particularly important in light of the fact that alternative funding for these countries is usually limited, and in addition, it is awkward for a U.S. government agency to provide such assistance.

A heightened emphasis on the "pre-breakthrough" categories would not and should not preclude continuing engagement in the "post-breakthrough" emerging and transitional democracies. These constitute such a large and important group of countries, reaching now into all the major regions of the world, that a policy of abstention would effectively mean the abandonment of the Endowment's global mission.

The process of consolidation in these new democracies will be long and difficult; there are important and sensitive sectors in these countries where alternative funding may not be available, and where Endowment support to independent, politically active organizations can play a vital role. Given the concentration of most of the new democracy donors on technical assistance in developing efficient market economies and proficient government institutions, there is still a need for Endowment support for groups working to help achieve democratic transitions, as well as selective assistance to cultural, civil, and political groups working to broaden democratic participation, to strengthen the values of pluralism and tolerance, and to enliven the spirit and understanding of democracy.

Second, the Endowment's multi-sectoral structure, in particular its relationship to its four core institutes (CIPE, FTUI, NDI and IRI), must adapt to the new circumstance created by the existence of alternative funding from A.I.D. by increasing the degree of program coordination with the institutes. In the case of labor and the two party institutes, direct funding from A.I.D. is now beginning to exceed the resources received out of the Endowment's core USIA appropriation, though that funding is targeted at specific countries and programs of priority to the U.S. Government. (So far, CIPE is an exception, though it, too, may soon be receiving large A.I.D. grants.)

The additional funding being received by the institutes is a further reflection of the Endowment's success. NED funding helped launch the institutes and has positioned them to play a pivotal role in a period when the goal of democracy promotion has gained increased acceptance. The Endowment welcomes the fact that the institutes have been able to expand their work with alternative funding, especially since it frees NED funding for other activities. Moreover, it remains a strategic priority for the Endowment to continue to provide the institutes with a secure infrastructure and sufficient flexibility in programming to enable them to procure maximum funds from sources other than our own. At the same time, the availability of alternative funding for the institutes complicates NED planning procedures at the very moment we are being asked by the GAO to develop a more systematic process for overall program planning, evaluation and setting priorities.

Clearly, Endowment procedures that were developed in an earlier period when NED was the sole or principal funding agency need to be reexamined in light of these new circumstances. For example, in planning programs and allocating resources, the Endowment may choose to deemphasize a strategically important country if the institutes are carrying out (or planning to carry out) significant programs there using non-Endowment funds. The Endowment will also have to balance its desire to allow the institutes sufficient programming flexibility with the kind of program specificity and prioritizing needed to fulfill its evaluation responsibilities. As part of its planning responsibilities, the Endowment will also have to insure that the institutes' programs are consistent with the priorities of the NED Board as discussed in Section V below.

Most importantly, the Endowment can only maximize its comparative advantage as a multi-sectoral institution if the expanded alternative funding is complemented by enhanced program coordination between the Endowment and the institutes. Effective program coordination should extend to non-NED resources that are being provided to the institutes and other Endowment grantees in countries of priority. Joint meetings held on a more frequent basis will offer increased opportunities to share information about specific countries and to coordinate joint activities where possible. Periodic strategic regional review sessions led by regional experts will also provide opportunities to discuss and identify specific projects on which the institutes can coordinate. More regular coordination will enhance the overall contribution made in particular countries beyond the sum of the individual programs involved. In this way, the availability of alternative funding will strengthen, not weaken, the Endowment's ability to respond coherently and comprehensively to democratic needs throughout the world.

Third, the availability of non-Endowment resources for democracy promotion puts a new premium on that aspect of the Endowment's work that complements its grant-making program; namely, its ability as an institution whose sole mission is the advance of democracy to be a vital center of democratic thought and action. The Endowment has already taken significant steps in this direction by launching the Journal of Democracy and sponsoring a number of conferences and seminars where the increasingly complex issues related to the democratic prospect in the world are discussed and debated. The further development of this work is considered in Section VII below.

V. PRIORITIES

As part of its new planning process, the Endowment will now be preparing a more detailed annual priorities document. This new priorities document will contain a description of Endowment goals in individual regions and countries, accompanied by target figures for Endowment expenditures for the year. In the course of this process, each institute will draw up its own proposed priorities for NED Board review prior to their integration into the overall document. This process will provide an important tool for achieving greater coordination in implementing Board priorities. The brief discussion of priorities here is intended to present some of the broader considerations from which concrete budgetary decisions about particular regions or countries will flow.

During the first eight years of its existence, the Endowment's priorities have shifted with the rapidly changing fortunes of democratic movements around the world. During the early years, the principal focus of democratic activity, and the cutting edge of the incipient democratic revolution, was in Latin America, where approximately fifty percent of Endowment program funds were spent. By the end of the 1980s, the focus began to shift to Eastern Europe and then to the Soviet Union. Now China and Africa are attracting increased funding, and the Middle East (along with the Islamic world generally) looms as a growing challenge.

These shifts in focus and priority do not mean that the Endowment will abandon regions where breakthroughs have occurred. A "breakthrough" does not mean that democracy has been achieved, only that the obstacle of a dictatorial government has been removed. The process of establishing a stable and deeply rooted democratic system is long and arduous, and the economic, political and cultural obstacles can only give way to evolutionary, not revolutionary, change.

The prospect of democratic setbacks is everpresent as change comes more slowly and painfully than anticipated, and frustration and disillusionment build. No one should assume, for example, that democracy is secure in South and Central America or in the previously communist countries of Central and Eastern Europe. (Should setbacks occur, work in countries where transition has failed and dictatorship has been reimposed will assume a high degree of importance in Endowment programming.) Moreover, the failure of democracy in these areas could have a devastating "demonstration effect" on the prospects for change in countries that continue to resist the international movement toward democracy.

Conversely, the successful consolidation of democracy would itself have a positive demonstration effect on countries where democratic breakthroughs have not yet been achieved or consolidated. This is particularly important in Eastern Europe and the former Soviet Union, since viable models of transition from communism do not yet exist. The Endowment will continue to fund programs in these countries, (including programs that promote conflict resolution and civic dialogue among diverse ethnic groups), while being prepared to adjust its priorities depending upon the degree of alternative funding available to the institutes and other prospective grantees in particular countries.

Still, given the availability of alternative funding for programs in emerging democracies, the Endowment will seek to expand its programs in those countries and regions where democratic breakthroughs have yet to occur. These include the world's remaining closed societies, especially China, Cuba and Vietnam; and authoritarian systems, especially in Africa, the Middle East and elsewhere in the Islamic World, including Indonesia. This shift will take place incrementally so as not to disrupt the overall Endowment program, also taking into account the fact that the ability of those countries to absorb large amounts of resources is limited.

VI. EXISTING PROJECTS AND NEW INITIATIVES

The Endowment seeks to balance its desire to sustain and nurture existing projects with its wish to respond to new initiatives. While, ideally, Endowment support should encourage groups to become self-sustaining as rapidly as possible, no simple formula can be applied. Some projects will be of a short-term nature, but because democratic development is a long-term process, other programs may require more extended assistance. In all circumstances, the Endowment will continue to encourage efforts by its grantees to seek other sources of funding, and where possible it will assist in these efforts.

Many groups the Endowment will wish to support function under difficult conditions and may not be able to develop alternative funding. In addition, as we have already noted, much of the increased alternative funding that is now available is not directed at the kind of activities the Endowment supports, especially in the program area of Education, Culture and Communications. In deciding whether to renew support, the Endowment will weigh such factors as a grantee's success in achieving what was intended with the initial support, the importance of its activities to the overall democratic effort in the country or region, and the value of continuing these activities in relation to the Endowment's overall priorities and competing program goals, including its wish to help worthwhile new initiatives. An emphasis on project funding, as opposed to core administrative support, will be an added incentive to encourage new initiatives and organizational self-sufficiency.

In evaluating both new and ongoing programs, the Endowment will stress the importance of developing innovative ways of strengthening democratic institutions and organizations. The programmatic framework established by the Endowment is sufficiently broad and flexible to allow new ideas to be tested and bold new approaches to be tried. Obviously, the Endowment endeavors to learn from experience and to build upon a foundation of tested programs and methods. But it will continue to welcome proposals that demonstrate originality and creativity and thus further understanding of the kinds of efforts that will enhance the democratic prospect.

Given the Endowment's limited resources the Board wishes to guard against duplication of program activities. Toward this end, the Endowment will require each grant applicant, wherever possible, to describe other related activities presently underway and how its proposed program is not duplicative.

In establishing priorities, the Endowment retains the capacity to be responsive to promising initiatives from a wide range and variety of non-priority countries. Grant allocations for groups in countries of lesser priority, even if the funds are relatively modest, nonetheless serve important purposes. Such small grants represent crucial assistance to struggling democratic groups. Moreover, they help put the Endowment in a position to respond quickly in non-priority situations if new opportunities suddenly develop. Not least, being as responsive as possible to authentic democratic advocates around the world is consistent with the Endowment's overall commitment to assist indigenous efforts to further democratic development.

VII. INTERNATIONAL FORUM FOR DEMOCRACY

There is another way in which the Endowment can reach out to democratic groups in countries of lesser priority—namely, by including them in regional or worldwide programs aimed at promoting interchange and solidarity among democratic forces.

The Endowment's two smaller categories of grant programs, research and international cooperation, support projects that are potentially of value to all countries seeking to achieve and maintain democracy. In addition, the Endowment seeks to complement its grant-making program with other activities aimed at encouraging reflection and discussion about key issues in the struggle for democracy. It sponsors the Journal of Democracy, a quarterly published by the Johns Hopkins University Press that contains articles by both distinguished scholars and leading democratic activists and intellectuals. It also hosts a major biennial conference on democracy that brings together an international cross-section of prominent democrats from around the world.

Building upon these activities, and drawing upon its unparalleled worldwide network of contacts with key democrats, the Endowment intends to increase its efforts in the realm of ideas and information under the heading of the International Forum for Democracy. In this new era, when so many counties have already completed the daunting task of toppling dictatorial governments but now face the more complex problems of democratic consolidation, it is imperative to develop a more sophisticated understanding of the process of democratic development. One consequence of the wave of democratization during the past decade is that there is no a vastly expanded range of experience from every region of the world that can potentially provide valuable lessons about successful strategies for building democracy. The best way to profit from this experience is to bring together those who are or have been on the front lines of democratic change with their counterparts from other countries and also with scholars who can provide them with a useful comparative and historical perspective.

To further these aims, the Endowment hopes, among other possible initiatives, to develop an information base on international programs to promote democracy and to establish a library housing important books and documents on democracy. The work of the International Forum for Democracy should be useful to democrats everywhere, but its most important benefits will accrue to the Endowment itself. The International Forum will enable the Endowment to enhance its own knowledge base and thereby help it both to make better informed choices with respect to program planing and priorities and to assess more effectively its grants program. The Endowment will consult closely with Congress to ensure that any activities undertaken in the context of the International Forum are regarded as fully consistent with the Endowment's legislative mandate.

The activities of the International Forum will also provide a means and opportunity to keep former members of the Endowment's Board of Directors actively involved in its work. Additionally, the Forum should present an opportunity for reaching out to more U.S. citizens, including students, and involving them more extensively in the worldwide effort to build democracy. Such broadened participation would enhance the understanding in the U.S. of the Endowment's activities and objectives. More importantly, it would contribute to the spread of democratic values and ideas around the world and to a deeper appreciation here of the meaning of our democratic heritage and system of government.

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William E. Brock, Dante B. Fascell, and John Richardson, Chairmen Emeriti.

The National Endowment for Democracy is a private nonprofit organization created in 1983 to strengthen democratic institutions around the world through nongovernmental efforts. Through its worldwide grant program, the Endowment assists those abroad who are working for democratic goals. The Endowment, which receives an annual appropriation from the U.S. Congress, is a tax-exempt organization as defined in Section 501(c)(3) of the Internal Revenue Code.

MODJESKA MONTEITH SIMKINS: IN MEMORIAM

Mr. HOLLINGS. Mr. President, with the death of Modjeska Monteith Simkins on Sunday, a rare and courageous spirit was extinguished—at least so far as this earthly life is concerned.

Mrs. Simkins had a richly varied life as a civil rights champion, health activist, teacher, and what today would be called an investigative journalist. But her greatest achievements were as a fearless, outspoken fighter for civil rights in South Carolina. Her activism spanned four decades, during which time she helped to organize South Carolina's chapter of the NAACP, and spearheaded the Clarendon County desegregation case that became part of the Brown versus Board of Education in 1954. Mrs. Simkins successfully challenged South Carolina's system of whites-only primaries, and she forced the integration of the University of South Carolina.

In her struggle against injustice, this remarkable woman was invariably gutsy, witty, and unorthodox. On more than one occasion, the 5-foot-3 Mrs. Simkins showed up at Ku Klux Klan rallies to give the white-hooded racists a piece of her mind. And yet the feistiness which her adversaries feared was more than matched by her gentleness and kindness toward friends.

U.S. District Judge Matthew J. Perry spoke eloquently of Mrs. Simkins when he said:

> She will be remembered as a woman who challenged everyone. She challenged the white leadership of the State to do what was fair and equitable among all people. And she challenged black citizens to stand up and demand their rightful place in the State and the Nation.

Mr. President, Modjeska Monteith Simkins was not just a granddaughter of slaves, she was also a proud daughter of South Carolina. She enriched our lives, and played a historic role in transforming our State for the good. We will miss her greatly.

AN IMPORTANT AND HISTORIC OCCASION

Mr. DOLE. Mr. President, yesterday the United States recognized the nations of Bosnia-Herzegovina, Croatia, and Slovenia. Many of us here in the Senate have urged for some time now that the United States recognize the republics of the former Yugoslavia whose people took to the ballot box

last year to vote for democracy, freedom and independence. While we wish United States recognition would have come sooner, we are extremely pleased that it has now come.

The people of Slovenia paid a price for freedom last June when they stood up to the Yugoslav Army's brutal attack; for more than 8 months, the people of Croatia have paid a heavy price for freedom—thousands of people, mainly civilians, lost their lives, many more were wounded; and, unfortunately, at this very moment, the people of Bosnia-Herzegovina are paying the price for freedom, as Yugoslav Army jets are attacking towns and Serb militants are terrorizing the streets of Sarajevo, the capital.

It is my sincere hope that recognition by the United States—the leader of the free world—will signal the beginning of the end of violence and aggression on the territory of the former Yugoslavia, so that the people of Croatia, Slovenia and Bosnia-Herzegovina can finally pursue their goals and dreams in peace. I believe that United States recognition will serve to bolster the peacekeeping efforts of the U.N. forces because it sends a definite message to the Yugoslav Army and their militant henchmen that their brutal tyranny of freedom-loving people will not be tolerated by this country.

There is no longer any doubt where the United States stands: it stands where it should stand—on the side of freedom and democracy.

But, let us not forget that the recognition of these three countries does not end our responsibilities with respect to resolving the situation in the former Yugoslavia—unsolved problems remain: the Albanians of Kosova—who, I would note, are not represented at the European Community sponsored Peace Conference on Yugoslavia—are still suffering under the weight of tremendous repression, and the terms under which recognition will be granted to the Republic of Macedonia are being worked out. Yesterday's recognition of Bosnia-Hercegovina, Croatia and Slovenia was just a first step.

I would like to extend my best wishes to the people of Bosnia-Herzegovina, Croatia and Slovenia on this important and historic occasion.

TRIBUTE FOR MS. ROBBIE L. LYLE ON HER RETIREMENT

Mr. PRYOR. Mr. President, I would like to take a few minutes to pay tribute to an extraordinary Arkansas woman, Ms. Robbie L. Lyle. Ms. Lyle will be retiring soon from Arkansas State University where she serves as assistant dean of University College and director of the program of academic skills and services [PASS], a position she has held since founding PASS in 1976. This program, funded under the Federal TRIO Program, is designed to provide disadvantaged students with educational opportunities they would not otherwise have.

Ms. Lyle has also been the director of the Upward Bound Program at ASU since she established the chapter in 1981. This program helps high school students reach their full academic potential by giving encouragement, individual tutoring, and advice to those who might not otherwise continue their education. Usually the students in Upward Bound are the first ones in their families to attend a postsecondary institution. Ms. Lyle's contributions to the education of disadvantaged students have earned her the respect and admiration of colleagues and the thousands of students who have been helped by these programs. Her dedication to providing low-income students with a quality education has become legendary at ASU. She has truly mastered the arts of counseling, advising, and teaching.

Ms. Lyle has also been a pioneer and an inspiring role model to educators in Arkansas and elsewhere. She was the first black woman to become president of the Arkansas Association of Student Assistance Programs (1978–80) and was the first woman to serve as president of the Southwest Association of Student Assistance Programs and the National Council of Educational Opportunities Association with her terms from 1982 to 1983 and 1985 to 1986 respectively.

When Ms. Lyle retires from ASU on June 30, 1992, she will be sorely missed. But, like many retirees, Ms. Lyle will not be idle. She has plans to build a restaurant in Jonesboro, AR, and will continue to champion the fight for more educational assistance programs for our Nation's youth. With her work for PASS and Upward Bound, Ms. Lyle has built an impressive record over the years that will serve as an inspiration to those who follow. She has made a difference to many of my State's youth and her efforts will not be soon forgotten.

MR. AND MRS. THOMAS FREEMAN—50TH WEDDING ANNIVERSARY

Mr. INOUYE. Mr. President, I rise today in tribute to Mr. and Mrs. Thomas Freeman, who will be celebrating the joyous occasion of their 50th wedding anniversary. Mr. Freeman wrote a heartwarming poem for his lady, while recuperating from a heart ailment. I would like to take this opportunity to share it with my esteemed colleagues.

LOVE

I love to see the sunrise and the morning dew.
I love to see the sunset in all its glory too.
I see the lightning flash and the clouds go rolling by.
I feel His presence in His heavenly sky.
I love the churches scattered throughout this great land.
I love the holy men and holy women too,
And all the sinners who are consecrated to you.
I love my doctors and nurses who held me by the hand.
And lifted me from despair into the promised land.
I love my family, friends, and business partners too.
Who helped me throughout my life to do what I must do.
The list goes on and on His powers do display.
Through out his universe each and every day.
And last but not least I love you mom you know I do.
Your laughter your smiles and yes your frowns too.
And when we lay down for our final rest.
A little bit of heaven will be our little nest.
With all the angels and the saints and our family
We'll be together always throughout eternity.
And so my brothers and sisters of this great wide world.
Be not afraid pick up his cross and give it a whirl.
Follow Him to paradise along that narrow road.
His story forever will be told and retold.
And when life's problems takes you to task,
Remember He will always help, all you do is ask.

Mr. President, it is rare to encounter a couple who have had a relationship which withstood the tests of time and have shared life experiences. I am honored and proud to have had a small part in a celebration of life and love.

IN RECOGNITION OF SENATOR INOUYE

Mr. PRYOR. Mr. President, I rise today to pay special tribute to my distinguished colleague from Hawaii, the Honorable DANIEL INOUYE. Recently, Senator INOUYE was featured in the George Washington University magazine, the magazine of his alma mater. The interview, "Inouye's World: A View from the Hill" recognizes the countless ways Senator INOUYE has served the people of Hawaii and the United States.

Senator INOUYE was first elected to the U.S. House of Representatives soon after Hawaii was granted statehood in 1959. We have been honored to have him in this Chamber since 1962, and the people of Hawaii continue to award him with election margins usually in excess of 70 percent. It is indeed an honor to work with this gentleman, this statesman, this peacemaker.

The leadership he has exemplified as the chairman of the Defense Appropriations Committee is appreciated and a comfort to all Americans as we come to terms with our role in the post-cold war era. His role on the steering committee for the Select Committee on Indian Affairs has brought great changes for Native Americans and he has made us aware that concerns of Native

Americans are, in his words, "matters of national concern to all of us."

Senator INOUYE is an esteemed graduate of the George Washington University Law School. He has given back to his alam mater in many ways, including serving on GW's Board of Trustees. He has been an advocate for adequate appropriations for the GW Hospital, the facility with serves the needs of the U.S. Government, the diplomatic community, and of course, the citizens of Washington, DC.

I noted with interest that Senator INOUYE said in the article that one of his greatest loves is health care and medicine and in particular thoracic surgery. It was almost a year ago that I became all too familiar with the impressive capabilities of the George Washington medical facilities.

The George Washington magazine article, which I will submit for printing in the RECORD following my statement, is a fitting testimony to Senator INOUYE'S willingness to take on new challenges, to rise above and beyond the call of duty, and to meet those goals which he sets and are set before him. He is indeed an individual who has my respect, my support, and my friendship.

Mr. President, I ask unanimous consent that the GW magazine article about Senator INOUYE be placed in the RECORD at this point.

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

A VIEW FROM THE HILL

(By Robert Guldin)

It's a long way from Hawaii to Washington, D.C. Sen. Daniel K. Inouye, JD '52, one of GW's most esteemed alumni, took the first step on that journey back in 1950, when he began his studies at The George Washington University Law School

The Honolulu-born Democrat, who has served for the past 32 years as a member of Congress, launched his political career in 1953 as Honolulu's deputy public prosecutor. Inouye subsequently served for four years as House Majority Leader for the Territorial House of Representatives and as a member of the Territorial Senate.

Soon after Hawaii was granted statehood in 1959, Inouye won election to the U.S. House of Representatives as the state's first congressman. He has been on Capitol Hill ever since, sweeping election after election in Hawaii, with margins usually in excess of 70 percent.

A U.S. senator since 1962, Inouye gained national exposure and respect as a member of the Senate Watergate Committee in 1973–74. In 1987, Inouye served as chair of the Iran-Contra investigating committee, another sign of the high regard in which he is held by his congressional colleagues.

A World War II hero, Inouye was a member of the 442nd Regimental Combat Team, a Japanese-American unit from Hawaii which suffered extraordinarily high casualties while earning more decorations for battlefield bravery than any other unit of its size. Inouye, who lost his right arm after leading his platoon up a heavily defended hillside in Italy's Po Valley, won the Distinguished Service Cross, America's second highest award for military valor, as well as a Bronze Star, Purple Heart with cluster and 12 other medals and citations.

Through the years, Inouye has remained a friend of The George Washington University, serving on the University's Board of Trustees from 1981 to 1991. Here, GW Magazine meets the man behind the public persona.

GW MAGAZINE. How did you wind up coming all the way from Hawaii to George Washington University to attend law school?

INOUYE. That's very easy. I wanted to be a politician. Originally, I wanted to be an orthopedic surgeon but my war injuries made that impossible. After I went through a whole series of tests and examinations, my advisers in the military suggested that I should either teach or do social work or be a politician—so I opted for that. This is the nation's political capital, so GW was a natural choice. But in order to satisfy myself, I did apply to other law schools, and I was accepted there as well.

But I have to tell you the day after I arrived here, I wanted to get out.

GW. Why was that?

INOUYE. Because at that time, GW, unbeknownst to me, was segregated. Of course, the University desegregated in the early 1950s and has a good ethnic mix nowadays. But I recall the day after going through the registration ritual, visiting the assistant dean of the law school—I just happened to casually mention, "I don't see any blacks here—why is that?" He hemmed and hawed a little and he finally came out and said that we don't admit black students. He pointed out that GW did accept students from Ethiopia because for some reason they were considered Aryan. Now you explain that to me! So, I seriously thought about leaving but then it was too late to go to another school, the rolls were closed. So I decided to stay and make the best of it.

GW. Was it difficult for you as a person of Asian ancestry at GW?

INOUYE. Not at all. I was accorded all the courtesies. They were good to me. In fact, I belong to a fraternity, where I had an interesting experience. I belong to the Phi Delta Phi. I was the exchequer of that group, the secretary-treasurer, and I had no idea about the blackball system of initiation. I'm from Hawaii and I never belonged to a fraternity. I didn't realize that I myself had gone through that process—that somebody must have submitted my name and I went through the blackball process and I was accepted. So I suggested two names: one was the chief editor of the law review—the brightest in the class—and I felt that we should have the brightest member. The other was a dear friend of mine, I won't mention the name because it might be embarrassing. Both were of the Jewish faith and they went through the blackball process and I was surprised that nine of my fellow fraternity brothers had tossed in a blackball. So I just told them, obviously it's not because they offend you with body odor, it's not because they don't dress well, obviously its not because they are stupid. They were the brightest in the class. So I must come to the conclusion that they opposed them because they were Jewish. There's no ifs or buts about it. Then I asked for one more round, and if there is any blackball I would consider that cast against me. I want no part of this. I'm happy to say that there were no blackballs. To their credit, all nine of my fraternity brothers came to see me afterwards. One of the blackballed members became the youngest commissioner of the Internal Revenue Service—Sheldon Cohen. I had some interesting times at GW.

GW. That's a great story. This was when, in the late '40s?

INOUYE. No, it was in 1951.

And then, there was a brief moment when I seriously considered dropping out of law school. This was the situation. About six months after I started law school, I would find myself getting dizzy, nauseous every time I went to school. But when I would get home, I'd feel fine. This would happen every day.

So I went to the VA hospital and they gave me a physical. Physically, I'm OK. The doctor said, "Well, it could be that you are psychologically resisting your studies; often the body reacts like this." So I visited the psychiatrist three times. He sat down, he asked me all kinds of questions about my mother, my wife. Each time he reported back: "This guy is normal."

Then one afternoon, I finished my physical and I put on my clothes. The doctor said, "Stop it, right there," and I said "why?" He called in the psychiatrist and he started getting hysterical, laughing, laughing. He says, "I got the answer!"

I was struggling to put on my tie. All throughout my adult life, whenever I put on a shirt, I always button it, I don't leave it open. I like to be correct in that sense. What had happened during my first six months in law school, was that I had picked up 20 pounds. I was choking myself! And so I turned around and I laughed with them, and I immediately went to a men's shop and bought myself a dozen shirts—with big necks. Sure enough, no more headaches, no nausea.

I had been baffled—I thought gee . . . I love law school, everything seemed fine, but something here must be telling me this is not my cup of tea, I better get out of this.

GW. Looking back now, do you feel that the experience at GW made a positive contribution to your life?

INOUYE. This was my first experience in working almost exclusively with people of the Caucasian race. You must keep in mind that I'm from Hawaii, where there is an ethnic mix. In fact, there's no majority group. All of us are minorities. So I found myself in a classroom where we Hawaiians constituted less than 5 percent. All the rest were white. It was a grand experience and I'm pleased to say that I learned a lot. I still maintain close friendships. One of my classmates was a very famous judge, Judge Harold Greene. Most of my classmates from Hawaii became politicians. One became president of the Senate in Hawaii and another was a member of the House and became a judge later on, so we did pretty well.

GW. You served for a number of years on GW's Board of Trustees. What was that experience like for you?

INOUYE. When I was asked to serve on the board, it was done with the understanding that I might serve as some sort of informal liaison with the Congress of the United States. Federal activity can have an impact on GW; after all, GW is a congressionally chartered university.

That's how I got involved with the GW hospital funding. When that matter got active, I resigned from the GW board, and I did so sadly. But I did it because I didn't want anyone to suggest that there was even an appearance of conflict of interest.

GW. In fact, that was one of the questions I was going to touch on. You obviously played an important role as an advocate for an appropriation toward GW hospital facilities.

INOUYE. It is important that the public and the news media become aware of some of

these important facts about the role of the GW Medical Center. Number one: GW Hospital has a long history of serving the emergency needs of the United States government. This is where men and women working in the White House can easily go if they should become suddenly ill, not only because of its proximity but because the place has facilities appropriate to the needs of high government officials, including the president of the United States. Special telephone lines and other equipment have been put in, at no expense to the government of the United States. All of this extra cost has been borne by GW. It's also the hospital for much of the diplomatic corps, so if there's a problem among diplomats, they'll rush off to GW. A lot of it is pro bono.

Then GW hospital happens to be surrounded by a lot of the homeless population, the men and women who rest on steam gratings and such. Many of them come to the GW emergency room for medical care. GW has more emergency visits than any other hospital in the District except D.C. General, which is, of course, publicly supported. GW Medical Center provides about $30 million dollars worth of uncompensated care per year, much of it to the poor. Most other D.C. hospitals have been receiving assistance, either from the federal government or the District. If the District of Columbia were a state, GW might be receiving state assistance, but today it does not receive any sort of assistance from any level of government.

So I felt that here was a hospital, its major building nearly 50 years old, which has been declared to be a prime candidate for repair, renovation and rebuilding. I'm afraid that if the present condition is permitted to run, serious accreditation problems could emerge before the end of the decade. I thought it would be appropriate for the federal government to provide this assistance. When one considers $30 million dollars per year of uncompensated care, and GW's special rule as hospital of choice for the White House, this is where the action is.

Somebody has to pick up the tab for the costs the University bears in providing this public service. That somebody shouldn't be the student who has to pay higher tuition, the professor who has to take a pay cut, or buildings that need repair but have to go without repairs. The University cannot be required to sustain this level of philanthropy to the District. The government has a responsibility to help GW meet the costs of this public service.

Somehow the idea got around that the money for GW would come out of the D.C. budget, that it would reduce funds available to the D.C. government. But the GW money was always intended to be over and above the appropriation for the District. It would have been a boost to D.C. to get the GW hospital project on top of its regular appropriation.

I'll continue fighting for this funding. I was very disappointed with my colleagues—not with the Senate, they did OK. Something happened when it went across to the House side.

GW. You mentioned at the outset of this interview that you had at one point intended to be a doctor, an orthopedic surgeon. I know that you have had an interest in health care regarding the GW Hospital. Does your interest in health care stem from your early desire to be a medical doctor?

INOUYE. I suppose my first love would still be medicine. I find myself visiting operating rooms, putting on my mask, special shoe covers, my gown. Right now, the thing that intrigues me is thoracic surgery, opening a chest. I like open heart surgery; it's very exciting because that's a surgical procedure that requires precise team work. You use the artificial heart machine. I know some procedures so well I can almost tell them where to go.

GW. That's pretty amazing—I've never met anybody who is a fan of the operating room.

INOUYE. That's what I wanted to do when I was young.

GW. You grew up in Hawaii when it was a territory rather than a state. I know you've been very sympathetic all along to the goal of statehood for Washington, D.C., and for programs that benefit the District. Did your personal background as someone who didn't have full rights under statehood play any role in your interest in that issue?

INOUYE. Obviously, How can I, a beneficiary of statehood, now deny it to others who obviously are entitled to it?

I would say the program I pushed for which has had the biggest impact on Washington has been the Metrorail system. When I first became a member of the Appropriations Committee over 20 years ago, I became chairman of the Select Committee on the District of Columbia. During those days, you had no elected council or elected mayor. D.C. was run by commissioners, and in a real sense the chairman of the House committee and the chairman of the Senate committee almost served as mayors. We had to make the budgetary decisions and such. The Metro system was very much opposed by certain House people. I thought it was a good idea and I insisted on it. I'm glad I prevailed. Another thing: the construction of Metro provoked a great debate on disabled people. There was great opposition to putting in those elevators to assist wheelchair patrons. Some said the escalators are enough, but that would have deprived all people with mobility problems of access to the system. I insisted on those elevators, notwithstanding the cost. Now everyone takes it for granted.

GW. Let's get into some broader political questions. One of your most important roles in the Senate is as chairman of the Defense Appropriations Subcommittee. Where do you think military expenditures are headed in the next few years? Do you think we'll see a peace dividend from the end of the Cold War?

INOUYE. The military has a plan now, which I approved of, reducing our forces by one-third over the next five years. Some have suggested that we should accelerate this process, but I have suggested caution. In fact, there is some justification to slow it down slightly.

I realize that the Cold War is over as far as the Soviet Union is concerned. We are not threatened by a massive invasion by the Warsaw Pact. However, there are other areas of potential upheaval and violence. For example, in January of 1990, senior policy-makers of the U.S. government felt that the Middle East was tranquil, that Saddam Hussein was behaving. At that time the Pentagon was prepared to retire General Schwarzkopf and dismantle the Central Command—that's the command that took charge of Desert Storm. The same month the Commerce Department was preparing to open up a trade fair in Baghdad to convince the Iraqis to buy our aerospace technologies and computer technologies. In June of 1990 we were offering him $4 billion in agricultural credits.

But I was concerned about this chemical weapons program, his use of poison gas on civilians, so I introduced a measure to impose economic sanctions on Iraq. But the administration and many senators opposed sanctions, so I withdrew the measure. Then, on August 3, Saddam Hussein became the second Hitler of the century, and we imposed economic sanctions almost identical to the ones I had suggested in June. I cite this to tell you about the uncertainty in this world. Our democracy operates best when there is stability. Often times, stability takes a little money, a little muscle.

In addition, it's easy to forget about the economic impact of sudden cuts in military spending. We're in the middle of a recession now. Are we going to dismiss the people who fought in Desert Storm and send them into the unemployment rolls? Do we close up military production factories? Think about the impact on the banks, on unemployment, welfare—these all affect government spending, so what you save on the military, you may spend elsewhere.

GW. One of the hottest topics to come to the Senate's attention in recent years has been the Clarence Thomas nomination. What observations do you have on that process? Do you think the Senate took Anita Hill and the question of sexual harassment seriously enough?

INOUYE. First of all, I voted against Judge Thomas and I made my decision before the involvement of Anita Hill. Most Americans have already forgotten that; it seems like ancient history. The American Bar Association has been providing assessments of judicial nominees to the president for the past 25 years. During that period, I think the Bar Association evaluated 26 Supreme Court nominees. Of those 26, the lowest grade ever issued was that on Thomas. He was considered not even good. He had several votes that said that he was unfit judicially. That to me made a difference.

Then here is this man who is going to become a member of the Supreme Court who would tell the Judiciary Committee that all the years while serving as a judge and as an attorney, he never, never discussed with anyone Roe v. Wade. Never discussed abortion. Just about every cabdriver—whether he's from Pakistan or Jamaica—would be discussing that, the lowest-grade federal employee would be talking about it. It's on the front page all the time, and he's telling us that he has never discussed this. I had to conclude he was less than candid.

Judge Thomas also used reverse racism. I'm sorry that my colleagues were afraid to stand up to him. They were reluctant because he was black. I don't think Anita Hill was lying.

GW. You have a strong interest in Native American issues, and you were recently helpful in getting started a planning office for an American Indian Policy Center at GW. How did that interest of yours come about?

INOUYE. If you had interviewed me 10 years ago, I would have indicated to you almost total lack of interest in Native American issues. When I became a member of the Select Committee on Indian Affairs, it was not a committee of choice, although now that has changed. I got on because I was on the Steering Committee and I was asked to look for a senator to fill a vacancy that existed at that time. No one came forward. When I reported that to the Senate leader, he looked at me and said, "Why don't you serve on the committee?" My response was, "But Mr. Leader, we don't have any Indian reservations in Hawaii." His response was, "At least you look like one." I knew that he wasn't serious about it so I said OK. Then I became chairman and I decided that if I'm going to be chairman, I'm going to study it seriously now. What come forth was outrageous.

I learned, for example, that Indian tribes are sovereign nations who have dealt with the United States through treaty relations. There were 800 treaties with Indian nations, solemn treaties, all of them signed by the president of the United States. Of the 800 treaties, 430 were ignored by the Senate, my predecessors. We did ratify 370 of them. We insisted that the Indians live up to their promises in those treaties, but we proceeded to violate provisions in every single one of them.

Two hundred years ago, there were a minimum of ten million Indians in the 48 contiguous states. At the end of the Indian wars, there were about 250,000 living in misery. Today, there are about two million. Unemployment today in the United States is about seven percent. Among Indians it ranges from 35 to 95 percent.

Now I come to your question. Why did we set up the planning office for policy? I want to enable the Indians to think like a confederation of nations. The American government, the American people have been playing one tribe against another. They are so poor that they have no time to think about the concerns of other Indians. They are matters of national concern to all of us. This center at GW is where you can begin thinking nationally, to set up policy on sovereignty. That's my purpose.

GW. Let me ask one final question: the 1992 race for the presidency has started in earnest. Do you have any observations on the presidential candidates? Would you say that President Bush is beatable or unbeatable in '92?

INOUYE. He is obviously beatable. Unless there's a war in progress, during a national election people look at their pocketbooks. These days, when they open up their pocketbooks, they're pretty empty. People are very unhappy. We have many good candidates. I hope that the process will bring out the best.

GW. Any candidates you especially like?

INOUYE. You should know better than that. How do you think I lasted this long around here?

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is now closed.

CONCURRENT RESOLUTION ON THE BUDGET

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

The legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 106) setting forth the congressional budget for the United States Government for fiscal years 1993, 1994, 1995, 1996, and 1997.

The Senate resumed consideration of the concurrent resolution.

AMENDMENT NO. 1762

(Purpose: To express the sense of the Senate regarding foreign government subsidies)

Mr. DANFORTH. Mr. President, for myself and Senator BAUCUS, I send an amendment to the desk and ask that it be reported.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Missouri [Mr. DANFORTH] for himself and Mr. BAUCUS proposes an amendment numbered 1762:

At the appropriate place, insert the following:

SEC. . SENSE OF THE SENATE REGARDING FOREIGN GOVERNMENT SUBSIDIES.

(A) FINDINGS.—The Senate finds that—

(1) the provision of trade distorting industrial subsidies by foreign governments puts some tremendous pressure on the United States Government to provide similar subsidies to industries in the United States; and

(2) any ratification of foreign government industrial subsidies would so increase the pressure for industrial subsidies by the United States Government as to undermine efforts to limit growth of government spending and reduce the Federal budget deficit.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that, consistent with the overall and principal trade negotiating objectives set forth in the Omnibus Trade and Competitiveness Act of 1988, the United States Government should not, as a matter of official policy, condone or legitimize trade distorting subsidies by foreign governments, that cause material injury to industries in the United States.

The PRESIDING OFFICER. Under the Budget Act, all time is controlled. The Senator from Missouri [Mr. DANFORTH] is recognized for 1 hour.

Mr. DANFORTH. Mr. President, it is my understanding there is not a time agreement on this amendment. Is that correct?

The PRESIDING OFFICER. The time is controlled. The Chair announces that the Senator from Missouri has 1 hour, the opposition has 1 hour.

Mr. DANFORTH. Mr. President, I yield myself such time as I require.

Mr. President, as is obvious from the reading of this amendment, it is a generic amendment. It is an amendment which deals in general terms with the problem of trade-distorting subsidies. As such, it is really a little more than a restatement of current law, a restatement of the Subsidies Code which was entered into back in 1979 in the Tokyo round of trade negotiations, and which was ratified by the Senate in implementing legislation passed by an overwhelming majority of both Houses in 1979.

The thrust of the policy then established was that subsidies are wrong; subsidies are wrong if they distort trade, and if they materially injure businesses in the United States. This is what is really restated in the amendment that has been sent to the desk.

So there is a general theme that is being addressed by this amendment. But the general theme has a specific backdrop. The specific backdrop is the Airbus agreement which was tentatively entered into by our U.S. Trade Representative last week, and which is going to be reviewed by a Cabinet committee at the end of this week.

The reason for bringing this matter to the floor of the Senate right now is that the Airbus agreement sets forth what I consider to be a major event in U.S. trade policy. Because the Constitution vests in the Congress the power to deal with matters of foreign commerce, I think it is important that Congress, even in a sense-of-the-Senate resolution, focus on the issue of trade policy in the agreement that was initialed or signed by the USTR last week.

It is my belief that that trade policy is absolutely wrong; that that policy is a contradiction to the Subsidies Code of 1979; that that trade policy cannot be allowed to stand; and, certainly that it cannot be the model for trade negotiations in the future.

With respect to Airbus, Airbus in its history, which is some 22 years now, has never earned a profit—not once. Airbus has been very heavily subsidized by European governments in the amount of some $26 billion, and solely because of those subsidies Airbus has been able to stay in business; solely because of those subsidies Airbus has increased its market share to the point where right now Airbus has about 30 percent of the world market.

The effect of this on the U.S. aircraft manufacturing business is obvious. The United States has been the primary aircraft manufacturer in the world. McDonnell Douglas, headquartered in my State of Missouri, has seen its market share go from about 30 to about 15 percent in the 1980's while at the same time Airbus' share of the market has gone from about 15 percent to about 30 percent of the market share.

What happened last week is that the U.S. Trade Representative, at least tentatively, agreed to an arrangement where, in effect, a safe harbor has been created for some, but not all, subsidies given Airbus by the governments that are participants in Airbus.

What the USTR has agreed to is that past subsidies will not be actionable, the United States will not pursue countervailing duty cases relating to past subsidies. Aircraft that are not in the development stage also will be grandfathered, and henceforth the only thing that will be allowed by way of subsidies for aircraft to be developed at some future time will be development subsidies of one-third of the cost development.

I am less interested in the specific terms of the Airbus agreement than I am concerned with the principle that has been established by the Airbus agreement. The principle established is that some subsidies henceforth are going to be OK, that the United States, as a matter of official governmental policy, will ratify and condone subsidies by foreign governments even though they are trade-distorting subsidies, even though they are subsidies which cause injury to U.S. industry, provided those subsidies are within certain contained categories.

Mr. President, I think that the broad issue that is raised is the issue of industrial policy. The broad issue that has been raised is the extent to which the Government of the United States, as a matter of official policy, is going

to condone and ratify the industrial policy of other countries.

There are some who believe that we should have our own industrial policy in the United States. There are some who believe that the Government of the United States should select particular industries—for example, the aerospace industry—and that we should engage in subsidizing those industries ourselves.

That is a position which has not been adopted by this administration. It would be a position which would be highly controversial in the Congress and among the American people. But there are those who support the idea of industrial policy.

What we are talking about now is whether we should move away from the agreement that was entered into among the nations in the GATT back in 1979, backpedal from that agreement, and allow some subsidies for a major industry, even though those subsidies are in point of fact less than what are given now by Airbus. We as a government would be officially ratifying the concept of subsidies. I do not think we can do that unless we, in turn, open ourselves up to an industrial policy of our own.

I do not understand how we as a government can say that it is quite all right for the Europeans to have a subsidy scheme to support a major industry unless we are also willing to join in our own subsidy scheme for the same industry. Otherwise, we are saying that the so-called concept of a level playing field does not apply at all. Otherwise, we are saying that the Europeans may as a matter of right, may as a matter of law, agree to their program of industrial policy. The United States will bow out of that game, and I do not understand how we can compete in any major industry on that basis.

So what we intend to do with this amendment is to state that we meant what we believed we were voting on back in 1979: that the Government of the United States does not condone, does not ratify, and does not approve trade-distorting subsidies that cause injury.

I might say, Mr. President, that this issue with respect to Airbus is precedential. It creates a precedent. For example, just recently, until the U.S. steel industry decided that it could not live with the proposed agreement, our trade negotiators were in the process of working out a multilateral steel agreement, which would create a safe harbor for certain types of subsidies provided in the steel industry. Similarly, the so-called Dunkel draft of the Uruguay round does provide for authority for certain kinds of subsidies. And our trade negotiators will be dealing with the Dunkel draft proposals.

I think that it is important for us in Congress, with the constitutional authority, to deal with matters of trade policy, to state a clear position on what our view is with respect to the issue of subsidy. And it appears to this Senator that we should adhere to what we agreed to back in 1979. In 1979, we said subsidies are wrong. Now our trade negotiators are saying that some subsidies are fine; some subsidies are quite all right. If we proceed down that road, I do not see how we are going to come out of it without a subsidy program of our own.

So that is the nature of the amendment that is now before us. I am prepared to debate it in some degree of length.

Mr. ADAMS. Will the Senator yield.

Mr. DANFORTH. Yes.

Mr. ADAMS. Mr. President, I rise in support of the amendment offered by the Senator from Missouri. We have had personal experience with this in selling airplanes from the Boeing Co. When I was in private practice, and since I have been in the Senate, I have seen it happen both times. I give the example of Algeria, where the French came in and offered agreements of buying natural gas for lesser prices that would subsidize their planes.

I am familiar with Airbus. I was in Europe when it was being built. They spent billions on that which has never been written off. This gives a very unfair advantage to one of the few experts we still have, that we are a dominant factor on, in the world.

So I hope the amendment of the Senator from Missouri is agreed to. I am in support of it, and it is very unfair what is happening in the subsidy business. Because without subsidies, the American airplane manufacturers in the Senator's home State, in my home State, and in the rest of the United States, are superior to any in the world. I thank the Senator very much for granting me this amount of time.

Mr. DANFORTH. I thank the Senator. I say in conclusion, Mr. President, that we really have three alternatives that we can pursue. One alternative is to enforce the law, to bring a GATT case, or to bring a countervailing duty case and enforce the law. That is one possibility. It is what I would recommend.

A second alternative is what the administration apparently is now in the process of agreeing to; namely, to backtrack from what was agreed to back in 1979 and to officially endorse the practice of subsidies. To me, that is the worst approach. The third possibility is to do nothing.

I, frankly, would rather do nothing than to say that the 1979 Subsidies Code is a thing of the past, and that the point of negotiating a trade agreement is not to enforce it. We have now been engaged in 6 years of negotiations on the Airbus issue; 6 years of negotiation have led to a proposed agreement, whereby, the United States says: Forget about 1979, we are now going to condone some subsidies. There is not even an enforcement mechanism in this agreement.

So, presumably, if the Europeans said: Well, the one-third development subsidies which you now say are fine, we are going to go beyond that, and we are going to have more subsidies than the one-third development costs. If the Europeans were to say that, presumably, the position of our Government would be: Oh, well, now that you put it that way, we are prepared to roll up our sleeves for yet more negotiations and more back-pedaling from where we are today. I think we have come out of this with absolutely nothing. I think that the time has come for Congress to debate it.

Mr. PACKWOOD addressed the Chair.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. PACKWOOD. Mr. President, I ask the manager of the bill if he might yield me up to 10 minutes of time. If I do not use it all, I will yield it back.

Mr. SASSER. I am pleased to yield the Senator 10 minutes. Am I managing in opposition to the amendment?

Mr. PACKWOOD. I think so. I am not sure that, in the long run, there is going to be opposition.

Mr. SASSER. I yield to the Senator such time as he may consume.

Mr. PACKWOOD. Mr. President, when I say I think there is going to be no opposition, I would have been in opposition to this resolution, as I understood the way it might have been originally drafted.

As it is drafted now, I support it. Our good friend from Missouri raised a very valid point in terms of the subsidy code, and are we retrenching on it, and do we want to enter into agreements that in essence say: As nice as the subsidy code was, and the fact we want to get rid of subsidies, we will make an exception. I think we are not making an exception now.

He talks about the Airbus and, on occasion, I find that we talk in acronyms here. It is just a big airplane. We call them "airframes." They are 747's; they are L-1011's; big planes, such as DC-10's, usually passenger airliners, but not always. Some years ago, the Europeans decided to get into business with the Airbus, another big airplane. They got into it with immense subsidies. Boeing, McDonnell Douglas, and Lockheed were the principal suppliers of these planes to the world, on a tremendously competitive basis between the three American companies. And they are one of our biggest dollar earners, in terms of exports.

Last year, we sold over 39 billion dollars' worth of planes overseas of this type. So we justifiably were concerned when Europe got into the competitive building of these planes on an immensely subsidized basis. To her credit, Carla Hills, our Special Trade Representative, the U.S. Trade Representa-

tive, has negotiated an agreement with Europe that will reduce the subsidies rather dramatically. Boeing and McDonnell Douglas think this is a good agreement, because it is going to put them in a more competitive position than they have been in before this agreement.

But, initially, I think our good friend from Missouri thought that by the very act of agreeing to the agreement, we would be condoning the start of an industrial policy that included subsidies. And if that was the case, I would be opposed to it. I think a good many people in the Senate would be opposed to it.

But that is not the purpose of the agreement between the United States—and this agreement is not yet concluded I might say—and the European countries. It is still in the final throes of negotiation. Based upon the preliminary information we have had to date, there is no question but what the subsidies will be reduced, and that the roughly $8 million per plane subsidies that the four European nations—I say this collectively—in the consortium manufacturing this plane have been pouring into it makes it a very competitive plane.

But with that subsidy, Boeing and McDonnell Douglas—Lockheed is now out of the major civilian aircraft business—have been able to keep a majority of the world's market, although a shrinking portion of it.

I rise to compliment my good friend from Missouri for calling to our attention and alerting us not to get dragged unintentionally into an acknowledgment, a recognition, an agreement that we will undo our opposition to subsidize. He has alerted us in time, and I think his resolution very clearly says we are not backtracking and saying let us now go for an industrial policy and we will pick winners and loses, we will do subsidies, and they will, and we will see who subsidizes more and who wants to subsidize which industries.

So I am going to vote for his resolution. I am delighted that it has been presented in its amended form because it is very clear now that, if the United States can conclude—and I want to emphasize again we have not yet finalized the agreement—but if the United States can conclude this agreement with Europe, it will take perhaps our most competitive export industry, large airplanes, and put them in an even more competitive position.

I thank the Chair, and I yield back the time that I did not use.

The PRESIDING OFFICER. The Senator from Montana.

Mr. BAUCUS. Mr. President, I ask whoever controls time to yield me time.

The PRESIDING OFFICER. It is the opinion of the Chair that in this unique arrangement, since the chairman of the committee is supportive of the amendment, that the Senator from Missouri [Mr. DANFORTH] controls an hour and designates the Senator from Oregon [Mr. PACKWOOD] to control time.

Mr. BAUCUS. I ask him to yield.

Mr. DANFORTH. I yield to the Senator from Montana such time as he requires.

Mr. BAUCUS. Mr. President, I rise in strong support of this amendment. I compliment Senator DANFORTH for his leadership on this issue.

The administration advocates the Airbus agreement as a substantial improvement over the status quo. I do not disagree with this assessment.

The problem, in my view, is much bigger than Airbus. The problem lies in how we set our sights. We have entered a new era, our trade policy remains constrained by the narrow blinders of another age.

Let us not forget the starting point in the dispute over Airbus. In the past 20 years, the Europeans have subsidized Airbus to the tune of $26 billion. These subsidies violate the GATT subsidies code, and injure America's most competitive manufacturing export industry.

What good are new trade agreements? What good is a Uruguay round agreement if the United States is not willing to stand up for its existing rights?

I am fully aware of the support for the Airbus agreement from Boeing and McDonnell Douglas. Frankly, our industries are in a tenuous position when the United States engages in tough negotiations. The opposing party in this trade dispute is also a customer. I understand the concern of our airplane manufacturers. But it is the delicate position of our industries that necessitates tough action by the U.S. Government. The Government, in some cases, must play the bad cop role. The Government must do what industry cannot. Moreover, we must realize that the interests of individual companies do not always align with the interests of the nation as a whole.

Companies must look to the bottom line. Multinational ownership often pulls companies in several directions. I am not criticizing economic interest or foreign investment. But I am saying that Government, when it sets national trade policy, must consider more than the wishes of individual companies. At a certain point, the United States must draw the line. Our trading partners play a rough game, and they play for keeps.

This debate is about more than Airbus. Unfair foreign subsidies are a serious problem with many of our trading partners. For example, we are currently embroiled in a dispute with Canada over that country's blatant subsidization of its natural resources industries.

Condoning subsidies in the Airbus context sends precisely the wrong signal to the Canadians. It suggests that if they fight long enough, the United States ultimately will allow some level of subsidization. We cannot allow such a result. The Airbus agreement also sends the wrong signal to Geneva. We are a week away from the deadline for the Uruguay round.

Deals are being cut with the national interest at stake. The trade policy decisions we make in the next days and weeks will set the tone for decades to come. It is not a good time to signal weakness, a terrible time to signal that the United States will continue to tolerate business as usual. For too long, business as usual in trade negotiations has meant that the United States comes up on the short end. When the United States is in the right, we do not have to accept half a loaf. But one thing is sure: If we accept half a loaf, that is all we will ever get.

Again, I want to commend the Senator from Missouri. I think he has done a very commendable job here bringing it to the Senate's attention.

Mr. PACKWOOD addressed the Chair.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. PACKWOOD. Mr. President, you were very generous and volunteered me to control the time on this side.

I am going to yield 15 minutes to the Senator from Washington and delegate him to control the remainder of the time.

The PRESIDING OFFICER. The Senator from Washington is recognized for 15 minutes.

Mr. PACKWOOD. I thank the Chair.

Mr. GORTON. Mr. President, as was the case with the distinguished Senator from Oregon, I came to this debate prepared to be opposed to a resolution which was designed to undercut the agreement made between our U.S. Trade Representative and representatives of the European countries which have manufactured Airbus. I find, however, that in my view the resolution is irrelevant to that agreement and, therefore, like the Senator from Oregon, I am perfectly willing to vote in favor of the amendment.

I listened with interest to the attempt by the Senator from Montana to say that the agreement and the amendment are inconsistent with one another. But I was not persuaded because, of course, the amendment quite properly speaks only of trade subsidies which cause material injury to industries in the United States.

It is curious that the Senator from Montana would say that we should ignore the views of the only two aircraft manufacturing companies in the United States, companies which represent a great majority, the overwhelming majority, of all of the production of such aircraft in the United States, and their support for this agreement. I submit, Mr. President, that the national interest in this case is almost certainly more to be found in the views of the

very companies on whose behalf these negotiations were carried out and whose views were consulted at every step during the negotiation than it will from last-minute critics here in the U.S. Senate.

So, Mr. President, I will vote for the resolution. But I do believe it appropriate to disagree firmly with the position on the Airbus agreement as stated by both the Senators from Missouri and from Montana.

First, Mr. President, it is vital to keep in mind the framework within which these negotiations took place. Airbus is a company which began its work in 1970. During the course of more than 20 years since that time, subsidies from the four European countries which own Airbus have been, for all practical purposes, unlimited and have certainly been unchecked by any free trade argument also made here in the United States.

Airbus subsidies now total some $26 billion from those governments, or about $8 million for every aircraft which Airbus has produced and sold. Certainly, this Senator will take second place to no individual in this body with respect to his urging of the administration to negotiate an end to these subsidies. All of us would feel far better off it there were such subsidies at all. That was and, for that matter, remains the goal of the administration and of the U.S. Trade Representative.

But there is a classic case in which a demand for perfection is the mortal enemy of the good. To take the position advocated by the two Senators from Missouri and from Montana will mean in the real world that these subsidies will continue unchecked. We will not get out of these negotiations at this time—the agreement of the Airbus governments to end these subsidies in their entirety—this agreement does not create a level playing field, but it certainly does tend to level that playing field and tend to reduce or to remove the slippery slope on which our aircraft manufacturers have been operating over the last several years with a substantial decline in their overall share of aircraft sales.

Mr. President, I suspect that we will find plenty to criticize in connection with trade negotiations in and outside of the GATT. I would suggest, however, that we would be well advised to reserve those criticisms for mistakes which our negotiators may make in the future rather than to expend them on an agreement which is almost certainly better than any agreement which we had a right to expect.

These negotiations have gone on now for 5 years. The subsidies to Airbus have gone on for 20 years. We have a good agreement and we should enthusiastically support that agreement while, at the same time, continuing pressures for a better agreement in the future.

There are four specific ways, Mr. President, in which this represents a very significant step forward. First, it calls for an end to all production subsidies for Airbus aircraft. We cannot tell, because of the way in which Airbus has accounted for its expenditures, exactly what that means, but production subsidies seem to have amounted to several millions of dollars for each and every aircraft so far manufactured by Airbus at this point. This will end. This part of the subsidy is a complete wipeout. It will not take place again in the future.

Second, this agreement will end a particularly pernicious connection between Airbus and the governments which own it. On numerous occasions in the past, both Boeing and McDonnell Douglas have been faced with a coincidence of a sale by Airbus and the almost contemporaneous allowance, say landing rights in the countries which manufacture the Airbus, tie-in arrangements of that sort, government-subsidized lower interest rates on these loans. These subsidies, these unfair incentives will be terminated completely as a result of this agreement.

Third—and this is the key to the criticism on the part of those who dislike the agreement—developmental research subsidies will be defined and limited to 33 percent, 33 percent which must be paid back over a reasonable period of time and with interest.

This is a lot higher than zero, Mr. President. At first blush it may seem not to be too good of an agreement. On the other hand, to the best of our ability to determine the facts of the past, developmental subsidies have been anywhere between 75 and 100 percent for those aircraft already developed by Airbus. I doubt if we were to negotiate for another 5 years that we would get a lower research and developmental subsidy than the one which we have as a result of this agreement. And by refusing to ink this agreement, by demanding another set of negotiations, we would simply encourage continued 50, 75, or even 100 percent subsidies for research and development in the interim.

Finally, although this may be the most difficult element in the agreement to understand, the agreement provides for real transparency.

Transparency means the disclosure of operations on the part of Airbus which we can monitor and verify. For the first time we will be able to determine whether or not Airbus is operating at a profit or a loss and, if so, how much that loss is. We will have all kinds of financial information available which is not available to us at the present time.

I have already said, but I simply wish to repeat, that during this entire 5-year negotiating period our negotiators were in constant and direct contact with top officials of Boeing and of McDonnell Douglas. They have wanted an agreement limiting—or of course eliminating—these subsidies during the entire 20-year period during which they have taken place. Each of them is satisfied with this agreement as making a major step forward for an industry which provides, in the case of Boeing, the largest single figure of export earnings from any corporation in the United States. Perhaps perfection was available. But I think not.

As recently as December, in discussing this matter both with the U.S. Trade Representative and with Boeing, it looked as though any agreement would be less favorable to us than is the one which we have reached at this point. Moreover, this agreement does not limit the ability of any American manufacturer to file an action for countervailing duties. But filing an action for countervailing duties is exactly what our industries have not wished to do. They have not wished to do it for a very good reason. We continue to dominate the world aircraft market. The retaliation to those countervailing duties would be a cure far worse than the disease to which we are subjected at the present time.

The estimate of the U.S. Trade Representative is that the total subsidy that we may have, after payback, may be approximately 1 percent of the total cost of these next planes. That is a figure which is much smaller than the subsidies are at the present time.

The Airbus agreement is a very good deal for the people of the United States. We have a deal which is far better than anything we could get under GATT, even if we were successful in applying for countervailing duties. I believe, in short, that the administration has taken a tough line and has taken a successful line in this connection.

Nevertheless, when I get to this point of this argument I find myself faced with a sense-of-the-Senate resolution which of course does not mention the agreement at all. The sense-of-the-Senate resolution simply says that we should not, as a matter of official policy, condone or legitimize trade-distorting subsidies by foreign governments that cause material injury to industries in the United States, and that we should operate consistently with our 1988 Trade Act.

I submit that not to sign the Airbus agreement would cause material injury to industries in the United States. It is to avoid those injuries, it is to make us more competitive, it is to arrest the slide in our share of the international aircraft market that this agreement was initialed. Therefore, with an open heart I can vote for the resolution because the Airbus agreement is not in disagreement with it.

The PRESIDING OFFICER (Mr. SHELBY). The Senator from Missouri.

Mr. DANFORTH. Mr. President, I yield myself 10 minutes.

Mr. President, I understand the rope-a-dope defense when I see it, and that

is precisely what is happening with respect to this amendment. It is a good strategy, basically to say, well, there is nothing in this amendment that we do not agree with. But I would point out to the Senate that it is the intent of this amendment and it is the fact of this amendment to expressly contradict the kind of agreement that has been negotiated by the U.S. Trade Representative with respect to Airbus.

The proposed Airbus agreement is in exact contradiction to the point that will be made by the Senate in this sense-of-the-Senate language. The Senate, by adopting this amendment, will speak out against the proposed Airbus agreement and against the kind of negotiation that has been conducted with respect to the Multilateral Steel Agreement and against the proposal of the so-called Dunkel draft of the Uruguay round.

In the parlance of the trade negotiators, what they are talking about in Airbus, what they were talking about it the steel agreement, and in the Uruguay round, is the so-called red-light/green-light approach to trade subsidies.

By that they mean a redefinition of the Subsidies Code so that certain subsidies will be permitted henceforth. That is green lighted. And certain subsidies will be prohibited. That is red lighted.

That is the approach that was taken in the Airbus agreement. That approach is contrary to the Subsidies Code, contrary to what the Congress agreed to back in 1979, and contrary to what this amendment says.

This amendment says that the U.S. Government should not condone or legitimate trade distorting subsidies that cause material injury to industries in the United States. That is not the position that the USTR has taken with respect to Airbus. With respect to Airbus, the U.S. Trade Representatives proposes that our Government say, as a matter of official governmental policy: Some subsidies henceforth will be condoned and we as a Government will condone them, and we as a Government will not act against them. We will not enforce the Subsidies Code. We will not enforce the countervailing duty law. We will initiate nothing at all. Law enforcement is over.

The problem with trade negotiations by the United States is simply this. We are very good at negotiating agreements. Then when those agreements are not complied with by our trade partners, we then proceed over a very long period of time, 6 years in this case, to renegotiate the deal. Negotiation leads to renegotiation. If the other side does not comply, we do not enforce, we renegotiate. If the Subsidies Code is not going to be complied with by the European countries with respect to Airbus, all right, we will not enforce our rights. We will simply renegotiate the deal to provide something that maybe they will comply with. With no enforcement mechanism at all.

We say, in effect, to the Europeans: All right, you have broken your promise, you have proceeded with your subsidy scheme, now will you not make another promise that is not as onerous as the old one and we will take your word for it this time with no enforcement at all. That is what this deal is. That is the kind of negotiation that we are coming up with, and it is wrong. It absolutely wrecks the credibility of trade negotiation. What is the point of it? Why engage in year after year after year of negotiation if we do not enforce anything? Why engage in year after year of negotiating the Tokyo round in the 1970's if the only effect is 6 years of renegotiation followed by nothing at all? It is silly. It is empty. It is not trade policy at all. It is weak, vapid, nothing.

I want to make it clear that this amendment is worded in such a way as to oppose, even though it is sense of the Senate language, the Airbus deal. I would only say that I do not share the view that the Airbus deal is a good deal. I think it has so many holes in it that it is ridiculous. It says you can have some subsidies in the future. It does nothing about subsidies in the past. It is not verifiable by any independent auditor. There is no enforcement mechanism in it. It is a lousy deal, but it is a softer deal for the Europeans than the Subsidies Code. Give them what they want.

Mr. President, I had hoped that there would be a little more fight in the fish than I am seeing on the floor of the Senate today by those who support the Airbus deal. But if they want to stop fighting and sort of float into the vote, that is fine. That is one strategy on the floor of the Senate, but I hope that there is not a single Member of the Senate who views this amendment as in the least bit compatible with the Airbus deal. It is absolutely, totally incompatible with the Airbus deal. And it is the intention of the author to repudiate the Airbus deal; to say that this is bad trade policy; that the Airbus deal is wrong; that it is the wrong direction; and it should not be pursued with respect to the Uruguay round or a steel agreement or anything else.

Several Senators addressed the Chair.

The PRESIDING OFFICER. Who controls time?

Mr. GORTON. Mr. President, this Senator controls time.

The PRESIDING OFFICER. The Senator from Washington.

Mr. GORTON. Mr. President, I have the greatest respect both for the oratorical abilities and the drafting abilities of the distinguished Senator from Missouri. If the distinguished Senator from Missouri had wished to draft a resolution specifically repudiating the Airbus agreement, he was, of course, perfectly capable of doing that.

What he has drafted has been a resolution that probably is not worth the 2-hour debate which we are taking on it because it contains nothing but unexceptionable language with which every Member of the Senate can agree.

The Airbus deal is, in fact, a good deal in the real world for the people of the United States. The two companies which are affected by it feel that it is a good deal. It is very likely to arrest the loss of market share which we have at the present time. Those two companies retain all of their rights to file countervailing duty petitions under this agreement. They lose no rights which they have at the present time. They have not chosen to file such complaints under the present unlimited subsidy arrangement for a very good reason. Since so large of a percentage of the market for aircraft is outside of the United States, a successful countervailing duty petition could have no real impact on the problem with which we are faced.

The U.S. Trade Representative has done a good job. The Trade Representative's work should be commended. It is commended by many in this body. The resolution we have before us is irrelevant to it.

On one additional note, Mr. President, the Senator from Montana is no longer here, but he raised the specter of some kind of conspiracy which entered into even Americans flag airlines, such as Northwest, in this connection stating that he suspected that the reason that he had traveled on Airbus aircraft on Northwest Airlines is that it was 49 percent owned by KLM. Mr. President, simply for the record, KLM itself, a European airline, owns 45 aircraft manufactured by Boeing, 6 aircraft manufactured by McDonnell Douglas, and 10 manufactured by Airbus. That is a perfect illustration of what is involved here. We are selling more aircraft in Europe now than the Europeans are. This agreement is an attempt, I think a successful attempt, to keep ratios like this in the future rather than to lose them. Not to agree to this arrangement would have exactly the opposite impact.

So I can vote with a free conscience for this resolution because the resolution does not match the oratory of the Senator from Missouri.

Does the Senator from Rhode Island wish time? I yield 10 minutes to the Senator from Rhode Island.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. CHAFEE. Mr. President, it seems to me this debate today has been proceeding on two levels. One level deals with the content of the resolution, which nobody seems to be able to find fault with. Indeed, it is my intention to vote for the resolution.

The other level of debate, Mr. President, deals with the proposed airbus agreement itself. It is an agreement

that has not been finalized and entered into yet, but it is an agreement that has been negotiated for years and just recently concluded. The question is, is it a bad agreement, as the Senator from Missouri seems to indicate, or is it a good agreement, one that might well be better but still appears to be quite good?

Mr. President, I do not come from a State that contains either Boeing or McDonnell Douglas. However, in reviewing the agreement and seeing the support given to it by our domestic aircraft industry, it seems to me that there is considerable merit to the agreement.

I would point out, and it is worth repeating, that there is much in the agreement that could not have been obtained through the regular GATT process. A GATT case would only address the basic matter of subsidies. The agreement, on the other hand, deals not only with subsidies but also with sales financing, sales inducements, offsets, trade dispute resolution, definitions and other matters. These are issues which, as I mentioned before, would not be solved if you were to pursue the GATT route.

In addition, I think it is important to point out that contrary to what the Senator from Missouri seems to suggest, success in a GATT case is not always a sure thing. There is considerable uncertainty; it is not simply that all that needs to take place is for somebody to have some guts and press a GATT case in order to be certain of victory.

Certainly Boeing does not feel that way. Boeing states in its official statement on the agreement that a victory in a GATT case in the area of subsidies is far from certain. Nobody is sure that they are going to prevail. Even if they think they might prevail they also are aware that a case would take several years, and involve contentious arguments over jurisdiction and form and procedure and the relation of the aircraft code to the subsidy code. This apparently is one of the reasons why Boeing is supportive of this agreement.

Also, it is worth reinforcing the point made by the distinguished Senator from Washington: That U.S. industry under this agreement does not give up its right to initiate trade actions, be they for violations of this proposed Airbus agreement or for those industry matters not covered on the agreement.

So I think that the Senator from Missouri is somewhat harsh in his criticism of the agreement and of our U.S. trade negotiators. I believe he termed the agreement "vapid," "of no consequence," and as representing complete collapse of backbone on the part of the U.S. negotiators.

I am just not sure that is the case. If I could put in a word on behalf of the USTR, Ambassador Hill's and her agency, I would say that there seems to be considerable merit to the work they have done. And I must say, Mr. President, that we cannot overlook the fact that the two principal U.S. entities affected, namely Boeing and McDonnell Douglas, are both in favor of the agreement negotiated by USTR.

It is great fun for us to get on the floor and discuss the agreement and attack it or defend it, but the fact is that a proposal has been put forth and it seems to have U.S. industry support. Let me conclude my voicing my view, Mr. President, that there is considerable merit to the agreement. Is everything perfect? I suspect not. I have not seen an agreement yet where both sides go away completely happy, where each has achieved everything it sought. But the Airbus agreement just announced does put an end to a very contentious issue that has dogged these parties for some 5-plus years.

So, Mr. President, may I put a word in for the beleaguered USTR and her agency against the powerful oratory of the distinguished Senator from Missouri, who has reduced them to a status where they could only emerge from their hole after his shelling with some fear and trepidation. So I extend a warm hand of greeting to the USTR.

I thank the Chair.

Mr. DANFORTH addressed the Chair.

The PRESIDING OFFICER. Who yields time?

Mr. DANFORTH. Mr. President, I yield myself 2 minutes.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. DANFORTH. Mr. President, I ask unanimous consent that Senator DURENBERGER be added as a cosponsor.

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

Mr. DANFORTH. Mr. President, I simply want to respond to the Senator from Rhode Island. I give enormous credit to the people at USTR. I think that they are terrific trade negotiators, and have been for a long period of time.

I think they did a great job of negotiating the Subsidies Code in the 1970's, and when the Europeans did not comply with that after a period of 6 years, they have done a good job of renegotiating the next deal. And when that is not complied with, undoubtedly they will do a very lawyer-like job of negotiating yet another deal, and on and on, ad infinitum.

I think that the policy of our Government is to negotiate as many deals as anybody wants negotiated. Enforcement is a different matter. But negotiation is the great forte of the USTR.

I yield 5 minutes to the Senator from Montana.

The PRESIDING OFFICER. The Senator from Montana.

Mr. BURNS. Mr. President, I thank my friend from Missouri. I also associate myself with his comments as far as international trade and being able to negotiate.

To my good friend from Rhode Island, who would say that some of us characterize the USTR as a bit feeble in negotiations, I would characterize our USTR just the opposite: Very smart and tough. But the basis of this whole sense-of-the-Senate is how much do we legitimize subsidies.

We do not build the Airbus or any of the aircraft, although we do have elements of Boeing in the State of Montana which said they would agree with this. Every time we get in these little squabbles, we go to thinking about our own constituency and sometimes our own area of expertise.

Those of us who live on a border, an international border, are very sensitive to trade, and whenever we see our position in international trade being taken advantage of by a country that offers subsidies to those products coming into this country—and that is the kind of situation we have now with Canada. I think my colleague from Montana, Senator BAUCUS, alluded to the situation with the soft wood and our Canadian friends to the north. I would also say we have problems in other areas.

We hear now of a tripartite-type of subsidy to live slaughter cattle coming into the United States from Canada. Whether they are impacting our market or not, there is a psychological impact to that market. I happen to believe they have impacted quite a lot. There, again, is an attitude: Do we legitimize subsidies?

We can also say the same thing in wheat that is coming in from Canada, sold through American elevators, and in essence in competition with our farmers in this country trying to market that wheat. Because once it gets here, once it is in the elevators of the United States of America, it becomes American wheat, yet it is in competition.

I called the miller in Oregon one time when I was concerned about Durum wheat coming in from Canada, going to Oregon—Durum is the kind of wheat that you make your pasta from—supplying the California market, when I found out that it is a transportation subsidy; he can buy that wheat in Canada just a little bit cheaper than he can buy domestic Durum wheat. The difference was the subsidized transportation from the southern part of Saskatchewan and Alberta into Oregon.

This is unfair, especially when we have a product on the shelf produced by Americans, a superb product, and we are taken out of the market by a little-known or little-seen subsidy.

So my support for this sense-of-the-Senate resolution comes from the general attitude, do we legitimize subsidies in all areas of trade around the world? It is my belief that Americans can compete, can do our share of the business, can put our people to work as long as we are given a level playing field in the area of trade.

I wish to point out and reiterate—and I imagine the USTR will be looking at this—yes, we can take legal action. You talk about going into the courts, but you are not going to get anything. I think the pork industry has already learned that, that countervailing suits do not work, especially when the court is sort of loaded against you.

I want to strengthen our USTR, to be strong in these areas. And whenever we make little separate agreements, that has to be between the parties. But I am very concerned about the products produced in this country, and I am very concerned about the people who work in our plants, and added values to our products. Because I think Americans should be working first, with added values, without the threat of outside subsidies taking part of their market.

Mr. President, I heartily support this sense of the Senate. I thank the Senator from Missouri for yielding me 5 minutes.

I yield the floor.

Mr. SPECTER addressed the Chair.

The PRESIDING OFFICER. Who yields time?

Mr. DANFORTH. Mr. President, I yield 5 minutes to the Senator from Pennsylvania.

The PRESIDING OFFICER. The Senator from Pennsylvania is recognized for 5 minutes.

Mr. SPECTER. Mr. President, I support the pending amendment. I urge that we go beyond this sense-of-the-Senate resolution and act to stop subsidized goods from coming into this country and to stop their first cousin, dumped goods, as well.

Free trade means a reasonable profit on top of the cost of production. The essence of free trade is that there be no subsidy, there be no dumping, and that there be reciprocity. The problem with our trade policy, is that too often it yields to foreign policy and defense policy considerations.

Last week, I introduced legislation, which I have been pushing for the past decade, to grant jurisdiction to the Federal courts to stop subsidized goods from coming into this country. I urge my distinguished colleague from Missouri, the author of this resolution, to support my legislation.

Mr. SPECTER. I believe that what we need in this country is more than the sense-of-the-Senate resolution offered by the distinguished Senator from Missouri and the distinguished Senator from Montana. We need some teeth to have an effective remedy to stop subsidized goods from coming into this country.

I know that whenever there is a request to expand the jurisdiction of the Federal courts, there are complaints from many quarters that the Federal courts are overburdened at the present time.

It is true that there are too many cases in litigation in this country. We are an excessively litigious country, but the cases which are in court pale in significance to the kinds of problems which are present in trade. The cases about which I speak would allow for injunctive relief to stop subsidized goods from coming into this country. Such cases are much more important than the bulk of the litigation which is now in court.

On March 31, the voluntary restraint agreements lapsed. The specialty steel industry is now at great risk of being victimized by subsidized goods coming into this country. In response, 12 cosponsors and I introduced legislation to extend the voluntary restraint agreements.

Right now we are seeking a meeting with the President to try to get some interim relief until there is a multilateral steel agreement which may provide some appropriate standards on international free trade. But until that time happens, Mr. President, I would like to see us do much more by way of legislation to open the Federal courts to stop subsidized goods from coming into this country.

At an appropriate time, I will bring this matter to the floor again. I am almost tempted to do so at the present time. I see a frown on the face of my distinguished colleague from Missouri because he and I have debated this issue many times in the past. But there will be an appropriate trade bill when we will bring that matter up.

I am hopeful we will attract the attention of the Trade Representative, the Secretary of Commerce, and the President of the United States to deal with some of the pressing problems on subsidized and dumped steel which are coming into this country. Keep in mind, though, that the steel industry is only one of many industries which are being unfairly treated.

The sense-of-the-Senate resolution which has been offered today, I think, is preeminently sound. I do not intend to ask for a rollcall vote because I am not the sponsor. I have a concern that should it pass by voice vote, it would be little noted, not that there is a great deal of note for any sense-of-the-Senate resolution. But when you have a large vote in favor of it, I think people take it more seriously. Nonetheless, I compliment Senator DANFORTH and Senator BAUCUS for offering this sense-of-the-Senate resolution. I do support it.

I thank the Chair. I yield the floor.

Mr. GORTON. Mr. President, I yield 5 minutes to the Senator from Texas [Mr. GRAMM].

The PRESIDING OFFICER. The Senator from Texas is recognized for 5 minutes.

Mr. GRAMM. Thank you Mr. President. I want to thank our dear colleague for asking that we listen to his speech. It was informative, as always. I appreciate having an opportunity to hear it.

Mr. President, I rise today simply to be sure that this good message, which we are trying to send to the President, our Trade Representative, and all of the "evil" foreigners who do not vote in American elections—I want to be certain that this good message is not missed by the same Congress that is about to send that message.

Subsidizing production is something that is as old as government. It is something that is richly practiced around the world. It is something that is waning in Eastern Europe and the former Soviet Union and in the developing world, but, unfortunately, it is something on the rise in the developed world in the G–7 countries, and it is especially on the rise in the United States of America.

My point is a simple, straightforward point. I thought about offering a second-degree amendment to include in the resolution. But, like the distinguished Senator from Washington, having read the resolution, I do not find anything objectionable in it. And I do not think we ought to hold up the debate on the budget to spend a lot more time on it and to debate a second-degree amendment.

But my point is a simple and straightforward point. If we are going to run around pointing the finger at other nations for engaging in subsidization of products that end up being sold on the world market, I support that. I think that subsidization is an unproductive practice that distorts trade, lowers wealth, lowers unemployment, and lowers world living standards.

But I think it is also important that we be aware that we are one of the world's great practitioners of subsidization. We provide a tremendous amount of subsidy to American industry and agriculture, and I simply remind us of the old adage that, if you are criticizing something in others, it is important that you begin by healing yourself.

I think we ought to take this amendment seriously, not only in our trade negotiations, but in our own policies. One of the reasons that I am so concerned about having a successful GATT negotiation is that I think it is vitally important that we begin to reduce our own subsidies, and we cannot do that until other countries stop their subsidies.

But I think this is an important amendment. I wanted to be certain that the message is not lost on those that are sending the message. I wanted to be certain that, in speaking so loudly to others, we did not miss our own message; that is, we ought to begin comprehensively looking at subsidies that American industry grants to itself. Unless we are getting ready to change our own practice, I think it is very dangerous to be pointing the finger at other countries in terms of their subsidization. I suspect that fingers

will be pointed at us. Maybe in the long run that finger pointing may induce us to stop doing things that do not make any sense for our own country and for our own trade relations. Maybe if we were less hypocritical in our own trade relations, we would be more powerful advocates of fair and free trade around the world.

I yield the remainder of my time.

Mr. DANFORTH. Mr. President, I yield myself such time as I require, and it will not be long because I think we are about to wind this up.

I do not intend to ask for a rollcall vote unless some other Senator would like to ask for a rollcall vote.

Mr. BENTSEN. Will my colleague yield for a point?

Mr. DANFORTH. Of course.

Mr. BENTSEN. Mr. President, I would like to comment for just a moment on the concerns of the distinguished Senator from Missouri. He is quite right. We ought to be working against subsidies in any way we can, trying to see that we have better access to markets, and that we do not have governments joining with the private sector to overwhelm private initiatives and the free market system.

I appreciate the cooperation of the Senator on his resolution. I would like to say to him I think this subject ought to be further developed, and that we ought to do that in the Finance Committee. We should have the administration testify on their point of view to see if we cannot further develop this issue so that we have a better understanding between the Congress and the administration in this regard. I will do that at the earliest opportunity.

Mr. DANFORTH. Mr. President, I very much appreciate the comments of my chairman. I think that would be very helpful because, as I noted at the outset of my remarks, the language of this sense-of-the-Senate resolution has been drafted in a generic way. It has been drafted in a generic way for the reason that what is happening with respect to Airbus apparently is a trend with regard to U.S. trade policy. I think that trend is something that deserves attention.

We in the Congress have, under the Constitution, the responsibility to set trade policy for our country. I do not want to see us drift into this red light-green light approach to holding harmless certain kinds of subsidies without Congress weighing in. I think that is a very useful suggestion.

Mr. President, I want to wind this up by saying that I think that, as Senator GRAMM has pointed out, there is an underlying issue. And the underlying issue is are we going to get on an international binge of subsidies? Is the response of the United States to the subsidies of other countries going to be to condone those subsidies, and then set us up for our own subsidy scheme to respond to the subsidies of other countries?

I think that that would be a very bad policy for our country to follow. I think that the better approach is that which was set out in 1979, with the Tokyo round, the Subsidies Code. In 1988, when we passed the Omnibus Trade Act, we said that one of the trade objectives of the United States should be to improve on the Subsidies Code, to move forward to tighten that Subsidies Code, to expand it. Now the issue that has been raised by the U.S. Trade Representative is not whether we are going to tighten it, but whether we are going to withdraw from the Subsidies Code, whether we are going to provide for exceptions in the Subsidies Code, whether we are going to build into new trade agreements with our trading partners safe harbors, so that our trading partners can be assured that there are certain types of subsidies which, henceforth, are going to be agreed to by the Government of the United States.

It may be that, as a practical matter, the result of this agreement will be less subsidies for Airbus than is the case today. That may be. I do not think that is going to be true. I think that there are too many holes in this particular agreement. But the point that I am bringing to the floor of the Senate does not have anything to do with the details of this particular agreement. Rather, what I am attempting to do is to raise a question of trade policy; and the question of trade policy is: Should there be circumstances in which the Government of the United States concedes that certain types of subsidies will henceforth be permitted by our trading partners?

In the Airbus agreement, that is the approach that has been taken by the USTR. In the proposed steel agreement, that is the position that was taken by the USTR.

If that position is to stand, that amount to a fundamental change in trade policy for our country. If we are going to have a fundamental change in trade policy, Congress should initiate that change, not the executive branch. That is what the Constitution says. Therefore, I welcome what Senator BENTSEN has said, that the Finance Committee is going to be getting into this whole area of red light-green light, or as I would put it, safe harbors for certain kinds of subsidies.

I will not ask for a rollcall vote. I do not know if Senator GORTON wants one or not. I simply point out, in closing, that what this sense-of-the-Senate language says is that we do not condone, and that our Government should not condone trade-distorting subsidies by foreign governments. The point of it is that whether it is with respect to Airbus, or steel, or agriculture, or anything else, we do not condone, and our Government should not condone, a practice of allowing some subsidies, even though they would otherwise violate the Subsidies Code. This language, therefore, is inconsistent with the Airbus agreement.

Mr. President, I am prepared for a vote.

Mr. GORTON. Mr. President, under those circumstances, I yield my time.

Mr. HATCH. Mr. President, I am taking the unusual step of opposing the Airbus agreement recently negotiated by the USTR. I say unusual because I have been first to demand that orderly trade in today's economic climate requires well developed rules and procedures. Otherwise, the results will be cutthroat competition—the type that has led to trade wars, recessions, and punitively restrictive legislation and regulations in our own country and internationally.

Unfortunately, Mr. President, the Airbus agreement does not meet our national needs. USTR advises us that it has consulted with U.S. industry; however, that means just two manufacturers: Boeing and McDonnell Douglas. USTR has not negotiated with the thousands of small suppliers, the aftermarket industry in aerospace, nor with aspiring small airframe manufacturers that may someday seek entry into the large airframe market.

Market entry restrictions are the flaw inherent in the agreement, Mr. President. Airbus, having used production and development subsidies to give it a 30-percent market share, displacing McDonnell, now agrees to give up production subsidies. This, USTR tells us, is a victory. I disagree.

Airbus no longer needs production subsidies, since it is simply too prudent, as are its consortium government that have provided the subsidies, to begin production until it has orders in hand.

Second, we have allowed Airbus a 30-percent developmental subsidy. This will contribute in part to the production of prototype airplanes that Airbus needs for sales purposes. Under existing rules, prototypes can be built during the developmental phase of aircraft building.

Finally, Mr. President, having gained substantial market position through market subsidies, the U.S. and the Airbus consortium have now agreed to set a standard that will deny all other aspiring countries similar use of production subsidies to launch their own aircraft industries. I am not certain how the standard will affect the McDonnell-Taiwan negotiations. But I would think that the threat of an Asian Airbus was in the minds of the EC negotiators when they conceded production subsidies.

Mr. President, this is just one of several deficiencies that I have found in the agreement, and in the interest of time, I will limit my remarks to that particular concern. Thank you, Mr. President.

Mr. RIEGLE. Mr. President, I commend my colleague from the Finance

Committee for his resolution on what should be the policy of the U.S. Government with regard to the continued and increasing use of subsidies by our trading partners. This resolution rightly addresses the lack of common sense in the administration's trade policy.

Just last week, Congress received disappointing news that the administration had negotiated another agreement which will adversely affect the health of U.S. industries—aerospace and aerospace parts. The United States-EC Agreement on Commercial Aircraft locks in subsidies for Airbus and appears to have locked our industries out of their rights under United States trade law and the GATT.

Once again, the United States is saddled with a less-than-perfect trade agreement—one which will not yield real results for our industries and workers but which will further erode our market share and industrial base. The efforts of our negotiators on Airbus have condemned our largest export sector—commercial aircraft—to the same fate that has weakened or destroyed on our semiconductor, vcr, and television industries.

In addition, the agreement on Airbus is laden with loopholes. Under the agreement, it is conceivable that the European partners in this consortium could disguise their subsidy efforts in the future in a way that they are not easily identifiable under the agreement's transparency provisions. Where would this leave USTR in determining compliance by the European Community with the agreement?

USTR's style of negotiating agreements for the sake of negotiating must end. We do not have many other industries to bargain with. And, I do not want to see the administration continue to test the health of our economy in this manner.

Mr. President, before I close, I would like to bring to the attention of my colleagues, the 1992 National Trade Estimates Report on Foreign Trade Barriers which was released by the USTR on March 30, 1992. As far as I am concerned, this is not a progress report—it is a report of USTR's failures.

It sadly recounts the continued failure of USTR to aggressively open overseas markets for U.S. products. This report reveals that there have been high level discussions on some of the issues but, nowhere does it mention specific goals established by the USTR for achieving actual, substantial reductions in our overall, bilateral, or sectoral trade deficits with our trading partners. In fact, in comparing this recent report with the 1991 edition, the overall situation with regard to trade barriers faced by United States businesses, especially in Japan, is very similar to that which USTR reported in its 1991 report.

In this light, I question the utility of a process which allows the administration and its trade negotiators to identify and report on problems but renders them incapable of achieving real results for our economy and our workers. I will continue to push for passage of S. 2145, The Trade Enhancement Act of 1992, which calls for a 20-percent reduction per year over 5 years in our trade imbalance with Japan. A similar system, with realistic and fair benchmarks would be useful in confronting our trade problems with other nations, like the Airbus participants.

The Airbus agreement and the 1992 Foreign Trade Barriers report are signals that we need to seriously improve our resources, efforts, and will in trade regulation and negotiation. This is the key to success for U.S. industry in trade negotiations like those on Airbus subsidies—not agreements that overtly acknowledge the continuation of unfair trade practices and therefore, are not worth the paper they are written on.

Mr. ROCKEFELLER. Mr. President, I am pleased to add my support to the amendment of the Senator from Missouri [Mr. DANFORTH] which will put the Senate clearly on record in opposition to subsidies that injury U.S. industries.

This is not a new position for the Senate to take. When we approved the Tokyo round of trade negotiations in 1979 we endorsed a Subsidies Code that was intended to curb subsidies. Indeed, its failure to do so adequately has contributed to many of the trade problems we have had since then.

In addition, as the Finance Committee has met regularly with Ambassador Hills, consulting with her regarding the status of the Uruguay round, we have consistently sent what I believe is a strong message against subsidies. In my own view, one of the greatest weaknesses of the so-called Dunkel draft Uruguay round agreement, a text that was issued last December, is its provisions on subsidies, which actually represent some significant steps backwards from the already inadequate discipline of the Tokyo round Subsidies Code. I believe the prevailing view in Congress and in the committee right now is that the Dunkel draft would not be approved by the Congress in its current form, and one of the main reasons is its grossly deficient subsidies discipline.

One of the industries where subsidies have been the greatest problem is steel. Some years ago, when the VRA program was being initiated, Alan Wolff, a prominent trade lawyer and former Deputy Special Trade Representative under Bob Strauss, estimated steel subsidies in the European Community alone at over $37 billion between 1980 and the end of 1985. Those subsidies had a direct adverse effect on the U.S. industry. Essentially what happened was that European steel companies were able to export their unemployment to our industry. European companies kept producing and kept employing people, despite huge losses and uncompetitive production costs, while our belief in open markets cost us more than 250,000 steelworkers—some 60 percent of the work force. The economic devastation steel producing regions in West Virginia, Pennsylvania, Ohio, Michigan, Illinois, Indiana, New York, Alabama, and other areas suffered is incalculable. In my own State, both of our large companies, Wheeling-Pittsburgh and Weirton, underwent major changes, with the former ultimately filing for bankruptcy. Both companies have survived and have become competitive, but at a terrible cost in employment and economic devastation for the entire region.

In fact, our entire industry is now competitive, as detailed in an article 2 weeks ago in the New York Times, that I have previously placed in the CONGRESSIONAL RECORD, but it has come at a terrible—and unnecessary—cost, due to EC subsidies.

In the recently failed negotiations to produce a multilateral steel agreement, we saw a repeat of this same problem. Just as we came close to agreement, down to the last day of the talks, we saw the European Community rapidly sliding away from any reasonable position. They wanted to exempt a list of subsidies from the reach of our law. They wanted to include in that list regional subsidies, which has been the biggest problem our steel industry has had. They wanted to prevent the U.S. industry from filing trade complaints with our own Government until the EC had a chance to come in and try to persuade our officials not to accept the complaints. And finally, on top of all that, they wanted an ever-lengthening list of specific waivers from the remaining discipline of the proposed agreement. USTR and the Commerce Department wisely rejected these outrageous positions, as did the domestic industry, but the fact that they were advanced at all shows how little progress our trading partners have made in the last decade in bringing market discipline to the steel sector.

Adopting this amendment will not change the EC's mind about subsidies, I suspect. Their insistence on continuing substantial subsidies for Airbus is only the most recent example of their fixation. But adopting this amendment will send a signal to our own Government that the Congress will not condone the bad economics and bad politics of subsidies. Our workers have been the victims long enough, Mr. President, and it is time for the Congress to defend those workers clearly and convincingly. This amendment does that, and I urge Senators to support it.

Mr. BREAUX. Mr. President, I rise in support of the amendment proposed today by Senator DANFORTH expressing

the sense of the Senate on foreign subsidies. I would like to call to the attention of the Senate the problems facing the U.S. shipbuilding industry as a result of foreign governments' shipbuilding subsidies.

The shipbuilding industry in this country is currently competing with its opponents at an enormous disadvantage created by subsidies provided by foreign governments to their shipyards. In 1981, the United States abolished its shipbuilding subsidies, while many of our trading partners have continued to subsidize their nation's shipyards. Simply stated, foreign shipbuilding subsidies are killing the U.S. shipbuilding industry. I believe that it is past time that we made a serious effort toward leveling the playing field.

In the 20 years that I have been involved in maritime issues, never has there been a more critical time for the U.S. shipbuilding industry than now. Only one commercial ship has been built in this country in the last 8 years. This is a disgrace.

The loss of the shipbuilding base in this country is not only a personal tragedy for the individuals whose livelihoods are threatened, but it is also a national tragedy. The well-being of our Nation's shipyards is essential to the well-being of our Nation's security. These shipyards build the ships for all of our Armed Forces. Without them we would be forced to rely on foreign builders—not a comforting thought.

As I speak today, the U.S. negotiators are coming home from a meeting in Paris at the Organization for Economic Cooperation and Development [OECD]. They were there attempting to reach an agreement to end foreign shipbuilding subsidies. Since the OECD talks were not successful, we must take some other dramatic action to counter these unfair trading practices. I believe a better approach would be through section 301 of the Trade Act of 1974.

I strongly support the amendment proposed today by Senator DANFORTH. The United States eliminated its shipbuilding subsidies over 10 years ago. It is past time for other shipbuilding nations to eliminate theirs. Only then can the U.S. shipbuilding industry regain its position as a competitive shipbuilding nation in the international marketplace. This resolution should send a strong message to our trading partners that we are serious about ending subsidies that distort trade.

The PRESIDING OFFICER. All time has been yielded back.

The question is on agreeing to the amendment.

The amendment (No. 1762) was agreed to.

Mr. DANFORTH. Mr. President, I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

Mr. SASSER addressed the Chair.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. SASSER. Mr. President, under the previous order, the next amendment to be taken up would be offered by the distinguished Senator from Nebraska [Mr. EXON]. I am advised that he is on his way to the floor and will be here shortly. So, in anticipation of his presence, I will suggest the absence of a quorum and ask unanimous consent that it be charged equally against both sides.

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

The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. LIEBERMAN). Without objection, it is so ordered.

Mr. RIEGLE. Mr. President, I ask unanimous consent as a matter of personal privilege to set aside the pending order long enough to be able to enter some material into the RECORD about Senator WIRTH, our colleague, who is announcing at this time, in Colorado, his decision not to seek reelection this year.

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

SENATOR TIMOTHY E. WIRTH

Mr. RIEGLE. Mr. President, I have a very strong feeling about TIM WIRTH and the great value that he is to the U.S. Senate and to our country. I want to, in the course of the time I will take, have printed in the RECORD, at the end of my remarks, a summary of TIM WIRTH's legislative record from 1987 through 1992, in terms of, first, his work in the Senate, and then in addition, his work in the House of Representatives, from 1975 to 1987. I ask unanimous consent that be printed at the conclusion of my remarks.

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

(See exhibit 1.)

Mr. RIEGLE. Mr. President, in addition, there is an editorial in today's Denver Post. I would like to just read that editorial now into the RECORD.

The headline is, "Tim Wirth Wraps It Up; He Served Colorado Well."

It reads as follows:

Tim Wirth's reported decision not to seek a second U.S. Senate term, which he is expected to confirm at a press conference this morning, ends a remarkable era in Colorado politics that he and a kindred reformer, former Gov. Dick Lamm, ushered in with their twin victories in the watershed election of 1974.

The two men differed markedly in style, with Lamm relishing the role of intellectual provocateur while Wirth cultivated a pragmatic, consensus-building approach. But together, they changed the way Colorado looked at its environment, its politics and its future.

During the 18 years he spent in Washington, Wirth earned a reputation as Colorado's most effective legislator. He won a national reputation as a leader of the campaign-finance reform movement, a fighter for an effective energy policy, an early herald of the dangers of global warming and deforestation, and a far-sighted critic of the calamitous deregulation of the savings-and-loan industry.

For much of Wirth's time in Congress, Bill Armstrong was Colorado's senior Republican in the House or Senate. The difference between their approaches was instructive. Armstrong had a strong agenda, but it often had little to do with Colorado and much to do with Armstrong's personal vision about what is appropriate in terms of private morality. In contrast, Wirth never let his national or international concerns conflict with the basic "Colorado first" approach.

While Armstrong crusaded to ban sales of "Playboy" from military bases, Wirth served as an "honest broker" who brought warring local governments and environmentalists together in a compromise that allowed the Foothills water treatment plant to be built. He worked together again with his fellow Colorado senator, pragmatic Republican Hank Brown, to similarly bridge competing interests in drafting a compromise wilderness bill to protect thousands of acres of Colorado land.

Similarly, Wirth was quick to recognize the environmental hazards at the Rocky Flats nuclear weapons plant and later, as the Cold War faded, he resisted absurd efforts to boost the production of nuclear warheads even as the Soviet Union was sliding into the dustbin of history.

Wirth was blamed unfairly for the breakup of AT&T—which actually was dismembered by a federal judge responding to an antitrust suit filed by the Reagan administration. But Wirth was a leader in rewriting half-century-old federal telecommunications laws to face the new legal and technological realities that reshaped the communications industry in the 1980s.

His efforts to deregulate cable television fostered the growth of a vital Colorado industry while earning the ire of some short-sighted consumer groups. But only those citizens who believe the U.S. Postal Service is a dynamic and progressive organization would believe that their local cable companies would operate better under the heavy hand of government bureaucracy than in the open air of free enterprise.

Wirth's consensus-building style sometimes made him look indecisive. But in fact, he staked out some uncompromising positions on items dear to his heart. He firmly and proudly held to a pro-choice position on abortion. He was a national leader on energy policy, fighting to deregulate natural gas and promote its use as an alternative fuel, promoting conservation and energy efficiency—all items which helped curb the ominous trends toward global warming and the mounting dependency of the U.S. on politically unstable sources of energy such as the Middle East.

First elected to Congress in the 1974 Watergate sweep—when he ousted veteran Republican Don Brotzman—Wirth quickly became identified with the Democratic reform movement. Probably no single issue during his 18 years in Washington took more of his attention—or ultimately came to symbolize his frustration—than did campaign reform.

While he partially succeeded in his efforts to make the process more open and account-

able, Wirth could not escape the costs of modern campaigns, which force all politicians to shake their begging bowls almost daily. But while he accepted money from a wide range of contributors, there is no sign he ever paid any favors in return. He received sizable donations from S&L executives, for instance, yet voted against deregulating the industry and was a leader in fighting to expose the catastrophic mess that resulted from S&L deregulation.

Jesse Unruh, former speaker of the California House of Representatives, once noted that lobbyists were an inevitable part of politics, yet joked: "If you can't take their money, drink their whiskey, vote against them, walk out and look 'em in the eye, then you don't belong in this business."

Wirth could not escape the need to scrounge campaign funds in an endless grind that contributed much to his decision to end his congressional career. But on the basis of the public record so far, he can look the voters of Colorado—lobbyists and ordinary citizens alike—straight in the eye.

Whether judged by the rough integrity of Jesse Unruh's test or the later and loftier notions of public service that he helped write, Wirth was surely a person who belonged in the business of politics.

He leaves a high standard of personal integrity and public service for his eventual successor, of whatever party, to meet.

That is a verbatim reading of the editorial today from the Denver Post with respect to our colleague TIM WIRTH.

I discussed this with TIM. He wanted his statement, which he is delivering at this time in Colorado, to be shared with colleagues here as well. And so I will now undertake to read into the RECORD TIM WIRTH's statement that he is delivering at this time in Colorado. And I will read his statement verbatim. This is Senator WIRTH.

STATEMENT BY SENATOR TIMOTHY E. WIRTH

Today I am announcing my decision not to run again for the U.S. Senate. The reasons are complicated; life is complicated and political life is doubly so. So I will try to lay out the main considerations behind my decision.

First is the stalemate to which economic mismanagement and partisan pettiness have reduced the work of our Government. The Federal budget is out of control. Our debt is crippling, and each year brings a larger deficit with neither spending cuts nor increased revenues anywhere in sight. The President shirks his duty to lead. The Congress is stymied by relentless and pointless maneuvering for short-term political advantage.

Meantime, in a society dedicated from its creation to the twin ideals of opportunity and democracy, the gap widens between rich and poor and between the governed and their government. Too many of the young see their horizons narrowing. Too few see any stake for themselves in civic action. Under heavy social strains, family structures buckle. Communities that are denied the resources to meet pressing needs fragment as a result. Government that cannot respond to its people loses their trust.

Our national security was once defined by our relationship with the Soviet Union. They and we were the two super powers. Today the Soviet Union is dissolved while the United States has become the greatest debtor Nation on the planet. The only super power on earth now is the earth itself. Yet the administration gropes foolishly and blindly for a post cold war leadership role, oblivious to the obvious direction and responsibility we should take, leading the world into environmental awareness and action in time to save itself.

Education, my own earliest interest and the source of my initial commitment to public service, is an unhappy example of a broader reality. Our schools, students, parents, and teachers should be the priority concern of government at all levels. Instead, they are being starved of Federal support just when they are being asked to do more, to be a surrogate parent to so many children; and just when we most need to foster new institutions, to sponsor experiments and research, and to fuel a renaissance in industry for a skilled and innovative work force. There should be funds to spur these new departures, but we refuse either to redirect the tax dollars we raise or to raise the tax dollars we must to invest in the future.

The environment is a second sphere where I have found absorbing, truly alarming challenges and a largely inadequate response. Even the expanding hole in the ozone layer has not awakened many in the Congress or the administration to the urgency of an array of global threats. The White House condones a know-nothing indifference. On Capitol Hill political fears of offending entrenched interests become roadblocks to serious, concerted action. The environment receives far less than the sustained attention the urgent danger signs deserve.

When something as relatively straightforward as a Colorado wilderness bill cannot get through the gauntlet of negatives through which it must pass, I cannot help but be discouraged about the prospects of really complex and far-reaching legislation that would help check the population explosion, protect biodiversity or defend our climate against global warming.

I entered the Senate 6 years ago hopeful that it was the place to pursue these causes and, through serious inquiry and discussion, to advance public understanding of them. I have not liked what I have found. Personal ambition and partisan bickering set too much of our agenda. Our rules are too weak to keep these divisive forces in check and the egos too strong to submerge in a common defense of the institution itself. Designed to be a forum for serious debate and decision on long-term policy questions, the Senate seems to me to have lost much of the compromise, cooperation, and genuine courtesy that made it work. This should be a truly national forum, but its effectiveness is limited today. With no program coming from the White House, the stalemate naturally encouraged by the checks in our Constitutional system becomes gridlock. No legislative body can ever lead, but at least the Senate can be a conscience; unhappily it has lost much of that capability.

In order to be a good Senator, I know that I should come to work each day with confidence and humor, meet constituents with eagerness, and face problems and snarls positively and creatively. When the enthusiasm starts to flag, when indignation decays into resignation, and personal anger starts to shadow my instinctive Western born optimism, I know myself well enough to know that I need a new venue; it is time for sabbatical, for renewal, to regroup and refresh. That is what Wren and I will do.

For the last year, especially, I have felt my own strength diminished. What I judge to have been my most effective and creative work in the Senate was the product of a partnership with JOHN HEINZ, on the other side of the aisle. His death last year was a terrible blow. And his absence has left an enormous void in my Senate life. It is probably not a coincidence that Wren and I came to our final decision about running for reelection on the first anniversary of his death.

Another factor was the prospect of the campaign itself. There were two determining elements: First is the continuous money chase. It is not just time-consuming and energy-wasting, but ultimately demeaning. Without comprehensive campaign finance reform, we are leaving the system of representative democracy open to the charge and to the reality that political outcomes are for sale. The appearance of favoritism to contributors is damaging; they fear bred of alienating contributors is growing; and each year the expense of campaigning mounts and the pressure to seek financial support wherever it can be found intensifies, even though the consequences are increasingly transparent.

The second, even heavier weight on the scale is the style of modern campaigns. They are increasingly shrill, negative, and devoid of content. Here in Colorado, we would surely have had a "scorched earth," take no prisoners" contest. Voters would have been disgusted, and the last person standing—the person elected to represent Colorado—would have been severely damaged. I am absolutely confident that we would have won the race. Yes, it would have been close, but every Wirth campaign has put the thrill back into the extra point. The question I had to face squarely was my own dismay at being a participant in such a destructive exercise. I would have been under fierce pressure, and more than sufficiently able to respond in kind. But I don't want to live or to win that way. Campaigns should be about ideas and ideals. They should be about the future. Negative strategies may win elections, but they destroy public trust in the winner and the loser.

Worst of all, they feed the disillusionment that already infects so much of our public life and, in much of the press, poisons, or stifles civil discourse and constructive argument. I do not expect or want to return to the naive, if charming, boosterism that once made the press in Colorado an automatic ally of the State's business and political leaders. Those were innocent times, and they are gone. But in their place and in place of shared community goals and aspirations, we too often see a reflexive cynicism in the print press and a hysterical superficiality in the electronic media's focus on sensational themes.

We need renewal as a nation, renewal of our ideals, our sense of mission, and our ability to cooperate in the public interest. I hope that I see signs that such a renewal is beginning. When I came to Washington in 1974 in the aftermath of Watergate, it was a year of revulsion against political corruption. I was proud to have been on the front line of the revolt and reform that followed that election. This time 1992 could bring another revolution: a return to civility, common sense, and shared purpose.

I fully expect that there will be times when I miss this political life:

I will miss the satisfaction of legislation passed, of wilderness preserved and parks expanded, of projects begun and of accomplishment applauded.

One of the great joys of my service has been bringing young people into government and politics, and I miss the constant force of their idealism and optimism.

I will miss the unfailing support of my staff; only I and the Coloradans whom they helped know the heroic drudgery of the skilled case workers who assisted constituents with their problems and who made our office the place to come when there was nowhere else to turn.

I will miss, as well, the imagination, attention to detail and energetic drive of my talented legislative aides. I am proud of them and of what they helped me to do in directing the telecommunications revolution, writing the Clean Air Act, refocussing our Nation's energy policy and maintaining an unshakeable commitment to opportunity and choice for all Americans.

And I will miss, at least for now, following up on the ground we broke with major new initiatives on population, global climate change and biodiversity.

But on these and other issues, such as reform of our policies toward the public lands, organizing citizen outrage about the environment, and providing avenues for the young to express their hopes and aspiration, there will be other arenas for action.

Colorado is a state in transition, leaving behind its past as a region from which resources were extracted to enter a future where its economy is more balanced and diversified. I look back with real satisfaction to the momentum I helped contribute to that process, from airports across the State to major league baseball in Denver, from problems solved for the public lands and our natural resources, to aid for higher education, from bringing attention to our rural health care crisis to making housing more affordable. And I hope to play a continuing role in realizing our State's bright promise.

But I will do that old work in some new way. In the coming years, Wren and I intend to live up to our abiding sense of public responsibility as private citizens, committed especially to mobilizing in defense of environmental balance and respect for nature. I know no single set of challenges that are more pressing or more rewarding.

I have been fortunate in the opportunities that have been given to me in public service, in the investments society made to equip me for that work, in the mentors who steered me to it and the friends who supported me through it. There is great exhilaration in risking everything, in laying yourself and your beliefs out on the line and then with a team of like minded people, fighting and winning in political combat. I have had that affirmation seven times. I am deeply grateful to the thousands of people who made those victories possible and who will understand my decision now to open the field to others, to move on to new challenges and fresh opportunities.

If I may now just add a personal note. TIM WIRTH is truly one of the special people to come into public service, as all of us here know. He just has all of the talents that one would want to see in a public person, in this case a public man. Sometimes you will find in someone committed to public service maybe the right brain or the right heart.

It is not often enough that you find in the same person the brain and the heart and the guts to do what needs to be done in behalf of the great issues of our time.

TIM is such a person. He has those special gifts, and he has brought those gifts to his service first in the House of Representatives and now here in the U.S. Senate.

So his decision to leave is truly a loss to this institution, to the State of Colorado, and to the country. He will do other important work in his lifetime. Of that there can be no doubt. But he will be greatly missed here in this Chamber, and particularly so by those who know TIM best.

I remember back in my own experience when I was a Member of the House of Representatives in 1974. I had changed my party affiliation just a year-and-a-half earlier after being part of an insurgency of the Republican Party in 1972 to challenge Richard Nixon's renomination as President. I remember TIM WIRTH coming to the office one day, and my office at that time was in Cannon Building on the House side.

TIM was thinking about running for the U.S. Congress. He had been serving as a White House fellow. He wanted to think aloud about some of the challenges and aspects of running that campaign. I remember having the chance in his campaign of 1974 to go out to campaign with him in Colorado; to meet Wren, and their children; to feel directly the vitality, the purpose, the mission that they were bringing to that first campaign, and to their commitment to public issues and public work.

I will never forget those moments in that experience because it is a very treasured one for me personally. I remember the great thrill of seeing TIM first elected to the House, then reelected many times over, and his very impressive election 6 years ago to the U.S. Senate.

So for each and every one of us here, this decision by TIM and by Wren together, is a decision that will carry a very significant impact. For me it is a very deep personal and emotional impact.

I want to thank them and their family for the tremendous service that they have given our country; the hours, the sacrifices, the fact that it is a 7-day-a-week job, as we all know. To do a 7-day-a-week job in the public interest for 18 years is a tremendous contribution to the public good.

That is a matter of record, the facts that I have inserted with my remarks to lay out in detail in terms of TIM WIRTH's accomplishments in both his time in the House and Senate.

So today is a reflective day because we do not get too many TIM WIRTH's that come down the track in this country; far too few. To have to contemplate saying goodbye to TIM here in the Senate a few months from now is a very painful thing to contemplate.

But the love, the prayers, and the best wishes of his friends here on both sides of the aisle go with him; the respect for the decision that he has made, the respect for the commitments that he has and will continue to pursue. He takes with him an abundance of affection and respect from this institution.

I yield the floor.

EXHIBIT 1

TIM WIRTH'S LEGISLATIVE RECORD

The following are the legislative accomplishments in which I take the greatest pride.

U.S. SENATE—1987–92

Project '88 and the Clean Air Act Amendments of 1990

Senator John Heinz and I authored this first conceptual approach to the use of market forces to help solve environmental problems. Utilizing these new principles, this approach helped break the stalemate that had plagued Clean Air legislation for a decade, led to the passage of the most far-reaching environmental legislation ever enacted, and opened the door for many new solutions to our environmental challenges.

The 1992 Energy Act

By organizing and leading Senate efforts on increasing energy efficiency and conservation, and promoting the use of alternative fueled vehicles, such as natural gas, I helped pass the first national energy legislation in nearly 20 years—certainly the first which does not encourage continuing dependence on imported oil. I am particularly pleased to have worked with diverse interests in Colorado's natural gas industry to promote our clean, cheap and abundant natural gas resources.

Wilderness Protection

After 10 years of stalemate, I worked out a compromise with Senator Hank Brown to preserve for our children more than 600,000 acres of Colorado wilderness. This legislation, which has passed the Senate and, I hope, can pass the House, will create a lasting legacy for all Coloradans.

Alaska Lands

For years taxpayers financed and ravaging of the Tongass National Forest, the last remaining North American rain forest. Legislation I authored halted this poor use of our natural resources, and another bill derailed efforts to drill in the Arctic National Wildlife Refuge.

Population Growth and Global Climate Change

I authored the first comprehensive legislation offering solutions to these two pressing problems, framing the national debate and raising the awareness of the media and the American people. I hope these two bills, though not yet passed, will provide the foundation for future action on these major challenges.

The Homefront Initiative

In 1991, I organized and led a successful effort to increase funding for important, proven and effective education programs—the largest such increase in many years. I am deeply honored by the recognition I have received from many of those advocating better education for our children, including the National School Boards Association, National Elementary and Secondary School Principals, and the Committee for Education Funding, an umbrella organization representing more than 100 education groups.

Children's Television

In 1990, legislation which I first initiated in 1975(!), limiting advertising in children's television, and requiring broadcasters to provide educational programming for children,

became law. For this and other efforts I recently was named by the American Academy of Pediatrics "Legislator of the Year".

Energy Efficient Mortgages

Because of Wirth legislation, tens of thousands of homebuyers now have access to energy efficiency mortgages thus qualifying for purchase families who otherwise would not be able to buy a house.

Major League Baseball in Denver

I organized and led the Senate Task Force on the Expansion of Major League Baseball. Fay Vincent said: "The citizens of Colorado should know that without the efforts of Tim Wirth, baseball probably would not have expanded."

The Denver International Airport

When legislation issued from the House that would have effectively killed federal funding for the new Airport, I substituted new language preserving Denver's access to aviation dollars, and successfully guided it into law. Without federal monies, the new Denver Airport simply would not be under construction today, providing Coloradans thousands of jobs.

Diversifying Colorado's Economy

I take pride in the many initiatives I have undertaken in pursuit of building and diversifying Colorado's economy—from bus lanes, the mouse trap, C-470 in southern Jefferson County, the Glenwood Canyon expansion of I-70, the Grand Junction Projects Office on the Western Slope to biotechnology in Boulder and Weld Counties, the establishment of CableLabs, working with the Pueblo Economic Development Corporation and, in the House, brokering negotiations that allowed the construction of the Foothills water project.

Rocky Flats

I initiated efforts which successfully halted the building of new facilities at Rocky Flats, presaging its eventual shut down as a nuclear weapons plant. The Wirth office is now leading new initiatives in defense industry conversion, worker retraining, and community impact.

Women's Issues

Wren and I have been constant, outspoken and energetic advocates for women in America, from choice to equal treatment in the military and in our courts, from preventive medicine to health and reproductive research, and in opposition to the "gag rule" and its international likeness, the "Mexico City policy". I was one of the first Senators to announce opposition to the nomination of Clarence Thomas to the Supreme Court.

Serving Coloradans

I am proud that my office has become the source of expertise for helping airports all across the State; has been the constant and steady advocate for education, health, and women's groups; has championed necessary changes to support rural health care; has organized efforts to purchase thousands of acres of prime wildlife habitat and riverfront property for addition to our parks and national forests; and has been the leader in solving scores of natural resource problems in Colorado.

The tireless caseworkers in the Wirth office have helped thousands of individuals in Colorado, through day to day drudgery in Social Security, veterans benefits and other case work. We have brought together separated families, facilitated the adoption of hundreds of children, and been the persistent advocate for minorities, for the poor, and for those whose voices are not amplified by money or position.

U.S. HOUSE OF REPRESENTATIVES—1975–87

Telecommunications

As chairman of the Communications Subcommittee, I led efforts which laid the foundation for a more competitive and innovative communications marketplace in the United States. The result has been a significant increase in options available to businesses and consumers and lower prices for all. Today we have the most technically advanced communications system in the world, less expensive long distance service, countless new equipment offerings and a more competitive posture for the United States in world trade.

Cable Television

As the prime author of the Cable Act of 1984, I am proud to see vast new programming available to millions of Americans, from CNN to children's television, and a broad array of specialized services and programming looms on the horizon.

The Ski Industry

In 1986, President Reagan signed the legislation which I authored, providing long term leases, greater dependability and a broader financial base for the Colorado ski industry.

This has been one of scores of initiatives on behalf of Colorado's hunting, fishing, rafting, skiing and other tourism and recreation industries.

Mortgage Backed Securities

I guided legislation through the House which dramatically altered the way in which housing is financed for American families. Today more than 50 percent of housing sold in the United States is financed through the use of these new securities.

Other Achievements

I have warm memories as well of organizing the "Freshman Revolt" of 1974; leading the group that successfully killed President Carter's Energy Mobilization Board (it would have allowed federal control over almost all Colorado land use and public health law); stopping President Reagan's efforts to deregulate our securities markets (might this have been another S&L disaster?); successfully battling the Reagan administration in order to maintain the air bag requirement for autos sold in the US (today a life is saved every 100 minutes because of air bags); and beating back President Reagan's FCC access charge proposal, which would have dramatically increased local telephone rates.

SUMMARY

This is a record of great legislative achievement. Legislation is very hard; it is always easier to say no, and veto power pervades the Congress. My staff and I have taken these responsibilities most seriously, and this is a record that I believe is matched by few in the time I have been in the Congress. Governing is serious business, and requires serious, concerted coalition building and patience. I am especially proud of my dogged and determined staff, overworked, underpaid, and always cheerful.

Of course the frustrations and failures remain: Campaign finance reform remains an ideal, and the present financing scheme is the greatest cancer in our legislative branch of government; the federal deficit is out of control, skyrocketing without executive leadership and lacking Congressional compromise (the Democrats must cut; the Republicans must add); our competitiveness is threatened by poor education, declining research and development, and a strategic vacuum; the gap between rich and poor grows each year, and has now become a dangerous threat to our ability to govern in a democratic society, we cannot long remain a great nation if we allow our core cities to rot; and we have not yet recognized that a threatened environment has replaced the Cold War as our primary national security goal, at home and abroad.

These remain challenges for the years ahead.

APRIL 8, 1992.

Mr. MITCHELL. Mr. President, it was with a great deal of regret that I learned of the plans of Senator TIM WIRTH of Colorado to retire after a single term in the Senate.

Senator WIRTH served with commitment, and great energy. He sought to bring to the Senate an awareness of the importance of action against the threats that seem distant, like global warming, but are potentially catastrophic.

Senator WIRTH came to the Senate with a strong background in education, and he dedicated himself to the goal of reforming and renewing excellence in American education.

We all recognize that education reform is a crucial underpinning of our Nation's ability to compete in the global marketplace. Senator WIRTH had the education and the commitment to understand what was needed in the mix of education reform efforts, what would work, and what should be a priority.

Our work will be much harder for his departure. Senator WIRTH's commitment to fairness for all Americans was total. His record on issues of equity for women is evidence of the depth of that commitment.

Senator WIRTH sought to make sure that the words of equality of treatment are backed up with legislation that assures quality of treatment. His was a strong voice and a vote for fundamental fairness for women. It will be missed.

And, as a champion of a much more energetic U.S. role in combating global environmental problems, Senator WIRTH brought to the Senate a sense of urgency about these problems.

The ability of our descendents to inherit a natural world like the ones our parents handed down to us will make all the difference in their lives.

It is to that future that TIM WIRTH addressed his efforts. His work in this field has earned him the gratitude of all who care about the environment, and the future of our Nation. And I am very sorry that he will not be working on these issues beside us in the next Congress.

Mr. FOWLER addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from Georgia [Mr. FOWLER].

RETIREMENT OF CERTAIN SENATORS

Mr. FOWLER. Mr. President, I wanted to join my colleagues, the majority leader of the Senate, as well as the dis-

tinguished Senator from Michigan [Mr. RIEGLE] in taking advantage of this pause to reflect for just a moment on the retirement of several of our colleagues over the last 10 or 12 days.

This morning's announcement by Senator WIRTH from Colorado came as a shock. But I must add that it was no less a shock than the announcement last week of the Senator from North Carolina [Mr. CONRAD] and the Senator from New Hampshire [Mr. RUDMAN].

All these men are marked by intelligence, and integrity—men of devotion to the public interest. All will be missed for their contributions to the public good. And this institution which was enriched by their service will be diminished by their departure, but moving from their public service to contributions in the private sector, is in the greatest traditions of our country.

I guess it was one of my first lessons in democracy in grade school, that in a democratic society citizens were asked in the early days of our Republic to take time off from building a barn to help build a nation. These men have furthered that tradition.

Public service should be service with a capital S, and it was not, and is not, meant to be a lifetime career. There is a time to serve and a time to reqlinquish service to others. In Great Britain 5 weeks ago, the Prime Minister made a decision that an election should be called. He traveled, probably by horse and carriage, down to Buckingham Palace to inform the Queen. The Queen immediately dissolved the Parliament, and the election was set exactly 5 weeks later, which will be tomorrow, April 9.

In that 5 weeks, the issues of public concern in Britain will have been debated. Free air time will be provided to the candidates of the major parties. In Great Britain, no candidate is allowed, by law, to purchase time on television. And the people of Great Britain will be treated—yes, treated—to candidates not hiding behind the great veil and gauze of television, advertisements, but will actually stand in public places, "live and in living color," to debate their policies on education, health, and foreign policy, so that the citizens of a free country can be educated in their choice.

This morning, you heard Senator BOREN from Oklahoma discussing our efforts to try and bring our country out of the grip of money and commercialism of candidates and return it to free and open debate amongst our citizens and their representatives.

Yes; money is often the root of evil in politics. If there is one reason that our campaigns have reached astronomical costs, money piled upon money, it is to buy time on television, to promote ourselves and to defend ourselves against distortions of our public record. But no 30-second TV ad can inform, educate, or give to the citizenry what they have to have, if they are to make an open and informed decision as to who should represent them in the highest counsels of our Government.

Mr. RIEGLE. Will the Senator yield on that point?

Mr. FOWLER. Yes.

Mr. RIEGLE. I am struck by an observation related to one point the Senator just made. The morning television show, the "Today Show," is a very important and popular morning TV show, one that I watch with some frequency. The professional of crafting political television ads is a huge and enormously profitable business; so much so, that now on the "Today Show," there is a normal practice where they have two individuals who are professionals in that field—Bob Squier, who tends to do ads for Democratic candidates, and Roger Ailes, who has done them for a long time for Republican candidates—who are there as part of the normal news and commentary format about what is going on in politics and issues in the country today.

When you think about it—with no particular reference to those two individuals—those two represent the industry of people who make these television ads and television spots, and the campaign discourse has been lifted up to the level of people who are crafting and designing these TV ads that pass in place of the kind of face to face debate, the kind of coat-off, sleeves-up discussion between candidates for office and citizens and so forth. But I think it is an illustration of how far removed we have become. Let me begin by asking, without any disrespect for those individuals, why is it not a more useful exercise to try to get past those people that are packaging up and delivering slick television spots and try to get directly to the issue of what it is a given candidate, or challenger, or incumbent is standing for, saying, representing, undertaking to do, offering as a vision for the future; but I think it is a powerful illustration. It is one thing if an individual like that were called in once in a great while, on occasion. But that has become a standard part of the news format, so that we are getting more and more of the political discourse as it comes through these political television soldier-of-fortune people, who operate in the private sector, and who are packaging up the ads—some positive, and many, if not most, negative—designed to go out and twist facts in order to put a bleeding wound into a candidate on the other side.

But I am so struck by what the Senator said, because we have reached a point where we have incorporated that mechanism, the money and the political ads on television, to such a point that we are now featuring the people who do that for a living, at great profit, as being the ones who have to tell us what is really going on and, presumably, what lessons we ought to draw from it.

I thank the Senator for yielding.

Mr. FOWLER. I thank the Senator for his contribution, which is valuable, as always. He is exactly right. Rather than asking the candidate, the representative of the people, we have created a whole new industry where people earn their living by analyzing what they allege to be the candidate's thoughts and actions. They are the so-called opinionmakers. The result is that the citizen is removed from the direct thoughts—and policies—of his or her representative, and filtered through the hands of a private packager, or analyst. People who may or may not know what they're talking about.

The only way to get out of this that I know of, and that many of my colleagues know of, is to put a limit on the amount of money that can be spent in Senate races. That will force candidates back into direct contact with voters. It will force candidates for public office out from behind television ads, and back into town meetings, back into the PTA, back into the nursing homes, telling the citizens of our country their plans for our country.

And I do not know how you can represent people unless you go home, face them, ask them what policies we are getting right and what policies ought to be improved for the benefit of our country.

The British experience reminds us you do not need 5 years to campaign, or even 5 months; you can do it in 5 weeks if you do not let candidates buy 30-second nasty ads on television, but force them to look each other in the eye and debate in public.

I seem to have started off on one track and ended up on another. That is not unusual for me, as the distinguished Presiding Officer knows, but in this case there was motive to my madness.

I do not know why over the last 10 days men of the caliber of TIM WIRTH, KENT CONRAD, and WARREN RUDMAN made the decision to retire. But I suspect that a large portion of it was that they would not continue to prostitute themselves in the eternal chase for the millions and millions of dollars that go into television advertising costs. Even when you are trying to tell the truth, you cannot do it in 30 seconds.

You cannot cover the complexities of public policies of needed health and environmental reforms for our country because, as the Senator from Tennessee, [Mr. GORE], has written so eloquently in his book, you cannot have a healthy individual and unhealthy environment. You cannot discuss how we continue to make our country first—not alone but first—in a new global system, by taking advantage of the changes of this world in 30 seconds. You have to have free and open discussions of differences and that should come from the elimination of all this

money going up in celluloid smoke and making all of us who are trying to achieve a consensus on our Nation's public purpose go down, be with our people, and together work out the policies openly and out from behind all this money-driven advertising.

I hasten to add, I am seeking reelection and I am asking Georgians to reelect me as their representative. I am not going anywhere unless that is the decision of the voters of Georgia. And if that is what happens, I will respect it and I will hold my head high, and I will say I did my best. If they choose someone else, that new individual will have my support. But right now I am being forced to play by the rules of money, and I do not like that one whit. I do not like the fact that the only way I can defend myself against false charges of my legislative record is to come up with $2, $3, $4 million to buy 30-second spots. The people in this country, both here in the our gallery today, would be absolutely shocked to know how much it costs to buy on 30-second spot in the middle of Bill Cosby or something popular on TV. It starts at $50,000 in Atlanta; some of them are $150,000, for one 30-second spot to try to say what we want to say about our record.

I see others want to speak. So let me end.

We are going to have a bill that will do more to reform not only our politics in this country but, in my opinion, if we limit the amount of money that can be spent, a whole series of decisions will fall into place that will lead the public of our country back into more respect for the political process and the men and women they elect to represent them.

It is long overdue. It deserves implementation, and next week, or the week after, I hope that we will take this serious first step into getting our politics and our policy back where they ought to be.

I want to conclude by saying that it is a great honor to serve in this body. There are only 100 Americans out of 250 million Americans who have the privilege of serving in the U.S. Senate. We are the national legislature. Yes, we are Georgians, Tenneseeans, and New Mexicans, but for those of us who serve in the Senate, our country comes first.

When Senator SASSER votes, his votes counts just as much in Georgia as mine does. Senator RIEGLE'S vote counts just as much to Georgia and Georgians as mine does.

We are the national legislature. We are not a collection of individual Balkan States. We are sent here to do the national good and the national will.

I want to end my comments by simply saying that we, as Georgians, are proud of the service of Senators WIRTH, CONRAD, RUDMAN, and others. The example of their public stewardship in the U.S. Senate was welcomed in Georgia, as it was throughout the country. I would have been proud of any of those men representing my State. They are individuals of intelligence, integrity, and devotion to the common interest, and all Americans should be saddened by their decision to retire.

I thank the Chair.

The PRESIDING OFFICER (Mr. SANFORD). The Senator from Tennessee.

Mr. GORE. Mr. President, I would say to the ranking member of the committee and the chairman of the committee that I will seek unanimous consent to speak briefly as if in morning business, and it would not be my intention to speak very long. It is a statement that follows on the heels of the ones that were just made and if that is acceptable to the leadership of the committee I would now make that request.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, how much time has been used in speeches that are not technically on the resolution?

The PRESIDING OFFICER. About 50 minutes.

Mr. DOMENICI. How much time would the Senator require? Would 10 minutes be satisfactory?

Mr. GORE. Surely.

Mr. DOMENICI. If the chairman concurs, I would ask unanimous consent that the previous time used be charged equally and that Senator GORE be allowed 10 minutes and it be charged equally and thereafter we return to the resolution.

Mr. RIEGLE. Mr. President, reserving the right to object, I would not want to see anyone else foreclosed from speaking who might wish to. Senator DODD I think is here and he can speak for himself on this same issue but I think it is appropriate that those who want to speak briefly have a chance to do so. I would object to any limitation that allows one and not another to speak.

Mr. GORE. Mr. President, reserving the right to object, for purposes of clarification, the question posed earlier was the amount of time consumed. It was my understanding none of that has been charged against the time for the bill.

Mr. DOMENICI. Mr. President, there need be no objections because regular order will put us back on the resolution.

It is just a sense of fairness to those who are in the Senate who want to proceed to the resolution that the Senator from New Mexico inquires. If you want to work something out that is reasonable, the proponent of the amendment has been waiting for a long time to offer it. Senator EXON is here. There have been Senators wishing to speak with regard to the announcement of Senator WIRTH. We have not seen fit to try to keep that from happening. In fact, it has gone on for almost 50 minutes.

It seems to me there are two additional Senators here who would like to speak to that issue. Am I correct?

Mr. DODD. The Senator from New Mexico is correct. I note the Senator from Nebraska is here, as well. I appreciate the efforts of the chairman. I can wait until later. Maybe there will be a quorum call and I can come over and do it again.

Mr. GORE. I can limit my remarks to 3 minutes.

Mr. EXON. I might just say, I am fully wishing to accommodate my friends. If they are not going to be extended, I see nothing wrong with it, except that we all know we are running out of time here. I am here ready to move with the amendment scheduled to be offered at any appropriate time. But if I can accommodate my friends and get their remarks taken care of at this time, I would have no objection.

Mr. DOMENICI. Mr. President, from our side, I am not unwilling to add to the consent request that I made heretofore and make the 10 additional minutes equally divided between the two Senators who seek to speak on Senator WIRTH. That will be charged equally, all of it, and we would then proceed to the resolution. Is that all right with Senator SASSER?

Mr. SASSER. Yes.

The PRESIDING OFFICER. Is there objection? If not, it is so ordered.

Mr. GORE addressed the Chair.

The PRESIDING OFFICER. The Senator from Tennessee [Mr. GORE].

SENATOR WIRTH

Mr. GORE. Mr. President, I am feeling the same emotions that others have already described with great eloquence. I talked with Senator WIRTH yesterday and had his decision on my heart this morning when I came to speak about an issue that he and I have worked on together, the global environment, but, of course, wished to allow him to make his statement in his own words as he has now done in Colorado. All of us respect his decision and the reasons he has given.

But as others have noted, there is a cumulative impact on this body of having three such fine men, such fine Members of this body, announce their decision to retire in such a short space of time—Senator RUDMAN and then Senator CONRAD and now Senator WIRTH—all of them immensely respected in this body, all of them tremendous public servants.

I was especially devastated—if I may use that word advisedly—by the announcement today partly because I have served with TIM WIRTH for a long time, since 1976. I was a member of the subcommittee he chaired in the other body before I came to the Senate. And since the two of us have been serving in

the Senate, we have worked especially closely together on environmental issues. And sometimes one finds that when two Senators work on the same issue a certain feeling of competition results. In the case of Senator WIRTH and myself, we sat down, as we have on so many other subjects, and talked openly and frankly about how we could best serve the public interests. I have never in my career of public service enjoyed a partnership as much as I have enjoyed my partnership with Senator TIM WIRTH. I have never known a Senator or any public servant with more imagination, with more drive and energy, with more dedication to the public interest, or with more of a willingness to look beyond the next election and see the interests of the next generation and all those to come.

I will miss him greatly, as will we all. I will elaborate on this for the record, but his contribution to the task of bringing environmental concerns into the marketplace and bringing the forces of the market to bear in a positive way to protect the environment will stand as a remarkable and historic accomplishment. We have talked on so many occasions, during a trip to the Amazon together, during innumerable meetings with officials at the World Bank or agencies of the U.S. Government or grassroots environmental activists or our counterparts from parliaments in foreign countries who work on similar issues. We have dealt together and worked together for a different approach to protecting the Earth's environment.

I must say on some other issues we have occasionally found ourselves at loggerheads, and on those occasions I have never known a more able advocate for his position, a more tireless worker for the things he believes in. His commitment to public service and his dedication to the people of Colorado and the people of this country are legendary and remarkable. He will be greatly missed. But I am comforted by the fact that his public service will continue throughout the remainder of this Congress and, I predict, will continue in some other form after his retirement from the U.S. Senate.

Instead of making that a prediction, let me register it as a fond hope because a person of his talents and dedication should be able to serve the public on a continuing basis, and I hope he will.

I yield the floor.

Mr. DODD addressed the Chair.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. DODD. Mr. President, I rise as well to express my deep regrets over the decision reached by our colleague and friend TIM WIRTH, of Colorado. I want to associate myself with the remarks just given by my distinguished colleague and friend from Tennessee, along with others who have spoken here this afternoon, regarding the decision by Senator WIRTH to not seek reelection.

Mr. President, let me start by saying that, in the first instance, while we speak of our colleagues who are leaving—we have talked about Senators RUDMAN and CONRAD, and now Senator WIRTH—I begin my remarks by lamenting the loss of a friend who will be leaving this institution.

I arrived in Congress in the very early days of January 1975 along with TIM WIRTH and the so-called Watergate class that came in the wake of the Watergate scandal in 1973–74. Mr. President, TIM WIRTH has been a friend of mine for these 18 years. Along with his wife Wren, we spent countless hours together both professionally and informally. I had the pleasure to visit with them in his State as well as many other places.

I was so saddened yesterday to receive a call that TIM made to some of us to tell us of his decision in a personal way. I will miss him. We will all miss him and miss his leadership and commitment and dedication. But my personal loss does not even come close, Mr. President, in my view, to the loss that this institution and the country will feel as a result of his decision, a decision I respect. Each person here has to make a decision about whether to seek reelection or not. We all respect the individual decisions and the process that individual Members go through to arrive at those decisions.

But TIM WIRTH is a special case. I have watched him now for 18 years, beginning in 1975 when he led, along with others, the efforts to reform the House system, which in those days was weighted down by a structure that made it impossible for Members who came to that body to have their voices heard and their ideas vented in the House of Representatives. He was the individual constantly reminding us that we ought to think beyond the specific calendar and agenda, to think about the future. He had meetings, I do not know how many months in succession, trying to get Members of the Congress, Republicans and Democrats, to think ahead, to think about next year, the next decade, the next century, and we ought to be doing.

He repeatedly raised the issue of what is happening to this Earth and our environment. This was not just an issue he discovered a year or two ago. He cared about it from the very first days he arrived as a young Member of the House of Representatives. He carried it forward, and it was not just Colorado or just the West that he talked about. He talked about this country. He talked about the very Earth that we all reside in and what steps needed to be taken to try to improve environmental conditions around the globe.

TIM WIRTH was a leader and a fighter on other issues as well. I now chair the Securities Subcommittee of the Banking Committee. For 5 years, TIM WIRTH chaired that committee in the House of Representatives. The very first legislation dealing with insider trading ever to be passed by the Congress of the United States was done under TIM WIRTH's leadership and auspices. When the Reagan administration proposed deep cuts in the enforcement division of the SEC, TIM WIRTH fought against it.

TIM WIRTH led the fight for competition in the telecommunications industry. He fought the automobile industry on the issue of airbags. He has been a leader in the debate on energy policy, on campaign reform, and on the major issues confronting this body. He has been an invaluable Member of the House, and the Senate. And he will be deeply, deeply missed.

It is that quality of individual with that kind of dedication, that kind of conviction, that kind of broad sense of what this country needs to be doing that we need so much more of in our public debate.

So, Mr. President, as I mentioned, not only on a personal level I am saddened by his decision, but on a professional level as well. It was once said by a former Member of the U.S. Senate that the Senate ought to be a place where people of reputation come, not where you come to make a reputation. If any Member ever embodied that ideal it was TIM WIRTH of Colorado. He sought public service because he wanted to do good; because he believed we could do better. He never sought personal gain; never sought any special treatment of any kind. But on a day-to-day basis he was deeply committed to trying to improve the quality of life for people of—not only his own State, but people across the country.

It was said a moment ago by our colleague from Georgia how proud he would have been to have our colleague Senators RUDMAN or CONRAD or WIRTH represent his constituency in Georgia. I would like to echo those comments. Certainly—and I will speak at greater length about Senators CONRAD and RUDMAN at a later time—but certainly I would be proud to have TIM WIRTH represent me in any forum. I am saddened by his decision, but I respect it. I wish him and Wren, and Christopher and Kelsey, his two children, the very best in the years to come.

I yield the floor.

The PRESIDING OFFICER. Under the previous order the Senator from Nebraska is recognized.

CONCURRENT RESOLUTION ON THE BUDGET

The Senate continued with the consideration of the concurrent resolution.

Mr. EXON. Mr. President, very shortly I will be sending an amendment to

the desk. I wish to address the details of that amendment at the present time. At the time I send the amendment to the desk I will announce several cosponsors that we have on this amendment.

Do I understand the situation correctly in that the Exon amendment will have 1 hour for and 1 hour against the amendment under the Senate agreement with regard to the budget agreement's presentation to the Senate? Is that correct?

The PRESIDING OFFICER. The Senator is correct. But the amendment needs to be at the desk to trigger the time.

Mr. SASSER. Parliamentary inquiry, Mr. President. Do we, either myself or the distinguished ranking member, need to yield time off the bill if additional time is needed to discuss the Exon amendment beyond 2 hours?

The PRESIDING OFFICER. That is correct.

Mr. SASSER. I thank the Chair.

Mr. FOWLER. Mr. President, reserving the right to object.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. FOWLER. May I ask, based on the chairman's answer, would the Senator agree—since he is not going to propose his amendment right now—that the 2-hour time limit would begin running now?

Mr. EXON. I would agree that the 2-hour time limit should start running as of now.

Mr. FOWLER. Mr. President, I ask unanimous consent the Exon amendment time begin to run now for the 2 hours.

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

Mr. FOWLER. I thank the Senator from Nebraska.

Mr. EXON. Mr. President, I rise to offer an amendment to Senate Concurrent Resolution 106, which I will be sending to the desk for consideration in just a few moments.

Mr. President, on March 31, I gave a detailed statement here on how much and where we can make cuts in our defense budget and still maintain a credible and essential national defense posture. I made this speech in anticipation of the Senate Budget Committee's consideration of the fiscal year 1993 budget resolution. During last week's Budget Committee markup, I offered an amendment to the chairman's mark that would have implemented the cuts I detailed in my March 31 statement, specifically to reduce the President's proposed defense budget by $8.8 billion in budget authority and $4.2 billion in outlays for the fiscal year 1993. By a slim 11-to-10 vote my amendment was defeated in the Budget Committee.

After careful deliberation I have decided to offer this amendment to the budget resolution on the Senate floor. Having reviewed the President's 1993 proposed defense budget, I am convinced that the defense budget can be cut further. It can be cut significantly, and it can be cut without pink-slipping troops by the tens of thousands, as many in the administration would have Congress believe if we dare cut a penny below the President's numbers.

There is an artful, emotionally charged, yet inherently dishonest snow job going on as the future of our Nation's military is debated. The Bush defense plan is based on the flawed premise that the administration's proposed 6-year, $50 billion cut from defense spending cannot be further reduced without causing harm to our national security.

That $50 billion cut, Mr. President, over 6 years sounds like a significant cut. But it is not. And upon closer examination, one finds that $34 billion of the $50 billion, or 68 percent of the total, comes from just two weapons programs—the B-2 bomber and the SSN-21 attack submarine. Both of these programs are only in development and not even part of our Nation's operational forces. The Bush response to the remarkable and improbable world events of the last year or two has been mostly paper savings, illusory cuts of weapons not even fielded.

The President says: "This deep, and no deeper." Pentagon officials have come to the Hill and followed up this line in the sand with scare tactics of having to let go career officers if further cuts are taken.

The American public is scared enough as it is. They are scared about their own financial future, and they need the truth—the truth about where the defense budget can be cut without compromising our national security.

My analysis of the President's 1993 defense budget convinces me that the Congress can responsibly cut the budget by at least an additional $8.8 billion in budget authority and $4.2 billion in outlays through modest reductions, none of which come out of the personnel payroll account.

So let us set aside the issue of pink-slipping service men and women right and left.

Let us understand now, that is not necessary. The Exon plan reduces personnel at exactly the same rate as the President's request and under the President's direction: No more, no less. Rather, most of my suggested cuts would come from limiting the large increases—the large increases, Mr. President—in the procurement and research and development accounts of the defense budget.

My 1993 defense spending plan, I freely admit, if it is open to criticism it would be that it is too cautious, too conservative, and not enough of a cut.

Of the $8.8 billion reduction in budget authority, I propose $5.2 billion can be cut from the procurement account alone. Having reviewed the Pentagon's $5.4 billion procurement budget for fiscal year 1993, I found that 385 of the 1,288 procurement line items, or 30 percent of the total line items, have proposed increases over their 1992 spending level. The increases alone in these 385 items total $11.4 billion, over and above the 1992 comparable amounts. In other words, if spending in just these 385 individual item programs were held to last year's level for these 385 programs without eliminating a single one, doing nothing more than to freeze them at last year's level, by just doing that, Mr. President, it would make a significant difference and the Bush procurement budget would be, therefore, reduced by $11.4 billion in just those limited programs.

One of the problems that we have is that we properly take a look at the high-profile items—the strategic defense initiative, the B-2 bomber, the cuts in military personnel—and while those should be looked at, unfortunately, meanwhile back at the ranch no one is looking at the nickel and diming to death of the increase in the defense budget by what we would call nickel-and-dime items compared to the big ticket items that we talk about so often.

Nevertheless, I would simply point out once again forcefully that we are being nickeled and dimed to death by a total of $11.4 billion in these nickel-and-dime items that are sprinkled throughout the budget, line items that very few people pay any attention to. Of course, they are not anything the news media would like to get into and talk about because they do not make exciting copy that the news media loves to play on. Anyone who is interested, though, can take a look at the record that I already have made as to what each and every one of those in specifics are.

But as everyone knows, there are high-priority, high-profile programs that the Pentagon says it must have. Some programs, of course, Congress agrees are essential to the modernization of our forces. If you fully protect though from any cuts below the President's numbers, as recommended, for each of the services' 10 top most expensive programs, a total of 30 weapons systems which I do not propose to cut in my detailed assessment, there are still 368 programs in the President's procurement budget that are growing, totaling once again $6.7 billion in increases. This $6.7 billion growth is over and above their 1992 funding level.

Mr. President, sometimes it is so difficult to really have an understanding of what is going on, how the process works around here. I do not suppose that we are going to have the votes to pass this proposal, although most of the people who I have discussed it with who have a basic knowledge of the national defense budget are saying, "You know, Senator, you have a pretty rea-

sonable proposal there which we find is a little difficult for anybody to vote against, especially the savings of the money that you are providing would go to the reduction"—the reduction, Mr. President—"of the budget deficit and, therefore, the national debt."

Any savings that would be created by this would go to that purpose, but it will be interesting to see how the votes fall out and see how the votes on this measure compare with other statements that have been made over a period of years on the floor of the U.S. Senate by those who said we have to start doing something.

I would just like to point out, I read today an article from the Congressional Quarterly Weekly Report. It is a pretty well-known organization. Generally, they have a pretty good understanding of what is going on here, but I thought it was rather interesting to quote from Congressional Quarterly on page 867 in the current issue:

An Exon amendment to set the level at $273.4 billion by leaving big ticket items, such as the B–2 bomber, alone and instead cutting back on scores of smaller weapons failed on a 10-to-11 vote.

I do not suppose that statement would mean a great deal to the average person out there in the United States who is trying to raise a family and pay the bills, but I think indirectly what that statement is saying is that Exon is known to have an indelible record of being a supporter of the B–2 program and I have been and still am. But I realize and recognize that regardless of what anyone thinks of the B–2 program, we are never going to build less than 15 of those or more than 20. So from the standpoint of what effect that would have on the budget, it is meaningless.

The point is, Mr. President, while I think we could have cut some money out of the B–2 program, the B–2 program is one of the must-have items of all of the services, 10 or 30 services that I did not touch with my program trying to make the case, trying to make the point that the Exon cut is so reasonable that it should be accepted. But whatever you do here and whatever you put down in numbers, you open yourself up to somebody drawing a false conclusion of what you are trying to do. All I am trying to do is make a cut in the program for the national defense interests of the United States and doing it responsibly and reasonably.

Mr. President, I ask unanimous consent that the list of the 385 programs and the list of the services' 30 top systems spared any cut by my illustrative plan be printed in the RECORD. Of course, these are the items that I have just been addressing.

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

Services' top 10 fiscal 1993 programs[1]

[Cost in millions of then-year dollars]

Army:	
RAH–66	443.0
UH–60	428.3
ASM	367.2
FHTV	315.7
FMTV	291.1
Longbow engine	281.8
HMMWV	229.5
Sincgars	223.2
MLRS launchers	217.2
ATACMS	188.3
Total	2,985.3
Navy:	
DDG–51	3,369.6
F/A–18	1,808.6
F/A–18E/F	1,079.7
Trident II	986.8
Carrier	832.2
E/A–6B	530.0
CH/MH–53E	513.1
Tomahawk	404.2
Fltsatcom	326.0
T–45	303.5
Total	10,153.7
Air Force:	
B–2	4,028.0
C–17	3,142.0
ATF (F–22)	2,224.0
Milstar	1,552.0
F–16	901.0
Amraam	773.0
Jstars	744.0
Titan IV	525.0
Navstar GPS	509.0
DSP	413.0
Total	14,811.0

[1] Includes procurement and R&D programs.

PROCUREMENT ACCOUNT

[in millions]

Number and description	Appropriation	1992	1993	Percent change	Change
ARMY					
8 Helicopter new training	2031	$23.5	$44.9	91	$21.4
12 Guard rail mods	2031	26.0	93.0	258	67.0
20 Flight data recorder	2031	.5	9.7	1840	9.2
26 Airborne avionics	2031	0	1.0	.....	1.0
30 Spare and repair parts	2031	.0	101.0	.....	101.0
31 Aircraft surv. equipment	2031	49.1	75.2	53	26.1
32 Air. comm. and Ctrl. consoles	2031	6.0	6.8	13	.8
33 Avionics supp. equip	2031	27.1	33.7	24	6.6
35 Air traffic control	2031	2.0	5.7	185	3.7
3 Other missile support	2032	.6	1.4	133	.8
8 Laser hellfire sys	2032	19.7	103.4	425	83.7
13 Mlrs launcher	2032	133.6	197.3	48	63.7
15 Atacms	2032	146.9	163.2	11	16.3
25 spare and repair parts	2032	.....	42.1	.....	42.1
28 Prod. base supp	2032	1.0	10.2	920	9.2
4 Armored gun system	2033	.....	4.7	.....	4.7
10 FAASV pip to fleet	2033	.....	25.8	.....	25.8
13 Spare and repair parts	2033	.....	52.0	.....	52.0
16 Reg. maint. train. sites	2033	.6	2.4	300	1.8
17 Howitzer, 105mm, M119	2033	36.4	47.8	31	11.4
18 Machine gun 5.56MM	2033	5.8	9.8	69	4.0
23 5.56 carbine M4	2033	5.0	9.7	94	4.7
27 Suad auto. weapon	2033	2.4	3.1	29	.7
28 M–16 rifle Mod.	2033	4.6	9.3	102	4.7
29 Mods < $2.0M	2033	.6	2.0	233	1.4
30 Spare and repair parts	2033	.0	.6	.....	.6
31 Items < $2.0M	2033	3.4	4.5	32	1.1
32 Prod. base supp	2033	21.1	22.1	5	1.0
4 CTG, 9MM	2034	.5	2.4	380	1.9
5 CTG, .45 cal	2034	.1	2.0	1900	1.9
10 CTG, 40mm	2034	5.3	29.5	451	24.2
17 CTG, tank, 35mm	2034	.....	1.3	.....	1.3

PROCUREMENT ACCOUNT—Continued

[in millions]

Number and description	Appropriation	1992	1993	Percent change	Change
23 CTG, tank, 120mm	2034	31.4	46.1	47	14.7
28 Proj, arty, 155mm	2034	150.9	172.1	14	21.2
29 Proj, arty, 155mm	2034	.....	35.5	.....	35.5
47 Grendades	2034	3.9	7.8	100	3.9
49 Simulators	2034	4.7	6.1	30	1.4
51 Cad/pad	2034	9.2	11.4	24	2.2
53 Eod explosive	2034	2.3	2.7	17	.4
58 Comp. for proveout	2034	1.8	2.3	28	.5
59 Layaway of indust. fac	2034	29.0	31.7	9	2.7
61 Maint. of inactive	2034	67.6	75.2	11	7.6
5 Family of med. tac. vehicle	2035	171.6	291.1	70	119.5
8 Family of heavy tac. vehicle	2035	99.7	315.7	217	216.0
13 General purpose veh	2035	4.8	6.0	25	1.2
14 Special purpose veh	2035	4.9	5.7	16	.8
17 Proj. mgmt. supp	2035	3.3	3.7	12	.4
19 spare and repair parts	2035	.....	11.8	.....	11.8
22 Def. sat. comm. sys	2035	47.9	112.4	135	64.5
23 Sat. term, adv. MPIC	2035	.....	11.0	.....	11.0
27 Scott	2035	17.9	38.4	115	20.5
32 Staccs	2035	1.4	2.8	100	1.4
39 Eac comm	2035	16.2	37.5	131	21.3
44 Tsec–ted	2035	4.2	6.8	62	2.6
51 Def. data net	2035	3.0	6.1	103	3.1
55 Information sys	2035	48.5	66.2	36	17.7
56 Local area net	2035	5.2	29.3	463	24.1
57 Pent. telec. ctr	2035	2.9	4.1	41	1.2
59 GDIP	2035	3.1	26.0	739	22.9
65 DTSS Tiara	2035	7.3	10.0	37	2.7
73 Mod of EW	2035	.....	8.9	.....	8.9
79 Mod of tac surv	2035	26.2	30.2	15	4.0
81 Imets	2035	.....	5.9	.....	5.9
82 Fire supp. ADA	2035	6.9	11.7	70	4.8
87 Maneuver ctrl. sys	2035	8.0	42.3	429	34.3
89 ADPE	2035	131.6	147.8	12	16.2
93 Calib. sets equip	2035	13.5	15.3	13	1.8
95 Simp test equip	2035	3.2	5.6	75	2.4
96 TMDE mod	2035	9.8	15.8	61	6.0
97 Initial spares	2035	.....	68.9	.....	68.9
98 Print and binding equip	2035	.....	4.2	.....	4.2
100 Pecip and qrip	2035	5.7	7.5	32	1.8
103 Special programs	2035	14.7	47.8	225	33.1
104 Simp. coll prop. equip	2035	1.6	2.3	44	.7
106 Mask, protective	2035	32.4	42.3	31	9.9
123 Firetrucks	2035	.....	4.2	.....	4.2
133 For. area refuel sys	2035	1.0	3.4	240	2.4
141 Combat supp. med	2035	19.2	24.8	29	6.6
145 CCE	2035	.....	1.1	.....	1.1
146 Crush./screen, plant	2035	.....	3.2	.....	3.2
148 Causeway sys	2035	5.0	10.8	116	5.8
152 Forklift	2035	1.0	8.5	750	7.5
155 Combat train. ctrs. supp	2035	12.3	21.9	78	9.6
156 Training devices	2035	85.9	90.7	7	5.8
159 Spare and repair parts	2035	.....	13.3	.....	13.3
163 Arms control comp	2035	.....	3.5	.....	3.5
165 Comb. def. improv. proj	2035	3.0	3.9	30	.9
173 Oper. proj. stocks	2035	.....	14.4	.....	14.4
NAVY					
2 EA–6B remfg	1506	98.2	482.7	392	384.5
3 EA–6B adv. proc	1506	17.0	47.3	178	30.3
9 CH/MH–53E proc	1506	338.4	464.4	37	126.0
10 CH/MH–53E adv. proc	1506	32.0	48.6	52	16.6
13 SH–60B seahawk AP	1506	38.5	45.9	19	7.4
14 SH–60F	1506	201.7	221.3	10	19.6
20 HH–60H	1506	.....	117.4	.....	117.4
25 A-6 mods	1506	21.5	156.6	628	135.1
36 H–46 mods	1506	68.1	131.2	93	63.1
37 H–53 mods	1506	42.3	43.8	94	1.5
38 SH–60 mods	1506	29.0	35.2	21	6.2
43 EP–3 mods	1506	18.4	33.0	79	14.6
44 P–3 mods	1506	18.4	49.9	171	31.5
46 E–2 mods	1506	57.4	94.1	64	36.7
52 Exec. helo. series	1506	.....	27.9	.....	27.9
57 Common avionics	1506	16.6	23.0	39	6.4
59 Common grd. equip	1506	417.5	453.4	9	35.9
62 Other prod. charges	1506	35.8	83.1	132	47.3
11 Hellfire	1507	.....	50.5	.....	50.5
14 Tow IIA	1507	.....	23.9	.....	23.9
19 Sparrow mods	1507	2908	56.9	91	27.1
20 Sidewinder mods	1507	.....	15.3	.....	15.3
24 Standard mods	1507	26.4	27.5	4	1.1
26 Flt sat comm	1507	283.1	326.0	15	42.9
27 Arctic sat comm	1507	.....	17.5	.....	17.5
32 ASW targets	1507	18.2	26.2	44	8.0
34 VL asroc	1507	3.1	38.0	1,126	34.9
35 MK–46 torpedo mods	1507	9.9	48.6	391	38.7
45 CIWS mods	1507	56.6	58.5	3	1.9
52 2.75 inch rockets	1507	12.2	15.0	23	2.8
55 Gator	1507	.....	18.8	.....	18.8
58 5/54 gun ammo	1507	36.3	68.5	89	32.2
60 77MM gun ammo	1507	8.9	10.7	20	1.8
63 Pyro. and demo	1507	14.7	19.9	35	5.2
2 Carrier replacement	1611	.....	832.2	.....	832.2

PROCUREMENT ACCOUNT—Continued

[in millions]

Number and description	Appropriation	1992	1993	Percent change	Change
6 CVN refuel	1611	.....	6.8	.....	6.8
7 CGN refuel	1611	.....	30.4	.....	30.4
9 DDG–51 adv. proc	1611	8.1	23.1	185	15.0
16 Ocean. Ship Conv	1611	.....	19.5	.....	19.5
18 Service craft	1611	35.4	200.2	466	164.8
22 Outfitting	1611	243.6	385.3	58	141.7
23 Post delivery	1611	163.2	223.1	37	59.9
6 Other pumps	1810	5.5	7.3	33	1.8
7 HP air compr	1810	.2	5.8	2,800	5.6
9 Other props	1810	3.2	3.9	1,119	.7
12 Underway replen	1810	29.0	35.0	21	6.0
17 Pollution ctrl	1810	28.9	35.1	21	6.2
18 Sub. silencing	1810	18.3	21.6	18	3.3
19 Surf. Ship silen	1810	5.5	11.7	113	6.2
25 Minesweeping	1810	2.4	3.1	29	.7
27 Surface IMA	1810	7.1	11.3	59	4.2
30 Mini/micro elect rep	1810	.6	1.3	117	.7
31 Chem. war. detect	1810	5.9	8.4	42	2.5
32 Sub. life supp. sys	1810	10.7	17.9	67	7.2
34 Reactor components	1810	247.8	285.6	15	37.8
35 Diving and salvage	1810	6.5	8.3	28	1.8
36 Naval spec. war	1810	3.4	5.4	59	2.0
39 Prod. supp. fac	1810	8.2	13.9	70	5.7
45 AN/SPS–49 radar	1810	1.3	20.5	1,477	19.2
49 Surf. sonar supp	1810	15.4	22.3	45	6.9
51 AN/BQQ–5	1810	151.8	179.9	19	28.1
52 Sonar windows	1810	7.8	12.4	59	4.6
54 Switches and trans	1810	28.2	33.1	17	4.9
57 SSTD	1810	25.9	46.3	79	20.4
60 Sosus	1810	72.7	87.0	12	9.3
64 Surtass	1810	27.7	30.2	9	2.5
70 AN/WLR–8	1810	7.5	14.9	99	7.4
73 C–3 countermeas	1810	24.8	32.0	29	7.2
75 Outboard	1810	5.5	8.6	56	3.1
78 AN/WLQ–4 improv	1810	10.4	18.9	82	8.5
80 Sub. supp. equip	1810	3.6	4.5	25	.9
82 Tac flag command ctr	1810	30.9	39.8	29	8.9
83 Link 16 hardware	1810	40.8	43.0	5	2.2
90 Other training equip	1810	7.3	8.7	19	1.4
97 Facsfac	1810	1.6	12.3	669	10.7
101 Space sys proc	1810	.....	4.4	.....	4.4
102 NCCS ashore	1810	32.8	47.2	44	14.4
105 Gpete	1810	21.7	22.9	6	1.2
109 Hems<$2M	1810	7.2	10.9	51	3.7
110 Shipbd tac comm	1810	58.7	82.7	41	24.0
111 Flight deck comm	1810	.....	3.4	.....	3.4
112 Portable radios	1810	14.9	22.6	52	7.7
114 Items<$2M	1810	23.1	28.7	24	5.6
116 Verdin	1810	1.3	4.7	262	3.4
118 Satcom ship term	1810	144.5	193.6	34	49.1
122 Shore HF comm	1810	15.5	16.8	8	1.3
129 Secure voice	1810	61.3	77.0	26	15.7
139 Key MGMT. syst	1810	4.7	9.8	109	5.1
145 Crypto. reserves	1810	0.7	1.5	114	0.8
151 Sonobuoys	1810	68.3	74.0	8	5.7
155 Sus Sonbuoys	1810	.....	1.8	.....	1.8
156 Cartridges	1810	15.3	21.0	37	5.7
158 AEC	1810	62.0	63.8	3	1.8
161 JATOS	1810	7.9	9.0	14	1.1
163 Exped. airfields	1810	4.8	6.3	31	1.4
165 Catapults	1810	50.5	59.9	19	9.4
166 Meteor equip	1810	30.6	31.8	4	1.2
168 Aviation life supp	1810	6.1	12.5	105	6.4
169 Air. Mine C/M	1810	3.1	11.0	255	7.9
170 Lamps MKIII	1810	4.2	12.6	200	8.4
174 Gun FCE	1810	15.2	16.6	9	1.4
175 MK 92 FCS	1810	13.7	23.0	68	9.3
176 Harpoon supp	1810	28.4	37.6	32	9.2
177 Terrier supp	1810	19.5	20.6	6	1.1
178 Tartar supp	1810	26.9	33.3	24	6.4
181 Aegis supp	1810	46.4	154.3	233	107.9
184 VLS	1810	42.5	89.3	110	46.8
187 MK-117FCS	1810	55.2	65.1	18	9.9
189 Surf. ASW supp	1810	13.3	15.0	13	1.7
190 ASW range supp	1810	10.3	14.5	41	4.2
191 Explos. ord. disp	1810	11.0	12.3	12	1.3
192 Unmanned sea targ	1810	5.3	8.4	58	3.4
195 Stock survel. equip	1810	1.7	2.3	35	0.6
196 Other ord. equip	1810	0.8	1.2	50	0.4
200 Ship expend, C/M	1810	25.8	45.2	75	19.4
207 Const. & main. equip	1810	5.0	7.4	48	2.4
211 Combat const. equip	1810	2.4	3.1	29	0.7
215 Fleet moorings	1810	3.1	4.1	32	1.0
216 Poll. Ctrl. equip	1810	10.4	11.3	9	0.9
218 Forklift trucks	1810	7.3	9.9	36	2.6
221 Other supply supp	1810	2.4	3.6	50	1.2
225 Surf. sonar train	1810	1.7	9.8	476	8.1
228 Sub. combat train	1810	3.7	4.1	11	0.4
235 Intel. supp. equip	1810	36.7	64.3	75	27.6
239 Envir. supp. equip	1810	13.2	23.2	76	10.0
240 Physic. sec. equip	1810	25.9	33.1	28	7.2
242 Comb. acqu. prog	1810	75.9	133.3	76	57.4
245 Spare and rep. parts	1810	491.3	580.5	18	89.2
MARINES					
30 83MM rocket	1109	10.6	29.4	177	18.8
38 RKT motor	1109	0.0	6.0	.....	6.0
46 Art. mod. kits	1109	0.6	5.8	867	5.2
47 Items < $2M	1109	0.3	2.2	633	1.9
52 Hawk mod	1109	2.5	24.0	860	21.5

PROCUREMENT ACCOUNT—Continued

[in millions]

Number and description	Appropriation	1992	1993	Percent change	Change
54 Ped. mtd. stinger	1109	4.9	23.9	388	19.0
58 Items < $2M	1109	.	0.6	.....	0.6
60 Gps	1109	.	12.7	.....	12.7
62 AN/GRC	1109	.	19.0	.....	19.0
63 TSC-96 PIP	1109	.	2.0	.....	2.0
70 TEL	1109	.	2.0	.....	2.0
71 Single chan. grd	1109	52.4	59.8	14	7.4
73 Items < $2M	1109	1.9	2.4	26	0.5
76 Adv. tac air ctr	1109	.	6.8	.....	6.8
77 Marine tact. C2	1109	7.3	8.3	14	1.0
79 Meteor. sys	1109	.....	6.0	.....	6.0
90 NDNTEL mods	1109	2.8	3.7	32	.9
94 5/4 HMMWV	1109	40.3	47.3	17	7.0
99 Items < $2M	1109	.4	1.0	150	.6
101 Ace	1109	.....	28.0	.....	28.0
103 TFS equip	1109	4.7	14.1	200	9.4
104 TOPD/survey	1109	.....	1.4	.....	1.4
106 Tray heating sys	1109	.....	3.3	.....	3.3
122 Chem. agent monitor	1109	.2	.9	350	.7
AIR FORCE					
1 B–1B	3010	62.5	214.9	244	152.4
2 B–2A	3010	1,334.0	2,686.9	101	1,352.9
3 C–17	3010	1,523.5	2,513.9	65	990.4
4 C–17 (AP)	3010	172.4	205.6	19	33.2
10 C–130H	3010	289.8	300.4	4	10.6
13 Tanker trainer	3010	156.1	158.6	2	2.4
14 MH–60G	3010	23.5	30.1	28	6.6
16 E–8B	3010	.....	310.6	.....	310.6
21 B–52 mods	3010	31.1	76.7	147	45.6
22 F–117 mods	3010	.....	24.7	.....	24.7
23 A–10 mods	3010	.4	7.8	1,850	7.4
25 F–15 mods	3010	295.9	303.9	23	8.0
26 F–16 mods	3010	246.5	274.5	11	28.0
27 EF–111 mods	3010	.....	9.0	.....	9.0
32 C–9 mods	3010	1.4	2.0	43	.6
34 C–22 mods	3010	.....	4.7	.....	4.7
36 C–137 mods	3010	3.2	10.7	234	7.5
41 KC–10A mods	3010	3.6	38.6	907	35.0
42 C–12 mods	3010	.2	5.7	29	5.5
48 E–3 mods	3010	50.9	76.4	50	25.5
49 E–4 mods	3010	6.4	18.0	181	11.6
52 Other aircraft mods	3010	46.9	101.6	117	54.7
55 Spare and repair parts	3010	603.4	724.4	20	121.0
56 Common age	3010	330.3	442.4	34	112.1
57 Indust. responsive	3010	15.3	35.5	132	20.2
58 War consumables	3010	25.4	27.9	10	2.4
59 Other prod. charge	3010	547.7	686.6	25	138.9
8 AMRAAM	3020	532.4	731.4	37	199.0
10 AGM–130 GBU–15	3020	69.8	76.1	9	6.3
12 AGM–88A harm	3020	112.8	218.4	94	105.6
13 Target drones	3020	28.7	60.9	112	32.2
14 Indust. facilities	3020	.....	9.9	.....	9.9
20 Sidewinder mods	3020	.9	11.7	1,200	10.8
21 MMIII/III mods	3020	152.0	194.6	28	42.6
28 GPS	3020	120.8	188.3	56	67.5
30 Space shuttle ops	3010	31.9	88.3	177	56.4
32 Space boosters	3020	290.2	382.2	32	91.7
34 Med. launch veh	3020	38.9	46.3	19	7.4
37 Def. support prog	3020	64.3	139.7	117	75.4
38 DSP AP	3020	.....	147.0	.....	147.0
41 Ionds	3020	28.2	38.0	35	9.8
42 Ionds AP	3020	3.9	11.4	192	7.5
43 Spec. update prog	3020	78.6	154.2	112	81.6
44 Special progs	3020	2,230.3	2,330.5	4	100.2
1 2.75 rocket motor	3080	.....	13.6	.....	13.6
4 5.56 MM cart	3080	.....	2.0	.....	13.6
7 30MM cart	3080	44.4	66.7	50	22.3
9 Signal MK–4 cart	3080	.....	.6	.....	.6
10 Cart imp 3000	3080	.....	8.8	.....	8.8
20 GBV–15	3080	.....	6.6	.....	6.6
21 Bomb practice 25LB	3080	.....	12.9	.....	12.9
23 MK–84 empty	3080	.....	21.1	.....	21.1
27 Items < $2M	3080	.....	3.6	.....	3.6
29 Flare, irmju–7B	3080	6.6	9.3	41	2.7
38 Items < $2M	3080	7.6	8.2	8	.6
42 Squad auto. rifle	3080	.....	2.1	.....	2.1
46 M2.50 mach. gun	3080	.....	.4	.....	.4
49 Bus, 28 pass	3080	.....	2.7	.....	2.7
50 Bus, 44 pass	3080	.1	3.1	3,000	3.0
52 Modular ambul	3080	.....	7.4	.....	7.4
53 14–23 BUS	3080	.....	.5	.....	.5
65 Truck, cargo 2½T	3080	.....	4.8	.....	4.8
66 Truck tractor	3080	6.2	11.4	84	5.2
68 Truck, utility	3080	.....	3.4	.....	3.4
70 Items < $2M	3080	9.9	16.6	68	6.7
71 Truck phone line	3080	.....	3.9	.....	3.9
77 Items < $2M	3080	17.6	20.2	15	2.6
79 Truck crash P–23	3080	4.3	22.1	414	17.8
80 Truck water P–26	3080	1.8	2.1	17	.3
81 Heavy rescue veh	3080	.....	4.3	.....	4.3
82 Truck pumper P–24	3080	.....	2.9	.....	2.9
83 Truck pumper P–22	3080	.....	3.0	.....	3.0
95 Spares and repair parts	3080	2.0	2.6	30	.6
97 Items < $2M	3080	9.8	10.8	10	1.0
98 Comsec equip	3080	49.5	57.0	15	7.5
99 Spare and repair parts	3080	1.1	1.9	73	.8
100 Comsec mods	3080	.5	.9	80	.4
103 Intell comm equip	3080	3.9	17.7	354	13.8
106 Tact air ctl. sys	3080	66.3	118.8	79	52.5

PROCUREMENT ACCOUNT—Continued

[in millions]

Number and description	Appropriation	1992	1993	Percent change	Change
107 Weather OBS/FOR	3080	57.0	62.9	10	5.9
108 Def. supp. prog	3080	51.3	57.1	11	5.8
110 Sac comm and ctrl	3080	37.8	63.1	67	25.3
112 BMEWS mod	3080	.....	1.0	.....	1.0
113 Navstar ops	3080	3.4	6.1	79	2.7
115 Def. met. sat. prog	3080	7.3	15.2	108	7.9
121 Air base oper	3080	.....	9.5	.....	9.5
123 Tact. warn. sys	3080	.6	1.5	150	.9
126 Adp oper. cons	3080	.....	124.4	.....	124.4
127 WWMCCS/WIS	3080	16.6	32.3	95	15.7
128 Mac comm and ctrl	3080	19.6	28.8	47	9.2
129 AF phys. sec. sys	3080	28.5	36.2	27	7.7
131 C3 C/M	3080	2.9	4.0	38	1.1
133 Base level data	3080	20.1	23.0	14	2.9
134 AF sat. ctrl. net	3080	25.8	36.3	41	10.5
137 ESMC/WSMC I&M	3080	61.2	94.0	54	32.8
140 Telephone exchange	3080	59.8	80.5	35	20.7
141 JT. tact. comm. prog	3080	46.8	54.0	15	7.2
142 Ustranscom	3080	3.8	4.8	26	1.0
143 Uscentcom	3080	5.0	5.6	12	.6
144 Auto. tele. prg	3080	4.3	7.8	81	3.5
148 Min. essent. emer	3080	.....	33.4	.....	33.4
149 Tact. C–E equip	3080	17.1	37.6	120	20.5
150 Radio equip	3080	2.8	14.2	407	11.4
151 TV equip	3080	4.0	4.5	13	.5
152 CCTV equip	3080	2.7	3.7	37	1.0
154 Spares and repair parts	3080	122.7	210.4	71	87.7
156 Items < $2M	3080	9.1	12.9	42	3.8
157 Comm. Elect. mods	3080	25.0	26.1	4	1.1
159 Space mods	3080	12.3	19.7	60	7.4
160 Bace/alc calib.	3080	8.7	14.7	69	6.0
161 Newark AFB calib	3080	2.2	2.6	18	.4
162 Items < $2M	3080	23.4	29.0	24	5.6
163 Night vision goggles	3080	6.2	6.6	6	.4
164 Breathing appar	3080	6.2	8.5	37	2.3
166 Items < $2M	3080	3.3	5.0	52	1.7
167 Base mech. equip	3080	9.0	12.3	37	3.3
168 Air term. mech. equip	3080	3.9	5.0	28	1.1
172 Floodlights	3080	11.2	15.3	37	4.1
173 Items < $2M	3080	2.2	4.4	100	2.2
176 Air base oper	3080	13.1	17.3	32	4.2
179 Photo. equip	3080	3.6	6.4	78	2.8
183 Mobility equip.	3080	.5	1.4	180	.9
186 Items < $2M	3080	13.2	20.1	52	6.9
187 Int. prod. act.	3080	34.5	72.7	111	38.2
190 Selected activities	3080	5,458.5	5,560.1	2	101.6
191 Special update prog	3080	162.1	176.9	9	14.8
DEFENSE AGENCIES					
3 Major equip	0300	2.0	53.2	2,560	51.2
4 RPV	0300	138.4	149.0	8	10.6
5 Corp. info. mgmt	0300	56.8	64.0	13	7.2
13 Items < $2M	0300	27.2	67.5	148	40.3
23 Def. supp. act	0300	.....	1.9	.....	1.9
29 Other capital equip	0300	20.3	34.0	67	13.7
30 Geodesy equip	0300	.3	2.7	800	2.4
31 Vehicles	0300	2.1	4.0	90	1.9
34 Items < $2M	0300	3.6	5.6	56	2.0
35 Major equip	0300	179.2	463.4	159	284.2
36 Major equip	0300	21.7	30.7	41	9.0
39 SDIO patriot	0300	25.0	62.5	150	37.5
43 C–130 mods	0300	84.4	110.6	31	26.2
48 Aircraft supp	0300	15.1	138.4	817	123.3
49 Patrol boat	0300	4.2	25.4	505	21.2
51 SOF pyro/demo	0300	20.8	25.3	22	4.5
53 SOF indiv. weapons	0300	13.1	17.5	34	4.4
59 Comm. equip. and elec	0300	78.0	81.7	5	3.7
60 SOF Intell. sys	0300	.....	34.3	.....	34.3

Mr. EXON. Mr. President, what is so startling about these programs is the rate of increase. Of the 368 programs, 157 programs, totaling $3.9 billion in increases over last year, their level in 1992 is at least a 100-percent increase over last year; 214 of the 368 programs, totaling $5 billion in increases, exceed the 1992 levels by at least 50 percent; 296 of the 368 programs, totaling $5.9 billion in increases, exceed the 1992 levels by at least 20 percent.

I have taken a cut of only $5.2 billion out of these increases, which total $11.4 billion, but again more savings can and should be found. Remember, my plan protects the requests for the 30 most expensive programs and it would not—I repeat, it would not—cut any pro-

curement program below this year's spending level.

In other areas of my illustrative list of cuts, I reduce $2.1 billion from the Bush research and development budget which has a total of $39 billion. This cut assumes a $1 billion reduction in the strategic defense spending.

But to put that in perspective, let me say that even at the reduced spending level I have recommended of $4.3 billion for SDI for fiscal 1993, it is still higher than what we provided for that program last year, which was $4.1 billion. Anyone paying close attention to the sentiment in Congress about the increases in the SDI spending realize that a $4.3 billion funding level is a very high number.

Once more, my plan assumes a conservative reduction. An additional $1 billion in savings can be realized simply by freezing the Air Force research and development budget, which is proposed to increase by 6.9 percent over last year, and the director of test and evaluation at 1992 levels.

In other accounts, my plan would save $400 million by freezing Department of Energy funding at the 1992 spending level and reduce operations and maintenance in military construction and family housing by a paltry 1 percent below the President's request.

Senator NUNN, the distinguished chairman of the Armed Services Committee, spoke eloquently on the Senate floor earlier this year about how the Pentagon can lower spending in the operations and maintenance account by reducing operational tempos, training levels, and readiness standards to reflect the reduced threat to our forces around the world.

In proposing this amendment, I have outlined where the cuts can be made to the defense budget, not necessarily what will be made. The budget resolution is designed to establish spending caps or ceilings. It is not meant to specifically address funding levels for defense accounts or programs.

I have purposely taken a modest, conservative approach in my plan to illustrate that the scare tactics of the Pentagon do not hold up to scrutiny. The budget amendment takes the President's proclamation of "this deep and no deeper" head on and says that the defense budget is not sacrosanct. It is time we managed the Defense Department budget to bring it kicking and screaming in line with the post-cold war world.

AMENDMENT NO. 1763

Mr. EXON. Mr. President, I send the amendment to the desk.

I point out at this time that the amendment is cosponsored by Senator SASSER, Senator BYRD, Senator MITCHELL, Senator LEVIN, Senator HARKIN, Senator SIMON, Senator BUMPERS, and Senator CONRAD.

I would further explain that, at the suggestion of the Senator from Iowa [Mr. GRASSLEY], we have incorporated in the amendment a clear understanding that it is a sense of the Senate that none of the cuts made in this budget proposal will not cause nor should those cuts be used to make any further reduction in forces beyond those already outlined by the President.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Nebraska [Mr. EXON], for himself, Mr. SASSER, Mr. BYRD, Mr. MITCHELL, Mr. LEVIN, Mr. HARKIN, Mr. SIMON, Mr. BUMPERS, and Mr. CONRAD, proposes an amendment numbered 1763.

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

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

The amendment is as follows:

On page 3, line 16, decrease the amount by $7,700,000,000.

On page 3, line 17, decrease the amount by $8,100,000,000.

On page 3, line 18, decrease the amount by $8,600,000,000.

On page 3, line 19, decrease the amount by $9,300,000,000.

On page 3, line 20, decrease the amount by $10,000,000,000.

On page 3, line 23, decrease the amount by $3,600,000,000.

On page 3, line 24, decrease the amount by $7,800,000,000.

On page 3, line 25, decrease the amount by $9,200,000,000.

On page 4, line 1, decrease the amount by $10,200,000,000.

On page 4, line 2, decrease the amount by $11,100,000,000.

On page 4, line 5, decrease the amount by $3,600,000,000.

On page 4, line 6, decrease the amount by $7,800,000,000.

On page 4, line 7, decrease the amount by $9,200,000,000.

On page 4, line 8, decrease the amount by $10,200,000,000.

On page 4, line 9, decrease the amount by $11,100,000,000.

On page 4, line 12, decrease the amount by $3,600,000,000.

On page 4, line 13, decrease the amount by $11,400,000,000.

On page 4, line 14, decrease the amount by $20,600,000,000.

On page 4, line 15, decrease the amount by $30,800,000,000.

On page 4, line 16, decrease the amount by $41,900,000,000.

On page 5, line 20, decrease the amount by $3,600,000,000.

On page 5, line 21, decrease the amount by $7,800,000,000.

On page 5, line 22, decrease the amount by $9,200,000,000.

On page 5, line 23, decrease the amount by $10,200,000,000.

On page 5, line 24, decrease the amount by $11,100,000,000.

On page 7, line 13, decrease the amount by $7,600,000,000.

On page 7, line 14, decrease the amount by $3,500,000,000.

On page 7, line 22, decrease the amount by $7,600,000,000.

On page 7, line 23, decrease the amount by $7,300,000,000.

On page 8, line 7, decrease the amount by $7,600,000,000.

On page 8, line 8, decrease the amount by $8,200,000,000.

On page 8, line 16, decrease the amount by $7,600,000,000.

On page 8, line 17, decrease the amount by $8,500,000,000.

On page 8, line 25, decrease the amount by $7,600,000,000.

On page 9, line 1, decrease the amount by $8,700,000,000.

On page 40, line 12, decrease the amount by $100,000,000.

On page 40, line 13, decrease the amount by $100,000,000.

On page 40, line 21, decrease the amount by $500,000,000.

On page 40, line 22, decrease the amount by $500,000,000.

On page 41, line 5, decrease the amount by $1,000,000,000.

On page 41, line 6, decrease the amount by $1,000,000,000.

On page 41, line 14, decrease the amount by $1,700,000,000.

On page 41, line 15, decrease the amount by $1,700,000,000.

On page 41, line 23, decrease the amount by $2,400,000,000.

On page 41, line 24, decrease the amount by $2,400,000,000.

On page 42, line 7, decrease the amount by $100,000,000.

On page 42, line 8, decrease the amount by $500,000,000.

On page 42, line 9, decrease the amount by $1,000,000,000.

On page 42, line 10, decrease the amount by $1,700,000,000.

On page 42, line 11, decrease the amount by $2,400,000,000.

At the end of the resolution insert the following:

SEC. . SENSE OF THE CONGRESS.

It is the sense of the Congress that the levels in section 6 of this resolution are consistent with the assumption that the defense reductions required shall not result in reductions in military personnel below those levels set forth in the President's fiscal 1993 budget.

Mr. EXON. Mr. President, I yield the floor and reserve the remainder of my time.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, I understand on our side that several Senators want to be heard. I think Senator LOTT, a member of the Budget Committee and the Armed Services Committee, has a time problem. As soon as I am finished, I would allow time on our side to Senator LOTT.

I understand Senator WARNER, the ranking member of the Armed Services Committee, wants to speak; Senator THURMOND; Senator SYMMS from the Budget Committee wants to speak. And, Senator COHEN would like to speak. We will have plenty of time. Senator WALLOP wants to speak. We will arrange those in short order. Obviously, the other side is entitled to take time in between our various speakers.

Mr. President, first, let me start with the last comments that the distinguished Senator from Nebraska made. I think he said Senator GRASSLEY has asked him to put some language in this particular amendment to a budget that says there will be no reduction in forces, military forces, manpower.

Everyone should know, including Senator GRASSLEY, that will not work. This is a budget resolution, and the only thing in the budget resolution, Mr. President, and fellow Senators, are numbers.

So there is a number for defense for 1993 that changes the number, that is, in the resolution that the Budget Committee reported out. That is it. In due course, the Armed Services Committee will take the number and develop a scheme, an authorization, to spend it. There is no way that you can say to that committee or the Defense Department we are going to cut $8.8 billion but you cannot cut anything that I do not want you to cut. That just will not work.

So anyone who votes for this and does not think there is going to be a further reduction in military manpower is just taking a great big gamble because more than likely there will be substantial manpower cuts if you have to reduce the defense number by the amount suggested by the Senator from Nebraska.

Second, I do not quite understand why the Senator from Nebraska insists on using words like "dishonest." I do not understand how he insists on using words like "snow job," and, I repeat, "dishonest."

I wonder who is dishonest? Is it the President of the United States who is dishonest? If that is the case, how come he has such great respect for the Senator from Georgia?

The Senator from Georgia believes the President's number is right for the first year. Who now is dishonest? Both of them? One of them? Do we choose? Or is it perhaps Secretary Cheney, or maybe it is the staff?

In any event, I do not think this is an issue of honesty or dishonesty. I do not think it is a issue of snowball or snow job to anyone. We are all grown people. If we do not have time to read this ourselves, we have scores of staff to look at the proposal and see what the facts are. The facts are that the Senator from Nebraska misstates cutting defense and what cutting defense means. He says if you are cutting something that is not already in existence, you are not cutting defense.

I submit that we ought to call the two Senators from Connecticut down here. Let us stand them up here and say, "Senators, why are you worried about Seawolf?" Seems to me they are very worried about it. Why? Because Seawolf is going to go into an industrial plant that has all the people there ready to build Seawolf.

If Seawolf is not built, what happens? We understand between 11,000 and 15,000 people, highly paid, are laid off. Is that a reduction in defense expenditures or not? I submit moving Seawolf is a cut in defense. It was not only planned; it has been designed. We put the money in; it is ready to go. That is how you figure cuts in defense.

There are other items in the President's budget that almost everyone says are cuts in defense that are not yet things in being, as submitted here—at least by inference, if not directly—by the Senator from Nebraska as a contention that those are not cuts.

Mr. President, we reduced defense $170 billion when we came out of the 5-year economic summit; $170 billion. Senator SASSER, chairman of the Budget Committee, was there. He helped put this together. I do not think he walked out and said $170 billion is not real. In fact, I think everybody touted the fact that we had really cut the discretionary appropriations of the United States, and almost all of it was defense.

The President came along and said, "Let us put $50 billion more on." He told us why and how. I think that is $220 billion in defense cuts. To tell the American people there are no defense cuts to speak of and we have not gotten any peace dividend is just belying the facts.

The fact that we have not yet balanced the budget because we spent all the money does not mean we have not cut defense; the fact that we have not had sufficient savings to put in all kinds of programs that people are running around saying they think we need that should have been the peace dividend does not mean there were not some real cuts. There will be $220 billion worth of cuts when the President's plan is completed, when the plan that is currently contemplated by the budget resolution is completed.

Having said that, I want to thank the members of the Budget Committee. Every Republican and two Democrats voted for the President's number. I think they were saying, plain and simple, two things: First, that it is too early in the scheme of current world history to take a chance, and second, disarm and reduce our defenses dramatically. I think they are saying let us cut in an orderly manner, and wait and see for a few years how this world pans out. I think that is pretty logical.

I think it was urged on us by every expert, looking at our past mistakes that we brought before the Budget Committee and Armed Services Committee: Be careful; be orderly; do not do things precipitously, because they have always been wrong. So I think that is one thing that convinced them.

I think the other was that we were making a real reduction in things we were buying for the defense of our country, such that they believed the Congressional Budget Office that we were going to add 1.2 million men and women, military and civilian, to the job market of America, most of whom would have no jobs to go back to.

Let me repeat, before the President adds his additional $50 billion request: The Congressional Budget Office says 1.2 million men and women, civilian, military, industrial workers, military men and women—we are taking 1.2 million of them and saying—we do not know what you are going to do, but you do not work for us anymore.

For the men and women in military: We are saying we do not know what your contract was. You are not draftees. You are volunteers; you have an agreement. We will have to start shipping some of you home, into the marketplace of your hometown or some other city in America, 1.2 million. It does not sound like nothing to me. It sounds like a lot.

I do not believe the Congressional Budget Office would think the additional $50 billion was nothing. When you add the $50 billion cut you will have 1.8 million American men and women, civilian, and military, who have been let out of either the service or the employment of industries that employed them for defense purposes. That is a pretty big estimate.

Those are estimates; I understand. But I believe they indicate that these cuts are serious, and that we probably cannot do anything with more defense cuts other than make the economic situation worse in our country. We do not know how to do otherwise. When we reduce defense, we add people to the marketplace for jobs. We reduce industries' capabilities, and they must let people off.

I am not complaining about that. I do not think we will ever find a way to do it much better in America. People speak of conversions. I hope we can make some. I hope we find ways to transition; I hope we find ways.

But essentially, on every score, the 11 members of the Budget Committee said to the Armed Services Committee: We think the President's number is about right. We know there are other things you might cut other than the President did, but we also think there are things you will add that the President had cut.

Mr. President, a great deal has been said and more will be said about the specifics that justify this new cut that the distinguished Senator from Nebraska recommends.

The Senator from Nebraska will assume that we can cut procurement, we can cut some of our supplies, some things we have been purchasing, some inventories. As I understand it, he looks at that part of those items that are going up, and says we ought to cut them. Well, from what I read, from what I saw in the committee, he shows a pie that has 100 percent of procurement. He shows that two-thirds of that, I say to my friend from Mississippi, would be cut or held constant under the President's plan; one-third would increase.

The Senator from Nebraska is telling us that we are not cutting procurement because he is looking at the one-third that did not get cut and saying: Let us

cut it. Obviously, if you are managing procurement in a changing world and in an orderly manner, everything does not come down; something goes up if you are handling that big a procurement. So it seems to me it is wishful thinking to assume that the authorizers and the appropriators are going to further reduce the procurement from that which is in the President's recommendation. At least it is not going to happen in the manner suggested.

So one-third is growing; two thirds has either been cut or is constant. So we are being told that we have not cut enough, when frankly we are not going to be able to tell the committees of that total reduction we are talking about, where they will find additional reductions.

Having said that, let me say one other thing, and I will sit down and yield to either Senators LOTT or WARNER.

The cut that is not built into this budget in the year 1993, by a coincidence of the 5-year agreement—by a coincidence of the 5-year agreement—whatever is cut in 1993 will go to deficit reduction. The Senate refused to change that, and said: Whatever you save, you put in deficit reduction.

But, Mr. President, it is in error to allege that, under this budget resolution or the budget resolution as amended by the Senator from Nebraska, the savings in 1994, 1995, 1996, and 1997, which are being touted by the proponents of the amendment would save an additional $62 billion in the years 1994, 1995, 1996, and 1997 will go to the deficit.

Mr. President, I wish that were the case. That is not the case.

The way we structured the agreement, it will be up to the appropriators to determine how much will go to domestic spending and how much, if any, in those outyears will go to deficit reduction. I do not say that because I have any way of changing that outcome, but I merely suggest for those who think they are adding a very large deficit reduction by virtue of this amendment, essentially they are adding $8 billion in budget authority to the deficit reduction, period.

With that, I yield the floor.

Mr. SASSER addressed the Chair.

The PRESIDING OFFICER. The Senator from Tennessee is recognized.

Mr. SASSER. Mr. President, I think we ought to not lose track of the reason we are on the Senate floor today, and that is to take up a budget resolution which we are debating, and to try to reduce the deficit. That is what we are about here. We are trying to reduce the budget deficit.

The distinguished Senator from Nebraska, Mr. EXON, is the ranking majority member of the Armed Services Committee, and is intimately familiar with the U.S. military force structure and its requirements. And over the years of his service here in the U.S. Senate, the Senator from Nebraska has been at the forefront of defending military spending, and has exhorted this body on more than one occasion to increase spending for a particular weapon system that he felt the security of the country demanded at a particular time.

I think it is something that we ought to take note of, that this same ranking majority member of the Armed Services Committee, who in times past, has come to this floor asking for increases in military spending in various areas, should come now and propose reductions in military spending, all in the name of deficit reduction; all reductions in military spending under the Exon amendment go to deficit reduction.

It appears to me that the Senator from Nebraska has been reading the newspapers for the past 2 years; he has been reading the periodicals, the journals, and watching the news and has been traveling. And he understands that the former Soviet Union no longer exists. And that superpower, that military superpower—that nation state that we have spent multiples of trillions of dollars of our national treasure and tens of thousands of the lives of our young men since 1947 in resisting—no longer exists; it is all over. The Senator from Nebraska is looking down the road to the future of this country. He is looking straight ahead, but there are others who are still looking at the world through the rear-view mirror. They are looking at the road that was behind them.

So I want to pay tribute to the distinguished Senator for having the perception to understand the world that we live in today, and for having the courage to come before this body and say: I have changed my mind now, in view of a very different world that we live in, and I think a bigger threat to the security of the United States now is an exploding budget deficit, as opposed to a moribund of dead former military superpower. Perhaps he is telling his colleagues: Let us learn from the experiences of very recent history. The Soviet Union spent itself into bankruptcy in funding an enormous military apparatus. Indeed, it was the second largest military superpower in the world.

Mr. President, the Senator from Nebraska knows that the Soviet weapons are still there, but they are no longer a superpower, because they have collapsed economically, politically, and are perhaps on the verge of collapsing socially, simply because they spent themselves into bankruptcy on military weapons and a military apparatus.

My able friend and colleague, a man for whom I have great respect, and I might say affection, the ranking member of the Budget Committee, Senator DOMENICI, who I know feels very strongly about these matters, indicated that there was no guarantee that manpower would not be cut simply because the amendment of the distinguished Senator from Nebraska said that. But I submit that there is no reason to cut manpower if the Exon amendment should pass. Our total force structure now stands at 1.8 million men and women. The President's budget will bring that force down by 99,000 in fiscal year 1993, and begin bringing it down at a lower rate each year thereafter, until we stabilize with a force of 1.6 million men and women in fiscal year 1995.

Let us just look at that figure for a moment. We are going to take 99,000 people out of the force under the President's budget in fiscal year 1993. Every year, the force loses 200,000 men and women just by attrition. Just by attrition. So the force is cut 110,000, more than the President's request, simply by attrition—those who voluntarily, of their own accord leave the military services.

I say to my colleagues, when we turn on the television set, many of these programs are aimed at young people. We see the ads exhorting young people to join the armed services. We are familiar with the slogan: Be all you can be, join the Army. Well, they do that because they have to bring in an additional 110,000 people next year in order to hold to the President's budget. So there is no reason to cut additional manpower. Granted, it may mean that everyone who wants to serve in the military cannot. You cannot accept everybody who applies. I do not accept everybody who wants to work on my staff here in the Senate. I wish I could. We turn away many promising young people, but there are just not enough slots available. But with regard to those who are being ejected against their will, that is a very small portion, and that is occurring under the President's budget.

This is the President's budget, the President's number, that is rejecting a small number of young people and a small number of military service personnel against their will. One of our colleagues, the other day, was very upset. He said: Here we are, discharging sergeants who have been in for 6 or 7 years, just letting them go and giving them the option of resigning now and accepting $50,000, or they may be involuntarily discharged later on.

We lay off a lot of people down in my area. In factories, people are losing their jobs. Very few of them are offered a $50,000 termination package, these wage earners, if they leave voluntarily.

I am sorry that everybody cannot remain in the military that would wish to. But it is difficult for me to work up a great deal of sympathy under the example that was given by one of our colleagues. I do not know if it is accurate or not, but I cannot work up much sympathy over someone who served 6

or 7 years and then is given a $50,000 cash bonus termination package.

A question might arise, well, suppose we do have to make a choice of making additional reductions beyond the administration's defense budget. How can we do it without additional cuts in the force? That turns out to be a remarkably uncomplicated exercise.

The Senator from Nebraska offers a reduction, as I understand it, in budget authority some $8 billion above the President's, a reduction in outlays of some slightly over $4 billion above the President's. This amounts to less than a 3-percent additional savings over the President's defense request.

So let me just offer my colleagues a menu of 15 options that quickly adds up to $25.6 billion in budget authority and $12.8 billion in outlays in 1993. I am not saying this ought to be done. I am just saying this is what could be done so you do not have a reduction in force.

We can start first by halting the B-2 production program at 15 aircraft. That saves $40 million in outlays in 1993.

There are some very good reasons to shut down the B-2 production entirely. As many of my colleagues know, I favor that. But this option does not do that. It merely upholds the well-established will of this Congress to halt B-2 production to the 15 that we have already authorized.

The administration wants to procure four additional B-2's this year. By simply denying that request, to buy an additional four B-2 bombers we save $40 million in outlays and $900 million, almost a billion dollars in budget authority just on this one weapon system. This is certainly not a radical proposal. It is just simply in keeping with the recorded will of this body here in the U.S. Senate.

Let us go on down the list. We could halt production of the D-5 missile. We all know that a D-5 is a MIRV'd missile to be fired from the Trident submarines. It has hard target-kill capability. It has exceptional accuracy.

But I have yet to hear a credible rationale for moving on to this advanced D-5 missile because we already have a missile in our Trident submarines that is accurate. I cannot state on this floor how accurate, because it is classified, but it is extraordinarily accurate, the most accurate submarine launched ballistic missile in the world. That missile has some hard-target kill capability. It has a MIRV'd warhead.

What threat, what enemy is forcing us to go ahead and spend an additional $1 billion in budget authority for the D-5 missile? It does not make sense to me, and this is something that could be phased out. You would not have to reduce manpower by one man.

Mr. DOMENICI. Mr. President, will the Senator yield 30 seconds for a request?

Mr. SASSER. I am pleased to yield to my friend from New Mexico.

Mr. DOMENICI. Mr. President, I designate Senator LOTT as the Senator controlling time on our side. The Republican leader designated the Senator from New Mexico. I would like to designate him, and I understand he will speak next on our side.

The PRESIDING OFFICER. The designation is so noted.

Mr. SASSER. I thank my friend from New Mexico.

Now, Mr. President, we really should freeze nonmajor procurement at a 1992 level. Why cannot we freeze nonmajor procurement at a 1992 level? Why should we increase it for fiscal year 1993. If we froze it there, we would save $1.7 billion in outlays. There are some 1,288 military procurement items in some stage of development and 30 percent of these have proposed spending increases over the 1992 spending levels.

This occurs, I say to my colleagues, after the demise of the evil empire and when we stand as the military colossus of the world, unchallenged.

And these increases total $11.4 billion and include 368 nonmajor procurement items with proposed increases totaling $6.7 billion. And 157 of these items have increases in 1993 greater than 100 percent of their 1992 level.

And this is occurring at a time when the Federal budget deficit has literally exploded.

I want to be reasonable about this and I want to try to understand the point of view of all of my colleagues on this matter. We are not talking about canceling anything, though I will be frank to say that I think many of them should be.

I am only suggesting that we hold them to last year's level. If not having a superpower adversary means anything, it means we can afford to take our time on some of this military weapons development. Frugality is now a luxury that we can afford in the military area. Let us take advantage of it. Save taxpayer dollars. Reduce the budget deficit.

On that score, for example, we can reduce funding on the strategic defense initiative to a 1991 level and save $1.270 billion just in 1993.

This is not a death knell for SDI if we do this. Scaling back to 1991 levels on spending for the strategic defense initiative, the so-called Star Wars, means that we will still be spending over $3 billion on SDI for 1993.

Surely, that is not an unreasonable request to say colleagues let us hold it to a little over $3 billion on SDI.

Why do not we just defer the procurement of a new aircraft carrier. We could save $40 million in outlays if we did that. We have 14 aircraft carriers, 14 active carriers, and one training carrier. Nobody else has any. The old Soviet Navy might have had one or two, but you could never get agreement as to whether or not they were actually operational. And the British and the French have one or two apiece, and they are all World War II antiques.

What threat, what threat, really, impels us to move forward and build another aircraft carrier, to the tune of billions of dollars in outlays over the next few years when we already have 14 and have the 15th for training and nobody else has any, at least no potential adversary has any? I just do not understand it.

What is this that drives us forward to do this?

Let us talk about fighter aircraft. We want to develop a new fighter aircraft, the F-22. We could slow development on the F-22. I am not saying stop it; just slow development, and that would save us $1.220 billion in budget authority. We now have the state-of-the-art fighter aircraft in the world. No one can compete with the aircraft manufactured by the United States of America. No aircraft can stand up to the F-15E. It is the best in the world and nobody is really trying to build one any better.

People are standing in line to buy the F-16, the most highly sought after tactical fighter aircraft in the world, manufactured by General Dynamics. It has no rival in the world. The F-18, the most advanced fighter bomber in the world, no one has anything to compare to it.

Yet we are moving full speed ahead with a new F-22 aircraft and the administration wants to spend $2.2 billion in 1993.

Why are we doing that? I am reminded of the old saying that "the wicked fleeth where no man pursueth." There is nobody pursuing us now. Why do we move forward with these grossly, almost obscenely expensive military projects.

Now, we could freeze the C-17, a new strategic airlifter at the 1992 level and save $1 billion.

Frankly, I do not think we need a C-17. If we need more airlift, and I am prepared to accept the arguments of those of our colleagues that say, yes, we need more airlift, but if we need more airlift, I think we ought to build some more of the C-5B's. They are a lot cheaper. They haul just as much, but the option I am putting before us with regard to the C-17 would still allow for the procurement of four C-17's in fiscal year 1993 at a cost of $2 billion.

Now let us talk about the intelligence budget for a moment. Published figures indicate that we spend $30 billion a year approximately on intelligence. Most of that intelligence apparatus since 1947, when the CIA was formed by Harry Truman, has been focused in gathering intelligence against the former Soviet Union and their activities worldwide.

The old Soviet Union does not exist anymore. If we wanted to find out what the KGB was up to, all you have to do is go to Moscow and go to their head-

quarters and open the file drawers and look. It is there. Anyone can see it. American scholars and academics from all over the world are going through those. And it is going to be very interesting reading to see what they find in the files of the old KGB.

But surely, we could save 5 percent out of that intelligence budget. Our distinguished friend from South Carolina, Senator HOLLINGS, has already proposed doing that. We could save $2 billion out of the intelligence budget. That would be about a 5-percent cut. Surely, given the way the world has changed, that is not unreasonable.

So I offer this menu of cuts, really, so that my colleagues will have some way of knowing that if those in the Pentagon really want to reduce defense spending without reducing the force, they certainly have every alternative available at their disposal. So to raise the scare tactic that reducing this defense or military spending by the very modest amount proposed by my friend from Nebraska is going to cause the force to come down, why, it just does not make sense.

My friend and colleague from New Mexico indicated a moment ago that at the budget summit we reduced defense spending by $170 billion over 5 years. Well, that was from a baseline that was going up. It was going up. And the truth is that in 1990, the defense budget, military spending, stood at $301 billion in budget authority, and by 1997, under the President's program, it will stand at $290.6 billion in fiscal year 1997. Now is that not remarkable that we would be spending a little over $290 billion still in fiscal year 1997, I say to my friend in the chair; that we would still be spending in 1997, Mr. President, over $290 billion in military expenditures?

It just does not make sense, I say to my colleagues, at a time when we have no adversaries, and at a time when our budget deficit has exploded, at a time when we have such terrible and long neglected needs here at home. No one advocated deep cuts. No one is advocating unilateral disarmament. We are simply advocating a very slight moderation in view of changed circumstances.

So I for one want to pay tribute to the work of the Senator from Nebraska. It is not easy, when you sit on a committee that has jurisdiction over a particular area of the Government, whether it is the Defense Department, or the Treasury Department, or whatever, over a period of years, you develop an affinity with that portion you are supposed to be overseeing and you develop a bias in favor of those that you are supposed to be authorizing funds for overseeing or appropriating funds for.

And it is not easy to turn around and disagree with them and say we have to make some reductions here, and you have to make them. The Senator from Nebraska has had the courage to take the bull by the horns here and say, "We are moving in the wrong direction. Let us moderate ourselves along that path just ever so slightly." I respect him for it and say a hardy thank you to him. I am honored to be a cosponsor of his amendment here today.

Mr. LOTT addressed the Chair.

The PRESIDING OFFICER. The Senator from Mississippi [Mr. LOTT] is recognized.

Mr. LOTT. Mr. President, I thought perhaps I just misunderstood what I heard a while ago. I listened closely but I though I heard it said that this budget resolution was an exercise to reduce the deficit. I did not laugh out loud but I was tempted to. This budget resolution has a deficit for 1 year of $327.4 billion. That's not a very good effort, if we are trying to reduce the deficit.

The proposal before us now would, it has been said, only slightly cut a little from defense. Yet the record is clear that defense has already paid at the office, Mr. President.

Defense has already been cut dramatically over the past 2 years. And again this year, the President came and presented to the Congress a proposal to cut defense over the next 5 years another $50 billion. Frankly, I think that is too much. So defense, from any baseline you want to choose, has already been cut. The fact of the matter is that around $220 billion less in defense spending has already been proposed, some of it enacted by the Congress, but proposed by the President.

Defense has already paid. It is being cut substantially. But when I look at the committee's mark, which I voted against, thank goodness, at least in the defense area the committee held the line at the level basically that the President asked for.

I would point out, Mr. President, nothing else has paid at the office to reduce the deficit; not really. The international discretionary account has not been cut. I have looked at the domestic discretionary accounts. Most of them are up over previous years, and over the previous year, but most of them are up substantially over the previous year.

Look at these numbers. I am looking at some here, a $2 billion increase. Here is another one, up $8 billion over the previous year. Let's face it, domestic discretionary is going up. International discretionary is basically holding at present levels. And, of course, mandatory spending is going up dramatically—some accounts 38 percent, some 16, some 12. Nothing else in this budget resolution is really helping to reduce the deficit—just defense.

A good deal is being made about the sponsor of this amendment. We all respect him. I worked with him on the Armed Services Committee and on the Budget Committee. He does defend vigorously various defense projects. We all appreciate that.

But let us talk a little bit about who is opposed to this amendment and who supports another figure, a figure that is not as draconian in its cuts: The President of the United States, the Secretary of Defense, who came to Congress and made this additional proposal of cuts. He was honest about it. He did not ask for a lower number, thinking Congress would increase the cut. He asked for the number he thought they could legitimately, honestly, and safely meet for the country.

Gen. Colin Powell came before the Armed Services Committee and made an impassioned plea that we not make more cuts beyond what has already been agreed to.

How about Members of the other side of the aisle? How about the chairman of the Armed Services Committee? What is his position? My understanding is that his position supports the level the President has asked for—not the amendment of the Senator from Nebraska. I assume we will hear from him on this.

What about the distinguished Senator from South Carolina, the ranking member on the Budget Committee, Senator HOLLINGS. He voted against this very amendment in the committee.

So we need to think about some of the other people, the real leaders who oppose this amendment and who support the President's budget number for Defense.

Mr. President, speaking before the House of Commons, Winston Churchill once said:

> The problems of victory are more agreeable than those of defeat, but they are no less difficult.

That is what we are dealing with here. The world is changing. Thank goodness, the world is poised, perhaps, for a period of peace. There is economic improvement all over the world, and freedom for countries all over the world. But now is the time when we must secure our future. And our future is not free. It is not cheap. We must have a plan for what we are going to do with defense, not a meat-ax chopping away, but a clear, steady path that we know, we can count on, and that meets our needs.

There are in this body those running around almost giddy, "We get to cut the defense budget. We can take the money and apply it to the deficit." They are sort of Johnny come lately, as far as I can tell.

There is another quote, an old Russian proverb which says, "He who digs a hole for another may fall in himself."

That is what can happen here. I caution my colleagues, before you cut defense further, think about what it will do to our defense programs and the

men and women in our defense programs that will be affected by it. Somebody is going to have to come up with the cuts to pay for this.

I remind my colleagues, this is a budget resolution. A menu is nice. I could develop a menu. It might be somewhat similar to the menu that the Senator from Tennessee came out with. Maybe it would be a little different. We all can get a menu, but that is my point.

"We can cut more," everybody says, but everybody also says, "not in my backyard." Do I hear an echo around here? People saying "No, no, not B-2. Don't cut more from B-2." And the Seawolf submarine, "No, no, we have to have that capability."

And what about industrial base? And you know what, I agree with them. I worry about our industrial base. What are we doing about our capability to produce and overhaul nuclear submarines?

Members would say "not the Seawolf, not the B-2."

I am not just pointing at other Members. We all say it.

In response to the base closure commission last year, who among us did not say "not my base"? None of us wanted our bases closed. I plead guilty. I defended the Meridian Naval Station with every fiber in my being. "Not my base." At least, I said, I have always voted for these programs; not me.

How about people on the other side who have been for cutting this stuff all along? Now they are saying "not my base."

Just 2 weeks ago, the Secretary of Defense and Gen. Colin Powell, two respected men, came to the Congress and said, "Say, guys and girls, you are going to have to cut a little more out of defense in the National Guard and Reserve area."

Oh, my goodness, there was an uproar. "You cannot cut my armory. Do not cut my armory in Marks, MI. Do not cut these Reserve units."

So, right down the list we go. For every program you name, there is going to be somebody who says "not that one" and "not mine."

But this is not a generic cut. This is not pie in the sky when we say "Oh, we wish it would be less" and we pay no price. We do not even get to say that in this resolution. We are just voting on the macro numbers. We are going to turn this over to other people and they will pick and choose. And let me tell you most of us will not be in that little room when the picking and choosing is done. Think about it.

But I am going to say again, as I said in the Budget Committee, there is something more important than just a weapons system or just an armory. It is the human face that is involved here. Nobody seems to get too excited about the tens of thousands—hundreds of thousands of jobs that are being lost in the defense industry. GM cut 74,000 over 3 years and that is a disaster. But if defense-related industries cut hundreds of thousands, "Well, gee, whiz, we can assimilate that into our economy."

Those men and women, not just who have been in the Army 6 years, but those with 16 years, with a wife and children, on third tour to Germany, having served in conflict in Vietnam, or having been in the Persian Gulf. They are being told, "Get out and take the $50,000." And if you say "I do not want to get out," you will be thrown out and there will not be any $50,000 lump sum.

We are moving almost 500 people out of Europe every day, and they are being put out and told get a job in an economy that is not very strong.

Believe me, these cuts don't affect only airplanes, tanks, or ships. Human beings in the defense industry and men and women in the military are also affected.

Once again we are breaking our word to our military men and women. These are not just workers in an industry, either. These are people who have been moved all over the world, who have sacrificed their families, who have been endangered, who made the extra sacrifice, and we are going to say "Gee, sorry about that. Sixteen years. Tough tamales. Get out. Get a job."

It is not going to be that easy.

Everybody says "Freedom at last, freedom at last. Utopia is here; no threats." Don't believe it. How many of you are satisfied the former Soviet Union is a nice, secure place and there are no dangers?

If you believe that, you better be looking at the record. For instance, let us just look at the former Soviets and what they continue to do. They continue to modernize five nuclear weapons programs, including the extra lethal SS-18 heavy ICBM. They continue development of follow-on missiles to the SS-N-20 SLBM, the SS-24 ICBM, and the SS-25 ICBM. They continue to develop a new SLBM missile to replace their existing sub launched missile arsenal. They continue to build the Blackjack bombers, Bear-H bombers, and the AS-15 ASLCM's.

Does this sound to you like a country that is not dangerous anymore? You say, "the economy is about to collapse; socially they have all kinds of problems; they are having to ration food. This is just a pipeline problem."

No, it is more than that. They could stop this. And they have not. There is a danger.

The North Koreans—"Oh, we do not have to worry about them."

Oh, really? We have clear evidence they will have the capability to develop, very soon, a nuclear weapon capability. Only a month ago we had reason to believe they were sending advanced Scud missiles to some Middle Eastern countries.

Problems in South and Latin America? Did you hear the news this very week? We are now spending $1.2 billion for the military to assist, as they should, in a war on drugs. General Joulwan, the commander of the Southern Command.

General Joulwan, the commander of the Southern Command, and others have said that this is the No. 1 national security threat in the region. Illegal drugs is a problem that undermines the very security of our country. And that costs money.

As we modernize, as we reduce our numbers and reduce the numbers of personnel and equipment, we are going to need more sophisticated and better equipment. We should not be cutting R&D, as has been suggested. As we cut everything else, the one thing we should not cut is research and development so we can move to an ever-more sophisticated military capability.

But I want to emphasize again the economic impact of these cuts. How low can you go and how fast? There is a limit to how fast we can cut our defense structure without it affecting our ability to do the job, but also without having an impact on the economy. These people who fly the planes and carry the weapons will be out there looking for a job at a time when the economy is in a position where it can clearly get stronger or slide back.

So let me conclude and make it brief because I know there are others who have been waiting a long time, by reminding my colleagues that there will be a price to pay. You say it is only another $8 billion, but remember that is on top of what the President had already asked that we cut. It is not just $8 billion, it is $228 billion. I think that what the President has proposed and what the Budget Committee reported on a bipartisan vote is the defense number we should stick with.

Maybe you say this is a free vote because it is a budget resolution and who among us believes a budget resolution really amounts to anything anymore; it is a toothless giant. It is not free. The symbolism is very important. If we vote to further cut defense, you can rest assured it will be cut this year even if we do not follow through with it. We do not know for sure how much we are going to wind up getting this year as we go through the authorization and appropriations process.

But I urge my colleagues today to remember what we are doing but also what has already been done and let us make sure that in victory we do what is necessary to secure the future and the safety of our country.

Mr. President, I will be glad to yield the floor now to the distinguished Senator from South Carolina.

The PRESIDING OFFICER. Is there an amount of time? The distinguished Senator from Mississippi controls time pursuant to allocation by the Senator from New Mexico [Mr. DOMENICI].

Mr. LOTT. Mr. President, I yield the Senator 8 minutes.

The PRESIDING OFFICER. The Senator is recognized for 8 minutes.

Mr. THURMOND. Mr. President, I rise to express my support for the Budget Committee's 1993 budget resolution. I am especially pleased that the committee supported the Hollings-Domenici mark on defense spending which essentially duplicates the President's $281 billion request for defense in fiscal year 1993. This is an important first step toward assuring that the Congress has the flexibility to pass a sound and rational defense plan for fiscal year 1993.

Mr. President, during the past 3 months the Armed Services Committee has held numerous hearings on defense requirements. These hearings have highlighted two points. First, the Department of Defense is making cuts in force structure as fast as feasible. As currently planned, these reductions which will be completed by 1995 include 500,000 active military personnel, 250,000 reservists, and 200,000 civilians. We must all remember that these are not mere numbers on a ledger, but human beings with families whose lives are being disrupted. Those servicemembers being separated receive a double whammy—the military career they had planned on no longer exists; and, they are being separated at a time when the civilian job market is extremely tight.

Mr. President, Secretary Cheney and General Powell have both testified before the Armed Services Committee that any cuts above those currently programmed "would tear the heart out of the force." We must not allow that to happen, nor should we allow additional men and women in uniform to be added to the unemployment lines.

The second point that has come across loud and clear during the hearings on the defense budget is that the Nation's defense industrial base is in dire straits as a result of the budget cuts already made or planned. Two weeks ago, we were told that the termination of the Seawolf submarine program would wipe out the Nation's nuclear submarine construction base. Cuts in such mundane items as meals ready to eat may force one or two of the three MRE manufacturers out of business. This loss of production capacity will not only force people into unemployment lines, but may also severely limit the surge capacity which would be necessary to support another Desert Storm-type operation. These two industries represent only a minute portion of our industrial base which is in danger of being eliminated by further cuts in the defense budget. We cannot make further cuts at the present time without causing serious repercussions.

Mr. President, in a report on the impact of defense cuts, the Congressional Budget Office estimated that for every $10 billion cut in the defense budget, a net total of 200,000 civilian jobs will be lost. This would be above and beyond the 1 million jobs being eliminated as a result of President Bush's $50 billion reduction in defense expenditures over the next 5 years.

Both the Secretary of Defense and the Chairman of the Joint Chiefs of Staff have indicated that they are willing to consider further cuts in 1995 when we reach the base force structure advocated by the administration if conditions in the world continue to improve. Although I am hopeful that we can make additional cuts, we must be prepared to reverse course if the situation in the former Soviet Union deteriorates and Iran and Iraq continue their bellicose ways.

Mr. President, I believe we owe it to the Nation and our future generations to support the judgment of our civilian and military leadership and not force further cuts in defense below that advocated in the budget resolution. We must learn from history and not repeat the mistakes this Nation made after both World War I and World War II by precipitously reducing our forces. This budget resolution will allow for a gradual reduction in defense spending and ensure a strong defense for the rest of this decade—if events progress as everyone hopes.

Mr. President, I urge my colleagues to support the Budget Committee's defense numbers and vote against the Exon amendment.

Thank you, Mr. President.

I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. DOMENICI. Mr. President, I yield to the Senator from Georgia—how much time would the Senator like?

Mr. NUNN. If the Senator will yield me about 20 minutes.

Mr. DOMENICI. Senator Warner wanted to try to speak at what hour?

Mr. WARNER. Mr. President, I have spoken to the leadership and the managers of this particular amendment and I am going to ask if the Senate will indulge this Senator to speak from roughly 4:05 to 4:20 as in morning business on a matter of great personal importance to me.

Mr. DOMENICI. Mr. President, I yield the time until 4:05 off our side to Senator NUNN of Georgia.

The PRESIDING OFFICER. The Senator from Georgia [Mr. NUNN] is recognized.

Mr. NUNN. Mr. President, I will be glad to yield to the Senator from Virginia whenever he chooses.

Mr. President, I oppose the Exon amendment. I want to make it clear while opposing this amendment to make additional reductions in defense for fiscal year 1993, I have suggested to the Budget Committee that I believe we can reduce the administration's 5-year defense program by somewhere in the neighborhood of $30 to $35 billion, of course depending on events in the world. It could be more, it could be less, but I do think that is a reasonable range of projections and that $30 to $35 billion would be above the President's already suggested $50 billion cut. That would be a total of $80 to $85 billion over 5 years below the budget summit levels.

Mr. President, I think we must be very cautious about accelerating the pace of the defense drawdown in the near term. In my view, it is essential that we draw down our defense establishment in an orderly manner. We are already going to have to make significant cuts in the President's proposed defense program for fiscal year 1993 just to fund some of the initiatives that most Members on both sides of the aisle support: Initiatives such as defense conversion in this country, protecting the defense industrial base, and the personnel levels for National Guard and Reserve. I am sure there will be others.

Mr. President, given the practical limits on the pace of personnel reductions, the extensive defense program reductions already underway, the need to assist military, civilian, and industrial personnel leaving the defense sector, the rapidly growing environmental cleanup requirements, and the uncertainty of whether Congress will accept the President's rescission proposals or whether Congress will substitute rescission proposals, I do not believe that significant reductions below the funding level in this budget resolution should be made in defense spending for fiscal year 1993.

The budget resolution before us today cuts defense spending by $8 billion in budget authority and $5.3 billion in outlays below the caps in the Budget Enforcement Act. There is already more deficit reduction for defense in this budget resolution than there is in the entire rest of the budget, both in spending and revenue. If we are, indeed, making any progress on deficit reduction, most of that progress is because of defense reductions now underway.

Mr. President, this resolution, unknown to an awful lot of our people and unreported in the news media thus far, already requires $2 billion in outlay reductions from the President's defense program. The reason for that is because the Congressional Budget Office costs out and scores the President's program differently from the way OMB scores that program. Reductions of that order are going to already be difficult to achieve without cutting personnel. This resolution must also go to conference with the House, which is already $6 billion lower in budget authority and $7 billion lower in outlays than the current Senate bill.

Mr. President, there is no doubt defense is going to be cut. There is no doubt it is going to be cut below the President's budget. This resolution already cuts the defense program the President has submitted by approximately $2 billion in outlays because the OMB scoring is different from the CBO scoring.

Defense has been the major contributor to deficit reduction not only in this budget resolution but over the whole 5 years of the budget summit. If we continue on our present course, concentrating almost all budget cuts in defense—and I sincerely hope we do not—if that is the course we are on, at the end of this decade we will find that defense was the only major source of deficit reduction during the entire 1990's. It would be a tragedy for the country if that continues, because the deficit will still be out of control, no matter how much we cut defense because this body, the House, and particularly the White House, none of us are addressing the real growth in the budget, which is the entitlement programs.

The deficit was supposed to be $500 billion lower because of the budget summit, which occurred 2 years ago, but the current CBO baseline is $450 billion higher than the baseline used going into the budget summit. That is a total swing of $950 billion from where the budget summit expected to be.

Now, of course, a lot of that is due to the recession, and we know that, but still a very considerable amount of it is structural, and those structural changes have to be addressed. When we look at where the outlays will be increasing in the next 5 years compared to the last 5 years, defense is going down while every other part of the budget is going up. Over the next 5 years domestic discretionary spending will go up over $200 billion, even under the President's budget.

Mr. President, there was a long discussion on the merits of domestic discretionary spending during debate on the firewalls bill. I support most of these programs. I think they are excellent programs. I particularly support a program such as Head Start, which is part of the domestic discretionary budget. But just to keep this debate in perspective, the domestic discretionary part of the budget is already getting special treatment under the budget summit. Not only did none of the $500 billion in budget summit reductions come from domestic discretionary spending, but that category was increased under the budget summit. I support most of those programs. I am not opposed to them. But I think we ought to understand much of what goes into those programs and much of what goes into the other parts of the budget pales in terms of comparison to the uncontrollable spending.

What we are having today really is a false debate. The debate is more and more pitting discretionary versus defense, and actually the debate should be everything else in the budget versus entitlements because that is where the money is going.

Interest on the national debt over the next 5 years will increase by $300 billion—$300 billion just in interest on the national debt. The entitlement program spending over the next 5 years, while we are here debating defense versus domestic, is going to increase by over $1 trillion. That is $1 trillion over the next 5 years. That is where the debate ought to be, but that is where the debate, unfortunately, is not. Given the administration's track record on the budget estimates, if anything, these increases in interest payments and entitlements are probably understated.

Mr. President, there is a widespread perception in the Congress and among the American people that the defense budget has not been reduced in response to changes taking place in the world. I do not believe that to be accurate, and I think the record should be put straight on this point. The reality is that the defense budget has actually been reduced in real terms every year since fiscal year 1985, during the Reagan administration. That was the peak year of the Reagan buildup. From fiscal year 1985 through the end of the current fiscal year, defense spending will have declined by 25 percent in real dollar terms. The defense reductions embodied in the budget summit agreement, totaling $250 billion in budget authority, $180 billion in outlays from 1991 to 1995, were based on the recommendations I made in a series of speeches here on the floor of the Senate. These recommendations came from the Armed Services Committee. By fiscal year 1997, the cumulative real decline in defense budget authority will total 37 percent, a reduction of more than one-third in real terms, and that is measured from fiscal year 1985.

Defense is being cut. It is being cut very significantly. Mr. President, we have already been reducing the defense budget. We have been restructuring our defense establishment in response to changes in the world, and we will continue to do so over the next 5 years. But what do these numbers really mean in terms of military capability, in terms of our investment in new weapons, and, most importantly, in terms of the military and civilian people who make up the defense establishment?

Mr. President, let us talk a moment about the people first, military personnel, civilian workers in the Department of Defense, and defense industry workers. These are the men and women whose skills, dedication, and talent helped our Nation win the cold war. A large number of these men and women are going to be out of a job in the next 5 years.

Earlier this year, Gen. Colin Powell testified before the Armed Services Committee. Quoting him, "A million people, civilian and military, will be released from the rolls of the Defense Department by 1996." That is 1 million jobs lost just in the Department of Defense.

The Armed Services Committee has received a great deal of testimony about the turmoil and concern among military members, Defense Department civilians, and defense industry employees that make up the defense establishment. There was, understandably, a lot of concern throughout our whole country when General Motors announced the layoff of 74,000 people over the next 3 years, and that concern was certainly appropriate. But during the current fiscal year alone the Army will release a total of 154,000 people from active duty, and they will actually draw down their total strength by 70,000. The Army alone is basically terminating 70,000 jobs this year, almost as many as General Motors was terminating over the 3-year period that caused so much concern.

Mr. President, I hope Members of the Senate will keep in mind one fundamental difference between this drawdown and previous drawdowns after previous buildups, and after previous wars. After most of our wars, the people being released from the military were draftees who wanted to get out. We have a very different situation today. All military members serving on active duty are serving because they volunteered to do so. They all entered the military services with the expectation that, if they performed well, they would have a rewarding and fulfilling career in uniform. The coming reductions in the size of the military services mean that many of these volunteers will no longer have the opportunity to complete their career.

If we are serious about maintaining a top quality volunteer force, we must keep this distinction in mind. The employment picture for workers in the U.S. defense industry, many of whom are facing the prospects of layoffs, is just as bleak.

A study released last month by the defense budget project estimates that the private sector defense industry employment would decline by almost 1 million jobs from 1990 to 1997 as a result of the defense spending reductions already included in the administration's budget and in this budget resolution.

The largest single year of decline, almost 300,000 jobs, will be fiscal year 1993 beginning October 1. Add into that the loss of Defense Department jobs, and this represents 1 million fewer jobs in the next several years.

To those who do not think defense is being reduced, I hope they will pay attention to just the next few minutes.

Where do the reductions come from? What do they mean in terms of reduced

reductions in our military capability? Today, 1992, we have fewer troops on active duty than at any time since the Korean war. Military services are going to get a lot smaller even from this level.

By 1995, the number of Army divisions will be cut from 28 to 18; the reduction of 10 divisions, and 36 percent. The active duty Army of 1995 will be down to 535,000, smaller than any time the U.S. Army has been since 1940.

The number of Navy ships will be reduced from 546 to 451; a reduction of 95 ships, and 18 percent. This 450-ship Navy will the smallest we have had since 1940.

The number of Air Force tactical fighter wings will be reduced from 36 to 26; a reduction of 10 wings, and 28 percent. We will have a force of 180 long-range Air Force bombers, the smallest number of bombers since the attack on Pearl Harbor. The active duty Air Force of 1995 will be down to 437,000, smaller than any year since 1950.

Reductions are also planned for National Guard and Reserve components. For fiscal year 1993 alone, the Pentagon's budget request calls for a reduction of 131,000 in National Guard and Reserve strength.

Mr. President, these levels may not be low enough. I, myself, think the base force is too large. But the point I am making today is no matter what one may think of the base force and no matter what one may think of the arriving point, we have to decide whether the pace of these reductions is too slow. In my view, it is not too slow. It is about as rapid as we can go without causing very severe disruptions not only in our defense, but also in our overall economy in many areas of the country.

In other words, Mr. President, we are not talking about a cold war defense budget. Even under the base force, the United States will have a smaller Army, fewer ships and fewer bombers than at any time during the last 40 years. U.S. forces are coming home from overseas. During the 5 years covered by the budget agreement, 1990–95, overseas troop strength in Europe and the Pacific will be reduced by 200,000 under the administration's plan, a reduction of 40 percent.

General Saint is the commander of the U.S. Army in Europe. Listen to what he said about the withdrawal of U.S. Army forces from Europe when he testified before our committee last month. Quoting from General Saint:

> We are doing the best we can, and we are not dragging our feet to execute the withdrawal, but I have got to tell you, I am on the edge of breaking my force, breaking my ability to train at the same time I redeploy, breaking my ability to provide services, breaking the confidence of the soldiers in their leadership.

Mr. President, the administration's long-range plans call for leaving 150,000 U.S. troops stationed in Europe. In my view, this level under the current conditions and under the trends is excessive and can be reduced. But in the near term, I do not think it is prudent or possible to withdraw our forces from Europe any faster than we are doing in fiscal year 1992 and fiscal year 1993.

That does not mean we have to stop at the 150,000 level. The administration wants to stop at that level in 1994 and 1995. I do not believe under the current world conditions we should stop at that level. I think the level ought to be substantially lower. But that is not a question for today or for this year.

Mr. President, right now we are on the glide path to reduce the size of our military services to historically low levels never dreamed of 2 or 3 years ago. But we must bear in mind the current pace of reduction is taxing the services almost to the breaking point over the next several years.

Mr. President, deep reductions are also being made in defense procurement and development programs. Dozens of major weapons programs have been terminated in the last few years.

Even before the collapse of the Communist regime in the Soviet Union, significant program terminations were taking place based on the collapse of the Warsaw Pact in 1989, an event of equal or greater strategic significance to the United States as the events of last year. The result of these terminations can be seen most vividly in the procurement part of the budget. The procurement request in the fiscal year 1993 defense budget is 40 percent lower in real terms than the fiscal year 1990 level.

Many of these program terminations are justified by the changes that have taken place in the world. We simply do not need to produce as many weapons as we did when we confronted a formidable adversary on the other side of the Iron Curtain. But the impact of these reductions in Defense procurement is already being felt on production lines at defense plants across the country, and this impact is going to get significantly worse in the next 2 to 3 years.

BASE CLOSINGS

Finally, another painful indicator of the downsizing of our defense establishment is base closures. The first base closure round in 1988 closed 16 major bases and closed or realigned activities at 84 other sites. The base closure package approved by the Congress last year closed 34 major bases and realigned 48 others. There will almost certainly be additional base closures in 1993 and 1995 under the base closure process set up by Congress 2 years ago.

So Mr. President, to those people who say we have not reduced the defense budget or we are not reducing the defense budget fast enough, I say: Go ask the men and women serving in uniform today whether the defense budget is coming down; go ask the workers on defense production lines facing the prospect of losing their jobs how they feel about the peace dividend; go ask communities losing military bases whether we should speed up the reduction in defense spending; go ask the National Guard and Reserve units in your local communities how they feel about defense cuts. I think all of these groups will tell you that there are real and substantial changes taking place in the Defense Department, and that the process of restructuring our Defense Establishment in light of the changes in the world is already underway.

THE FISCAL YEAR 1993 DEFENSE BUDGET

Mr. President, I do not think we should make any further reductions in defense spending in fiscal year 1993 beyond those contained in this resolution.

I spoke earlier about the current pace of personnel reductions in the Defense Department, and the turmoil these reductions are causing throughout the military services. I do not believe it is possible or desirable to reduce the military or civilian personnel levels in the Defense Department at a faster rate than that proposed in the administration's fiscal year 1993 budget.

There is no doubt that some reductions can be made in the President's request. But in my view this amendment does not take into account the congressional increases to the President's programs that we will make, just as surely as we have made them every other year. Just this morning, for example, the two cochairmen of the National Guard Caucus in the Senate, Senator FORD and Senator BOND, argued against the reductions in the National Guard and Reserve proposed by the Pentagon for fiscal year 1993, and I know how many Members share their concern about these cuts. If we want to reverse these cuts in the Guard and Reserve however, we will have to make cuts in other areas of the defense budget to pay for it.

The same holds true for initiatives in the area of the defense industrial base, defense conversion programs, or additional assistance to the countries of Eastern Europe and the former Soviet Union. To fund these initiatives we will have to cut other areas of the fiscal year 1993 defense budget.

We also have to take into consideration the $7.7 billion in rescissions proposed by the President. These rescissions of prior years budget authority result in significant outlay savings in fiscal year 1993—savings that the administration has assumed in their 1993 budget. Many of these proposed rescissions are programs strongly supported by the Congress. If the Congress does not approve all of these rescissions—for example if we do not rescind both of the Seawolf submarines—then additional cuts must also be made just to

get back to the fiscal year 1993 outlay level proposed by the administration, even before we make the additional outlay cuts required by this budget resolution.

The PRESIDING OFFICER. The Senator from Virginia.

REPRESENTING THE COMMONWEALTH OF VIRGINIA

Mr. WARNER. Mr. President, I am going to read from a letter which I am sending today to my fellow Virginians.

Many Virginians have approached me in the past few months concerning their views on my becoming a candidate for the esteemed office of the Governor of Virginia. Most of these individuals, Mr. President, were motivated not by politics but by love, a deep respect and affection for our State, its future, and the future of their children.

I am deeply humbled. I am deeply grateful for their honest expressions.

Virginia has been exceptionally good to me. It was in our State that I spent much of my carefree youth, that I was offered the finest of college and university opportunities to learn, that I underwent a significant part of my military training.

I have had many joyful days in Virginia on my farm, raising a family, and I look forward to many more.

It is for Virginia that I have had the privilege of being in this Chamber, now in my 14th year representing its people.

For most people, these are dreams. But for me they have been a reality. I am a very fortunate man.

Consequently, I feel a great debt of gratitude. I feel a compelling obligation to pay back for all that I have received.

Therefore, the question is not what is best for me, but how can I best repay this debt?

These are difficult times for my State, for my country. Congress, largely through its own neglect, has lost a considerable amount of the public confidence it had when I joined this institution. There is a strong temptation for many to leave the Congress. With each departing Senator—and yesterday we witnessed, to our astonishment a tough decision by one of us to depart, that brings it to 7—the challenge for those who remain becomes even greater.

As an institution we are now unequivocally at the threshold when we must look in the eye ourselves and those whom we represent and say at a minimum two truths. First, we no longer have the money with which to reach easy solutions to the problems. And second, no matter how much wisdom individually and collectively we may possess, we simply do not, standing alone as an institution, have all the answers to the tough questions that face our respective States, our Nation today.

In return for this admission by us, the public must accept these same truths, and hopefully bring to a halt this confrontation between us, and begin to work together collectively in the spirit of cooperation to solve these problems.

The future needs of the Commonwealth of Virginia are no less great. The rising cost of health care, the challenge of improving schools, the threat of crime, pressing transportation, and in our particular State, one that has prided itself for these many years as being one of the principal States involved in national defense, the reality of a declining defense budget. There is always the need to balance our State budget and work to likewise balance the Federal budget.

To make a fair and objective choice between these two opportunities has indeed been one of the most challenging decisions that has ever confronted me.

There is also another complicating, but not controlling, factor. A governor has the responsibility to fill an unexpired term of a U.S. Senator until the next general election in our State. This appointment would be extremely important, first, to the people of Virginia, and second, to a governor as a working partner. I know that from long experience, having worked with four consecutive governors including, most significantly, my colleague today, the distinguished junior Senator, Senator ROBB.

I feel an obligation to those voters who have elected me, now three times, were I to be the Governor of Virginia, to make that appointment; but a careful review of the law by me and others reveals that that law is unclear and, therefore, I cannot with any sense of certainty go into an election thinking that I would have that appointment. I do not say that in any contradictory or derogatory way of those who would oppose me, for they would have an affirmative duty on behalf of their party, to exercise whatever rights the law provides. Virginia, in my judgment, would be plunged into an indeterminate period of legal turmoil as it relates to that individual who would succeed me. It might be that this very Senate, under article I of the U.S. Constitution, section 5, would have the difficult choice to make between, perhaps, two nominations.

Therefore, after most careful deliberation, I have concluded that I can best serve my State, my country, by remaining as a Member of the U.S. Senate for the balance of my term.

Each time Virginians have voted for me they have implicitly said: We trust you. We trust you to make decisions which are in our best interest. I have given the greatest weight to that trust, and I will not, in any way, step aside from the responsibility of making this tough decision.

The Senate seniority and the Senate experience comes as a direct result of hard-won successive elections. Senate experience comes from, first, the friendship that is accorded amongst our fellow Members, from the many long hours of working together, more often than not, in the interest of our country as opposed to partisan interests. I would like to think that my wealth today is largely the friendships that I have in this Chamber on both sides of the aisle.

That seniority belongs not just to me, but it belongs equally to my State and its citizens.

My departure would also break a tradition that Virginia has been privileged to have in this institution that dates back to the year 1945, when a Virginia Senator took a seat on the Senate Armed Services Committee, and a Virginian has held that seat every year since then. That seat is very important because, first, Virginia's philosophy has always been for a strong national defense. Each of my colleagues who has preceded me from Virginia has stood steadfast on this floor, in the most trying of times, to fight for that principle. That seat is important to the future of my State's economy.

So to conclude these remarks, I simply say that I, once again, extend my appreciation to those who have come forward and discussed with me objectively this tough decision.

Once again, I say that it is the trust given me by the voters of Virginia which I want to fulfill more than any other opportunity I may have. I call on them once again to repose trust in me for having made the right decision to fulfill the term of office to which I have been elected and not, at this time, seek the governship of Virginia.

Thank you, Mr. President.

Mr. NUNN. Mr. President, let me say that I know the Senator from Virginia has gone through a great deal of deliberation and probably has had a lot of sleepless nights trying to figure out exactly what his duty is. I know he reached his decision after a tremendous amount of thought and a lot of discussion with a number of people.

I can say, as one on this side of the aisle, that from the point of view of the institution of the U.S. Senate, and from the point of view of the Armed Services Committee, and the point of view of the national security of our Nation, I am very pleased that the Senator from Virginia is going to complete his term, because he is a most valued and trusted friend, and an outstanding member of our committee and of our body. I know it was a tough decision, and there were a lot of things pro and con, but I for one can say that I am pleased with the outcome of this decision.

Mr. WARNER. Mr. President, I thank my dear friend and colleague. For 14 years we have indeed forged a working

partnership of always putting our Nation's interests above all others. We will continue to do that together. Thank you.

Mr. NUNN. Mr. President, I do not see anyone on the floor to yield time, but I would like to complete the remainder of my remarks, if somebody can yield 6 or 7 minutes, which would be enough off of the bill.

Mr. SASSER. Mr. President, I ask unanimous consent that the Senator from Georgia be yielded additional time off of the amendment.

Mr. WARNER. Mr. President, I concur in that, and speaking for those in opposition to the amendment, we yield to the distinguished Senator from Georgia such time as he may require.

Mr. SASSER. Will the Senator from Georgia yield for a moment?

Mr. NUNN. Yes.

Mr. SASSER. Mr. President, I yield myself such time as I may consume off of the bill.

Mr. President, I want to associate myself with the remarks of the Senator from Georgia relative to our distinguished senior colleague from the State of Virginia. I think that the Senate is certainly the better for the Senator's decision to remain here in this body.

He has been an energetic, highly competent, and highly respected Member of the U.S. Senate during his years here. It has been my pleasure to work with him on a number of different matters during the course of our service together, and even though we might have differed on occasion with regard to the subject matter of a particular problem that we were working on, the Senator from Virginia was always, and has always been unfailingly courteous, kind in his treatment of myself, and all of his colleagues.

He is a Virginia gentleman, I would say, Mr. President, in the finest sense of the word. I know that there has been a great deal of soul searching on his part with regard to the decision that he made today, no question that he could have rendered a yeoman service to the people of the Commonwealth of Virginia in the office of Governor. I happen to think that he can also yield service of a similar value and quality right here in the U.S. Senate and I look forward to serving with him for many years in the future.

I thank the Chair.

Mr. WARNER. Mr. President, I thank my distinguished colleague.

CONCURRENT RESOLUTION ON THE BUDGET

The Senate continued with the consideration of the concurrent resolution.

The PRESIDING OFFICER (Mr. CONRAD). The Senator from Georgia.

Mr. NUNN. Mr. President, I thank the Chair.

Mr. President, the Senator from Nebraska is one of the most valued members of our committee. He is a leader in our committee. He is a leader of the Strategic Forces Subcommittee. He is a leader in the Senate and in the Nation on national security issues. When he identifies reductions in the defense budget he thinks should be made, you can be sure our committee will look at these cuts very carefully. I understand and share his frustration with the lack of significant progress on deficit reduction. But I do have concerns about the approach he has taken in his amendment. In particular, the proposed cut in the Exon amendment is based on the premise that we should cut out any increases in line items in the procurement budget.

Mr. President, I listed personnel decreases a few minutes ago to show the track we are already on in defense, and the amendment of the Senator from Nebraska does not affect personnel, as I understand the amendment. None of that had anything to do with personnel. His amendment would actually close the track we are on even if the Exon amendment does not pass. Those are the figures that relate to the President's budget. Let me speak, Mr. President, to the Exon amendment directly.

The Exon amendment's basic premise is that increases in any line items in the procurement budget are subject to basically either being frozen or held where they are. I do not believe he uses all those increases but uses a certain percentage of those increases as indicative of money that can be and should be saved.

Mr. President, this is not the approach the Armed Services Committee has taken in the past, and in my view is not the approach we should take in the future. We do not manage any programs in the budget in that way, including entitlement programs or domestic discretionary programs. Some programs in each year should go up and some programs should come down.

That is particularly true in domestic discretionary programs. One of the problems we have in our whole budget now is so much of our budget is entitlement programs that we do not have discretion to raise and lower. We do manage the defense budget and the domestic discretionary programs. They can go up and some can come down. Although we should certainly give consideration and look closely and will look closely at any items that are going up as to why they are going up and how rapidly they should go up, we certainly should not, in my view be planning our defense budget by saying that no line items are going to go up from the year before.

By the time the President's defense budget has been reviewed by four defense committees, and gone through two conferences this fall, these line items will have undergone careful scrutiny, and programs we do not need, or increases that are not justified, will be eliminated.

It may very well be we will be able to save some money. If that is the case, it will be applied to the deficit because the walls did not come down, and I hope we can save some money, and I hope we can. We will be looking at every item to see we can.

The procurement budget in the 1993 request is already 8.5 percent below the 1992 level, even before you take inflation into account. That is a very substantial reduction in the procurement account. Overall the procurement account declines by $5.2 billion in the President's budget from 1992 and only $200 million of that decrease is associated with the Seawolf submarine program and the B-2. Those are the big items, but they only involve a small amount of the overall $5.2 billion.

So if the Senator from Nebraska has found the $11.4 billion in increases then there clearly are a lot of decreases in the overall budget because the overall budget in procurement is going down $5.2 billion. So I assume the Senator's figures are correct; $5.2 billion is what this overall budget has declined. If $11.4 billion of increases are in that procurement budget, then obviously $16.6 billion in declines are taking place, and that is something that has not been talked about here but people ought to put that in perspective. In other words, there is $1.50 in cuts in the procurement budget for every $1 of increases that the Senator from Nebraska points to, yet the amendment deals only with the increases.

Mr. President, I would like to briefly review the basis for the cuts proposed by the amendment that is now pending. This amendment proposes cuts in the so-called other procurement accounts and in research and development. These cuts really, in effect, advocate spending freezes for many of the individual programs at last year's level.

That sounds interesting and it sounds very compelling. This amendment says there are hundreds of little items in the DOD budget and they should all just make do with what they had last year. That sounds sensible on its face. It sounds like what you and I might do in our personal finances. Times are tough, so we just make do at our current level. It sounds sensible. Overall that makes sense. It does not make sense on a line-item basis, though.

We need to look at this more closely. The Senator from Nebraska would not cut the big programs and instead would whittle a little out of hundreds of smaller programs. The Senator from Nebraska singles out 368 procurement programs in the 1993 budget that increase over the 1992 budget, but simply accepts the lower funding in the 900 programs that were cut from this year's level. That is not talked about. There have been a lot of programs cut here, and again I repeat, the procurement account is already going down $5.2 billion net this year.

Let me give a couple of examples. One of the increases is for modifications to the Navy's A-6 medium attack bomber. The fiscal year 1993 request of $157 million is an increase of 628 percent over this year. That sounds shocking, going up 628 percent in 1 year. But let us take look at that program.

When the A-12 replacement aircraft was canceled, and we all read about that last year, the Navy needed to go back and rewing more A-6 aircraft so they can last another 15 years. That is what we are planning on for our aircraft carriers. Last year's funding restarted the rewinging line on the A-6. This year's budget starts that process in a meaningful way. It makes no sense to freeze the program at last year's level. Last year's level was the beginning level. This year's level is totally different and the beginning of a meaningful program.

Another example is the Army's request of $44.9 million to buy a small commercial helicopter to use to train new helicopter pilots, a 91-percent increase over this year.

The Army currently uses large, old UH-1 helicopters for flight training. Those are 11-passenger helicopters, but now carry only one new pilot-in-training and an instructor pilot. Last year Congress added the first funding to replace the old UH-1's with small commercial helicopters. This year the Army is requesting the remaining funds to buy out the requirement. Holding it down only drives up the cost of the replacement and forces the Army to waste millions operating old, inefficient UH-1's. Can we live with a cut here? Yes. Is it a smart thing to do? I do not think so.

In yet another example, the Army is requesting $103.4 million to buy a new version of the Hellfire antitank missile; that is a 425-percent increase.

For years we have been working on an improved version of the Hellfire that incorporates some design elements that correct problems in the current system. Last year was the first year of production. The funding level provided last year was sufficient only to start the line up to produce the new missile. This year is the first year of low rate production. But when you move from a development stage into a production stage you naturally greatly increase the cost even though the first year production is a low level of production. If we freeze funding at last year's level, we will build only a few dozen missiles, and we will pay a lot more for each missile at very expensive prices. It would make no sense programmatically.

If we have too many of those missiles, the time to cut the program is not now; the time to cut it is on the end of the program so we are not driven to very inefficient, high per-unit cost production rates.

Mr. President, no one should conclude that this amendment will have no effect on defense; it will. It will have a serious impact on a large number of programs if we carry out the philosophy of the amendment. Of course, we have the flexibility, as I understand the budget process, to make other cuts. We could do it in personnel, although the Senator from Nebraska—I think wisely—is not suggesting that. I believe the Senator from Nebraska agrees with my statements earlier on personnel.

I am not saying that no cuts are possible in any of these accounts. We are going to have to make cuts.

First of all, we are going to have to make cuts to meet the number that the Congressional Budget Office says the present program would cost. CBO says it will cost almost $2 billion more than the President has costed it out. So we have to reduce the program by $2 billion to meet the CBO estimate, even if we pass the resolution as now on the floor, we are going to have to make cuts in the President's program, because I think a majority on both sides of the aisle are going to want to do something to protect those people who are going to be hurt in the defense industry, as we lay off thousands and thousands of people because of the cuts in the defense budgets that are already occurring. I do not know how much money is going to be required on that.

At 4:30 this afternoon, Senator PRYOR's task force—and I am a member of that—will be meeting to determine some of the programs that are going to be advocated in that respect. We are going to have to make cuts in the President's program to add back money in that respect. We are going to have to make cuts in the many programs under the current resolution if we do not go along with all the guard and reserve cuts that have been advocated by the President.

The Senator from Kentucky and the Senator from Missouri were before our committee this morning advocating that we not make those kinds of cuts in the guard and reserve programs, and 60 Senators—60 Senators—have signed letters indicating they do not want to make those cuts.

Mr. President, I do not want to make those cuts either. But we are going to have to cut something else in order to add back in that area.

I want to conclude by quoting my friend, the senior Senator from Kentucky [Mr. FORD]. Senator FORD testified this morning before the Manpower and Personnel Subcommittee of the Armed Services Committee. He gave our committee some very good advice. He said:

> History has shown that, after every major conflict, we have drawn down too far too fast and have had to build up all over again, resulting in a waste of resources and money, and in an endangerment to this Nation's security. I caution the committee not to let this happen again.

Mr. President, Senator FORD is correct. We can and we should reduce our defense establishment and our defense budget in response to the changing threats in the world, but we should do so in a logical way and in an orderly way. And I believe that the present resolution is the correct way to go.

I hope that our colleagues will reject the pending amendment.

Mr. President, I yield the floor.

Several Senators addressed the Chair.

The PRESIDING OFFICER. Who yields time?

Mr. SYMMS. Mr. President, I yield myself 20 minutes off the resolution.

The PRESIDING OFFICER. The Senator from Idaho.

Mr. SASSER. Mr. President, parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. SASSER. Mr. President, Senator EXON is controlling the time for the proponents of his amendment; is he not?

The PRESIDING OFFICER. The Senator from Nebraska is controlling his time; that is correct.

Mr. SASSER. I thank the Chair.

Mr. SYMMS addressed the Chair.

The PRESIDING OFFICER. The Senator from Idaho.

Mr. SYMMS. Mr. President, I did not mean to crowd out the distinguished author of the amendment but I have been waiting here on the floor to speak on the amendment, and I yield myself 20 minutes off the bill to speak on the amendment.

The PRESIDING OFFICER. The Senator is recognized for 20 minutes.

Mr. SYMMS. Mr. President, I want to thank the distinguished chairman of the Armed Services Committee, a committee which I was privileged to serve on for 2 years, for his eloquent remarks in what I think is a correct position with respect to the pending business before the Senate. I say that with all due respect to my good friend from Nebraska.

But I believe the Senator from Georgia is absolutely correct when he says the President, General Powell, the Joint Chiefs of Staff, and the Secretary of Defense have reduced the defense spending as far as we can, and for us to try to go further is putting the country at risk and at peril.

The Senator quoted our good colleague from Kentucky, Senator FORD, about the national defense and what has happened in history. And I am reminded that a week ago, Senator INOUYE, the chairman of the Subcommittee on Defense Appropriations, made the observation to me that this is not new. This happens throughout history. Every time we have some cataclysmic event happen—World War II, World War I, dating clear back to the American Revolution and our success against the British—we have reduced our military to a very risky position.

As a matter of fact, Senator INOUYE made the observation that the Con-

tinental Congress, against the advice of President Washington, cut the military in this country so much that I believe we had 55 people left in the U.S. Army. Fifty-five people in the Continental Army on active duty, and that included those at West Point, and at Philadelphia.

And what happened, Mr. President? Well, the British, noticed that we did not have a continental army and burned this building down. They sailed up the Potomac River, marched on the Capitol, burned it down in the War of 1812. So this is not new; it is not new for Congress to wish to come in and reduce defense spending.

Mr. President, before I go further in my remarks, I ask unanimous consent that Steven Madey be granted floor privileges for the duration of the pending budget resolution.

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

Mr. SYMMS. Mr. President, the principal issue before the Congress with respect to this budget resolution is primarily one item, and that is the defense number. The Domenici-Hollings number that passed the Senate Budget Committee last Thursday is for all practical purposes the chairman of the Armed Services Committee's number, Senator NUNN; it is Secretary Cheney's number; it is President Bush's number. It is, I think $281.4 billion in budget authority, and $290.4 billion in outlays.

I am here, Mr. President, to simply state that this Senator believes that we cannot allow this budget resolution to be amended with any deeper cuts in defense. I say that for the sake of national security, and indirectly for the sake of the economy.

If we think we can continue to run the fiscally irresponsible program that we do run in this Congress—and I will get to where the money goes later in my remarks—and then disarm the United States, too, we have not seen anything yet to what is going to happen. In many places around the world, if it were not for the strength of our military, there would be little respect for the United States. Because most nations certainly do not respect a country that borrows a billion dollars a day, then watch the U.S. Senate and House of Representatives continue to say we can fix the budget and all the ills of the country by simply taking money out of the defense accounts and put it into other programs.

I would invite my colleagues to look at what has happened in history. Mr. President, I ask my colleagues to look at this chart. We go back to the Eisenhower years. We were spending over 60 percent of the Federal budget on defense and less than 20 percent was spent on payments to individuals as a percent of Federal spending. As we come through the Kennedy years, it keeps coming down and then we hit the Johnson and Nixon years after Vietnam. It comes up a little, then down. Then it hits a peak in 1985, but as you can see, it has steadily declined to 16 percent. While at the same time 16 percent of the budget will end up from defense spending, payments to the individuals has gone up to 61 percent by 1997. So it is very clear where the money is going.

Mr. President, for the sake of national security, the President's defense number reflects an orderly draw down of the military. Any greater number of this is going to be disruptive and highly risky. Last year, it took the U.S. military 43 days—43 days—to decimate the fourth strongest military in the world. That was the military machine of Saddam Hussein. Unfortunately, he is still alive, and that is a sad thing to admit for this Senator. I am sorry that they stopped too soon, but nevertheless they accomplished the mission and it took 43 days.

If we allow a greater and accelerated reduction in the President's defense budget, we will decimate the finest military organization this world has seen. It would take this Congress less than 43 days to do what we did to Saddam Hussein's military if Congress further reduces defense spending. I find it very frustrating, Mr. President.

The Constitution makes it very clear that the most important thing we in the Congress must do is provide for the security of the American people, to preserve peace and freedom for ourselves and the freedom-loving people in this world.

Although many of my colleagues truly believe that there is no longer any threat, I want to remind everyone that it is still a very hostile world. We still have the Iranians to worry about. We still have the Iranians. We still have Saddam Hussein. We do not know what is going to happen with respect to India and Pakistan and other places. We do not know what is going to happen with the Communist Chinese, the North Koreans, just to name a few, much less what is going to happen in the Commonwealth. In their modernization programs they have five new programs underway right now. We hope they are going to collapse. We hope they are going to stop. But I want to make the point the threat has not totally disappeared.

It is very popular for everyone to say there is no threat left, but we do not know what lies ahead in the world's future. In 1948, we cut our defense budget down to less than 16 percent of the Federal budget, less than 4 percent of the GNP of the United States. We basically disarmed after World War II, and what happened was North Korea attacked South Korea and the United States was thrown back into a war and we suffered over 10,000 needless casualties in the early part of the Korean war, because we did not have the proper training to defend this country and defend South Korea at the time.

You do not know where you are going to run into the problem. But what we do know we need is a highly mobile, efficient, trained military.

Some of my colleagues here, if you listen to the speeches and listen to them in the Budget Committee, you would think if we just cut defense more and more, we can solve all of our problems with respect to the rest of the budget. I do not believe that can happen. We are being blinded by dollar signs, and it is not going to be a proper way to advance an economic agenda to improve this Nation's well-being.

Some of you may end up thinking further cuts in defense may not be used for further spending on domestic programs because we voted not to tear down the firewall. The firewall comes down next year and savings in defense can be promised for increased domestic spending in the future. The last thing the country needs is more government through increased Federal spending on domestic programs.

Somehow the Congress seems to continue to believe that the way to prosperity is through more government, increased Federal spending on domestic programs. It is ironic that in Eastern Europe and all throughout the former Soviet Union, people are celebrating that they are moving closer to freedom from government, while in the United States, the Congress is continuing to pursue policies that will increase Government intrusion and regulation in the lives of the American citizens, and the business-producing and the commercial sector of the United States.

What we should be doing, Mr. President, is looking for ways that Government intrusion and regulation can be decreased and eliminated. Get the Government out of the way and let the people produce. Freedom, including freedom from Government intervention, is the engine that will drive America toward recovery and ultimate prosperity.

I know there are many, many needs in our country that should be addressed. I hear many of my colleagues say they want to spend this money on education. Though this may be a very noble gesture, and I criticize no one or impugn no one's motives for wanting to do that, I would remind my colleagues that if we continue to cut the military budget further, one of the things we are going to be doing is gutting one of the best Government education systems this Federal Government of ours ever ran. That is the one that has been run by the U.S. military—the Marines, the Army, the Air Force, the Navy—over these past many years. We have educated more metal benders, more pilots, more truck drivers, more engineers, more computer operators, all kinds of skills and trades. Through individuals who have gone from the military into the civilian work force we have improved the work

discipline of this Nation, helped make us more productive, and helped make better citizens out of us. I do not comprehend how we think we are going to improve educational benefits in the country by dismantling one of the best education systems we have in place. The benefits are twofold: The military trains young people in the virtues of discipline that go with military service and at the same time, America is provided with a highly mobile, highly trained force for peace, freedom, and protection around the world. Peace and freedom are inseparable. That is not a cliche, Mr. President. That is not something that is going to go away.

In my view, we have squeezed as much savings as we possibly can from the defense budget. Anyone who thinks it is the defense budget that drives this Nation's budget deficit problems is stuck in a 20-year-old rut. As the chart shows, since the early 1970's, and I will put that chart back up, payments to individuals will increase to 61 percent of the total Federal spending, while national defense will decrease to 16 percent of the total Federal budget by 1997. Right back to the pre-Korean war levels, Mr. President.

Using the President's numbers, we are talking about reducing the force by 1 million people. That consists of 521,000 active duty personnel, 245,000 reservists, and 193,000 civilians. As it relates to military programs, the President's budget eliminates 10 Army divisions, 3 aircraft carriers, 2 air wings, 100 battle force ships, 10 tactical fighter wings, and 88 strategic bombers. That is what is coming out of the defense now, Mr. President. That is coming out now.

As the distinguished Senator from New Mexico said, if anybody thinks they are not going to be cutting out more people and more money by accepting the Exon amendment, they are whistling Dixie because they are going to be cutting out more. You simply cannot cut out more billions and not have an impact on these programs.

What it means is that the Armed Services Committee and the Appropriations Committee are going to have to go in and make the real cuts and live with less.

In addition to cutting out over a million people, programs I just mentioned, we are going to be cutting our capability to run a sound, efficient military. Not to mention the fact the Marine Corps, which will still be three divisions by law, because we are going to cut it down to where we will not be able to have three Marine expeditionary forces afloat like we do today. We have three groups afloat in the world. Last year we had them in places like Bangladesh, rescuing people from floods, two places in Africa rescuing American people who were in jeopardy, up in the Kurdish area of Iraq where a Marine expeditionary force worked to help those people be resettled and secured from the threat of Saddam Hussein. Those kinds of operations are available for the American people, they are available, as we speak, for world peace and freedom.

We are going to be reducing that. So while we will still have three Marine divisions on paper, we will have only 159,000 marines under the President's request. What we give up, in terms of capability, for what it costs to reduce our Marine Corps from 176,000 to 159,000 is astronomical. In fact, it is penny wise and pound foolish, and should not be done. We should, in my view, keep three Marine expeditionary forces afloat.

In the Navy, we need in the troubled world ahead, a blue water navy and expeditionary forces that can go to trouble spots any place in the world and be able to sustain themselves for short periods of time to put out brushfires that might erupt.

The following chart shows that using the President's defense number the defense budget has been cut 37 percent since 1985. Mandatory spending increased by 33 percent and domestic discretionary spending increases by 8 percent. These are the President's numbers.

Since 1985 the defense budget has been declining while mandatory spending, as I show, has gone up by 33 percent and domestic discretionary has gone up by 8 percent.

Mr. President, while all the attention has been focused around cutting the defense numbers, we have failed to tell the American people the truth about where the real budget crisis lies, and that is within mandatory spending.

Currently the interest on the debt and mandatory spending consume 65 percent of the budget. In addition, 75 percent of all revenues taken in by the Federal Government go toward mandatory spending. When Willie Sutton was finally apprehended after robbing many banks, they asked Willie, "Why do you rob banks?" He said, "That is easy. I rob the banks because that is where the money is."

I say to my colleagues, if you really want money for domestic spending, you should not be looking at the defense budget. You should take the Willie Sutton advice—he robbed the banks because that is where the money is. We should look at the mandatory spending programs, Mr. President, and see where we can gain some real savings in the budget that can reduce the deficit.

For too long, the Congress has exempted itself from budgetary scrutiny. I think one way to start looking at where the real problem is, is to look at ourselves. I have been hearing we cannot touch mandatory spending. There is no reason why we should not have reformed mandatory spending levels—that is what everyone says—but we just cannot do it because it is politically not acceptable. I disagree with that.

I want to point out that I have been on this Budget Committee for the last 12 years, and time and time again I have made efforts to reform the entitlement spending formulas. In 1981, I joined Senator HOLLINGS and offered an amendment, to take 85 percent of the Consumer Price Index or the wage index for the formula for COLA increases. Had the Congress and President Reagan accepted our amendment we probably would have had the Federal budget balanced today and these mandatory programs would not be at a 33-percent increase. This would have been significantly less and we would not have borrowed the last trillion dollars. But no, it was not politically acceptable, so we went on down the road toward fiscal disaster.

In 1983 I offered an amendment on the floor to raise the retirement age, yes, on Social Security. We get the idea if we do something fiscally prudent we are not going to get reelected. I want to tell my colleagues I was reelected and many of the Senators who voted for the amendment also were reelected. The fact is my colleagues who voted for the amendment and ran for reelection were reelected. I should check the record for verification. I do not believe Senator Goldwater ran; Senator McClure was reelected; Senator NICKLES was reelected; and myself.

I want to make the point that what the American people would like to see us do is be fiscally prudent. This will help the economy.

In 1930 when the Social Security Program was put into effect, the life expectancy was much lower. I read in one statement in the CONGRESSIONAL RECORD, while doing some research, that it was around 50. I think it was a little higher than that but it was much lower than it is today. Life expectancy has been increasing during my lifetime and throughout the life of the Social Security Program. Today, the life expectancy has increased to age 72. This age is rising all the time.

But the Social Security retirement age has not changed, Mr. President. We have had the chance to change it in the Senate and people refused to do it. Under current law the retirement age does begin to rise by 2 months a year for 12 years beginning in the year 2000. If we had raised the retirement age as I suggested starting in 1984, we would have been a long way toward solving some of these problems because people would now be 65 years old and 8 months today and next year they would be 65 years old and 9 months, raising it every year for a total of 36 years and gradually allowing people to adapt to it. It would have a tremendous impact on savings in the Federal budget.

Mr. President, I do not think we give the American people enough credit.

People all across America operate under the constraint of a budget. When things are tight, they make adjustments by spending less money and making different choices. They do things to change their lifestyle. They go out to eat less; they rent movies instead of going to the movies. They do different things to save money, but in Congress we have not been willing to make choices. We have not been willing to face up to how to save money. So it is no wonder, Mr. President, that a recent poll showed that only 17 percent of the American people have faith in the Congress. One of the reasons American's have lost faith is because Congress continues to try to slash the one thing that the Constitution requires them to do, and that is to provide for the national security of the United States. Instead, they try to cut that part and then add spendng to all of the things that create more problems in the country.

It is no wonder that the people get mad at the Congress. They are mad not because of our willingness to give them what we think they want, but because we are not willing to give them what they really want: Some fiscal sanity in Washington. They run their households that way, but we refuse to run our budget this way. That is what I hear from my constituents.

Mr. President, I hope that someone will offer an amendment to this budget to reduce the legislative branch budget. Maybe if we start a little fiscal restraint here in the Senate, and in the House, we could then look at some areas to reduce our legislative expenditures, and then maybe we can look at where all the money is going in the budget. It is not all going to the defense budget.

The reforms that we passed in the 1990 Budget Act—to control spending were like putting Vaseline on a cancer, I must say, though I am glad the firewalls did not come down. We are not controlling spending in this Congress, Mr. President. The distinguished occupant of the Chair, Mr. CONRAD knows that. He made a very eloquent statement regarding the budget last week.

I believe a good place to start fiscal prudence would be to reduce the budget in the House and the Senate by about 25 percent over 2 years. Reduce the number of employees and then I think we would find we could get along very well. We could do this in other parts of the Government as well. I think the American people would agree we cannot continue to increase all of these mandatory programs automatically and not bankrupt the country.

I know the distinguished Presiding Officer, Mr. CONRAD, who was a certified public accountant in his professional life, knows that. He knows you cannot run a budget the way we run our budget in Congress. That is one of the reasons Mr.CONRAD has voiced his frustration, and regretfully, has decided not to stay with this body next year because he is frustrated at what is happening.

I invite my colleagues to look at where the money goes. I will tell you what Willie Sutton would say. He would say you people are looking at the wrong place if you want to rob the defense budget for various programs. You ought to look at mandatory spending and get all the money you need for the various projects. Much of this money should go toward debt reduction to eliminate this massive interest bill we have to pay every year.

Until we in Congress critically evaluate every line in the budget for excesses and waste, we will not solve the deficit problem. I have said time and time again that the only way to get the budget deficit under control is to cut spending, Mr. President. I hope my colleagues realize that the time has come to make a balanced budget a reality. It can be done. People say, you cannot do it. That is absolutely not true. It can be done. It is simply the fact that the Congress has failed to address the areas of the budget where we could find real savings.

The one place where the Congress has reduced spending since 1985 is for military and defense programs. There is simply no more room to cut the defense budget any more.

Mr. President, what I would invite my colleagues to think about is the kind of a world they think we are going to have to live in 10 or 15 years from now. We have an opportunity to have a great world going into the next century, with reduced tensions, with a reduced threat from the former Soviet Union, a reduced threat for our military, from a massive nuclear holocaust. It could be a much greater world for us.

But one of the sure ways to guarantee that we will not have a great world is to overdo the reduction in the strength and the viability of the American military. We need to have the ability to contain problems that come from unexpected places and unexpected enemies in an unforeseen future. It seems logical to me to maintain our strength at the level advocated by the military experts. The Chairmen of the respective services, the military itself, the President, the Secretary of Defense, the distinguished ranking member of the Armed Services Committee—who announced today that he will be remaining in the Senate, which many of us are happy to see that he will stay here with us and continue to work for his State and for the Nation—the distinguished chairman of the Armed Services Committee, the Senator from Alaska, who I see is here on the floor—I know he feels very strongly about this—and Senator INOUYE, from Hawaii, all feel we should keep the President's defense number.

We simply cannot reduce our military expenditures at too rapid a rate without doing great damage. It is a high-risk world we live in.

We do not know what is going to happen in the former Soviet Union. If we do things right, I think, Mr. President, we will have an opportunity to see a world with a much better standard of living for people in all countries, not just here.

But a necessary element is that the United States maintain the forces of peace and freedom. If we start dismantling the budget, there is a human dimension. These young men and women in our military are very intelligent. They are watching what we here in the Senate are going to do. If we make any more cuts, you are going to see some of your best people saying there is no career for us; even though it is promised, it is not going to be a good career. We are going to get out.

Mr. President, it takes time to raise a military that is trained to man the sophisticated equipment and provide the leadership for people. Desert Storm was not just an accident. Desert Storm was the result of some very good training and very good leadership on the part of the NCO's and the officers of our military.

If we think we can slash the budget for a few more billion here and a few more billion there and still have a military that will be able to accomplish what we did in Operation Desert Storm, we are dreaming. It is very risky.

You talk about the industrial base. We hear a lot about the industrial base with respect to the Seawolf and what will happen. There is a good argument to be made with respect to that industrial base, but it is true of all these other systems, too. If we decimate this industrial base and we are in a situation where we need these forces of freedom to be replenished, we may find it will take a long time to bring it back on-line.

The PRESIDING OFFICER (Mr. BINGAMAN). The additional 10 minutes yielded to the Senator from Idaho has expired.

Mr. SYMMS. I will take 1 more minute to summarize, I say to the distinguished Senator from New Mexico.

Mr. DOMENICI. I yield 1 more minute off the bill.

Mr. SYMMS. Mr. President, if we fail in our responsibilities to live up to what we are charged to do under the Constitution of the United States, we are inviting grave problems for this country in the future.

There is a way to get the money for some of the programs some people want. The first place they should go in my view is debt reduction so we stop borrowing money. That should be first.

But second, if in fact there are programs in public infrastructure for which people think they need money,

look where the money is. It is in mandatory spending programs, Mr. President. It is not in the defense budget. The defense budget has been cut each and every year for the last 5 years.

So I urge my colleagues to vote down the Exon amendment. It is the principal, fundamental issue of debate on this budget today.

I yield the floor.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. EXON and Mr. DOMENICI addressed the Chair.

The PRESIDING OFFICER. The Senator from Nebraska is recognized.

Mr. DOMENICI. I wonder if the Senator from Nebraska will permit the Senator from New Mexico to make a few inquires of where we are?

Mr. EXON. Certainly.

Mr. DOMENICI. Mr. President, how much time have we used in opposition to the amendment?

The PRESIDING OFFICER. The Senator has used 2 hours 6 minutes.

Mr. DOMENICI. How much time has the majority side in favor of the amendment used?

The PRESIDING OFFICER. At this point, 2 hours and 3 minutes.

Mr. DOMENICI. How much is off the bill and how much is off the statutory allotted time?

The PRESIDING OFFICER. Could the Senator restate that question?

Mr. DOMENICI. As I understand it, the Budget Act provides that there is 2 hours on an amendment, 1 hour to each side. I am just trying to find out have we both used up the 1 hour?

The PRESIDING OFFICER. The 1 hour in opposition to the amendment has expired. The proponent of the amendment still controls 36 minutes.

Mr. DOMENICI. Might I ask, when you add all that up, how much time do we have remaining on the bill, and how much time does the other side have on the bill?

The PRESIDING OFFICER. The Senator will indulge the Chair a moment while that is calculated.

Mr. DOMENICI. Indeed.

The PRESIDING OFFICER. The time remaining for the minority is 9 hours and 48 minutes, and the time for the majority 9 hours and 35 minutes.

Mr. DOMENICI. Mr. President, I was just wondering how many more people wanted to speak on our side. Perhaps the majority could tell us how much on their side. I note that at the earliest opportunity on our side Senator ROBB wants to speak for about 3 to 5 minutes, and then we would start some rotating with our other Senators on this side. Might I inquire where the majority is at this point?

Mr. SASSER. Let me say to my friend from New Mexico that we know Senator LEVIN, who is presently on the floor, has been waiting for some time to speak. Senator EXON wishes to speak for a period of time. The distinguished President pro tempore also wishes to speak. I am advised that Senator BUMPERS is on his way to the floor, and he will also wish to speak. Those are the four Senators I am aware of at the present time.

Mr. DOMENICI. Might I just inquire, I do not intend, unless the Republican leader instructs me, to allow very much more time off the bill because we have used up our hour, but I will do that if the majority is saying that they do not intend to vote tonight. Clearly, we thought we would vote here this evening, and I have to consult with the Republican leader if there is intention not to do that. I think we ought to know as soon as we can.

Mr. SASSER. I say to my friend from New Mexico, I think it would be extremely difficult to vote this evening. The majority leader has indicated the intention to put us out at a relatively early hour, perhaps 6 to 6:30 this evening, although I do not say that in a definitive way. This was simply the impression I gleaned from discussing the matter with him. He, of course, will have to speak for himself on that. So I think, given the number of speakers and the fact we will be going out relatively early, it would be highly unlikely we will get to a vote this evening.

Mr. EXON addressed the Chair.

The PRESIDING OFFICER. The Senator from Nebraska is recognized.

Mr. EXON. Mr. President, I am about to recognize the Senator from Michigan for 8 minutes or whatever time he needs on my time. He has been very, very patient.

At some time yet tonight or tomorrow the proponents of the measure would like small rebuttal time. I have been sitting here listening for the last 3 or 4 hours about the amendment the Senator from Nebraska has offered, which as near as I can tell destroys totally the national defense posture of the United States from here to eternity.

All you have to do is listen to the statements that have been made and you would almost conclude, if you did not know any better, that the Senator from Nebraska must be some wild-eyed liberal nut that wants to destroy the national defense of the United States. A friend of mine moments ago said "Why do not you plead guilty? Throw yourself on the mercy of the court?" I looked around this court and I said, "Not with this court."

I will make some rebuttal at an appropriate time. Most of the babble that has been going on here today has nothing to do with the true amendment offered by the Senator from Nebraska, but it is a diatribe about how we spend money, how we do not spend money, and how terrible it is that we do not do anything about reducing the national debt of the United States of America which is the thrust and the reason that the amendment has been offered by the Senator from from Nebraska. But in due time, I have reserved enough time for myself so that I will have ample time to answer those things.

If it is appropriate, I am very pleased to yield to my friend and colleague from the State of Michigan.

Mr. LEVIN addressed the Chair.

The PRESIDING OFFICER. The Senator from Michigan is recognized.

Mr. LEVIN. Mr. President, I ask the Senator from Nebraska to yield me 8 minutes.

The PRESIDING OFFICER. The Senator is recognized for 8 minutes.

Mr. LEVIN. I thank the Chair.

Mr. President, I support the amendment of the Senator from Nebraska because I believe that we can safely make reductions of the amount listed in his amendment. We can do so without any jeopardy to the Nation's defense.

The Senator from Nebraska would never do that and his amendment does not do that. If we can safely make reductions, we ought to do so, whether or not the President's budget request is viewed as a reduction from the budget cap this would then be an additional reduction. The label that is applied is not as nearly as important as whether or not the amount which is set forth is an amount by which we can safely reduce this request. And I believe it is.

We can achieve greater savings in our military budget without harming our ability to meet the threats of the future. In fact, if we do not shift our national spending priorities, we will harm our national security by failing to put our economic house in order.

The President's plan is premised on a military base force that I am convinced does not take sufficient account of the significant reductions in threat, most notably the changed map of Europe, the dissolution of the Soviet Union and the tremendous improvement in relations between the successor Republics and the United States. Nobody anticipated such fundamental changes—not I, not the President, not the Chairman of the Joint Chiefs or the Secretary of Defense.

Work began on the base force over 2 years ago. It was officially proposed over 1 year ago. And yet the budget proposal the President sent up here in February contains the same base force end strength goals. The size and content of the proposed forces has not changed, even though the world has. So the cold war is over, but the base force remains frozen. That is illogical. That is unwise. And we cannot afford it.

The Exon amendment reduces the Senate Budget Committee number for defense by $7.6 billion in fiscal year 1993 budget authority and $3.5 billion in fiscal year 1993 outlays. It set defense spending below the President's proposed budget by $8.8 billion in budget authority and $4.2 billion in outlays.

All of those savings would go toward deficit reduction under the terms of the existing budget agreement.

The Senator from Nebraska has given us some illustrative examples of where we might cut. Those are simply illustrative. Those are not binding. They are just simply an illustration of where some cuts could be made.

I would like to focus on another area where a cut can be safely made. Just one example. It involves billions of dollars which is currently unnecessarily budgeted, and which can be, should be, and I predict will be cut from this budget request. that has to do with the so-called secondary items, items such as aspirin, light switches, batteries, and common parts and tires. The wholesale inventory of the Department of Defense is made up of these secondary items for the most part.

There are about $100 billion of secondary items in the wholesale inventory of the Department of Defense which is in the Department of Defense's warehouses. The General Accounting Office has concluded that about half of that is excess. About half of the approximately $100 billion of inventory, much of which are common items, and are excess to the requirements of the Department of Defense.

We have a 35-year supply of common washers. We have an 8-year supply of light switches that you can buy at the hardware store. We have a 40-year supply of spare parts for a fax machine which probably is not even going to be used for too many years.

So we have excess. We have surplus. We have now tremendous amounts of money being spent to warehouse items that are in excess. Believe it or not, there are $2½ billion of items that are on order now which are excess to the requirements of the Department of Defense.

We have stuff in these warehouses from 1952. They are bulging, and we are wasting a lot of money in warehousing. We can safely cut the amount of supplies that we continually pour into these warehouses.

I asked the General Accounting Office to give me an estimate of how much we could reduce the budget for secondary items in 1993 over the level that was budgeted, appropriated in 1992. The General Accounting Office wrote me on January 28 that—

> Based on our evaluation of past budget requests, we believe the amount budgeted for secondary items for fiscal year 1993 should be at least $5 billion less than the amount budgeted in 1992.

The Comptroller of the Department of Defense responded to that with a letter which was, to put it mildly, misleading when he said on February 18 that—

> With respect to the funds budgeted for secondary items in the 1993 program, the 1992-93 budgets are down approximately $6 billion from the budget levels submitted last year. This—

He wrote to the GAO—

> exceeds your suggested reduction of $5 billion.

It does. It sounds like it does, because six sounds like more than five. As a matter of fact, it was an apple-to-orange comparison. The six was made up of 2 years, not 1, and it was not even an appropriation.

Mr. EXON. Will the Senator from Michigan yield for a question?

Mr. LEVIN. Yes.

Mr. EXON. I will yield him another minute of time.

I was just wondering if this was a great interest of the Senator's very factual comment. Was the Senator from Michigan aware of the fact that under the budget proposal from the Pentagon and the President, under spare and repair parts, there is a $520 million increase for the 1993 budget? It fits in so well with what the Senator was saying that I draw it to his attention, if he had not caught that.

Mr. LEVIN. I thank my friend from Nebraska.

The point, Mr. President, is that there are areas of this budget which can be safely reduced which will not threaten the national security of this country because, indeed, all of us agree that that is a prime responsibility of this body.

None of us can in good conscience vote for any amendment which we believe could jeopardize the Nation's security—present or future. This amendment does not. This amendment is a sensible, careful, representative analysis of what can be safely reduced in this defense budget.

By the way, it is not just these secondary items which can be cut. We do not need a 30-percent increase in the SDI Program. That can be safely reduced, and we know in this body will be reduced. I do not think any of us have too much doubt about that; at least not many of us.

I do not think there is more than a handful of us who truly believe that the President's request of $5.3 billion for SDI is going to be authorized and appropriated. So for anyone to stand up here and to suggest that every dollar in this budget request must be authorized, must be appropriated, and must be in the budget resolution, violates what we know is coming down the pike, which is authorization and appropriations bills which are significantly less on star wars or SDI than the $5.3 billion requested.

Just one other item, Mr. President, to show you that we ought to consider cuts in the budget request and can safely do so. Take a look at the recruiting budget. I happen to agree, for the most part, with the chairman of our committee, Senator NUNN, when he says that the pace of personnel reductions is about as much as we can tolerate this year. I think he is probably right. That does not mean that the end point that the administration has selected is right 3 years down the pike. But it means that this year's reduction is about as quick a pace as can properly be handled.

But that is a very different issue from whether or not we ought to be adding new people to the military as quickly as we are.

Mr. President, the recruiting budget this year is a huge budget, $1.3 billion. The advertising component is $156 million. Maybe that does not sound like a lot of money in the defense budget. It is a small item, just the way the items of the Senator from Nebraska are a lot of small items. This is a small item. But I have to tell you, when I see TV advertisements in the middle of the most expensive prime-time shows that are going to produce more and more people applying for military that we cannot handle—we are laying off people. We have to let people go. We have to pink-slip people. The rate of accession, the rate of new enlisted personnel that we are budgeting for, is the same level this year as last, the same level next year as this, 206,000 people, enlisted personnel. That is the base force.

The base force plan, which was designed 2 years ago and announced 1 year ago, before the dissolution of the Soviet Union and the end of the cold war, has not changed by one person. The accession continued to be 206,000. The TV budget continues to be the same this year as last, proposed next year the same as this. Can we not reduce the advertising budget for a force which surely has to be smaller after the cold war is over than when the cold war was still on?

Again, it is a small item, only $156 million. But it is a significant item. Because what it shows is a lack of recognition that the world is changing. This budget has not changed with the world quite yet. This defense budget can safely be reduced.

Senator EXON, who is as strong a defender of defense as exists in this body, has carefully identified a number to which we can safely reduce this budget, and I support his amendment because it is a number which I believe is consistent with the security of this Nation.

Mr. President, we must seize this moment to change our spending priorities and get our national house in order. This amendment will help do that. It has been said that mindsets change more slowly than blueprints, but we must not hold to an outdated cold war notion of what brings security to our Nation and our people. We can achieve substantial defense savings below the committee resolution's defense number while still constructing appropriate security arrangements and military forces to prevent the threats of the future.

I urge a vote for the Exon amendment.

I thank Senator SASSER and Senator EXON for yielding me time.

Mr. WARNER. Mr. President, I would like to, on the time under my control,

such time as may be required, put a question to my good friend and colleague of these nearly 14 years now.

The Senator came to the Armed Services Committee, as did Senator EXON and I, at the same time. We have worked together on this committee these many years; 20 members of the committee. There is a fundamental question I have here. It seems to me that we ought to step aside from the rhetoric about dishonesty and who is doing right and who is doing wrong, and focus that we are trying to make really a series of decisions in 2 hours.

Why, I ask my good friend, cannot the same decisions be made over the period of the next 2 months in an orderly way, by the committee on which you and I and Senator EXON have served these many years; and then, either contemporaneously or successively, by the Appropriations Committee, of 29 members, in which case, Mr. President 49 U.S. Senators will have taken time carefully to go over and make the decisions as to whether or not further cuts should be taken.

Should we not take 2 months of care out of respect for the people in the Armed Forces; out of respect for the cities, towns, and the villages being impacted by the declining defense budget; out of respect for the fact that this is a changing world, every week something different happens? And should we not go about this is an orderly way, giving the Budget Committee, Mr. Chairman, recognition for having done its best as a deliberative part of this institution, and accept their decision, and then work on it in the two committees?

I put the question to my friend.

Mr. EXON. Mr. President, may I answer the question?

The PRESIDING OFFICER. The question is directed to the Senator from Michigan.

Mr. WARNER. I am happy, on my time, to receive responses from both Senators.

Mr. LEVIN. I would be happy to yield to my friend from Nebraska.

Mr. WARNER. Why do we not give a minute and a half off of my time?

The PRESIDING OFFICER. The Senator from Nebraska is recognized to respond to the question.

Mr. EXON. Mr. President, I am pleased to answer that.

Once again, let me point out how utterly ridiculous, in my opinion, many of the statements regarding the Exon amendment have been today. The President of the United States has requested that, for fiscal 1993, there be a cut of $5.2 billion out of a $285 billion total defense spending. The amendment of the Senator from Nebraska says let us do a little better than that. Instead of $5 billion, let us go $9 billion. That is $4 billion more out of the $280 billion budget.

I am ashamed of the fact that I have not identified a higher number; $280 billion, and we are expending all afternoon arguing whether we should cut it another $4 billion over what the President said. It is $5 billion; Senator Exon wants it $9 billion. All of this debate over that itsy-bitsy insignificant amount of the budget.

All I can say is that I have given this a lot of thought, and I am willing to give it further thought and consideration. The action of the Budget Committee was accomplished by high pressure tactics from the Pentagon. It was not a bipartisan approach, as has been said here time and time again. There were nine Republicans and two Democrats that stood in the way of this amendment in the budget. That is hardly bipartisan.

All I am trying to do, to answer my great friend and colleague from Virginia, is ask for a little better understanding than I have heard on the floor today. I have been reasonable all my life, and I do not think the statements which have been made about this amendment are very reasonable today. But I hope maybe we can return to reason. If so, I would like to be a part of it.

Mr. WARNER. Mr. President, my question got lost in the rhetoric. I simply asked my colleague, why do we not do in 2 months, in an orderly way, what we are trying to cram into 2 hours?

I lodge the question, once again, to my other friend and colleague on the Armed Services Committee, the Senator from Michigan.

Mr. LEVIN. Mr. President, I would like to thank my friend from Virginia.

First of all, I will use 30 seconds of the minute and a half to tell the Senator from Virginia how glad I am that he is staying with us. We have lost enough talented Members of this body in the last few weeks, and the Senator from Virginia is one of the most talented Members of this body.

I am very glad that he has chosen to remain here. He is a longstanding, dear friend of mine.

Mr. WARNER. Mr. President, I thank my friend.

Mr. LEVIN. Mr. President, the Budget Act provides the orderly way to set the number for the defense function. That orderly way is for the Budget Committee to first act. It has by one vote. And the second step in that orderly process is for the Senate to consider the number. And this is a part of the design that we are going through. It is part of the orderly design, which is for the Senate to use its best judgment to set a number for the defense function. It is just as much a part of the design as the Budget Committee decision to set the number. Now it is up to the Senate.

But I do agree with the Senator that in the months ahead there is a very serious responsibility, if ever a number is set, for the committees to then allocate that number among the various programs. It is a very serious responsibility, and we will carry it out the best that we can, whether the number is a little higher or a little lower. And the Senator from Virginia is an important part of that process.

Mr. WARNER. Mr. President, I thank my distinguished colleague, and I yield the floor.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, I am going to yield to Senator ROBB in a moment. Let me say to my friend from Nebraska, who is still on the floor, his reference to high-pressure tactics from the Defense Department is about as far off the mark as his statement that people were dishonest with the President's cuts in his particular amendment.

First of all, the Senator from New Mexico was in charge on the Republican side, and I called the Secretary of Defense myself. At that point in time, I asked him to do three things. And he called an hour later and left a note that he did. I asked him to call Senator HOLLINGS and thank him. That is very high-pressure tactics? He called him and thanked him. Senator HOLLINGS already had the amendment in his name to offer, Hollings-Domenici, that prevailed, which was the President's mark.

I asked him if he would call Senator GRASSLEY and see how things were going. As a matter of fact, Senator GRASSLEY informed me he had made up his mind to support the Hollings-Domenici amendment well before the call was placed, and he so informed the Secretary and he so informed me.

He called Senator DODD, at my suggestion, who made no commitment according to Senator DODD, and Senator DODD informed him that he had already made up his mind that he was voting for the President's mark as shown in the Hollings-Domenici amendment.

We might have had high-pressure tactics before. I submit there was not any here. The Senator from Nebraska lost fair and square.

Now I yield the floor to the Senator from Virginia.

The PRESIDING OFFICER. The Senator from Virginia is recognized.

Mr. ROBB. Mr. President, I thank the Senator from New Mexico, and I must say at the outset that I agree with a great deal of what I have heard from my colleagues and friends from both Michigan and from Nebraska. They have taken, I believe, a thoughtful approach to try to save money, and I am absolutely committed to that goal.

But, Mr. President, there are two ways to land an airplane: One is to follow the traffic pattern, lineup with the runway, follow a glide path, and put it down smoothly; the other way is to shut off the engines, push the stick forward, and hope. Both of these methods wind up with the airplane on the ground, but I would submit that their

effect on the passengers and on the aircraft itself is likely to be quite different. America's defense budget must and will be reduced.

There is no disagreement on that question. The budget resolution before us does that, as does the amendment by the Senator from Nebraska, and I am delighted to see real deficit reduction taking priority in the budget process.

But, Mr. President, we have to be careful in our pursuit of that goal. The Senate's approach to budgeting often resembles a Wall Street trading floor with numbers flying all about. They seem to take on lives of their own. But the budget is not a bloodless spread sheet. It is not just accountancy. We have a constitutional obligation to provide for the common defense, and the number that we arrive at here today or tomorrow has a direct impact on our ability to live up to that obligation.

There is only so much reduction that we can do, in my judgment, responsibly in the first year without doing real and irreparable damage to our defense capability. If we want to cut more than those tasks with responsibility for carrying out those actions, if we believe that we can, it seems to me that we have to provide a way for them to meet their obligations with those reduced resources.

The amendment proposed by my friend, the Senator from Nebraska, is indeed well-intentioned. But we cannot build a rational defense or indeed run any program sensibly by setting a price tag and then simply randomly chopping off parts to make it fit. We have to build from the ground up and not from the numbers down. If we fashion a rational defense which costs too much, it must be replaced by another no less rational.

Senator EXON has already been noted for his vision and imagination in crafting defense strategies and for his commitment to fiscal responsibility. But I would submit that this particular amendment does not reflect that insightful approach. Instead of proposing a new, coherent strategy to make the world safer, it is based on cutting corners in line items without the obvious consideration that I know he would normally give to the effects of those cuts. The result is a spending level, a cold number, with no guarantees that it will yield a defense which works or necessarily makes any sense in the modern world.

Over the next few years, Mr. President, America's Defense Establishment will shrink drastically. We owe it to our citizens, both in the defense community and out, to undertake that reduction with care, thought, and, above all, a clear and sensible plan.

For budgetary reasons I wish I could support this amendment. I happen to believe that our willingness to confront the fiscal challenge facing this country is the single greatest failure of the Federal Government to date. But because we have to think before we act, because we have to land the plane on the runway in one piece, I regret that I cannot vote for this particular amendment, well-intentioned though it may be.

Mr. President, I thank the Chair, and I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. SASSER. Mr. President, I would be pleased to yield to the distinguished senior Senator from Arkansas such time as he may consume.

The PRESIDING OFFICER. The Senator from Arkansas is recognized.

Mr. BUMPERS. Mr. President, I thank the distinguished floor manager, my good colleague, the Senator from Tennessee, for yielding to me.

Mr. President, if one surveys history, one will find that most problems, wars, pestilences, famines, and depressions, have been caused because people would not lead. You will find that leaders traditionally either are too dumb to recognize opportunities when they present themselves or do not have the political courage to do what is right.

I personally was impressed with President Bush the other day coming up with his proposal to assist Russia, very politically unpopular in this country at this time, being a very difficult thing to get his own party to support him on that.

I remember Harry Truman—and I am old enough to remember Harry Truman. I spent an hour with him one time, as a matter of fact. It was one of the most indelible, memorable occasions of my life because I did not like him when he was President. And the reason I did not like him was because I was a young college student, and I was going for the cosmetic part. I did not like the way he combed his hair. I did not like his glasses, and I certainly did not like his nasal twangy voice or anything else about him. I remember when he called the music critic an SOB. I thought that was the most horrible thing I ever heard of, because the critic had criticized Truman's daughter's singing. After I had a daughter, I understood it a little better.

But I remember when Harry Truman came to the Congress and said we are going to spend $18 billion to bail out our former enemies in Western Europe as well as France and Britain because General Marshall says, if we do not, all of Western Europe is going to go Communist. And Arthur Vandenberg, who was in that day considered to be the foreign policy guru in the U.S. Senate said, "Mr. President, you are out of your mind. The American people will never sit still for a thing like that." And President Truman, in his inimitable fashion, said, "I'm going to do it because I believe what George Marshall is saying," and he did it. He talked Congress into it.

Today, people take polls in this body and nightly at the White House to figure out what they think. They take a poll so they can look at it and go to the coffee shop and regurgitate what they got in a poll. In contrast, Harry Truman took polls to see how far he was going to have to bring the American people to his position. It is now 180 degrees from those days.

And here this man whom I did not like for cosmetic reasons when I was an undergraduate student, after I matured and started reading about his Presidency, I determined in my own mind that he is one of the five or six best Presidents the United States ever had.

I remember the Joe McCarthy era when Harry Truman, much to his political detriment, called Joe McCarthy exactly what he was, told the American people what he was. But Joe McCarthy had everybody in this country thinking there was a Communist under their bed when they went to bed every night. And everybody in this body, virtually everybody in this body was jumping under his desk scared to death of Joe McCarthy, and some of them paid a price for standing up to him.

And here was Harry Truman. I remember when they brought him the McCarran Act, which outlawed the Communist Party.

And President Truman said, "I'm going to veto that bill."

And his advisers said, "Mr. President, you veto that bill and Congress will override your veto in a New York minute, unanimously."

President Truman said, "Yes, and the Supreme Court will rule it unconstitutional because if you can outlaw the Communist Party, you can outlaw the Democratic Party."

He vetoed it and as predicted Congress took about 24 hours to override it. I think there were nine dissenting votes in the House of Representatives and maybe one in the Senate. And 2 years later the Supreme Court, nine-zip, ruled the bill unconstitutional.

Mr. President, this is an unhappy place now, not just in the Senate but all over this Hill. There is no denying, morale is very low. In the past 3 weeks, three of the finest Senators in this body—that is the tragedy of it—have announced they will not run again. And it gives you pause if all the good guys start pulling out, who is going to run this country?

But having said that, Mr. President, do not ever quarrel with the people. They are not always right, but they have a right to their opinions in this great democracy of ours. And right now they are saying, you people are not really serious about a lot of things, principally the deficit. You are jeopardizing the United States, you are jeopardizing its political process, you are looking for short-term political advantage; you are scared to go home for

fear somebody will say you cost us our defense contract or you are soft on defense.

You think about this country spending $30 billion a year on intelligence, Mr. President, most of which is to spy on Russia, who is trying to get into NATO. Now you do not have to be a Ph.D. to understand the idiocy of that, the absolute idiocy. CNN can give you information that we used to pay $15 billion for, you can get it for nothing now. But you heard the head of the CIA come over the other day and said yes, you just do not know; there are all kinds of other problems.

It goes from the lowest committee in the Congress right up to the highest. "No matter what happens, you cannot disturb my budget, you cannot get at this program." And the deficit is a terrible thing until you have to do something about it, and then suddenly everybody jumps under their desk just as they did during the McCarthy era.

This amendment by Senator EXON, which I'm proud to cosponsor, is minimal.

I went to New York 2 days ago to campaign for my favorite Governor for President. I went to a fair-sized city in New York State and I met with the editorial board of the newspaper. This particular city was pretty heavily dependent on defense contracts. And one of the first questions I got was, what do you think about the defense budget?

I said I think it can be cut more than the President is proposing.

"Well, what would you say and what would Governor Clinton say to the people of this city that are going to lose their jobs if you cut defense?"

And I said, "I'm going to say the same thing to them that I said to the people of Mississippi County, one of the poorest counties in Arkansas, when they closed Eaker Air Force Base. We are going to join hands and we are going to pull together and we are going to overcome this debacle for us. We are going to use some Federal money to get this county and this region of the State back on its feet. We are going to use some of that economic dislocation money that the Pentagon has to ease these problems. We will retrain people for jobs that are available, not for ones that are not available."

And finally, I said, "Mr. Editor, there are some tough choices to be made in this country. You are not going to deal with the budget deficit in this country in a painless way, and any politician who tells you that he has the ultimate, painless solution deceives you, misleads you, manipulates you."

You know that is the reason I say put your trust in the people. They understand exactly what is going on. I have said it on this floor a half dozen times, but this is a good point to repeat it.

Harry Truman told me one thing when I left his home that day, because I was telling him I did not enjoy being Governor of my State, it was just a pressure cooker. There I was, telling the man who had to make the decisions to drop the atom bomb, what a tough job being Governor of Arkansas was.

He said, "Son, I will tell you how to get to liking it. Just put your trust in the folks."

Richard Nixon was President, and everybody knows how Harry Truman felt about him. And he waved toward Washington and he said, the only time this country ever gets in trouble is when there is some lying you-know-what sitting in the White House deceiving people. How can you expect the people of this country to respond responsibly and sensibly when they are constantly being mislead and deceived and lied to?

So he said, "You know, don't do like the ordinary politician who has this irresistible urge to tell people what he knows they want to hear, and that is we can solve the gravest problems in this country with no pain."

There have been times in the history of this country when you could solve the problems without much pain. But when you consider the $3 trillion we have had added to the national debt in the last 12 years, there is absolutely no way to deal with that and keep everybody happy at the same time.

And do you know one reason why the stock market is sort of in a free fall right now? They sense that Congress is still not willing to level with the American people. And here is a classic case of a very minimal, sensible amendment by the Senator from Nebraska which is going to go down to defeat as soon as we vote on it.

You think about this. Out of $285 billion in the defense budget, the Soviet empire gone, dissolved, cannot feed themselves, and the Senator from Nebraska says, out of that amount of money, let us cut $4.2 billion, about 1.5 percent in outlays for 1993 and does not cut a single program out. he simply cuts the amount of increase in some programs. Now you think about that.

You cannot make it any more painless than that. The Senator from Nebraska does not say "I want to eliminate the Seawolf, I want to eliminate SDI, all $5.3 billion of it," but he is suggesting a $1 billion cut from SDI. I would have suggested $4 billion, Senator, by the way.

Did you see the article in the paper today about how accurate the Patriot missile turned out to be in the gulf war? And do you realize it was all those stories about the success of the Patriot that caused us to vote for that big missile defense system in North Dakota? And now we find out—now—the patriot missile may have killed just 10 out of the 80 Scuds that were fired.

There is almost $1 billion in here for long-lead items for an aircraft carrier. The Senator knows how badly we need another aircraft carrier. I know how badly we need it. Every Senator in this body knows how badly we need it. Every Senator in this body knows that to increase SDI by 30 percent is crazy.

There is $39 billion in this budget for military R&D. And his amendment proposes to cut that by $2 billion—$2 billion.

Five percent, Mr. President. I cannot believe this. But it is not the first time I could not believe something on this floor.

President Reagan got more mileage out of the statement, "If not us, who? If not now, when?" Do you remember that? I tell you, that statement had as much clout as any statement I ever heard a politician utter. I was pretty impressed by it myself. "If not us, who? If not now, when?"

And 12 years later we have had a 300-percent increase in the national debt. So the statement is just as relevant now as it was when he said it in 1980. If not us, who? And if not now, when? And those who are up for reelection this fall are going to have to go home and answer that question.

Mr. President, the other day we had a long, excellent debate on tearing down the so-called firewalls on the different kinds of spending. I voted with my good friend from Tennessee, the chairman of the Budget Committee, not because I wanted to take the defense savings and transfer it over to domestic programs. I did it because I do not think it makes any sense to take away all the flexibility that we have. There are a few things around here that ought to be funded.

For example, a $5,000 tax credit for first-time home buyers; Senator BUMPERS' capital gains bill, which was in the tax bill the president vetoed; maybe passive losses for the real estate industry. When you look at what happened in the market yesterday and today, I bet you the President is looking at his hole card, about having vetoed a bill that had six of the seven things he asked of us to get the economy going. What have we done for the economy so far? Zilch.

Do you know what I think? I think, just as an aside, that we ought to pass the same bill again and send it over there and say, Mr. President, instead of putting in this $60 billion tax increase over the next 5 years, a tax increase on the wealthiest 1 percent of the people in the country—I wish I were in that category, I wish I were in that category and could pay that little 5 percent tax that was in that bill.

We ought to pass it again and say, Mr. President, you did not want the children of this country to have a tax cut of $150, $200, you children of the 67 million taxpayers of the country who have been losing ground for the past 6 or 7 years. You did not want that. So, Mr. President, here it is again. We are going to dump the whole thing on the deficit.

He would not sign it, I am sure. What a tragedy.

If I were king for a day, I would like to pick out all the items in that defense budget that we do not need and which would not jeopardize our security one iota. I would like to pick out $5 or $10 billion out of the intelligence community and cut that. I would like to torpedo that space station, which is going to cost somewhere between $120 and $200 billion over the next 30 years; the superconducting super collider—what started out as a $4 billion project.

Everything here starts out at $4 billion, have you noticed that? I remember when the Secretary of Energy came over and he said, well, it is up to $5.9 billion, but if it goes a dime over that count me out. It is up to $12 billion now and he is still the chief proponent. It is going to $20 billion. By the time we finish it the consortium in Geneva will have the answer to the origin of matter. I am not a scientist. I have never been curious about the origin of matter. And I am certainly not curious about it in light of the deficit in this country right now.

Senator ROBERT C. BYRD, the great senior Senator from West Virginia, handed me a note the other day when I was making this speech and he said, "You can find it all in First Genesis, anyway."

Then I would go through that budget. I would cut the Secret Service. Their budget was $7 million when Jack Kennedy was President. Do you want to take a guess what it is today, Mr. President? $470 million.

I am not going to reveal my hand on some of the other things that I have in mind to cut this year. Mr. President, we are talking about the Exon amendment, a modest amendment, carefully crafted by the senior Senator from Nebraska. He has done it because he feels strongly about it personally and because the people of Nebraska are just like the people in Arkansas. They are conservative folks, fiscally. They want to know, when are you going to stop all that spending?

I have to confess to my colleagues there was a time, not too many years ago, when the people would come up to me—I will say 10 years ago—and they would say, why do you not cut all that spending? Sort of in the back of my mind I would think, if they just knew what I know. The truth of the matter is they knew there was a lot of spending that could be cut.

Several years ago as I began to get interested in this and look around for things to cut, I became appalled at the way we were spending money in a whole host of areas. But now there is no Soviet Union, the country that caused us to spend literally trillions of dollars. And everybody wants it to continue.

Mr. President, I want to compliment my distinguished colleague, Senator EXON, for this fine proposal. For the life of me—I guess that is what makes the mare go, differences of opinion—but for the life of me, I cannot believe that people will stand on this floor and make those pious, unctuous, self-serving statements about cutting the deficit and then vote against a little old amendment that cuts $4 billion and does not eliminate anything.

Incidentally, let me say something about research and development—$39 billion in the Defense Department for R&D. I will close on this point. Do you know the number of scientists in this country engaged in making weapons? Somewhere between 27 and 30 percent. In Japan it is 1 percent.

Do you want to know why Japan has this technological edge, and are shipping all these goods to America? Because they have been putting their money into basic and applied and developmental research and we have been putting it into building weapons. And now the world has changed and we have an opportunity to turn it around.

I want to say to my colleagues and to all the American people, we are in a heap of trouble. It would be so comforting if the President would go on television and say it. Show them the chart: Folks, we are in a heap of trouble and here it is. I am not running for Mr. Congeniality. Here are the solutions I am proposing, and I know this is going to irritate some of you. But these are tough choices, these are tough times, and they are going to get tougher if we do not do it now. If not now, when?

So, Mr. President, we either believe in deficit reduction or we just like to talk about it at chamber of commerce banquets. Here is a chance to make that very simple decision.

I yield the floor.

Mr. EXON addressed the Chair.

The PRESIDING OFFICER. The Senator from Nebraska is recognized.

Mr. EXON. I yield myself as much time as might be necessary off the bill.

Mr. President, I want to thank very much my good friend and colleague from Arkansas. We have been in Government service a long, long time. We were elected Governors of our States at the same time; we served as Governors together for 4 years and then he came here and I followed 4 years later. I have always had such a high regard for him, and I thank him for his most informative remarks. I have long considered him the best orator of the U.S. Senate. I think he gave us something today that we need to listen to.

Having said that, I must recognize and apologize to the Senator from Arkansas for the many times that I have been on the floor with him on defense matters and I have listened with great interest and admired what he said and then proceeded to vote the other way. I am delighted that we see eye to eye on this issue.

I just want to confess to him that we live and we learn. I must tell the Senator from Arkansas and the body as a whole that this Senator who has served on the Armed Services Committee for going on 13 years worked very hard with the naval staff to craft—it was not anything out of the blue; there was a lot of hard work that went into this. I really thought maybe the Armed Services Committee would like to have something that they could say we really are going to make a cut. I could not get anywhere with it. Then I thought certainly I could take it to the Budget Committee where I serve and there must be a lot of thoughtful people there who would understand it.

I must say that I leaned over backwards, and I very carefully crafted this, as the Senator from Arkansas observed, in such a fashion that I did not believe that anybody in good conscience could possibly vote against it. I have been wrong before and I was wrong again.

We will be taking this up again tomorrow, I guess, not having a vote tonight. I will have some more to say. I will simply say it is very clear to me that the perspective of the Senator from Arkansas is good. When the vote comes, we will lose. The military industrial complex is alive and well, and all those who do not believe that just have to look at the vote that will take place on the floor of the U.S. Senate tomorrow and it will be proven once again that the military industrial complex is, indeed, alive and very well, and the budget of the United States and our future deficits find themselves in very much disarray.

I reserve the remainder of my time and yield the floor.

The PRESIDING OFFICER (Mr. WELLSTONE). Who yields time?

Mr. EXON. I yield myself time as necessary from the bill itself. I ask unanimous consent that Senator ROBERT KERREY, from Nebraska, be added as a cosponsor to the amendment.

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

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

Mr. DOMENICI. Mr. President, will the Senator withhold that?

Mr. EXON. I withhold.

The PRESIDING OFFICER. The Senator from New Mexico is recognized.

Mr. DOMENICI. Mr. President, I was wondering if the distinguished chairman of the Budget Committee or the majority leader might tell us when we could vote. I think we have been on this matter now, at least the Danforth amendment which is the last business we conducted was at 12:44. For some reason we waited until about 2:20 and we have been on this amendment since 2:20.

The Budget Act does take into consideration that there are apt to be many other amendments. As a matter

of fact, there are. I do not say this because many of them are from our side of the aisle. I have a list of about 15, all but about 2 or 3 are from the majority side of the aisle. The Budget Act in substance we thought maybe ought to take an hour on each side for each amendment and a half hour for amendments to amendments, and perhaps these other Senators will have a chance to debate their amendments.

I do wonder if perhaps the chairman can give me an answer as to when we might vote. We are ready to vote this evening and if we could, we would do that on a minute's notice. But while the chairman is coming to the floor to discuss this issue, let me just address one issue in my own way.

First, I want to say to the distinguished Senator from Nebraska, I really do not believe I have to, because I think he knows, but I hold him in very high esteem. I have worked with him. I have been on the same side with him many more times than I have been on the opposite side. I have joined him in amendments. I followed him in the Budget Committee. It just happens that on this one I disagree.

But I also think if the distinguished Senator from Arkansas was making a point that it took courage to vote for the Exon amendment because somehow or another we were bucking the tide, perhaps a popular support. Maybe I misunderstood; I thought that is what he was saying, that we had to do something courageous. It seems to me unless I am reading the opinion polls wrong, the American people in very large numbers and very high percentages want us to cut defense more than the President recommended, large numbers.

I think in States that even have large defense installations, the population at large wants defense cut even more. That is what I find. I believe that is the case in my State. Even though we have military and defense installations, people want to cut more.

I think those who are voting to provide orderliness to this build down, 30 percent, rather than cutting it more and doing it more rapidly, I think they are doing that on the basis that they are genuinely concerned about a world that we do not quite understand in terms of its outcome. Where will it be 3 years from now? We will be in the world. We will be expected to be leaders. Hopefully, we will still be the bastion of freedom and democracy and we will be influence and helping this world we are in as we always have.

Some of us think we ought to know what it looks like in terms of danger spots, having the best and the brightest in the military now and technology that keeps us on the cutting edge so that we gain the air space as we did in Iraq. That is why we did not have any real air struggles because our technology gained the air space for us. Those are the kind of things that are a little bit more difficult than to vote to cut. It is easy to vote to cut in this case.

Second, I have not checked the record and I clearly understand how people on either side will change their mind in 5 or 6 days, but I think it is worth looking at the record and seeing how various Senators voted on tearing down the wall because tearing down the wall was a vote to cut defense and, yes, to cut it more than we are talking about. But guess what, Mr. President? Tearing down the wall was a vote to spend more on other programs. Just a week ago, Senators were saying let us do that. Some of the Senators who are speaking about deficit reduction tonight wanted little or no deficit reduction then because they thought the defense cuts were going to be spent elsewhere on domestic programs. Nobody knew where, but somewhere.

It seems to me you cannot have it both ways. A week ago, you cannot vote to tear down that fence wall so you can spend more, and then when you lose that argument that we ought to cut defense more so we can reduce the deficit. And anyone who does not want to do that is not for deficit reduction.

So from my standpoint, if we are not going to vote tonight, and I ask again our leader, I would like to know whether we are going to vote tonight or not.

Mr. SYMMS. Mr. President, will my colleague yield for a question when he gets the chance?

The PRESIDING OFFICER. The Senator from Tennessee is recognized.

Mr. SASSER. Mr. President, I wish to respond to the distinguished Senator from New Mexico. In light of the request of the distinguished Senator from Idaho——

Mr. SYMMS. I did want to ask a question pertinent to what the Senator was saying.

Mr. SASSER. I think I still have the floor.

Mr. DOMENICI. Yes, the Senator has the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. SASSER. Mr. President, let me say to my friend from New Mexico that the majority leader has indicated he wants the Senate to adjourn as soon as the Senator from New Mexico has concluded his remarks. I understand the distinguished Senator from Idaho wishes to address the Senate, and I would be perfectly happy to enter into a unanimous-consent agreement that he be first off tomorrow morning.

Mr. SYMMS. If the Senator will yield, the Senator from Idaho will be happy to wait. I want to discuss defense some more, but I assume there will be a little time prior to the vote tomorrow. Is that correct?

Mr. SASSER. Absolutely, I say to my friend from Idaho.

Mr. SYMMS. I will be recognized tomorrow; that is fine. If I could just ask my colleague from New Mexico one question, I will get out of the way.

My question is, if the distinguished floor manager of the bill will yield, and I would like to also echo the comments of the Senator from New Mexico, speaking of my respect for the Senator from Nebraska. What I am saying here is absolutely in no way derogatory. I just disagree with those who want to cut the defense budget more.

But the Senator from New Mexico made a statement that the Senator from Arkansas said it would take a lot of courage to vote for the Exon amendment. The Senator from New Mexico said the people in his State would want to cut more. Does the Senator think they want to cut more in defense, or the media wants to cut more in defense?

Mr. DOMENICI. Wherever they got the idea, it is obvious to the Senator from New Mexico that the people, the majority of our people, want to reduce defense more.

Mr. SYMMS. The establishment and news media in this country is beating the drum to cut defense more.

Mr. DOMENICI. The peace dividend.

Mr. SYMMS. Mr. President, I thank the Senators both for their indulgence. I see my friend is on the floor, and I want to say that again to him.

Mr. DOMENICI. Mr. President, I have a note from my good friend, the chairman. I think it has a lot of inferences in it. It says we are going to adjourn as soon as I stop speaking. Maybe he was suggesting that I speak too much. If the distinguished Republican leader was here, he would surely tell me I speak too much.

But I wanted to say something before Senator SYMMS leaves, and just tell him I neglected, when he finished his remarks, to thank him for what he had done with reference to defense in this country. I find, with the passage of time, that Senator STEVE SYMMS, who many, many, many times around here was in the minority, and many times he was the only person voting no, reminds us regularly as we complain about the results of some of the legislation we have voted for that is untoward, unexpected, beyond anything we thought we were doing, he reminds us every now and then: I was the only one who voted no. I am sorry he is leaving. Everybody is expressing their concerns about Senator WIRTH, and I will do that tomorrow in my own way. But I have never said I am sorry that Senator SYMMS is leaving. I say that tonight.

I thank the Senator for his help in the Budget Committee in bringing this issue to the floor.

Mr. SASSER. Mr. President, I echo the statement of my friend from New Mexico. I have had the pleasure now of serving for many years on the Budget

Committee with the distinguished Senator from Idaho. He and I have differed on some policy issues; we have agreed on others. But he has been a very valuable member of the committee, and a Senator for which I have considerable affection, I might say. He is a Senator who has certainly spoken his mind in committee and on the floor of the Senate.

I want to join with my friend from New Mexico in saying we are going to miss him on the Budget Committee because he brings to the committee, I think a perspective that is unique to the Senator from Idaho. He also brings it to the committee with a sense of color and dash, and we always like to hear from him.

Mr. EXON addressed the Chair.

The PRESIDING OFFICER. The Senator from Nebraska is recognized.

Mr. EXON. I yield myself time off of what time I have remaining on the amendment.

I wish to thank the Senator from New Mexico and the Senator from Idaho and my friend from Tennessee for the nice things that have been said about me on the floor today. I suppose, as people sit and watch these things back home, they must think we just do not care for each other at all. I do care very much about both of my colleagues who have been involved in this debate.

Certainly, I have studied under the tutelage of my friend from New Mexico. He was on the Budget Commmittee when I came there, and we have worked together so very often. I hold him in the highest esteem. We do not happen to agree on this, and I hope people understand that when we get into these debates, we try to make our points as best we can.

I think I had said something before about my being disappointed in the loss of my friend from the State of Idaho. I came here before he did, but we have been good working partners, although we are on different sides of this aisle. We indeed are going to miss the Senator.

One of the problems I have said about the Senate and the House time and time again is that we have too few business people with business backgrounds who serve here.

I have always thought that the ideas and comments by my friend from Idaho have been on point, although I have not always agreed with them. So I have the highest regard for both of them. It would even be higher if they would change their minds and agree tomorrow to support the Exon amendment. But if they do not, which I suspect they will not, I will not think any less of either of my two friends.

I thank Senator SYMMS, and I thank the Senator from New Mexico.

Mr. SASSER. I yield to the Senator from New Mexico.

Mr. DOMENICI. Mr. President, I understand the Senator wants to go out, and I am going to cooperate. I understand Senator SIMPSON may want to speak a few minutes on something else.

There are a lot of amendments to be offered. We have been on the resolution for a substantial amount of time. Does the Senator have any idea when we might vote tomorrow?

Mr. SASSER. It is my understanding the majority leader wants the Senate to come in tomorrow morning at 9:30, and that the Senate resume consideration of the budget resolution at 10 o'clock in the morning.

Now, on our side, I know of no other speaker, with the exception of the distinguished President pro tempore. And depending on how much time he would take and how many other speakers the distinguished ranking member might wish to give time off the bill, I assume we would be ready to vote.

Mr. DOMENICI. Mr. President, we have some Senators who have been waiting a long time. I can think of at least one, Senator COHEN who wants to speak in the morning. And Senator SYMMS just acknowledged that a moment ago. So if we can start at 10, I am very hopeful that somewhere close to 11 we might be ready to vote.

We are going to cooperate as best we can because there are a lot of amendments, and Senators deserve an opportunity to discuss them. I do not want to give any more time off the bill than I absolutely have to. The Senator will be yielding far more off the bill than will I.

Mr. EXON. Will the managers of the bill yield for just a moment?

Mr. SASSER. I yield to the distinguished Senator from Nebraska.

Mr. EXON. I know the Senator BYRD wants to talk. This Senator has 23 minutes remaining. I do not intend to use all of that, but I will want to make some closing remarks as sponsor of the amendment.

We have one or two other Senators who have indicated to me they might want to talk; I am not sure. I do not think there is a lot of time necessary to discuss it on this side of the aisle.

I agree, I think we have to be moving ahead. I hope we can reach some agreement, maybe early in the morning, to have a vote at as early an hour as possible depending on what time we are coming in. It seems to me we should be on our way to voting, but at 11 o'clock. We have lot of work to do.

MORNING BUSINESS

Mr. SASSER. Mr. President, I see that the distinguished Senator, the assistant minority leader, is on the floor. I now ask unanimous consent that there be a period for morning business and that Senators be allowed to speak therein.

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

RETIREMENT OF TIM WIRTH

Mr. KENNEDY. Mr. President, TIM WIRTH will be deeply missed by all of us who have served with him in the Senate.

We all know of Senator WIRTH'S dedication to the causes he believes in and his unique contributions to the Nation. Day after day, year after year, he has been a true champion of women's rights and equal rights, and he has led the fight in the Senate to clean up the environment.

I am saddened by his announcement that he will not seek reelection. When a superb Senator like TIM WIRTH says that he is disillusioned with Congress and unwilling to endure another campaign full of negative advertising and distortion, it is time for all of us to reflect on the evils of the campaign process and to change that process in the future.

We need the TIM WIRTHS, the KENT CONRADS, and the WARREN RUDMANS in the U.S. Senate. They bring commitment, idealism, and intelligence to our debates. The Senate is a lesser institution without their ideas, their abilities, and their leadership, and the Nation is a poor land without their public service.

I join my colleagues in wishing TIM WIRTH well, and I hope very much that he will return to public service in the future. He has served the people of Colorado and the Nation well, and I'm confident he will have the opportunity to do so again in the years ahead.

TIM WIRTH'S CHOICE

Mr. DASCHLE. Mr. President, this body is diminished again today.

Diminished as it was just a few short weeks ago, when Senator RUDMAN cut short his distinguished career.

Diminished as it was just a few short days ago, when my close friend, KENT CONRAD, chose to leave this place.

And now TIM WIRTH, who announced today his decision to retire at the conclusion of the 102d Congress.

With his decision to leave, a light as bright as any to have shown in this Chamber has been extinguished.

And why is this happening? Why are the best and brightest among us—young leaders with many years of quality service still ahead—why are they the ones choosing to leave?

It is a sobering question, Mr. President. One on which every citizen of this Nation should reflect at some length.

But that is a somber topic, one better left for another day. I want to use this afternoon to thank a friend.

Linda and I have been privileged to know TIM and Wren WIRTH for years. I served for 8 years with TIM in the other body. We came together to this Chamber in 1986. We have spent many hundreds of hours together. In happiness and despair, in debate, decision, and disagreement. And in friendship.

TIM WIRTH is a Senator who cares. He cares passionately.

That is the reason I care for him. It is what makes him one of the very finest, I believe, ever to walk this floor.

Each American who cares about the health of the planet Earth will miss his passionate devotion to the environment. There is no person anywhere who has fought harder, nor done more than TIM WIRTH has done over the past 20 years to protect the natural inheritance we will pass to our children.

TIM WIRTH has approached his efforts to reduce the threat of nuclear war and educate our children with the same passion.

Sadly, I fear it is another passionate caring that may be the reason TIM has chosen to leave the Senate. That passion is for his own family, for his wife and for the quality of the lives they share.

Disappointed as I am today that they will be leaving, who can begrudge them the choice of family. It is a natural choice and one that I respect.

We will miss TIM WIRTH in the Senate—not only for the fights he has led on behalf of worthy causes, but for the friendship he has offered us. No one will miss him more than me.

SENATOR TIM WIRTH

Mr. REID. Mr. President, TIM WIRTH was a veteran legislator when I came to the House of Representatives in 1982. During my service in the House, I came to respect and admire his work as a legislator for the interests of Colorado and our country.

We came to the Senate together. It has been a pleasure to work with TIM. He is truly a leader. Colorado will miss his talent, our country will miss him, as will I.

My heart is heavy knowing that TIM WIRTH will not seek re-election.

His academic background is impressive: bachelor and master degrees from Harvard University; and his doctorate from Stanford. He was also a White House fellow.

The friendship I have developed with TIM these past 10 years will last. I wish TIM, Wren, and their children, Christopher and Kelsey, happiness and contentment. Senator WIRTH's record of public service speaks for itself. His legislative record will stand as a monument to all young people in Colorado and will be viewed as the ultimate in government service.

RETIRE OLD CARS—CREATE NEW JOBS

Mr. WALLOP. Mr. President, all too often some of us indict American business for the unintended consequences of its actions. And all too often our indictment is used by the advocates of centralized economic planning to tell manufacturers what kinds of products they can or cannot produce. While such actions always run the risk that consumers may want to buy something else, the supporters of Washington-knows-best legislation think differently.

Corporate average fuel economy standards [CAFE] for new vehicles are a prime example of this centralized planning. Even though CAFE has proven ineffective, the proponents continue to argue that we need more, not less, regulation to close loopholes and force Americans to buy more of what they do not want.

It is a familiar scenario. Government regulation forces consumers to purchase features that they do not need. In order to furnish consumers with the products they want, mechanisms are conceived to game the CAFE system. For example, manufacturers badge CAFE positive cars produced by other manufacturers in order to meet CAFE standards.

We continually hear from advocates of such command and control policies that we can achieve greater energy independence by mandating much more dramatic increases in CAFE standards for new cars. We can do that, the argument goes, by simply mandating that manufacturers produce certain kinds of cars, and then turn them loose to find the means to do so. Never mind that auto manufacturers also are faced with mandated safety standards and Federal emissions standards that also have to be met, and the advocates of command and control polices never allow for the interrelationship between them.

Nevertheless, the proponents of stronger CAFE standards charge forward on their mission and suggest that consumers not only will buy the kinds of cars that Government tells them they can have, but the consumer wants to buy them. Their rationale is that it worked when the Congress first passed CAFE standards in 1975, and it can work again. CAFE advocates suggest that increased automobile fuel efficiency was accomplished without any loss of passenger safety, comfort or performance. Therefore, the law was a success. But was it?

When the CAFE standards took effect with model year 1978 the standards were actually less than what already was being achieved. The decade of the eighties was when you would have expected to see the benefits of CAFE standards at work. The standard for passenger cars went from 20 to 27.5 miles per gallon, and the standard for other vehicles went from between 14 and 16 miles per gallon up to 20, or 4 to 6 miles per gallon. In reality, the new car fleet mileage increased only 2.3 miles per gallon—from 23.1 miles per gallon in model year 1980 to 25.4 miles per gallon in model year 1990.

It is startling that these modest improvements came during a period in which there were tremendous advances in automotive technology, new taxes on fuel inefficient vehicles, increased taxes on motor fuels, and increased consumer awareness of the economic and environmental costs of excessive energy consumption. Advanced radial tires alone should have accounted for an approximate 1.5-mile-per-gallon improvement in fuel economy, out of the 2.3 miles per gallon during this period.

Despite significant engine redesigns, the only way automakers were able to meet their CAFE requirements was by downsizing cars by an average of 500 pounds. Only last month, the D.C. Court of Appeals overturned the 1990 CAFE standard after it found that the Government had ignored the safety consequences of limiting the availability of larger cars by pricing many of its citizens out of access to larger car safety.

It should not be news to anyone that smaller cars are less safe, and more stringent CAFE standards are going to cost more lives. The current CAFE standard contributes to between 2,200 and 3,900 additional deaths every year. One must ask, where are the safety advocates like the Center for Auto Safety and Public Citizen now that we need them? At the point where the rubber meets the road, where the advocates of increased automobile fuel economy are faced with a choice between safety and big government, they chose more government at the expense of the American consumer's safety.

CAFE was enacted in 1975 as part of the Energy Policy and Conservation Act, a misguided experiment in tampering with our free market. In a usually myopic action, Congress drove down the price of petroleum in the United States, thus encouraging its consumption, and then over compensated for that mistake by enacting mandatory requirements that manufacturers produce cars that consume less gasoline.

We have long since given up this catastrophic experiment with regulating energy prices. Gasoline lines were its instrument of demise. Yet we have not quite learned our lesson. Let us look at the facts regarding CAFE.

The facts tell us that CAFE has not worked. CAFE requirements encouraged urban consumers to buy less efficient vans and light trucks to get the passenger car characteristics they want.

Mr. President, if we are truly interested in increasing the fuel economy of our national automobile fleet, we should be focusing our attention on ways to get inefficient cars off the road and accelerate the purchase of new more efficient cars. There are over 12 million cars registered in the United States that are 15 years old or older. According the Office of Technology Assessment the benefits of retiring pre-1975 vehicles are twice the costs. Retiring 1 million vehicles would cost be-

tween $221 and $312 million, but it would yield gasoline savings of 681 to 908 million gallons, annually, or 44 to 59 thousand barrels a day. It is a persuasive argument for scrappage—not CAFE.

An August 1991 DRI/McGraw-Hill comparison of retiring older vehicles an alternative to CAFE standards of 32 miles per gallon estimates comparable savings. By scrapping 9 million additional older cars we could save approximately 5 billion gallons of gasoline by 1997, and over 10 billion gallons by the year 2000. More importantly, the scrappage program would boost new vehicle sales by 4.5 million over the subsequent 5 years.

Mr. President, I request that a summary of the DRI/McGraw analysis be printed in the RECORD at this point.

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

SUMMARY DRI/McGRAW-HILL STUDY

	CAFE versus base case	Accelerated retirement versus base case
Gasoline consumption savings (billions of gallons)	4.9	5.1
Emissions reductions (thousands of tons):		
Hydrocarbons	−200	−4,500
Carbon dioxide	−62,000	−48,000
NO_x	−90	−900
Carbon monoxide	−400	−21,000
Changes in vehicle sales:		
Cars	−910,000	4,500,000
Light trucks	570,000	0
Total	−340,000	4,500,000
Average changes in employment	−3,000	42,000
GNP impact (billions of dollars, 1982)	$3	$35
Changes in new car prices (1996):		
Domestic	$900	0
Imports	$250	0
Changes in gasoline prices (cents per gallon)	0	2

Note.—Cumulative totals over 1992 to 1996, except where noted.

Mr. WALLOP. Mr. President, the UNOCAL experience in southern California dramatically demonstrated the environmental benefits that can be achieved. When UNOCAL offered to scrap older vehicles at $700 apiece, more people came forward than expected. Over 8,400 automobiles were scrapped out of the 400,000 pre-1971 vehicles registered in the Los Angeles area. The scrapped cars averaged about 12 miles per gallon, about half of the average of 23.4 for 1990 autos.

The UNOCAL experience also suggests that for every million pre-1975 cars retired early there are annual gasoline savings of 681 to 908 million gallons, or 44 to 59 thousands of barrels per day. As a consequence, each American consumer can save about $200 to $250 annually, because new cars get about twice the fuel economy of the cars being retired.

The removal of one of these old vehicles off the road is equivalent to getting as many as 15 to 30 commuters to join a carpool. On average these vehicles were found to emit almost 65 times as much hydrocarbons per mile driven as a new car. That was nearly twice what the experts had anticipated. The old cars were also emitting 45 times more carbon monoxide, 11 times more nitrogen oxides and 7 times more fine particulate than 1990 vehicles. Even the cleanest car was eight times dirtier than a new car. In one instance you actually could have run a 1990 vehicle on the exhaust emissions of the scrapped vehicle.

In addition to the potential energy and environmental benefits of the early retirement of such vehicles, the UNOCAL program demonstrated significant economic benefits. Nearly 11 million pounds of pollution annually were removed from the air at a cost of $6 million. Had UNOCAL had to achieve the same result by reducing emissions at its Los Angeles' refinery, it would have cost them about $150 million, or 25 times as much.

I ask unanimous consent that a table showing the contribution of pre-1971 cars to air pollution in the Los Angeles area be printed at this point in my remarks.

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

FLEET PROFILE: LOS ANGELES AREA

	Pre-MY71	All cars	Percent of total
Number of cars (1,000's)	380	6,000	6
Number of miles (millions)	2,280	73,278	3
HC (tons per day)	57	266	22
CO (tons per day)	345	2,275	15
NOx (tons per day)	30	234	13

Mr. WALLOP. Mr. President, the administration's National Energy Strategy endorsed the concept of accelerated scrappage of older vehicles. The disproportionately large contribution of older model cars to air emissions and their lower fuel efficiencies was discussed in the administration's fiscal year 1993 budget request for the Department of Energy. The details of their proposal were recently disclosed in the press.

Under little noticed provisions of the 1990 Clean Air Act Amendments, emission compliance credits will be available to States establishing voluntary programs that remove old vehicles from use. Such scrappage programs would be voluntary. The emission reductions achieved through these programs will be available to satisfy a broad range of Clean Air Act compliance requirements. As if cleaner air were not sufficient benefit alone, such a program offers an inexpensive way to fuel our economy and create additional jobs.

On March 18 the White House announced that the Environmental Protection Agency will issue guidance to the States for the establishment of scrappage programs that will satisfy the requirements of the Clean Air Act. The programs envisioned would be market-based and rely upon trading of emission reduction credits between stationary and mobile sources of air pollution. As such the programs can provide a more cost-effective means for meeting Clean Air Act requirements, thereby promoting jobs, economic growth and environmental quality.

Serious consideration needs to be given to acceleration of a scrappage program, rather than wait for this voluntary program to be implemented as a part of State implementation plans under the Clean Air Act. Perhaps now is time for the Congress to enact legislation establishing a national scrappage program, not only as an option for some States as a matter of clean air, but as a national jobs program for all states, too.

Such programs do not require the heavy hand of Government to be successful. They can be voluntary, flexible and cost-effective. They need not be mandatory or confiscatory.

People who are antique car buffs are not forced to sell them. People who rely upon their older cars can continue to do so. However, if anyone decides the incentive is sufficient enough for them to participate in the program, they have that option.

Why not enhance new car sales, improve air quality, and improve the fuel efficiency of the national fleet average? Our chief economic competitors, Japan and Germany, recognize the benefits of such national policies. They have adopted economic incentives that get old cars off the roads. Why not us?

EXECUTIVE SESSION

Mr. SASSER. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider the following nominations: Calendar Nos. 548, 549, 550, 551, 552, 553, 554. I note Calendar No. 554 is to perhaps promote Rear Adm. William J. Flanagan, Jr. I wonder if he is the admiral they call "Full Flaps Flanagan." Does the distinguished minority leader happen to know the great, daring naval aviator?

Mr. SIMPSON. Mr. President, I have no idea whether this is the "Full Flaps Flanagan" that the Senator refers to. But, if it is, he certainly is going to have more flap about.

Mr. SASSER. I thank the distinguished deputy minority leader.

Mr. President, I ask unanimous consent also that the Senate proceed to consider the following nominations: Calendar Nos. 555, 556, 557, 558, 559, 560, 562, and all nominations placed on the Secretary's desk in the Air Force, Army, and the Marine Corps; and all nominations reported earlier today by the Committee on the Judiciary; and I further ask unanimous consent that the Senate proceed to their immediate consideration, and that the nominees be confirmed; that any statements appear in the RECORD as if read; that the motions to reconsider be laid upon the table; that the President be immediately notified of the Senate's action;

and that the Senate return to legislative session.

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

The nominations considered and confirmed en bloc are as follows:

CENTRAL INTELLIGENCE

Vice Adm. William O. Studeman, U.S. Navy, to be Deputy Director of Central Intelligence, and to have the rank of admiral while so serving.

DEPARTMENT OF DEFENSE

John E. Connolly, of California, to be a member of the Board of Regents of the Uniformed Services University of the Health Sciences for a term expiring June 20, 1997.

William D. Skelton, of Georgia, to be a member of the Board of Regents of the Uniformed Services University of the Health Sciences for a term expiring June 20, 1997.

IN THE AIR FORCE

The following-named officer for reappointment to the grade of general while assigned to a position of importance and responsibility under title 10, United States Code, section 601:

Gen. John M. Loh, [redacted] U.S. Air Force.

The following-named officer for appointment in the U.S. Air Force in the grade of brigadier general under the provisions of section 624, title 10 of the United States Code:

To be brigadier general

Col. Thomas L. Hemingway, [redacted] Regular Air Force.

IN THE ARMY

The following-named officer for appointment in the U.S. Army, without specification of branch component, and in the Regular Army of the United States to the grade indicated in accordance with article II, section 2, clause 2 of the Constitution of the United States. This appointment is vice existing appointment as a brigadier general of the Army Nurse Corps.

To be permanent brigadier general

Brig. Gen. Clara L. Adams-Ender, [redacted] U.S. Army.

IN THE NAVY

The following-named officer for appointment to the grade of vice admiral while assigned to a position of importance and responsibility under title 10, United States Code, section 601:

To be vice admiral

Rear Adm. (Selectee) William J. Flanagan, Jr., [redacted] U.S. Navy.

IN THE AIR FORCE

The following officers for appointment in the Reserve of the Air Force to the grade indicated, under the provisions of section 593, 8218, 8373, and 8374, title 10, United States Code:

To be major general

Brig. Gen. Michael Adams, [redacted] Air National Guard of the United States.

Brig. Gen. Gary C. Blair, [redacted] Air National Guard of the United States.

Brig. Gen. Allen C. Pate, [redacted] Air National Guard of the United States.

Brig. Gen. David L. Quinlan [redacted] Air National Guard of the United States.

Brig. Gen. Edward V. Richardson, [redacted] Air National Guard of the United States.

To be brigadier general

Col. Edmond W. Boenisch, Jr., [redacted] Air National Guard of the United States.

Col. Steffen P. Christensen, [redacted] Air National Guard of the United States.

Col. Donald Dalton, [redacted] Air National Guard of the United States.

Col. Dan E. Dennis, [redacted] Air National Guard of the United States.

Col. Peter L. Drahn, [redacted] Air National Guard of the United States.

Col. William D. Lackey, [redacted] Air National Guard of the United States.

Col. John M. Lotz, [redacted] Air National Guard of the United States.

Col. Roberta V. Mills, [redacted] Air National Guard of the United States.

Col. Paul A. Pochmara, [redacted] Air National Guard of the United States.

Col. Alan T. Reid, [redacted] Air National Guard of the United States.

Col. Kenneth L. Ross, [redacted] Air National Guard of the United States.

Col. Mason C. Whitney, [redacted] Air National Guard of the United States.

Col. Phillip E. Zongker, [redacted] Air National Guard of the United States.

The following-named officers for appointment to the grade of major general under the provisions of title 10, United States Code, section 624:

To be major general

Brig. Gen. Jay D. Blume, Jr. [redacted] Regular Air Force.

Brig. Gen. Roy D. Bridges, Jr. [redacted] Regular Air Force.

Brig. Gen. Patrick P. Caruana [redacted] Regular Air Force.

Brig. Gen. Stephen P. Condon, [redacted] Regular Air Force.

Brig. Gen. Gary L. Curtin, [redacted] Regular Air Force.

Brig. Gen. Kenneth E. Eickmann, [redacted] Regular Air Force.

Brig. Gen. Phillip J. Ford, [redacted] Regular Air Force.

Brig. Gen. Carl E. Franklin [redacted] Regular Air Force.

Brig. Gen. John C. Griffith [redacted] Regular Air Force.

Brig. Gen. Otto K. Habedank, [redacted] Regular Air Force.

Brig. Gen. Donald J. Harlin [redacted] Regular Air Force.

Brig. Gen. James L. Hobson, Jr [redacted] Regular Air Force.

Brig. Gen. Nicholas B. Kehoe, III, [redacted] Regular Air Force.

Brig. Gen. Robert E. Linhard [redacted] Regular Air Force.

Brig. Gen. Michael D. McGinty, [redacted] Regular Air Force.

Brig. Gen. Richard B. Myers [redacted] Regular Air Force.

Brig. Gen. Philip W. Nuber [redacted] Regular Air Force.

Brig. Gen. Everett H. Pratt, Jr. [redacted] Regular Air Force.

Brig. Gen. Glenn A. Profitt, II [redacted] Regular Air Force.

Brig. Gen. Ronald N. Running, [redacted] Regular Air Force.

Brig. Gen. Garry A. Schnelzer, [redacted] Regular Air Force.

Brig. Gen. Paul E. Stein, [redacted] Regular Air Force.

Brig. Gen. Ralph G. Tourino [redacted] Regular Air Force.

The following-named officer for appointment to the grade of major general under the provisions of title 10, United States Code, section 624:

To be major general

Brig. Gen. William E. Jones [redacted] Regular Air Force.

The following-named officer for appointment to the grade of lieutenant general on the retired list under the provisions of title 10, United States Code, section 1370:

To be lieutenant general

Lt. Gen. Leo W. Smith, II, [redacted] U.S. Air Force.

IN THE ARMY

The following-named officer to be placed on the retired list in the grade indicated under the provisions of title 10, United States Code, section 1370:

To be lieutenant general

Lt. Gen. Jack D. Woodall, [redacted] U.S. Army.

The following-named officer for appointment to the grade of lieutenant general while assigned to a position of importance and responsibility under title 10, United States Code, section 601(a):

To be lieutenant general

Maj. Gen. Jerome H. Granrud [redacted] U.S. Army.

IN THE NAVY

The following-named captains in the line of the U.S. Navy for promotion to the permanent grade of rear admiral (lower half), pursuant to title 10, United States Code, section 624, subject to qualifications therefor as provided by law:

UNRESTRICTED LINE OFFICER

To be rear admiral (lower half)

Capt. Charles Stevenson Abbot, [redacted] U.S. Navy.

Capt. Michael Lee Bowman, [redacted] U.S. Navy.

Capt. Richard Alan Buchanan [redacted] U.S. Navy.

Capt. Ernest Edward Christensen, Jr., [redacted] U.S. Navy.

Capt. Kevin Francis Delaney [redacted] U.S. Navy.

Capt. Frank Matthew Dirren, Jr. [redacted] U.S. Navy.

Capt. Robert Lee Ellis, Jr. [redacted] U.S. Navy.

Capt. Marsha Johnson Evans [redacted] U.S. Navy.

Capt. Henry Collins Giffin III [redacted] U.S. Navy.

Capt. Lee Fredric Gunn, [redacted] U.S. Navy.

Capt. Michael Donald Haskins, [redacted] U.S. Navy.

Capt. Henry Francis Herrera [redacted] U.S. Navy.

Capt. Edward Kristian Kristensen, [redacted] U.S. Navy.

Capt. Francis William Lacroix [redacted] U.S. Navy.

Capt. Thomas Fletcher Marfiak, [redacted] U.S. Navy.

Capt. Richard Willard Mies [redacted] U.S. Navy.

Capt. Robert Joseph Natter [redacted] U.S. Navy.

Capt. Robert Michael Nutwell, [redacted] U.S. Navy.

Capt. Marc Yve Eugenio Pelaez, [redacted] U.S. Navy.

Capt. James Gregory Prout III [redacted] U.S. Navy.

Capt. Raymond Charles Smith, Jr. [redacted] U.S. Navy.

Capt. Jay Woodrow Sprague [redacted] U.S. Navy.

Capt. James Reynolds Stark [redacted] U.S. Navy.

Capt. Richard David Williams III, [redacted] U.S. Navy.

Capt. Jay Bradford Yakeley III [redacted] U.S. Navy.

ENGINEERING DUTY OFFICER

To be rear admiral (lower half)

Capt. Lewis Allen Felton, [redacted] U.S. Navy.

Capt. Paul Matthew Robinson, [redacted] U.S. Navy.

AEROSPACE ENGINEERING DUTY OFFICER

Capt. Glenn Patrick Phillips, [redacted] U.S. Navy.

Capt. Barton Dale Strong, [redacted] U.S. Navy.

SPECIAL DUTY OFFICER (PUBLIC AFFAIRS)

To be rear admiral (lower half)

Capt. Kendell Milford Pease, Jr., [redacted] U.S. Navy.

NOMINATIONS PLACED ON THE SECRETARY'S DESK IN THE AIR FORCE, ARMY, MARINE CORPS

Air Force nomination of Susann J. Steinberg, which was received by the Senate on February 14, 1992, and appeared in the CONGRESSIONAL RECORD of February 18, 1992.

Air Force nominations beginning Maj. James D. Barker, [redacted] and ending Major William W. Manning, [redacted], which nominations were received by the Senate on February 14, 1992, and appeared in the CONGRESSIONAL RECORD of February 18, 1992.

Air Force nominations beginning James A. Abbott, and ending Anthony L. Woodson, which nominations were received by the Senate on February 14, 1992, and appeared in the CONGRESSIONAL RECORD of February 18, 1992.

Air Force nominations beginning Steven A. Task, and ending David M. Deckman, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of February 25, 1992.

Air Force nominations beginning Phyllis J. Hansen, and ending Darrell L. Sechrest, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of March 3, 1992.

Air Force nominations beginning Robert K. Butler, Jr., and ending William L. Sherrill, Jr., which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of March 3, 1992.

Air Force nominations beginning * Stephen C. Carey, and ending * Ronald D. Wong, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of March 3, 1992.

Air Force nominations beginning Gary A. Anderson, and ending Catherine R. Zelner, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of 1992.

Air Force nominations beginning Timothy D. Ballard, and ending Nathan C. Ward, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of March 18, 1992.

Army nominations beginning James A. Buckner, and ending Larry Williams, which nominations were received by the Senate on February 14, 1992, and appeared in the CONGRESSIONAL RECORD of February 18, 1992.

Army nominations beginning Robert G. Albrecht, Jr., and ending Donald L. Berry, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of March 3, 1992.

Army nominations beginning Ina J. Clawson, and ending * Patricia A. Vinocur, which nominations were received by the Senate on March 3, 1992, and appeared in the CONGRESSIONAL RECORD of March 4, 1992.

Army nominations beginning Johnny D. Brown, and ending Gregory L. Angstman, which nominations were received by the Senate March 3, 1992, and appeared in the CONGRESSIONAL RECORD of March 4, 1992.

Army nominations beginning David A. Abke, and ending Joseph J. Zwirecki, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of March 3, 1992.

Marine Corps nominations of Bruce K. Bancroft, which was received by the Senate and appeared in the CONGRESSIONAL RECORD of March 18, 1992.

THE JUDICIARY

Henry C. Morgan, Jr., to be U.S. district judge;

J. Curtis Joyner, to be U.S. district judge;

Joseph E. Irenas, to be U.S. district judge;

Donald J. Stohr, to be U.S. district judge;

Ewing Werlein, Jr., to be U.S. district judge;

Paul J. Kelly, Jr., to be U.S. district judge; and

Wayne A. Budd, to be Associate Attorney General.

STATEMENT ON THE NOMINATION OF VICE ADM. WILLIAM J. FLANAGAN, JR.

Mr. NUNN. Mr. President, I was pleased to report to the Senate the nomination of an outstanding naval officer, Rear Adm. William J. Flanagan, Jr. to be vice admiral. Admiral Flanagan, when confirmed, will be promoted to three stars and will move to a new job as commander of the U.S. 2d Fleet, headquartered in Norfolk, VA. His flagship will be the amphibious command ship, the U.S.S. *Mount Whitney*, which is an integral part of the Navy-Marine Corps expeditionary force which Gen. Carl Mundy, Commandant of the Marine Corps, has called the Nation's 911 force. For the past 3 years, Admiral Flanagan has served as the Navy's chief of legislative affairs. I enthusiastically recommend that the Senate confirm Admiral Flanagan to this new position of trust and responsibility.

In his recent job as chief of legislative affairs, Admiral Flanagan had the task of ensuring that Congress was provided with timely information and support as we implement our constitutional role of maintaining a strong Navy. Admiral Flanagan has provided this support in an outstanding fashion, particularly during a period of such turbulence as Operation Just Cause, Operation Desert Shield/Desert Storm, and numerous other activities involving the Department of the Navy. The demands of a changing world environment, such as the demise of the Warsaw Pact and dissolution of the Soviet Union, have made this a critical time that demanded the talents of an exceptional naval officer. Admiral Flanagan has met this challenge.

Admiral Flanagan's success in his latest job has been the continuation of a distinguished career as a naval officer over the last 25 years. Although he was born in Jessup, GA, Admiral Flanagan spent most of his youth in Massachusetts. He was commissioned in the Navy in 1967 after having graduated from the Massachusetts Maritime Academy in 1964 and serving 3 years in the U.S. Merchant Marine. At sea, he has commanded Destroyer Squadron Five, the destroyer U.S.S. *Kidd* (DDG–993) and the frigate U.S.S. *Bronstein* (FF–1037). Ashore, his assignments have included serving as the chief of legislative affairs, the director of the surface warfare division on the Chief of Naval Operations staff, the deputy chief of legislative affairs to the U.S. House of Representatives, and administrative aide to the Secretary of the Navy. He holds numerous personal and unit decorations.

Although Admiral Flanagan's family made the mistake of leaving Georgia after his birth, I can assure the Senate that Admiral Flanagan has overcome this handicap as only a native Georgian could. In addition, he has spent most of his naval career serving in more southern locations. He is an officer who is a credit to the Navy and the country he so proudly serves. I am sure the entire Senate joins me in wishing him Godspeed in his important new assignment of Commander, U.S. 2d Fleet.

Mr. President, I ask consent that Admiral Flanagan's entire biographical data be printed in the RECORD at this point.

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

REAR ADMIRAL WILLIAM J. FLANAGAN, JR., UNITED STATES NAVY

Rear Admiral William J. Flanagan, Jr., was appointed to the position of Chief of Legislative Affairs by Secretary of the Navy William Ball on May 5, 1989.

Born in Jessup, Georgia, Rear Admiral Flanagan is a 1964 graduate of the Massachusetts Maritime Academy. Following graduation, he served three years in the U.S. Merchant Marine. In 1967, he was commissioned in the Navy and reported to the commissioning crew of USS DUBUQUE (LPD 8) for duty as navigator. Subsequently, he served as Operations Officer in USS PARSONS (DDG 33).

In 1973, Rear Admiral Flanagan was assigned duty at the Bureau of Naval Personnel as the Executive Assistant to the Assistant Chief for Personal Affairs. This assignment was followed by duty as the Special Assistant to the Chief of Naval Personnel and as the 1973–74 Chief of Naval Operations Fellow.

Returning to sea, Rear Admiral Flanagan commanded USS BRONSTEIN (FF 1037) from 1975 to 1977. He then returned to Washington to serve in the office of the Deputy Chief of Naval Operations for Plans and Policy, followed by an assignment as the Administrative Aide to the Secretary of the Navy.

Rear Admiral Flanagan then reported for duty as the first commanding officer of the USS KIDD (DDG 993), the lead ship in a new class of guided missile destroyers. He held this command from 1980 to 1983.

After returning to Washington, Rear Admiral Flanagan served as the Navy's Principal Deputy Chief of Legislative Affairs to the U.S. House of Representatives. In August 1986, he returned to sea duty and assumed the duties of Commander, Destroyer Squadron FIVE in San Diego, California. Upon selection for flag, he was assigned to Washington as the Director, Surface Warfare Division (OP–32) from July 1988 to April 1989.

Rear Admiral Flanagan's academic achievements include a Bachelor of Science

Degree in Maritime Transportation and a Master of Arts Degree in Political Science from American University. He is also a graduate of the Harvard Business School.

His military awards include four Legions of Merit, the Meritorious Service Medal with gold star in lieu of second award, two Navy Commendation Medals, the Combat Action Ribbon, the Meritorious Unit Commendation, and numerous other unit and personal awards. In 1979, Rear Admiral Flanagan was named one of the Ten Outstanding Young Men of America by the U.S. Jaycees, and in 1980, he received the Arthur S. Flemming Award for excellence in government.

STATEMENT ON THE NOMINATION OF WILLIAM O. STUDEMAN

Mr. MURKOWSKI. Mr. President, in March, I had the distinct pleasure of introducing Adm. William Studeman to the Senate Select Committee on Intelligence for his confirmation hearing.

Today, I am pleased to recommend to my colleagues the confirmation of Bill Studeman to be the next Deputy Director of Central Intelligence.

Admiral Studeman is a Texan by birth and a Naval Intelligence Officer by career choice. In his distinguished career, he has served among other assignments as the operational intelligence officer with the 7th Fleet during four lengthy deployments to Vietnam/Southeast Asia, as executive assistant to the Vice Chief of Naval Operations, as commander of the Naval Operational Intelligence Center, and as Director of the Long-Range Planning Group under the Chief of Naval Operations.

In 1985, Admiral Studeman was named Director of Naval Intelligence, where he served until 1988 when he became the 12th Director of the National Security Agency.

Mr. President, when I introduced Bill Studeman to the Senate Intelligence Committee in March, I noted that our committee's hearings on the nomination of Bob Gates to be Director of Central Intelligence highlighted areas of general agreement concerning the post of the Deputy Director of Central Intelligence.

First, the DDCI should be a military officer because so many of the programs and so much of the manpower of the Intelligence Community are found within the Department of Defense.

Second, the DDCI should be a person of extraordinary ability with the breadth of mind and creativity to deal effectively with the accelerating pace of change in the world around us. On this point, Mr. President, the world around us has changed even more than when we were going through the lengthy hearings on the DCI confirmation last summer. Not only has the Soviet Union ceased to exist, but more than a dozen new states have arisen. The ability of the Intelligence Community to react quickly to these changes, and to establish priorities on collection and analysis are challenges that have never been faced before.

To continue, a third criterion for an affective DDCI is that the person must be an officer who commands universal respect among his or her peers in the military services. Finally, the Deputy Director of Central Intelligence must be someone who can adapt to a more open style of doing business than has been the norm for intelligence agencies during the Cold War.

Mr. President, Bill Studeman more than matches the criteria I have outlined above. He has mastered, as few others have, the intricate and arcane world of signals intelligence as head of the NSA. I might add that during Desert Storm and Desert Shield, the NSA, under Bill Studeman's leadership, quickly reoriented its priorities and played an extraordinarily important role in providing important intelligence to our policymakers and military leaders.

Admiral Studeman also maintains an open door-style of leadership, and this has prompted an unusual and enthusiastic letter of commendation from the leaders of the business community along the Baltimore-Washington corridor.

It is also important that I note Bill Studeman has a clear understanding and an appreciation of the value of congressional oversight His acknowledgment of the important role of congressional oversight is matched by Director Gates's belief that oversight is an important component of the responsibilities of the Director and Deputy Director of Central Intelligence.

Mr. President, I urge my colleagues to support the nomination of Admiral Studeman to be Deputy Director of Central Intelligence. The intelligence community is currently establishing different priorities and realigning its structure to respond to requirements for the next 20 years. Under Bob Gates's leadership, changes have already been undertaken, and I know from discussing these changes with the Director that he is most anxious to have as his Deputy a person of Bill Studeman's character and caliber.

Thank you, Mr. President.

STATEMENT ON THE NOMINATION OF VICE ADMIRAL WILLIAM O. STUDEMAN

Mr. BOREN. Mr. President, I now ask unanimous consent that the Senate proceed to consideration of the nomination of Vice Adm. William O. Studeman of the U.S. Navy to be Deputy Director of Central Intelligence and to have the rank of four-star admiral while serving as Deputy DCI, Executive Calendar No. 548.

I will cast my vote in favor of the nominee, and I urge each of my colleagues to do the same.

The President formally submitted Admiral Studeman's nomination to the Senate on February 25, 1992. It was jointly referred to the Select Committee on Intelligence and the Committee on Armed Services.

The Intelligence Committee held a hearing on the nomination on March 10 at which we took testimony from the nominee. There were no requests by others to testify. Subsequent to the hearing, the committee sent the nominee additional written questions for the record. The nominee has submitted written answers.

On April 1, the Intelligence Committee voted 15 to 0 to favorably report to the full Senate Admiral Studeman's nomination to be Deputy DCI. On April 7, the Senate Armed Services Committee also voted to favorably report Admiral Studeman's nomination for promotion to four-star admiral.

We are fortunate, I believe, that the President has nominated to this position a military officer who is a career intelligence professional. To my mind, the need to forge a stronger link between our civilian and military intelligence structures is clear, and what better way to do this than to put a senior military officer into the Deputy DCI position.

Admiral Studeman has worked closely with the Intelligence Committee in the past, and, indeed, we have come to have a high regard for his competence and his dedication. He has spent close to 30 years in military intelligence. He is presently Director of the National Security Agency. Immediately prior to coming to NSA, he served as Director of Naval Intelligence. In these positions, Admiral Studeman played key roles in providing intelligence support to Operation Desert Shield/Desert Storm in the Persian Gulf and to Operation Just Cause in Panama. He is a leader tested by crisis and well understands the role that intelligence can and must play in supporting our military commanders in the field.

A 1962 graduate of the University of the South, Admiral Studeman went on to obtain a masters degree in public and international affairs at George Washington University. While in the Navy, he also was a distinguished graduate of the Naval War College and National War College, as well as the recipient of an honorary doctorate in strategic intelligence from the Defense Intelligence College. He will receive a second honorary doctorate degree this fall from the University of the South.

Admiral Studeman is also the recipient of numerous service commendations and citations, including the Distinguished Service Medal of the Navy and the Legion of Merit with two Gold Stars. He also has received service medals from the Governments of France, Brazil, and South Korea.

Mr. President, we are in a period of rapidly changing and increasingly complex world events, as well as declining budget resources. The challenges for our intelligence community are immense, and the Deputy DCI will have to play a key role. Admiral Studeman appears well qualified by training and experience both for the demands of the position of Deputy Director of Central

Intelligence and to become a four-star admiral in the U.S. Navy. I urge the Members of this body to confirm him.

STATEMENT ON THE NOMINATION OF JOSEPH E. IRENAS

Mr. LAUTENBERG. Mr. President, I rise today to express my strong support for the nomination of Joseph Irenas to become a U.S. district court judge for the District of New Jersey. A man of great character and a lawyer of vast experience, Joe Irenas would serve the public with great distinction on the district court bench.

Born in Newark and a resident of Princeton, Joe Irenas received his legal training at the Harvard Law School and completed post-graduate legal work at the New York University School of Law. Following a year as clerk to New Jersey Supreme Court Justice Haydn Proctor, Mr. Irenas joined the firm of McCarter and English where he serves today as one of the firm's partners.

In his practice, Mr. Irenas has devoted his attention to a broad variety of corporate legal issues. His practice has included significant work in litigation, environmental law, bankruptcy, banking and real estate law. This broad experience should serve him well on the federal bench.

At McCarter and English, Mr. Irenas has had extensive courtroom experience in both the Federal courts and State courts. He has served as sole trial counsel in more than two dozen cases decided by both juries and judges. While practicing law, Mr. Irenas has also served as an adjunct professor of law at Rutgers University School of Law and served for 2 years as a member of the New Jersey Board of Bar Examiners.

Beyond the courtroom, boardroom, and classroom, Joe Irenas has demonstrated a deep commitment to public service. For more than 20 years, Mr. Irenas has served the community through his service to Newark's United Hospitals. First as a member of the board of trustees, and for the past 8 years, as chair of the Hospital's Foundation, Mr. Irenas has helped support the provision of medical care to inner city Newark's disadvantaged and especially the city's children.

Mr. Irenas has also shown that he can make a one on one contribution to his community. For several years he has tutored applicants for the New Jersey bar examination—many of them African-American and Hispanic students. This tutoring has involved long hours of work to ensure that the New Jersey bar is representative of the State's racial and ethnic diversity. Mr. Irenas has also raised funds and personally contributed to endow scholarships for law students at Rutgers School of Law at Camden.

Mr. President, based on this record of achievement, the Standing Committee on the Federal Judiciary of the American Bar Association unanimously rated him as "well qualified" for appointment to the bench.

What does not appear in Mr. Irenas public record is the esteem in which he is held by his colleagues. He is highly praised for his intellect and judgment. Members of the New Jersey legal and philanthropic community have recognized his fairness, sensitivity and depth of understanding for those less fortunate than himself.

Mr. President, these are key qualities for someone seeking to exercise the responsibilities of a U.S. district court judge. Joe Irenas has those qualities. Mr. Irenas' education, experience, public service commitment and temperament all recommend him to the Senate for confirmation.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will return to legislative session.

HOME INVESTMENT PARTNERSHIPS ACT

Mr. SASSER. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 4449, the HOME Investment Partnerships Act amendments, now at the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

A bill (H.R. 4449) to authorize jurisdictions receiving funds for fiscal year 1992 under the HOME Investment Partnerships Act that are allocated for new construction to use the funds, at the discretion of the jurisdiction, for other eligible activities under such Act and to amend the Stewart B. McKinney Homeless Assistance Amendments Act of 1988 to authorize local governments that have financed housing projects that have been provided a section 8 financial adjustment factor to use recaptured amounts available from refinancing of the projects for housing activities.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

The PRESIDING OFFICER. The bill is before the Senate and open to amendment. If there be no amendment to be proposed, the question is on the third reading and passage of the bill.

The bill (H.R. 4449) was ordered to a third reading, was read the third time, and passed.

Mr. SASSER. Mr. President, I move to reconsider the vote by which the bill was passed.

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

The motion to lay on the table was agreed to.

ALLEGHENY WILD AND SCENIC RIVERS ACT

Mr. SASSER. Mr. President, I ask that the Chair lay before the Senate a message from the House of Representatives on S. 606.

The PRESIDING OFFICER laid before the Senate the following message from the House of Representatives:

Resolved, That the bill from the Senate (S. 606) entitled "An Act to amend the Wild and Scenic Rivers Act by designating certain segments of the Allegheny River in the Commonwealth of Pennsylvania as a component of the National Wild and Scenic Rivers System, and for other purposes" do pass with the following amendment:

Strike out all after the enacting clause, and insert:

SECTION 1. DESIGNATION OF ALLEGHENY RIVER.

In order to preserve and protect for present and future generations the outstanding scenic, natural, recreational, scientific, historic, and ecological values of the Allegheny River in the Commonwealth of Pennsylvania, and to assist in the protection, preservation, and enhancement of the fisheries resources associated with such river, section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) is amended by adding the following new paragraph at the end:

"( ) ALLEGHENY, PENNSYLVANIA.—The segment from Kinzua Dam downstream approximately 7 miles to the United States Route 6 Bridge, and the segment from Buckaloons Recreation Area at Irvine, Pennsylvania, downstream approximately 47 miles to the southern end of Alcorn Island at Oil City, to be administered by the Secretary of Agriculture as a recreational river through a cooperative agreement with the Commonwealth of Pennsylvania and the counties of Warren, Forest, and Venango, as provided under section 10(e) of this Act; and the segment from the sewage treatment plant at Franklin downstream approximately 31 miles to the refinery at Emlenton, Pennsylvania, to be administered by the Secretary of Agriculture as a recreational river through a cooperative agreement with the Commonwealth of Pennsylvania and Venango County, as provided under section 10(e) of this Act.".

SEC. 2. ADVISORY COUNCILS FOR THE ALLEGHENY NATIONAL RECREATIONAL RIVER.

(a) ESTABLISHMENT.—The Secretary of Agriculture (hereafter in this Act referred to as the "Secretary") shall establish within 120 days after the date of enactment of this Act 2 advisory councils to advise him on the establishment of final boundaries and the management of the river segments designated by section 1 of this Act (hereinafter referred to as the "Allegheny National Wild and Scenic River"), as follows:

(1) The Northern Advisory Council, to provide advice for the management of the segments of the Allegheny National Wild and Scenic River between Kinzua Dam and Alcorn Island.

(2) The Southern Advisory Council, to provide advice for the management of the segment of the Allegheny National Wild and Scenic River between Franklin and Emlenton.

(b) NORTHERN ADVISORY COUNCIL.—(1) The Northern Advisory Council shall be composed of 9 members appointed by the Secretary as follows:

(A) The Forest Supervisor of the Allegheny National Forest, or his designee, who shall

serve as chair of the Council and be a nonvoting member.

(B) The Secretary of the Department of Environmental Resources of the Commonwealth of Pennsylvania, or his designee.

(C) 6 members, 2 from each county from recommendations submitted by the County Commissioners of Warren, Forest, and Venango Counties, of which no fewer than 2 such members shall be riparian property owners along the Allegheny National Wild and Scenic River.

(D) One member from a nonprofit conservation organization concerned with the protection of natural resources from recommendations submitted by the Governor of the Commonwealth of Pennsylvania.

(2) Members appointed under subparagraphs (C) and (D) of paragraph (1) shall be appointed for terms of 3 years. A vacancy in the Council shall be filled in the manner in which the original appointment was made.

(3) Members of the Northern Advisory Council shall serve without pay as such and members who are full-time officers or employees of the United States shall receive no additional pay by reason of their service on the Commission. Each member shall be entitled to reimbursement for expenses reasonably incurred in carrying out their responsibilities under this Act.

(4) The Northern Advisory Council shall cease to exist 10 years after the date on which the Secretary approves the management plan for the Allegheny National Recreation River.

(c) SOUTHERN ADVISORY COUNCIL.—(1) The Southern Advisory Council shall be composed of 7 members appointed by the Secretary as follows:

(A) The Forest Supervisor of the Allegheny National Forest, or his designee, who shall serve as a nonvoting member.

(B) The Secretary of the Department of Environmental Resources of the Commonwealth of Pennsylvania, or his designee, who shall serve as chairman.

(C) 4 members from recommendations submitted by the County Commissioners of Venango County, of which at least one shall be a riparian property owner along the Allegheny National Wild and Scenic River.

(D) One member from a nonprofit conservation organization concerned with the protection of natural resources, from recommendations submitted by the Governor of the Commonwealth of Pennsylvania.

(2) Members appointed under subparagraphs (C) and(D) of paragraph (1) shall be appointed for terms of 3 years. A vacancy of the county representatives on the Council shall be filled in the manner in which the original appointment was made.

(3) Members of the Southern Advisory Council shall serve without pay as such and members who are full-time officers or employees of the United States shall receive no additional pay by reason of their service on the Commission. Each member shall be entitled to reimbursement for expenses reasonably incurred in carrying out their responsibilities under this Act.

(4) The Southern Advisory Council shall cease to exist 10 years after the date on which the Secretary approves the management plan for the Allegheny National Recreation River.

SEC. 3. ADMINISTRATION OF ALLEGHENY NATIONAL WILD AND SCENIC RIVER.

(a) BOUNDARIES.—After consultation with the Commonwealth of Pennsylvania, advisory councils, local governments, and the public, and within 18 months after the enactment of this Act, the Secretary shall take such action with respect to the segments of the Allegheny River designated under section 1 of this Act as is required under section 3(b) of the Wild and Scenic Rivers Act.

(b) INTERIM MEASURES.—As soon as practicable after enactment of this Act, the Secretary, shall issue guidelines specifying standards for local zoning ordinances, pursuant to section 6(c) of the Wild and Scenic Rivers Act, with the objective of protecting the outstandingly remarkable values of the Allegheny Wild and Scenic River, as defined by the Secretary. Once issued, such guidelines shall have the force and effect provided in section 6(c) of the Wild and Scenic Rivers Act.

(c) ADMINISTRATION OF CERTAIN SEGMENTS.—(1) Land and mineral rights acquired by the Secretary for the purpose of managing the Allegheny National Wild and Scenic River segments located between Kinzua Dam and Alcorn Island shall be added to and become part of the Allegheny National Forest.

(2) Land and mineral rights acquired by the Secretary for the purpose of managing the Allegheny National Wild and Scenic River segments located between Franklin and Emlenton may be managed under a cooperative agreement with the Commonwealth of Pennsylvania.

SEC. 5. STUDY RIVERS.

(a) STUDY.—Section 5(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1271-1287) is amended by adding the following new paragraphs at the end thereof:

"( ) CLARION, PENNSYLVANIA.—The segment of the main stem of the river from Ridgway to its confluence with the Allegheny River. The Secretary of Agriculture shall conduct the study of such segment.

"( ) MILL CREEK, JEFFERSON AND CLARION COUNTIES, PENNSYLVANIA.—The segment of the main stem of the creek from its headwaters near Gumbert Hill in Jefferson County, downstream to the confluence with the Clarion River.".

SEC. 6. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as may be necessary to carry out this Act.

ALLEGHENY WILD AND SCENIC RIVER BILL

Mr. SPECTER. Mr. President, I am pleased to support final passage of S. 606, a bill to designate the Allegheny River as a component of the National Wild and Scenic Rivers System and I hope that the President will sign this bill quickly into law. This week marks the tragic death 1 year ago of our friend John Heinz, who was the original sponsor of the Allegheny Scenic River bill. John would have been very pleased to see this project, which was one of his passions, brought to fruition. It is my hope that that this bill will serve as a tribute to the memory of this extraordinary man who touched us all so deeply.

This bill, as amended by the House of Representatives, will provide an opportunity to preserve the scenic qualities of the Allegheny River, which has a strong tradition of fishing, canoeing, camping, and other recreational activities, and which flows through one of the most beautiful forests in the country. The bill includes provisions added by the House of Representatives for a study of two tributaries of the Allegheny River, the Clarion River, and Mill Creek, for possible inclusion in the Wild and Scenic Rivers System. This study has been supported by the American Whitewater Affiliation, the American Canoe Association and American Rivers, who have attested to these rivers' scenic and recreational qualities.

Mr. President, 22 years ago, Congress enacted the Wild and Scenic River Act, to set the policy of our country in protecting and preserving certain rivers in the United States that possess remarkable scenic, geologic, historic, cultural, or recreational attributes. The Wild and Scenic Rivers System represents a balanced approach to land management that allows for productive interaction between man and nature. This program affords the people of this country the opportunity to enjoy fully the natural values of rivers such as the Allegheny while ensuring the long-term preservation of those assets so that future generations may enjoy the same benefits.

For those who have not had the pleasure to visit, the Allegheny River is located in northwestern Pennsylvania and flows through portions of the Allegheny National Forest, one of the most beautiful forests in the country. Seventy-three percent of the Allegheny River corridor is forested, predominantly with oak, hemlock, and northern and Allegheny hardwoods. The Pennsylvania Fish and Wildlife Service lists 394 species of mammals, birds, amphibians, reptiles, and fish that are likely to be found along the river corridor. Of these, 34 are designated as threatened, endangered or of special concern in the State of Pennsylvania. Passage of this bill would extend added protection to the bald eagle, the only federally listed endangered species known to live in the corridor.

In 1978, Congress directed the Forest Service to conduct a study to determine which portions of the Allegheny River were eligible for protection under the Wild and Scenic Rivers Act. The study concluded that 85 miles of the river contained "outstanding remarkable values." In addition to the beautiful scenic value of the river, there are 109 islands containing significant ecological and recreational value. The Allegheny River also has cultural value as a principle travel route for more than 12,000 years, marked by a site known as "Indian God Rock," which is listed on the National Register of Historic Places. As no section of the Allegheny River was remote enough to be classified as a wild river area, the 85 miles of the river will be designated as a recreational river.

Mr. President, this bill has been developed through extensive consultation with the Forest Service, local and county governments, and members of the public. The Allegheny River is located within 3 hours of several major metropolitan areas, and there are 2,000 cottages and permanent homes located

within the eligible river segments. In addition, the Allegheny study report estimates that recreational use could increase by 30 percent within 6 years following designation, creating jobs in the region and stimulating the local economy by $315,000 each year.

After clarifying what impact a study of the Clarion River and Mill Creek for wild and scenic designation would have on the surrounding communities, I am in agreement with Congressman CLINGER that the Senate should concur with the House amendments to the Senate bill, which will allow studies to go forward on determining whether the Clarion River and Mill Creek meet the criteria qualify for designation as wild and scenic. Such a study does not preclude the State from acting on any applications for industrial siting permits, because section 7 of the Wild and Scenic Rivers Act provides that only Federal development assistance for water resources projects that would have a direct and adverse effect on the values of the river are precluded during the pendency of the study and for 3 years thereafter.

I ask unanimous consent that a letter from the National Park Service concerning the impact on development of a wild and scenic study be placed in the RECORD.

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

(See exhibit 1.)

Mr. SPECTER. Mr. President, having had the opportunity to recently visit Clarion County, I am pleased that this bill will provide an opportunity to reevaluate the scenic qualities of these rivers. In 1974, the Bureau of Outdoor Recreation, since incorporated into the National Park Service, studied the area of the Clarion River proposed in H.R. 1323 and found that the river did not qualify for a wild and scenic designation. However, from my recent visit to the Clarion River, I understand that the water quality of the river has improved significantly in recent years, and that the river deserves to be reevaluated for wild and scenic designation. In this regard, I would like to recognize the tireless efforts of the citizens of Clarion and adjacent counties who worked so diligently to inform the Senate of the merit of studying the Clarion and Mill Creek for wild and scenic designation.

Finally, I would like to acknowledge the exemplary work of my colleague Congressman CLINGER, who, along with Senator Heinz, initiated this project many years ago. Our good friend and colleague, Senator John Heinz, was the original sponsor and an ardent supporter of this bill. I consider S. 606 to be a memorial to Senator Heinz, who was noted for his dedication to environmental protection and his innovative efforts to find solutions to the complex environmental threats which confront us. I feel that it is a fitting tribute to John Heinz to pass this year the Allegheny wild and scenic river bill, which is representative of his passionate commitment to the preservation of our natural resources.

Mr. President, this legislation represents another step in our efforts to preserve, enhance, and protect the natural heritage and beauty of our great Nation. I am proud to join in support of this legislation to preserve a piece of our natural heritage for future generations of Pennsylvanians and all Americans.

EXHIBIT 1

DEPARTMENT OF THE INTERIOR,
NATIONAL PARK SERVICE,
Washington, DC, March 6, 1992.

Hon ARLEN SPECTER,
U.S. Senate, Washington, DC.

DEAR SENATOR SPECTER: Thank you for your letter of February 10 requesting clarification of the Wild and Scenic Rivers Act. You have raised several questions in the context of legislation pending in Congress regarding designation of the Allegheny River as wild and scenic and study authorization for two of its tributaries, the Clarion River and Mill Creek.

With respect to the earlier Wild and Scenic River Study of the Clarion River conducted by the former Bureau of Outdoor Recreation, enclosed is a copy of the letter sent to the President of the Senate, among others, announcing that the river had been determined ineligible for the National System and the reasons therefor. These related primarily to poor water quality. If water quality problems have been rectified, the river may bear another look for possible wild and scenic river status.

Section 7 of the Wild and Scenic Rivers Act provides that during the study period and for three additional years after the report is sent to Congress, no agency of the United States shall assist by loan, grant, license or otherwise in the construction of any water resources project that would have a direct and adverse effect on the values of the river for which it might be designated. A "water resources project" is interpreted broadly by the Department of the Interior to mean any project affecting the free flow of the river, including diversion, channelization, withdrawal, augmentation or damming. The study area would include at least everything within one-quarter mile of the river. We are unable to answer your specific question pertaining to the incinerator project because we do not know whether any aspect of its construction or operation would meet the definition of a water resources project, or whether a Federal permit, license or funding would be involved. If both of these requirements were met, we would then have to determine whether the project would have a direct and adverse effect on river values. We would first have to identify those values as well.

We should also point out that during the study period, the Federal Government would have no land acquisition or regulatory authority outside of that specified in the preceding paragraph. Agricultural and forestry activities, sand and gravel operations, real estate transactions, recreation use of the river, road repair—to name just a few common activities—would not be affected, contrary to misinformation often spread when wild and scenic river study is contemplated.

If the Clarion and Mill Creek should ever be designated, and management assigned to either the National Park Service or the U.S. Forest Service, that agency would be required to establish boundaries (averaging no more than 320 acres per mile as required by law) and develop a management plan. The management plan would be developed in close cooperation with local and State political jurisdictions and affected landowners. The plan would specify the types and level of activities which would be compatible with protection of the values for which the designation was made. Provisions would be made for recreational use of the river. Residential and agricultural uses definitely would be permitted as well. We cannot be more specific because each river is unique and local and State regulations vary.

We trust this information will assist you. If you should have any specific, follow-up questions, we would be pleased to assist.

Sincerely,

JAMES M. RIDENOUR,
Director.

Mr. SASSER. Mr. President, I move that the Senate concur in the House amendment to the Senate bill.

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

The motion was agreed to.

HIGHER EDUCATION AMENDMENTS OF 1992

Mr. SASSER. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on S. 1150.

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 1150) to reauthorize the Higher Education Act of 1965, and for other purposes.

(The amendment of the House is printed in the RECORD of March 26, 1992, beginning at page 7106.)

Mr. SASSER. Mr. President, I move that the Senate disagree to the amendments of the House, agree to the request for a conference, and that the Chair be authorized to appoint conferees.

The motion was agreed to; and the Presiding Officer appointed Mr. KENNEDY, Mr. PELL, Mr. METZENBAUM, Mr. DODD, Mr. SIMON, Mr. HARKIN, Mr. ADAMS, Ms. MIKULSKI, Mr. BINGAMAN, Mr. WELLSTONE, Mr. HATCH, Mrs. KASSEBAUM, Mr. COCHRAN, Mr. JEFFORDS, Mr. THURMOND, Mr. COATS, and Mr. DURENBERGER conferees on the part of the Senate.

ARKANSAS WILD AND SCENIC RIVERS ACT

Mr. SASSER. Mr. President, I ask that the Chair lay before the Senate a message from the House of Representatives on S. 1743.

The PRESIDING OFFICER laid before the Senate the following message from the House of Representatives:

Resolved, That the bill from the Senate (S. 1743) entitled "An Act to amend the Wild and Scenic Rivers Act by designating certain rivers in the State of Arkansas as components of the National Wild and Scenic Rivers

System, and for other purposes", do pass with the following amendments;

Page 2, line 3, strike out "1991", and insert "1992".

Page 2, line 9, strike out "(119)", and insert "( )".

Page 2, line 14, strike out "(120)", and insert "( )".

Page 3, line 1, strike out "(121)", and insert "( )".

Page 3, lines 13 and 14, strike out "Forest Proclamation Boundary,", and insert "south section line of section 20, township 4 south, range 30 west,".

Page 3, beginning on line 17, strike out "its origin in the southeast ¼ of section 7, township 4 south, range 30 west, to the Forest Proclamation Boundary,", and insert "the north line of the south ½ of the southwest ¼ of section 7, township 4 south, range 30 west, to the south section line of section 20, township 4 south, range 30 west,".

Page 4, line 2, strike out "500)).", insert "For purposes of management of such segment, the Secretary of the Army may enter into a cooperative agreement or memorandum of understanding or other appropriate arrangement with the Secretary of Agriculture or an appropriate official of the State of Arkansas.".

Page 4, line 3, strike out "(122)", and insert "( )".

Page 4, line 19, strike out "(123)", and insert "( )".

Page 5, beginning on line 1, strike out "the southern property line between National Forest System lands and private lands in", and insert "the north line of".

Page 5, line 3, after "of", insert "the southeast ¼ of".

Page 5, beginning on line 4, strike out "Forest Proclamation Boundary,", and insert "north line of the northwest ¼ of the southwest ¼ of section 5, township 5 south, range 27 west,".

Page 5, line 6, strike out "(124)", and insert "( )".

Page 5, line 19, strike out "(125)", and insert "( )".

Page 5, line 24, strike out "(126)", and insert "( )".

Page 5, line 25, strike out "section 36,", and insert "section 35,".

Page 6, line 5, strike out "section 36,", and insert "section 35,".

Mr. SASSER. Mr. President, I move the Senate concur in the amendments of the House.

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

The motion was agreed to.

EXTENSION OF TIME LIMITS IN A FERC-ISSUED LICENSE

Mr. SASSER. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of calendar No. 431, S. 1882, a bill to authorize extensions of time limitations in a FERC-issued license; that the bill be deemed read the third time, passed, and the motion to reconsider be laid upon the table; further, that any statements appear at the appropriate place in the RECORD.

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

So the bill (S. 1882) was deemed read the third time and passed, as follows:

S. 1882

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding the time limitations of section 13 of the Federal Power Act, the Federal Energy Regulatory Commission, upon the request of the license for FERC project numbered 6641 (and after reasonable notice) is authorized, in accordance with the good faith, due diligence, and public interest requirements of section 13 and the Commission's procedures under such section, to extend until June 29, 1996, the time required for the licensee to acquire the required real property and commence the construction of project numbered 6641, and until June 29, 2000, the time required for completion of construction of such project. The authorization for issuing extensions under this Act shall terminate on June 29, 1996.

HORN OF AFRICA RECOVERY AND FOOD SECURITY ACT

Mr. SASSER. Mr. Presic I ask that the Chair lay before t .nate a message from the House of epresentatives on S. 985.

The PRESIDING OFFICER laid before the Senate the following message from the House of Representatives:

Resolved, That the bill from Senate (S. 985) entitled "An Act to assure the people of the Horn of Africa the right to food and the other basic necessities of life and to promote peace and development in the region,", do pass with the following amendment:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Horn of Africa Recovery and Food Security Act".

SEC. 2. FINDINGS.

The Congress makes the following findings:

(1) The Horn of Africa (the region comprised of Ethiopia, Somalia, Sudan, and Djibouti) is characterized by an extraordinary degree of food insecurity as a result of war, famine, mounting debt, recurrent drought, poverty, and agricultural disruption, as well as gross violations of human rights, political repression, environmental destruction, and the breakdown of such essential services as primary education and health care.

(2) Internal conflict and famine have killed an estimated 2,000,000 people in Ethiopia, Sudan, and Somalia since 1985, and generated another 8,000,000 displaced persons and refugees, a number so high as to make millions wards of the United Nations and the international community. Relief officials now estimate that another 15,000,000 to 20,000,000 people are threatened by starvation as civil war and drought continue to ravage the area.

(3) Governments and armed opposition groups in Ethiopia, Sudan, and Somalia have been guilty of gross violations of human rights, which further erode food security in those countries.

(4) Assistance policies have failed in large part because of political and economic insecurity, which have prevented the development of programs to achieve sustainable development and programs to achieve food security.

(5) Appropriate assistance should promote real food security, which means access by all people at all times to enough food for an active and healthy life and the availability of sufficient income and food to prevent chronic dependency upon food assistance.

(6) The end of the Cold War rivalries in the Horn of Africa affords the United States the opportunity to develop a policy which addresses the extraordinary food security problem in the region.

(7) Notwithstanding other pressing needs, the United States must accordingly fashion a new foreign policy toward the Horn of Africa and cooperate with other major donors and the United Nations—

(A) to develop an emergency relief plan which meets the immediate basic human needs that arise as long as civil strife and famine afflict the region;

(B) to promote immediately cease-fires, secure relief corridors, and an end to these conflicts; and

(C) to provide creative developmental assistance which attacks the root causes of famine and war and assists these nations on the path to long-term security, reconstruction, voluntary repatriation, economic recovery, democracy, and peace, and which targets assistance to assist the poor majority more effectively.

SEC. 3. STATEMENT OF POLICY REGARDING INDIVIDUAL COUNTRIES.

(a) ETHIOPIA.—It is the sense of the Congress that the President should—

(1) call upon the authorities who now exercise control over the central government in Ethiopia to protect the basic human rights of all citizens, to release from detention all political prisoners and other detainees who were apprehended by the Mengistu regime, and to facilitate the distribution of international relief and emergency humanitarian assistance throughout the country;

(2) urge all authorities in Ethiopia to make good faith efforts to—

(A) make permanent the cease-fire now in place and to permit the restoration of tranquility in the country, and

(B) make arrangements for a transitional government that is broadly-based, that accommodates all appropriate points of view, that respects human rights, and that is committed to a process of reform leading to the writing of a constitution and the establishment of representative government; and

(3) support efforts to ensure that the people of Eritrea are able to exercise their legitimate political rights, consistent with international law, including the right to participate actively in the determination of their political future, and call upon the authorities in Eritrea to keep open the ports of Mitsiwa and Aseb and to continue to permit the use of those ports for the delivery and distribution of humanitarian assistance to Eritrea and to Ethiopia as a whole.

(b) SOMALIA.—It is the sense of the Congress that the President should—

(1) use whatever diplomatic steps he considers appropriate to encourage a peaceful and democratic solution to the problems in Somalia;

(2) commit increased diplomatic resources and energies to resolving the fundamental political conflicts which underlie the protracted humanitarian emergencies in Somalia; and

(3) ensure, to the maximum extent possible and in conjunction with other donors, that emergency humanitarian assistance is being made available to those in need, and that none of the beneficiaries belong to military or paramilitary units.

(c) SUDAN.—It is the sense of the Congress that the President should—

(1) urge the Government of Sudan and the Sudanese People's Liberation Army to adopt at least a temporary cessation of hostilities in order to assure the delivery of emergency relief to civilians in affected areas;

(2) encourage active participation of the international community to meet the emergency relief needs of Sudan; and

(3) take steps to achieve a permanent peace.

SEC. 4. HORN OF AFRICA RELIEF AND REHABILITATION PROGRAM.

(a) EQUITABLE DISTRIBUTION OF RELIEF AND REHABILITATION ASSISTANCE.—It should be the

policy of the United States in promoting equitable distribution of relief and rehabilitation assistance in the Horn of Africa—

(1) to assure noncombatants (particularly refugees and displaced persons) equal and ready access to all food, emergency, and relief assistance and, if relief or relief agreements are blocked by one faction in a region, to continue supplies to the civilian population located in the territory controlled by any opposing faction;

(2) to provide relief, rehabilitation, and recovery assistance to promote self-reliance; and

(3) to assure that relief is provided on the basis of need without regard to political affiliation, geographic location, or the ethnic, tribal, or religious identity of the recipient.

(b) MAXIMIZING INTERNATIONAL RELIEF EFFORTS.—It should be the policy of the United States in seeking to maximize relief efforts for the Horn of Africa—

(1) to redouble its commendable efforts to secure safe corridors of passage for emergency food and relief supplies in affected areas and to expand its support for the growing refugee population;

(2) to commit sufficient resources under title II of the Agricultural Trade Development and Assistance Act of 1954 (relating to emergency and private assistance programs), and under chapter 9 of part I of the Foreign Assistance Act of 1961 (relating to international disaster assistance), to meet urgent needs in the region and to utilize unobligated security assistance to bolster these resources;

(3) to consult with member countries of the European Community, Japan, and other major donors in order to increase overall relief and developmental assistance for the people in the Horn of Africa;

(4) to lend the full support of the United States to all aspects of relief operations in the Horn of Africa, and to work in support of United Nations and other international and voluntary agencies, in breaking the barriers currently threatening the lives of millions of refugees and others in need; and

(5) to urge the Secretary General of the United Nations to immediately appoint United Nations field coordinators for each country in the Horn of Africa who can act with the Secretary General's full authority.

(c) HORN OF AFRICA CIVIL STRIFE AND FAMINE ASSISTANCE.—

(1) AUTHORIZATION OF ASSISTANCE.—The President is authorized to provide international disaster assistance under chapter 9 of part I of the Foreign Assistance Act of 1961 for civil strife and famine relief and rehabilitation in the Horn of Africa.

(2) DESCRIPTION OF ASSISTANCE TO BE PROVIDED.—Assistance pursuant to this subsection shall be provided for humanitarian purposes and shall include—

(A) relief and rehabilitation projects to benefit the poorest people, including—

(i) the furnishing of seeds for planting, fertilizer, pesticides, farm implements, crop storage and preservation supplies, farm animals, and vaccine and veterinary services to protect livestock;

(ii) blankets, clothing, and shelter;

(iii) emergency health care; and

(iv) emergency water and power supplies;

(B) emergency food assistance (primarily wheat, maize, other grains, processed foods, and oils) for the affected and displaced civilian population of the Horn of Africa; and

(C) inland and ocean transportation of, and storage of, emergency food assistance, including the provision of trucks.

Assistance described in subparagraphs (B) and (C) shall be in addition to any such assistance provided under title II of the Agricultural Trade Development and Assistance Act of 1954.

(3) USE OF PVOS FOR RELIEF, REHABILITATION, AND RECOVERY PROJECTS.—Assistance under this subsection should be provided, to the maximum extent possible, through United States, international, and indigenous private and voluntary organizations.

(4) MANAGEMENT SUPPORT ACTIVITIES.—Up to two percent of the amount made available for each fiscal year under paragraph (5) for use in carrying out this subsection may be used by the agency primarily responsible for administering part I of the Foreign Assistance Act of 1961 for management support activities associated with the planning, monitoring, and supervision of emergency humanitarian and food assistance in the Horn of Africa provided under this subsection and subsection (d).

(5) TRANSFER OF SECURITY ASSISTANCE FUNDS.—The authority of section 610 of the Foreign Assistance Act of 1961 may be used to transfer for use in carrying out this subsection, without regard to the 20-percent increase limitation contained in that section, unobligated security assistance funds made available for fiscal year 1992 and 1993. As used in this paragraph, the term "security assistance funds" means funds available for economic support assistance, foreign military financing assistance, or international military education and training.

(d) EMERGENCY FOOD ASSISTANCE.—The President is urged to use the authorities of title II of the Agricultural Trade Development and Assistance Act of 1954 to provide supplemental emergency food assistance for the various civilian victims of civil strife in the Horn of Africa, in accordance with paragraphs (2)(B), (2)(C), and (3) of subsection (c), in addition to the assistance otherwise provided for such purposes.

SEC. 5. HORN OF AFRICA PEACE INITIATIVE.

(a) SUPPORT FOR GRASSROOTS PARTICIPATION.—It shall be the policy of the United States in promoting peace and development in the Horn of Africa—

(1) to support expanded pluralistic and popular participation, the process by which all groups of people are empowered to involve themselves directly in creating the structures, policies, and programs to contribute to equitable economic development, and to local, national, and regional peace initiatives;

(2) to ensure that all citizens enjoy the protection of civil, political, economic, social, religious, and cultural rights, an independent judiciary, and representative governmental institutions, regardless of gender, religion, ethnicity, occupation, or association; and

(3) to provide assistance to indigenous nongovernmental institutions that carry out activities in government-controlled or opposition-controlled territories and have the capacity or potential to promote conflict resolution, to advance development programs, or to carry out relief activities such as those described in section 4(c)(2).

(b) CONSULTATIONS.—The President is encouraged to undertake immediate consultations with appropriate countries, with armed and unarmed parties in the Horn of Africa, and with the Secretary General of the United Nations, in order to bring about negotiated settlements of the armed conflicts in the Horn of Africa.

(c) MECHANISMS.—It is the sense of the Congress that the President should—

(1) direct the United States Representative to the United Nations to—

(A) urge the Secretary General of the United Nations to make cease-fires, safe corridors for emergency relief, and negotiated settlements of the armed conflicts in the Horn of Africa a high and urgent priority;

(B) propose that the United Nations Security Council establish a United Nations arms embargo to end the supply of arms to the region, pending the resolution of civil wars and other armed conflicts; and

(C) pledge diplomatic and material resources for enhanced United Nations peacekeeping and peacemaking activities in the region, including monitoring of cease-fires;

(2) play an active and ongoing role in other fora in pressing for negotiated settlements to armed conflicts in the Horn of Africa; and

(3) support and participate in regional and international peace consultations that include broad representation from the countries and factions concerned.

SEC. 6. HORN OF AFRICA FOOD SECURITY AND RECOVERY STRATEGY.

(a) TARGETING ASSISTANCE TO AID THE POOR MAJORITY; USE OF PVOS AND INTERNATIONAL ORGANIZATIONS.—

(1) TARGETING ASSISTANCE.—United States developmental assistance for the Horn of Africa should be targeted to aid the poor majority of the people of the region (particularly refugees, women, the urban poor, and small-scale farmers and pastoralists) to the maximum extent practicable. United States Government aid institutions should seek to—

(A) build upon the capabilities and experiences of United States, international, and indigenous private and voluntary organizations active in local grassroots relief, rehabilitation, and development efforts;

(B) consult closely with such organizations and significantly incorporate their views into the policymaking process; and

(C) support the expansion and strengthening of their activities without compromising their private and independent nature.

(2) PVOS AND INTERNATIONAL ORGANIZATIONS.—While support from indigenous governments is crucial, sustainable development and food security in the Horn of Africa should be enhanced through the active participation of indigenous private and voluntary organizations, as well as international private and voluntary organizations, and international organizations that have demonstrated their ability to work as partners with local nongovernmental organizations and are committed to promoting local grassroots activities on behalf of long-term development and self-reliance in the Horn of Africa.

(3) POLICY ON ASSISTANCE TO GOVERNMENTS.—United States assistance should not be provided to the Government of Ethiopia, the Government of Somalia, or the Government of Sudan until concrete steps toward peace, democracy, and human rights are taken in the respective country.

(4) SUPPORT FOR PVOS.—Meanwhile, the United States should provide developmental assistance to those countries by supporting United States, indigenous, and international private and voluntary organizations working in those countries. Such assistance should be expanded as quickly as possible.

(b) EXAMPLES OF PROGRAMS.—Assistance pursuant to this section should include programs to—

(1) reforest and restore degraded natural areas and reestablish resource management programs;

(2) reestablish veterinary services, local crop research, and agricultural development projects;

(3) provide basic education, including efforts to support the teaching of displaced children, and rebuild schools;

(4) educate young people outside of their countries if conflict within their countries continues;

(5) reconstitute and expand the delivery of primary and maternal health care; and

(6) establish credit, microenterprise, and income generation programs for the poor.

(c) VOLUNTARY RELOCATION AND REPATRIATION.—Assistance pursuant to this section should also be targeted to the voluntary relocation and voluntary repatriation of displaced

persons and refugees after peace has been achieved. Assistance pursuant to this Act may not be made available for any costs associated with any program of involuntary or forced resettlement of persons.

(d) DEBT RELIEF; INTERNATIONAL FUND FOR RECONSTRUCTION.—Developmental assistance for the Horn of Africa should be carried out in coordination with long-term strategies for debt relief of countries in the region and with emerging efforts to establish an international fund for reconstruction of developing countries which settle civil wars within their territories.

(e) ASSISTANCE THROUGH PVOS AND INTERNATIONAL ORGANIZATIONS.—Unless a certification has been made with respect to that country under section 8, development assistance and assistance from the Development Fund for Africa for Ethiopia, Somalia, and Sudan shall be provided only through—

(1) United States, international, and indigenous private and voluntary organizations (as the term "private and voluntary organization" is defined in section 496(e)(2) of the Foreign Assistance Act of 1961); or

(2) through international organizations that have demonstrated effectiveness in working in partnership with local nongovernmental organizations and are committed to the promotion of local grassroots activities on behalf of development and self-reliance in the Horn of Africa (such as the United Nations Children's Fund, the International Fund for Agricultural Development, the United Nations High Commissioner for Refugees, the United Nations Development Program, and the World Food Program).

This subsection does not prohibit the organizations referred to in paragraphs (1) and (2) from working with appropriate ministries or departments of the respective governments of such countries.

(f) WAIVER OF RESTRICTIONS.—Assistance pursuant to this section may be made available to Ethiopia, Somalia, and Sudan notwithstanding any provision of law (other than the provisions of this Act) that would otherwise restrict assistance to such countries.

(g) UNITED STATES VOLUNTARY CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS FOR DEVELOPMENTAL ASSISTANCE FOR THE HORN OF AFRICA.—It should be the policy of the United States to provide increasing voluntary contributions to United Nations agencies (including the United Nations Children's Fund, the International Fund for Agricultural Development, the United Nations High Commissioner for Refugees, the United Nations Development Program, and the World Food Program) for expanded programs of assistance for the Horn of Africa and for refugees from the Horn of Africa who are in neighboring countries.

(h) DEVELOPMENTAL ASSISTANCE AUTHORITIES.—Developmental assistance to carry out this section shall be provided pursuant to the authorities of chapter 1 of part I (relating to development assistance) and chapter 10 of part I (relating to the Development Fund for Africa) of the Foreign Assistance Act of 1961.

SEC. 7. PROHIBITIONS ON SECURITY ASSISTANCE TO ETHIOPIA, SOMALIA, AND SUDAN.

(a) PROHIBITION.—Economic support assistance, foreign military financing assistance, and international military education and training may not be provided for fiscal year 1992 or 1993 for the Government of Ethiopia, the Government of Somalia, or the Government of Sudan unless the President makes the certification described in section 8 with respect to that government.

(b) ASSISTANCE FOR ETHIOPIA; CONDITIONAL WAIVER OF BROOKE-ALEXANDER AMENDMENT.—If the President makes the certification described in section 8 with respect to the Government of Ethiopia, the President may provide economic support assistance, foreign military financing assistance, and international military education and training for Ethiopia for fiscal years 1992 and 1993 notwithstanding section 620(q) of the Foreign Assistance Act of 1961 or any similar provision.

SEC. 8. CERTIFICATION.

The certification required by sections 6(e) and 7 is a certification by the President to the appropriate congressional committees that the government of the specified country—

(1) has begun to implement peace agreements, national reconciliation agreements, or both;

(2) has demonstrated a commitment to human rights within the meaning of sections 116 and 502B of the Foreign Assistance Act of 1961;

(3) has manifested a commitment to democracy, has held or established a timetable for free and fair elections, and has agreed to implement the results of those elections; and

(4) in the case of a certification for purposes of section 6(e), has agreed to distribute developmental assistance on the basis of need without regard to political affiliation, geographic location, or the ethnic, tribal, or religious identity of the recipient.

SEC. 9. REPORTING REQUIREMENT.

Not later than 180 days after the date of enactment of this Act and each 180 days thereafter, the President shall submit a report to the appropriate congressional committees on the efforts and progress made in carrying out this Act.

SEC. 10. DEFINITIONS.

As used in this Act—

(1) the term "appropriate congressional committees" means the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives and the Committee on Foreign Relations and the Committee on Appropriations of the Senate;

(2) the term "assistance from the Development Fund for Africa" means assistance under chapter 10 of part I of the Foreign Assistance Act of 1961;

(3) the term "development assistance" means assistance under chapter 1 of part I of the Foreign Assistance Act of 1961;

(4) the term "economic support assistance" means assistance under chapter 4 of part II of the Foreign Assistance Act of 1961;

(5) the term "foreign military financing assistance" means assistance under section 23 of the Arms Export Control Act; and

(6) the term "international military education and training" means assistance under chapter 5 of part II of the Foreign Assistance Act of 1961.

Mr. SASSER. Mr. President, I ask unanimous consent that the Senate concur in the amendment of the House.

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

CHANGES IN PLACES OF HOLDING COURT IN THE EASTERN DISTRICT OF NORTH CAROLINA

Mr. SASSER. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 440, H.R. 3686, a bill to provide for changes in the place of holding court in the Eastern District of North Carolina; that the bill be deemed read a third time and passed; that the motion to reconsider be laid upon the table; further, that any statements relating to this matter be included in the RECORD at the appropriate place.

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

So the bill (H.R. 3686) was deemed read a third time and passed.

FILIPINO VETERANS OF WORLD WAR II

Mr. SASSER. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Senate Resolution 283, submitted earlier today by Senator CRANSTON; that the resolution be agreed to, that the preamble be agreed to and the motion to reconsider be laid upon the table.

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

So the resolution (S. Res. 283) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, is as follows:

S. RES. 283

Whereas, upon the outbreak of war between the United States and Japan in World War II, 110,000 members of the organized military forces of the Government of the Commonwealth of the Philippines who had been called into the service of the United States Armed Forces by order of President Roosevelt dated July 26, 1941, were committed to battle, along with United States personnel, against the Imperial Japanese forces that invaded the Philippines on December 8, 1941;

Whereas, April 9, 1992, and May 6, 1992, mark the 50th anniversaries of the fall of Bataan and Corregidor, respectively, to Imperial Japanese forces;

Whereas, the Filipino and United States defenders of the Philippines engaged Japanese forces from the beaches of the Philippine islands to the last defense of Bataan and Corregidor in a grueling battle lasting 150 days;

Whereas, that defense compelled Japan to divert thousands of additional troops to the Philippines;

Whereas, the enormous sacrifices of the defenders in the battles of Bataan and Corregidor provided the United States and its Allies with valuable time to prepare their armed forces for a counteroffensive campaign against Japan;

Whereas, in that defense, the members of the Filipino forces and their United States counterparts struggled against difficult odds and desperate circumstances and faced, with indomitable spirit, fortitude, and loyalty to America, powerful Imperial Japanese forces;

Whereas, members of the Filipino forces acquitted themselves nobly during the Bataan death march, during their internment in death camps, and throughout 3 years of resistance against Japanese occupation of the Philippines; and

Whereas, the United States recognizes the sacrifice, loyalty, and valuable contribution of the Filipino World War II veterans to the causes of peace, freedom, and human dignity: Now, therefore, be it

Resolved, That it is the sense of the Senate that—

The President should (1) issue a proclamation designating April 9, 1992, as the Day of Recognition for Filipino War Veterans and call upon the people of the United States to observe that day with appropriate ceremonies and activities, and (2) present that proclamation to Filipino veterans and the Filipino people in Manila during the ceremonies observing the 50th anniversary of the

fall of Bataan, as an expression of goodwill and a reaffirmation of the continuing regard of the United States and the American people for a lasting Filipino-American friendship.

Mr. CRANSTON. Mr. President, I rise today to urge my colleagues to support adoption of S. Res. 283, expressing the sense of the Senate with respect to Filipino veterans of World War II on the occasion of the 50th anniversary of the fall of Bataan. This resolution is substantially similar to Senate Joint Resolution 261, which I introduced on February 25 and which has been cosponsored by 59 Senators. Unfortunately, that legislation was not able to garner the requisite number of cosponsors in the House and does not appear likely to be passed by both Houses by April 9, the day it would designate as a day of recognition for Filipino veterans of World War II. Because ceremonies marking the 50th anniversary of the fall of Bataan are taking place this week in the Philippines, I am proposing a Senate resolution expressing our appreciation for the service of the Filipino soldiers who fought so bravely with their American counterparts defending the Philippines during World War II. This resolution would further urge the President to issue a proclamation recognizing those veterans' contributions.

Mr. President, on December 7, 1991, our Nation observed the 50th anniversary of the Japanese attack on Pearl Harbor. That unprovoked, massive surprise attack on the American fleet, which is properly remembered as one of the most significant events in our history, profoundly shocked the American people and caused the United States to enter World War II. The ceremonies at Pearl Harbor last December, attended by the President, the Secretary of Defense, and several of our Senate colleagues, refreshed our national recollection of the immensity of those events and provided an opportunity to honor the great sacrifices, bravery, and gallantry of the millions of American service members who, along with our allies during the following 4 years throughout the Pacific, Asia, and Europe, fought and won a great victory for our Nation, and for the principles of freedom and democracy.

This resolution would pay tribute to the Filipino veterans of World War II who, along with American soldiers and sailors, fought under the command of General MacArthur in a valiant defense of the Philippines, in active resistance to the Japanese occupation, and in the recapture of the Philippines.

Mr. President, almost immediately after the attack on Pearl Harbor, Japanese forces attacked the Philippines, then an American territory moving toward full independence under the terms of the Philippines Independence Act of 1934. According to information provided by the United States Army Center of Military History, the combined regular United States and Filipino military forces in the Philippines at the time of the Japanese attack totaled over 155,000 troops. The majority, approximately 110,000, of those soldiers were members of the Philippine Commonwealth Army, which, on July 26, 1941, President Roosevelt, by Executive order authorized under the Philippine Independence Act of 1934, had called into the service of the United States Armed Forces. The United States Army presence in the Philippines consisted of approximately 19,000 American soldiers and nearly 12,000 Philippine scouts, who were part of the regular United States Army. In addition, approximately 3,000 United States Navy shore-based personnel and 1,600 United States Marines, who had been deployed from Shanghai in November 1941, were serving in the Philippines. These troops constituted the United States Army forces in the Far East, which had been established in July 1941 under the command of General MacArthur, who had been recalled to active duty to assume that post.

The destruction of the American fleet at Pearl Harbor eliminated the ability of the United States to support the defenders of the Philippines. Yet, despite their isolation, and the contrasting ease with which the Japanese were able to direct resources to support their invading forces, the Filipino and American forces waged a ferocious defense for 6 months. When the Philippines finally fell in June, 4 months after the Japanese commanders had expected to complete the campaign, 20,000 Philippine Army troops had been killed in action and approximately 24,000 Filipinos had been wounded.

Mr. President, the official United States Army history of the fall of the Philippines, prepared in 1953 by Louis Morton of the Office of the Chief of Military History, offers the following perspective on the efforts of the courageous defenders:

> Though the Japanese had won an important victory, the American and Filipino troops had not given their lives and their freedom in vain. For six months they had kept alive resistance in the Philippines, exacting heavy casualties from the enemy and immobilizing his forces. Not until Imperial General Headquarters, which had relegated the Philippines to a secondary place in the Japanese plan of conquest, had committed more men and planes than it had even intended to the struggle was the campaign brought to an end. During the six months required to accomplish this task, the American and Filipino troops had retained their tenacious hold on Manila Bay and denied its use to the enemy. This was their mission and it had been accomplished.

Shortly before General Wainwright—who in March 1942 had assumed command of the United States forces in the Philippines when General MacArthur departed for Australia—surrendered to the Japanese, President Roosevelt wrote to him and noted the importance of the defenders' efforts:

> In every camp and on every naval vessel, soldiers, sailors, and Marines are inspired by the gallant struggle of their comrades in the Philippines. The workmen in our shipyards and munitions plants redouble their efforts because of your example. You and your devoted followers have become the living symbol of our war aims and the guarantee of victory.

Mr. President, the sacrifices made by the Filipino and American soldiers in the Philippines during World War II still serve as a bright symbol of the great cost of freedom. The Filipino veterans of World War II who fought and died along with their American counterparts in defending United States territory that was soon to become their nation are most deserving of our remembrance and recognition for their sacrifices, loyalty, and contribution to the causes of peace, freedom, and human dignity. I am very pleased to offer this resolution and urge all of my colleagues to support its adoption.

MESSAGES FROM THE PRESIDENT

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

EXECUTIVE MESSAGES REFERRED

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

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

PROPOSED RESCISSION OF CERTAIN BUDGET AUTHORITY—MESSAGE FROM THE PRESIDENT—PM 198

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with accompanying papers; which, pursuant to the order of January 30, 1975, as modified on April 11, 1986, was referred jointly to the Committee on Appropriations, the Committee on the Budget, and the Committee on Energy and Natural Resources:

To the Congress of the United States:

In accordance with the Congressional Budget and Impoundment Control Act of 1974, I herewith report one rescission proposal, totaling $145 thousand in budgetary resources.

The proposed rescission affects the Department of Energy. The details of this rescission proposal are contained in the attached report.

GEORGE BUSH.

THE WHITE HOUSE, *April 8, 1992.*

ANNUAL REPORT OF THE NATIONAL ENDOWMENT FOR DEMOCRACY—MESSAGE FROM THE PRESIDENT—PM 199

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Foreign Relations:

To the Congress of the United States:

Pursuant to the provisions of section 504(h) of Public Law 98-164, as amended (22 U.S.C. 4413(i)), I transmit herewith the Eighth Annual Report of the National Endowment for Democracy, which covers fiscal year 1991.

GEORGE BUSH.

THE WHITE HOUSE, *April 8, 1992.*

MESSAGES FROM THE HOUSE

At 1:38 p.m., a message from the House of Representatives, delivered by Ms. Goetz, one of its reading clerks, announced that the House has passed the bill (S. 985) to assure the people of the Horn of Africa the right to food and the other basic necessities of life and to promote peace and development in the region; with an amendment, in which it requests the concurrence of the Senate.

The message also announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 4184. An act to designate the Department of Veterans Affairs Medical Center located in Northhampton, Massachusetts, as the "Edward P. Boland Department of Veterans Affairs Medical Center"; and

H.R. 4276. An act to amend the Historic Sites, Buildings, and Antiquities Act to place certain limits on appropriations for projects not specifically authorized by law, and for other purposes.

ENROLLED JOINT RESOLUTIONS SIGNED

The message further announced that the Speaker has signed the following enrolled joint resolutions:

S.J. Res. 271. Joint resolution expressing the sense of the Congress regarding the peace process in Liberia and authorizing limited assistance to support this process; and

H.J. Res. 410. Joint resolution designating April 14, 1992, as "Education and Sharing Day, U.S.A."

The enrolled joint resolutions were subsequently signed by President pro tempore [Mr. BYRD].

At 2:37 p.m., a message from the House of Representatives, delivered by Ms. Goetz, one of its reading clerks, announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 3337) to require the Secretary of the Treasury to mint coins in commemoration of the 200th anniversary of the White House, and for other purposes.

The message also announced that the House has passed the joint resolution (S.J. Res. 246) to designate April 15, 1992, as "National Recycling Day"; without amendment.

The message further announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 3457. An act to amend the Wild and Scenic Rivers Act to designate certain segments of the Delaware River in Pennsylvania and New Jersey as components of the National Wild and Scenic Rivers System.

MEASURES REFERRED

The following bills were read the first and second times by unanimous consent, and referred as indicated:

H.R. 3457. An act to amend the Wild and Scenic Rivers Act to designate certain segments of the Delaware River in Pennsylvania and New Jersey as components of the National Wild and Scenic Rivers System; to the Committee on Energy and Natural Resources;

H.R. 4184. An act to designate the Department of Veterans Affairs Medical Center located in Northhampton, Masschusetts, as the "Edward P. Boland Department of Veterans Affairs Medical Center"; to the Committee on Veterans' Affairs; and

H.R. 4276. An act to amend the Historic Sites, Buildings, and Antiquities Act to place certain limits on appropriations for projects not specifically authorized by law, and for other purposes; to the Committee on Energy and Natural Resources.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. BIDEN, from the Committee on the Judiciary, without recommendation with an amendment:

H.R. 1917. A bill for the relief of Michael Wu.

By Mr. BIDEN, from the Committee on the Judiciary, without amendment:

H.R. 3686. A bill to amend title 28, United States Code, to make changes in the places of holding court in the Eastern District of North Carolina.

By Mr. BIDEN, from the Committee on the Judiciary, with an amendment in the nature of a substitute and an amendment to the title:

S. 2201. A bill to authorize the admission to the United States of certain scientists of the Commonwealth of Independent States as employment-based immigrants under the Immigration and Nationality Act, and for other purposes.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committees were submitted:

By Mr. BIDEN, from the Committee on the Judiciary:

Wayne A. Budd, of Massachusetts, to be Associate Attorney General;

Joseph E. Irenas, of New Jersey, to be U.S. district judge for the District of New Jersey.

Henry C. Morgan, Jr., of Virginia, to be U.S. district judge for the Eastern District of Virginia;

Ewing Werlein, Jr., of Texas, to be U.S. district judge for the Southern District of Texas;

Donald J. Stohr, of Missouri, to be U.S. district judge for the Eastern District of Missouri;

J. Curtis Joyner, of Pennsylvania, to be U.S. district judge for the Eastern District of Pennsylvania; and

Paul J. Kelly, Jr., of New Mexico, to be U.S. circuit judge for the Tenth Circuit.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

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

By Mr. MCCAIN (for himself, Mr. GORE, Mr. THURMOND, and Mr. HELMS):

S. 2543. A bill to amend the Foreign Relations Authorization Act, Fiscal Years 1992 and 1993, to prevent the transfer of certain goods or technology to Iraq or Iran, and for other purposes; to the Committee on Foreign Relations.

By Mr. BINGAMAN (for himself and Mr. DOMENICI):

S. 2544. A bill to establish in the Department of the Interior the Colonial New Mexico Preservation Commission, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. SANFORD (for himself and Mr. HELMS):

S. 2545. A bill to correct the Harmonized Tariff Schedule of the United States as it applies to pharmaceutical grade phospholipids and soybean oil; to the Committee on Finance.

By Mr. MACK (for himself, Mr. HELMS, and Mr. SMITH):

S. 2546. A bill to designate a route as the "POW/MIA Memorial Highway", and for other purposes; to the Committee on Environment and Public Works..

By Mr. ROTH:

S. 2547. A bill to extend the existing temporary suspension of duty on fusilade; to the Committee on Finance.

By Mr. LUGAR:

S. 2548. A bill to suspend temporarily the duty on certain high displacement industrial diesel engines and turbochargers; to the Committee on Finance.

By Mr. MOYNIHAN:

S. 2549. A bill to establish the Hudson River Artists National Historical Park in the State of New York, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. BOREN (for himself, Mr. DOLE, Mr. SIMPSON, Mr. WALLOP, and Mr. NICKLES):

S. 2550. A bill to amend certain provisions of the Employee Retirement Income and Security Act of 1974 and the Internal Revenue Code of 1986 to assure the provision of health care to retired members of the United Mine Workers of America Union and to their family dependents who receive health care benefits from the United Mine Workers of America 1950 Benefit Plan ("1950 Benefit Plan") or from the United Mine Workers of America 1974 Benefit Plan "1974 Benefit Plan"), and, to assure the manner in which such care is funded and maintained, and for other purposes; to the Committee on Finance.

By Mr. BYRD:

S. 2551. A bill to rescind certain budget authority proposed to be rescinded in a special message transmitted to the Congress by the President on April 8, 1992, in accordance with title X of the Congressional Budget and Impoundment Control Act of 1974, as amended;

to the Committee on the Budget and the Committee on Appropriations, pursuant to the order of January 30, 1975, as modified by the order of April 11, 1986, with instructions that the Budget Committee be authorized to report its views to the Appropriations Committee, and that the latter alone be authorized to report the bill.

By Mr. BROWN:

S. 2552. A bill to authorize a hard rock mining reclamation demonstration project to facilitate the expedient cleanup of acid mine drainage, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. INOUYE (for himself and Mr. AKAKA):

S. 2553. A bill to amend the Civil Liberties Act of 1988 to increase the authorization for the Trust Fund under the Act, and for other purposes; to the Committee on Governmental Affairs.

By Mr. ROCKEFELLER:

S. 2554. A bill to expand the technology extension activities of the National Institute of Standards and Technology in support of technical skills enhancement; to the Committee on Commerce, Science, and Transportation.

By Mr. AKAKA (for himself and Mr. INOUYE):

S. 2555. A bill to prevent the introduction of plant and animal pests into Hawaii through the mails, to increase penalties relating to the introduction of plant or animal pests, to authorize cooperative agreements to safeguard Hawaii's environment, and for other purposes; to the Committee on Governmental Affairs.

By Mr. BUMPERS:

S. 2556. A bill to strengthen the protections afforded to units of the National Park System and certain other nationally significant historic and natural places, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. McCAIN (for himself, Mr. HARKIN, Mr. INOUYE, and Mr. HOLLINGS):

S. 2557. A bill to require candidates who are eligible to receive amounts from the Presidential Election Campaign Fund to prepare television commercials with closed captioning of the oral content; to the Committee on Commerce, Science, and Transportation.

By Mr. LIEBERMAN (for himself, Mr. DODD, Mr. MOYNIHAN, Mr. D'AMATO, and Mr. LAUTENBERG):

S.J. Res. 288. A joint resolution designating the week beginning July 26, 1992, as "Lyme Disease Awareness Week"; to the Committee on the Judiciary.

By Mr. D'AMATO:

S.J. Res. 289. A joint resolution designating the period beginning April 9, 1992, and ending May 6, 1992, as "Bataan-Corregidor Month"; to the Committee on the Judiciary.

By Mr. GORE (for himself, Mr. WIRTH, and Mr. WOFFORD):

S.J. Res. 290. A joint resolution calling for the Secretary of the Interior, in cooperation with the Secretary of State, to enter into agreements with Canada to protect the Alsek and Tatshenshini Rivers, for the Secretary of the Interior to ensure that Glacier Bay National Park and Reserve is not degraded by potential mine developments in Canada, and for other purposes; to the Committee on Foreign Relations.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. CRANSTON:

S. Res. 283. A resolution to express the sense of the Senate concerning Filipino veterans of World War II; considered and agreed to.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. McCAIN (for himself, Mr. GORE, Mr. THURMOND, and Mr. HELMS):

S. 2543. A bill to amend the Foreign Relations Authorization Act, fiscal years 1992 and 1993, to prevent the transfer of certain goods or technology to Iraq or Iran, and for other purposes; to the Committee on Foreign Relations.

PREVENTION OF TRANSFER OF CERTAIN GOODS OR TECHNOLOGY TO IRAQ OR IRAN

Mr. McCAIN. Mr. President, I thank Senator GORE, my friend from Tennessee, for the relationship that he and I have had on the issue of proliferation as well as others. I know of no Member of the U.S. Senate who is more keenly aware of the threats to world peace that are presented to us because of the issue of proliferation of weapons of mass destruction or conventional as well as chemical, biological, and nuclear. I look forward to working with him in the bipartisan fashion which has characterized our relationship now for 10 years as we move forward and try to get further action taken by the legislative branch in cooperation with the executive branch to reduce what is clearly the greatest threat to world peace in the world today. I thank him again for all of his cooperation and friendship over these many years.

Mr. President, I ask unanimous consent that privilege of the floor be granted to the following member of my staff, Jim Scofield during the pendency of the Iran-Iraq Arms Non-proliferation Act of 1992.

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

Mr. McCAIN. Mr. President, today I rise to introduce legislation on behalf of Senators GORE, THURMOND, HELMS, and myself to halt the spread of advanced military weapons to Iran and Iraq. It is designed to halt the spread of nuclear, biological, chemical, and advanced weapons to the two most dangerous states in the Middle East. States that threaten peace, that threaten our friends in the gulf, that threaten Israel, that threaten the stable flow of oil and the world's economy, and that threaten the United States of America.

This bill reinforces the sanctions that the United Nations has already applied to Iraq, and which the United States applies to shipments of weapons of mass destruction and arms to both Iraq and Iran. It reinforces existing United States law as it applies to United States sales to these two threats to peace, and it discourages foreign businesses and governments from transferring advanced weapons or related technologies to Iran and Iraq through a variety of deterrents and sanctions.

THE CONTENTS OF THE IRAN-IRAQ ARMS CONTROL BILL

Let me briefly outline the content of this bill.

First, the bill is directed at deterring the transfer of nuclear, biological, chemical, and advanced conventional weapons or dual-use goods or technology to Iran and Iraq. It is written to complement—not supersede—previously enacted laws while also filling the gaps in the area of advanced conventional weapons and related technologies.

For its definition, "advanced conventional weapons" will include missiles or other long-range precision-guided munitions, fuel-air explosives, cruise missiles, low observability aircraft or other radar evading aircraft, military satellites, electromagnetic weapons, and laser weapons.

The President may further define, add, or remove weapons from this list. Other areas are recommended for inclusion but left to the discretion of the President. These areas include the difficult to define elements of command, control, and communications systems, electronic warfare systems, and intelligence collections systems.

THE IMPACT ON U.S. FIRMS AND INDIVIDUALS

The bill does not introduce new penalties for U.S. firms. It does, however, clearly set forth United States policy toward sales to Iran and Iraq, and reinforces the importance of enforcing enacted legislation such as the Atomic Energy Act, the Arms Export Control Act, the Export Administration Act, and the Missile Technology Control Regime.

THE IMPORTANCE OF PUBLIC EXPOSURE

The bill does recognize the powerful impact of public exposure of merchants of mass destruction. It requires that the President publicly condemn any country, or United States, or foreign firm that transfers the cited arms or arms-related technology to Iran or Iraq. Once the President learns that a foreign government or firm has transferred such materiel, he must provide Congress with a report on the transfer and the U.S. Government response within 30 days. The President will also provide Congress with an annual report summarizing the violations and U.S. Government responses.

SANCTIONS ON FOREIGN COUNTRIES AND COMPANIES

The bill also recognizes that we cannot prevent or deter foreign countries and companies from transferring weapons of mass destruction and advanced conventional weapons to Iran and Iraq unless we have legislation that confronts them with clear legal and economic penalties.

It identifies specific sanctions for foreign firms that violate the restric-

tions and also for governments that violate the restrictions. The sanctions are divided into mandatory and discretionary sanctions. Both are designed to punish an undeterred offender, while the discretionary sanctions provide the President with additional measures to penalize severe or repeat offenders.

The mandatory sanctions on foreign firms are:

First, barring the U.S. Government from procuring or contracting for the procurement of goods or services from the foreign firm for a period of 2 years; and

Second, prohibiting licenses for export to the sanctioned firm for 2 years.

There is only one discretionary sanction for the President to employ against foreign firms. That sanction would prevent the importation into the United States of any product produced by that firm or any product containing components produced by that company.

The mandatory sanctions on governments are:

First, suspension of U.S. assistance;

Second, U.S. opposition to multilateral development bank assistance to the country; and

Third, termination of technical exchange agreements.

The sanctions on governments left up to Presidential discretion are:

First, denial of MFN status;

Second, freezing of financial assets;

Third, restrictions on aviation; and

Fourth, restrictions on shipping.

PRESIDENTIAL WAIVER AUTHORITY

Of course, in deference to the President's constitutional power to conduct foreign policy, the bill provides him ample authority to waive sanctions should they jeopardize the national security interests of the United States.

THE THREAT FROM IRAQ AND IRAN

Mr. President, every member of this body is all too conscious that we rarely see a week go by when we do not receive news about new transfers of arms and technology to Iran, and learn new details about Iraq's massive effort to create a force of weapons of mass destruction.

The Director of Central Intelligence, Bob Gates, has repeatedly given testimony that identifies Iran and Iraq as hostile to United States interests and intent on rebuilding their military power and enhancing their influence. He has stated that Iran is spending $2 billion a year on weapons of mass destruction, and that Iraq can quickly recover many of its capabilities the moment the United Nations ceases to enforce inspection rights and sanctions.

We also must recognize that other nations have learned lessons from the gulf war. It has taught Iran and Iraq that the conventional power of the United States and its allies is too powerful to overcome—or even defend against—by conventional means.

Iran and Iraq have only one option that can paralyze the kind of peacekeeping effort we carried out in Operation Desert Storm. This option is to acquire weapons of mass destruction, and conventional weapons that are so advanced they undercut our margin of technical superiority. These are lessons they will act upon if we give them the chance, lessons that are already turning into threats to our allies and any forces we send into the region.

THE PROBLEM OF IRAQ

Let me briefly address the problem of Iraq.

Over the past decade, we have learned several lessons from Iraq's disregard for international law. In 1981, we saw Iraq invade a weakened Iran. During the subsequent war, we witnessed Iraqi disregard for human life in its persecutions and massacres of the Kurds, in its gassing of innocent civilians, and its execution and imprisonment of its Shiites.

Despite the defeat of the Iraqis by the Iranians, we then witnessed Iraqi aggression with the invasion of Kuwait in 1990. In response to Kuwait's resistance to irrational demands, Iraq attempted to annex valuable Kuwaiti oilfields.

In the war that followed, we witnessed unprovoked Scud missile attacks on Israel. Just as they were in Saudi Arabia, these missiles were targeted at civilian populations and not at military targets; they were used as sheer weapons of terror.

Over the past decade, Iraq has developed a sophisticated approach to procuring and developing military weapons. We have all been disturbed at learning of the diversity and intensity of Iraq's weapons programs, its redundant procurement network, its successful clandestine capabilities, and the diabolical conversion of dual-use plants and technology for the fabrication of highly lethal weapons.

Most worrisome, however, is the covert establishment of a complex and vast global network of fronts and agents for the procurement of arms, dual-use equipment, and technology. Some suppliers were certainly duped, others were not.

The United States Treasury Department uncovered and blacklisted some 52 businesses and 37 individuals in April 1991, for their roles in the Iraqi network. I suggest that any of my colleagues who believes that we can rely on other states to police themselves read that list and memorize it. I ask unanimous consent that the list appear in the RECORD at this point.

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

[Department of the Treasury, Office of Foreign Assets Control]

31 CFR PART 575, IRAQI SANCTIONS REGULATIONS, 56 FR 13584, APRIL 3, 1991

Action: Final rule; List of specially designated nationals of the Government of Iraq; List of vessels registered, owned or controlled by the Government of Iraq.

Summary: The Iraqi Sanctions Regulations (the "Regulations") are being amended to add a new appendix A and a new appendix B to the end thereof. Appendix A contains the list of Individuals and Organizations Determined to be Within the Term "Government of Iraq" (Specially Designated Nationals of Iraq). The list at Appendix A contains the names of companies and individuals which the Director of the Office of Foreign Assets Control has determined are acting or purporting to act directly or indirectly on behalf of the Government of Iraq. Appendix B contains the names of merchant vessels registered, owned, or controlled by the Government of Iraq. These lists may be expanded or amended at any time.

Effective date: April 3, 1991.

Addresses: Copies of these lists are available upon request at the following location: Office of Foreign Assets Control, U.S. Department of the Treasury, Annex, 1500 Pennsylvania Avenue NW., Washington, DC 20220.

For further information contact: Richard J. Hollas, Chief, Enforcement Section, Office of Foreign Assets Control, Tel.: (202) 566-5021.

Text: Supplementary Information: The Iraqi Sanctions Regulations, 31 CFR part 575 (56 FR 2112, Jan. 18, 1991, the "Regulations") were issued by the Treasury Department to implement Executive Orders No. 12722 and 12724 of August 2 and August 9, 1990, in which the President declared a national emergency with respect to Iraq, invoking the authority, inter alia, of the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) and the United Nations Participation Act (22 U.S.C. 287c), and ordered specific measures against the Government of Iraq.

Section 575.306 of the Regulations defines the term "Government of Iraq" to include:

(a) The state and the Government of Iraq, as well as any political subdivision, agency, or instrumentality thereof, including the Central Bank of Iraq;

(b) Any partnership, association, corporation, or other organization substantially owned or controlled by the foregoing;

(c) Any person to the extent that such person is, or has been, or to the extent that there is reasonable cause to believe that such person is, or has been, since the effective date, acting or purporting to act directly or indirectly on behalf of any of the foregoing ; and

(d) Any other person or organization determined by the Director of the Office of Foreign Assets Control to be included within this section.

Determinations that persons fall within this definition are effective upon the date of determination by the Director, Office of Foreign Assets Control ("FAC"). Public notice is effective upon the date of publication or upon actual notice, whichever is sooner.

This role adds appendix A to part 575 to provide public notice of a list of persons, known as "specially designated nationals" of the Government of Iraq. The list consists of companies and individuals whom the Director of the Office of Foreign Assets Control has determined to be owned or controlled by or to be acting or purporting to act directly or indirectly on behalf of the Government of Iraq, and thus fall within the definition of the "Government of Iraq" contained in § 575.306 of the Regulations. The persons included in appendix A are subject to all prohibitions applicable to other components of the Government of Iraq. All unlicensed transactions with such persons, or in property in which they have an interest, are prohibited.

The list of specially designated nationals is a partial one, since FAC may not be aware of

all the persons located outside Iraq that might be owned or controlled by the Government of Iraq or acting as agents or front organizations for Iraq, and which thus qualify as specially designated nationals of the Government of Iraq. Therefore, persons engaging in transactions may not rely on the fact that any particular person is not on the specially designated nationals list as evidence that it is not owned or controlled by, or acting or purporting to act directly or indirectly on behalf of, the Government of Iraq. The Treasury Department regards it as incumbent upon all U.S. persons to take reasonably steps to ascertain for themselves whether persons they enter into transactions with are owned or controlled by the Government of Iraq or are acting or purporting to act on its behalf, or on behalf of other countries subject to blocking (at present, Cambodia, Cuba, Libya, North Korea, and Vietnam).

This rule also adds appendix B to part 575 to provide public notice of a list of merchant vessels which the Director of the Office of Foreign Assets Control has determined to be registered, owned, or controlled by the Government of Iraq or by persons acting or purporting to act directly or indirectly on behalf of the Government of Iraq, pursuant to §575.306 of the Regulations. The merchant vessels included in appendix B constitute blocked property in which the Government of Iraq has an interest, and are subject to all the prohibitions applicable to the Government of Iraq. No U.S. person may engage in any unlicensed transaction involving these vessels.

The list of Government of Iraq-flagged, owned, or controlled vessels is a partial one, since FAC may not be aware of all merchant ships registered, owned, or controlled by the Government of Iraq or by persons located outside Iraq that may be acting as agents or front organizations for Iraq who fall within the definition of "Government of Iraq." Therefore, persons engaging in transactions may not rely on the fact that any particular vessel is not on the list as evidence that it is not owned or controlled by the Government of Iraq. The Treasury Department regards it as incumbent upon all U.S. persons to take reasonable steps to ascertain for themselves whether such vessels are registered, owned, or controlled by Iraq or by other countries subject to blocking or transportation-related restrictions (at present, Cambodia, Cuba, Libya, North Korea, and Vietnam).

Section 586E of the Iraq Sanctions Act of 1990, contained in the Foreign Operations Authorization and Appropriations Act of 1990, dated November 5, 1990, 104 Stat. 1979, provides for civil penalties not to exceed $250,000 for violations of the Regulations and fines of up to $1,000,000 and imprisonment for up to 12 years for willful violations of the Regulations. In addition, section 5(b) of the United Nations Participation Act of 1945 (22 U.S.C. 287c(b)) provides for the forfeiture of any property involved in a violation of the Regulations.

LIST OF SUBJECTS IN 31 CFR PART 575

Banks, Banking, Exports, Imports, Iraq, Kuwait, Loans, Penalties, Reporting and recordkeeping requirements.

1. The authority citation for part 575 continues to read as follows:

Authority: 50 U.S.C. 1701 et seq.; 50 U.S.C. 1601 et seq.; 22 U.S.C. 287c; Public Law 101-513, 104 Stat. 2047-55 (Nov. 5, 1990); 3 U.S.C. 301; E.O. 12722, 55 FR 31803 (Aug. 3, 1990); E.O. 12724, 55 FR 33089 (Aug. 13, 1990).

2. Appendices A and B to part 575 are added to read as follows:

Appendix A—Individuals and Organizations Determined To Be Specially Designated Nationals of the Government of Iraq.

Please note that addresses of companies and persons may change. The addresses listed below are the last ones known to the Office of Foreign Assets Control. Where an address is not listed or someone wishes to check for latest address information, the Office of Foreign Assets Control will assist with any updated information in its possession.

COMPANIES

1. Admincheck Limited, 1 Old Burlington Street, London, England, United Kingdom.

2. Advanced Electronics Development, Ltd., 3 Mandeville Place, London, England, United Kingdom.

3. Al-Arabi Trading Company Limited, Lane 11, Hai Babil, Baghdad District 929, Iraq.

4. Al-Rafidain Shipping Company, Bombay, India.

5. The Arab Petroleum Engineering Company Ltd., Amman, Jordan.

6. Arab Projects Company S.A. Ltd., P.O. Box 1318, Amman, Jordan: P.O. Box 7939, Beirut, Lebanon; P.O. Box 1972, Riyadh, Saudi Arabia.

7. Arab Trans Trade Co. S.A.E., 36, Kaft Abdou Street, Rouchdy, Alexandria 481 638, Egypt.

8. Archi Centre I.C.E. Limited, 3 Mandeville Place, London, England, United Kingdom.

9. Archiconsult Limited, 128 Buckingham Place, London 5, England, United Kingdom.

10. Associated Engineers, England, United Kingdom.

11. A.T.E. International Ltd., f/k/a RWR International Commodities, 3 Mandeville Place, London, England, United Kingdom.

12. Atlas Air Conditioning Company Limited, 55 Roebuck House, Palace Street, London, England, United Kingdom.

13. Atlas Equipment Company Limited, 55 Roebuck House, Palace Street, London, England, United Kingdom.

14. A.W.A. Engineering Limited, 3 Mandeville Place, London, England, United Kingdom.

15. Banco Brasileiro-Iraquiano S.A., Praca Pio X, 54-10o Andar, CEP 20091, Rio de Janeiro, Brazil (Head office and city branch).

16. Bay Industries, Inc., 10100 Santa Monica Boulevard, Santa Monica, California, United States.

17. Dominion International, England, United Kingdom.

18. Endshire Export Marketing, England, United Kingdom.

19. Euromac, Ltd., 4 Bishops Avenue, Northwood, Middlesex, England, United Kingdom.

20. Euromac European Manufacturer Center SRL, Via Ampere 5, 20052 Monza, Italy.

21. Euromac Transporti International SRL, Via Ampere 5, 20052 Monza, Italy.

22. Falcon Systems, England, United Kingdom.

23. Geodesigns, England, United Kingdom.

24. Investacast Precision Castings, Ltd., 112 City Road, London, England, United Kingdom.

25. I.P.C. International Limited, England, United Kingdom.

26. I.P.C. Marketing Limited, England, United Kingdom.

27. Iraqi Airways, Saddam International Airport, Baghdad, Iraq: Opernring 6, 1010 Wien, Vienna, Austria; General Service Agent, Bangladeshi-owned Travel Agency, Dhaka, Bangladesh; Rio de Janeiro, Brazil; Jianguomenwai Diplomatic Housing Compound, Building 7-1, 5th Floor, Apartment 4, Beijing, People's Republic of China; Prague Airport, Prague, Czechoslovakia; Nekazanka 3, Prague 1, Czechoslovakia; Copenhagen, Denmark; Main Eisenhuttenplatz 26, Frankfurt 6, Germany; Rome, Italy; Tokyo, Japan; Casablanca, Morocco; The Netherlands; 27, Ulica Grojecka, Central Warsaw, Poland; Tunis, Tunisia; Ankara, Turkey; Moscow, U.S.S.R.; Abu Dhabi, United Arab Emirates; 4 Lower Regent Street, London SW1Y 4P, United Kingdom; 5825 W. Sunset Blvd. #218, Los Angeles, California 90028, United States; 25040 Southfield Road, Southfield, Michigan 48075, United States; Building 68, J.F.K. International Airport, Jamaica, New York 11430, United States; 1211 Avenue of the Americas, New York, New York 10036, United States; Sanaa, Yemen; Belgrade, Yugoslavia.

28. Iraqi Allied Services Limited, England, United Kingdom.

29. Iraqi Freight Services Limited, England, United Kingdom.

30. Iraqi Reinsurance Company, 31-35 Fenchurch Street, London EC3M 3D, United Kingdom.

31. Iraqi State Enterprise for Foodstuffs Trading, P.O. Box 1308, Colombo 3, Sri Lanka: P.O. Box 2839, Calcutta 700.001, India.

32. Iraqi State Enterprise for Maritime Transport, Bremen, Germany; Amman, Jordan.

33. Iraqi Trade Center, Dubai, United Arab Emirates.

34. Keencloud Limited, 11 Catherine Place, Westminister, London, England, United Kingdom.

35. Matrix Churchill Corporation, 5903 Harper Road, Cleveland, Ohio 44139, United States.

36. Meed International Limited, 3 Mandeville Place, London, England, United Kingdom.

37. Pandora Shipping Co., S.A., Honduras.

38. Petra Navigation & International Trading Co. Ltd., White Star Building., P.O. Box 8362, Amman, Jordan: Armoush Bldg., P.O. Box 485, Aqaba, Jordan; 18 Huda Sharawi Street, Cairo, Egypt; Hai Al Wahda Mahalat 906, 906 Zulak 50, House 14, Baghdad, Iraq.

39. PMK/QUDOS (Liverpool Polytechnic), England, United Kingdom.

40. Rafidain Bank, New Banks' Street, P.O. Box 11360, Massarif, Baghdad, Iraq (227 branches in Iraq): P.O. Box 607, Manama, Bahrain (2 branches in Bahrain); 114 Tahreer Str. Eldukki, P.O. Box 239, Omran Giza, Cairo, Egypt; P.O. Box 1194, Cinema al-Hussein Street, Amman, Jordan; P.O. Box 685, Aqaba, Jordan; P.O. Box 815401, Jabal Amman, Jordan; Mafraq, Jordan; 2nd Floor Sadat Tower, P.O. Box 1891, Beirut, Lebanon (2 branches in Lebanon); Sheikh Khalifa Street, P.O. Box 2727, Abu Dhabi, United Arab Emirates; Rafidain Bank Building, 7-10 Leadenhall Street, London EC3V 1NL, United Kingdom; P.O. Box 10023, Sanaa, Yemen Arab Republic.

41. Rajbrook Limited, England, United Kingdom.

42. Reynolds and Wilson, England, United Kingdom.

43. S.M.I. Sewing Machines Italy S.P.A. Italy.

44. Sollatek, England, United Kingdom.

45. Technology and Development Group Ltd., Centric House 390/391, Strand, London, England, United Kingdom.

46. T.E.G. Limited, 3 Mandeville Place, London, England, United Kingdom.

47. T.M.G. Engineering Limited, Castle Row, Horticultural Place, Chiswick, London, England, United Kingdom.

48. T N K Fabrics Limited, England, United Kingdom.

49. Trading & Maritime Investments, San Lorenzo, Honduras.

50. U.I. International, England, United Kingdom.

51. UNIMAS Shipping, 138 El Geish Road, P.O. Box 44, Alexandria, Egypt.

52. Whale Shipping Ltd., c/o Government of Iraq, State Organization of Ports, Maqal, Basrah, Iraq.

INDIVIDUALS

1. Abbas, Abdul Hussein, Italy.

2. Abbas, Kassim, Italy.

3. Abraham, Trevor, England, United Kingdom.

4. Ahmad, Rasem, P.O. Box 1318, Amman, Jordan.

5. Ahmad, Wallid Issa, Iraq.

6. Al-Amiri, Adnan Talib Hassim, 43 Palace Mansions, Hammersmith, London, England, United Kingdom.

7. Al-Azawi, Dafir, Iraq.

8. Al-Dajani, Leila N.S., P.O. Box 1318, Amman, Jordan.

9. Al-Dajani, Nadim S., P.O. Box 1318, Amman, Jordan.

10. Al-Dajani, Sa'ad, P.O. Box 1318, Amman, Jordan.

11. Al-Habobi, Dr. Safa Haji J., Flat 4D Thorney Court, Palace Gate, Kensington, England, United Kingdom.

12. Ali, Abdul Mutalib, Germany.

13. Allen, Peter Francis, "Greys", 36 Stoughton Lane, Stoughton, Leicestershire, England, United Kingdom.

14. Al-Ogaily, Akram H., Flat 2, St. Ronons Court, 63 Putney Hill, London, England, United Kingdom.

15. Amaro, Joaquim Ferreira, Praca Pio X, 54–10 deg. Andar, CEP 20091, Rio de Janeiro, Brazil.

16. Armoush, Ahmad, White Star Bldg., P.O. Box 8362, Amman, Jordan.

17. Armoush, Ali, White Star Bldg., P.O. Box 8362, Amman, Jordan.

18. Aziz, Fouad Hamza, Pracia Pio X, 54–10 deg. Andar, CEP 20091, Rio de Janeiro, Brazil.

19. Daghir, Ali Ashour, 2 Western Road, Western Green, Thames Ditton, Surrey, England, United Kingdom.

20. Fattah, Jum'a Abdul, P.O. Box 1318, Amman, Jordan.

21. Hand, Michael Brian, England, United Kingdom.

22. Henderson, Paul, 4 Copt Oak Close, Tile Mill, Coventry, Warwickshire, England, United Kingdom.

23. Jon, Hana Paul, 19 Tudor House, Windsor Way, Brook Green, London, England, United Kingdom.

24. Jume'an, George, P.O. Box 1318, Amman, Jordan.

25. Kadhum, Dr. Fadel Jawad, c/o Alvaney Court, 250 Finchley Road, London, England, United Kingdom.

26. Khoshaba, Robert Kambar, 15 Harefield Road, Maidenhead, Berkshire, England, United Kingdom.

27. Mohamed, Abdul Kader Ibrahim, Jianguomenwai Diplomatic Housing Compound, Building 7–1, 5th Floor, Apartment 4, Beijing, People's Republic of China.

28. Omran, Karim Dhaidas, Iraq.

29. Raouf, Khalid Mohammed, Praca Pio X, 54–10 deg. Andar, CEP 20091, Rio de Janeiro, Brazil.

30. Ricks, Roy, 87 St. Mary's Frice, Benfleet, Essex, England, United Kingdom.

31. Schmitt, Rogerio Eduardo, Praca Pio X, 54–10 deg. Andar, CEP 20091, Rio de Janeiro, Brazil.

32. Sim, Gilberto F., Praca Pio X, 54–10 deg. Andar, CEP 20091, Rio de Janeiro, Brazil.

33. Souza, Francisco Antonio, Praca Pio X, 54–10 deg. Andar, CEP 20091, Rio de Janeiro, Brazil.

34. Speckman, Jeanine, England, United Kingdom.

35. Tall, Aktham, P.O. Box 1318, Amman, Jordan.

36. Taveira, A. Arnaldo G., Praca Pio X, 54–10 deg. Andar, CEP 20091, Rio de Janeiro, Brazil.

37. Zahran, Yousuf, P.O. Box 1318, Amman, Jordan.

APPENDIX B.—MERCHANT VESSELS REGISTERED [1]

Vessel name	Ship type	DWT	Call sign
1. Ain Zalah	Tkr	36,330	HNAZ
2. Al Anbar	Tug	NA	YIAV
3. Al Fao	Res	80	YIAN
4. Al Karamah	Tkr	12,882	HNKM
5. Al Khalida	Tkr	7,155	HNKD
6. Al Mansur	Ycht	1,223	HNMR
7. Al Merbid	Svc	4,649	YIMD
8. Al Mosul	Svc	1,219	YIAS
9. Al Najaf	Svc	4,740	YINF
10. Al Nasr	Svc	2,444	DDRH
11. Al Nasr	Tkr	1,502	HNNR
12. Al Omarah	Tug	320	YIAW
13. Al Ramadi	Tug	320	YIAI
14. Al Rasheed	Svc	304	YIBE
15. Al Ratba	Tkr	544	YIBA
16. Al Shumookh	Tug	375	NA
17. Al Waleed	Res	NA	YIBF
18. Al Zab	Tug	NA	YIBH
19. Al Zawraa	Cgo	3,549	HNZW
20. Al-Alyaa	Tug	375	NA
21. Al-Amin	Tug	368	YIAM
22. Al-Baath	Tkr	9,928	HNBT
23. Al-Bakr	Res	390	YIBR
24. Al-Bayaa	Brg	1,662	HNHB
25. Al-Entisar	Tug	375	NA
26. Al-Hather	Tug	368	YIHR
27. Al-Karrkh	Tug	368	YIKH
28. Al-Khalij Al-Arabi	Svc	4,740	YIKA
29. Al-Nohoodh	Tug	375	YINU
30. Al-Qadisiya	Ycht	100	HNKS
31. Al-Ressafa	Tug	368	YIRF
32. Al-Sahil Al-Arabi	Svc	6,396	NHSA
33. Al-Thirthar	Tkr	524	YITH
34. Al-Wahdah	Tug	149	YIWH
35. Alabid	Brg	1,662	HNDB
36. Aledreesi	Cgo	3,550	HNID
37. Alfarabi	Cgo	8,342	HNFB
38. Alfarahidi	Tkr	149,441	HNFR
39. Alfidaa	Brg	1,662	HNFD
40. Alkhansaa	Cgo	3,525	HNKN
41. Alkindi	Cgo	8,342	HNKI
42. Almustansiriyah	Tkr	155,210	HNMS
43. Almutanabbi	Tkr	130,241	HNMB
44. Alnajaf	Svc	4,740	YINF
45. Alqadisiyah	Tkr	155,210	HNQS
46. Alsumood	Svc	6,977	YISD
47. Alttaawin Alarabi	Cgo	13,634	HNAI
48. Alwahda	Brg	1,662	HNAD
49. Alwasitti	Cgo	8,343	HNWS
50. Alyarmuk	Tkr	149,371	HNYK
51. Alzubair	Svc	4,640	YIZR
52. Amuriyah	Tkr	155,210	HNAM
53. Antara	Svc	508	YIBD
54. Arbeel	Tug	320	YIBB
55. Baba Gurgur	Tkr	36,397	HNGR
56. Babylon	Cgo	13,656	HNBB
57. Badr 7	Svc	647	NA
58. Baghdad	Svc	2,900	YIAD
59. Baghdad	Cgo	13,656	HNBD
60. Balqees	RO/RO	3,985	HNBL
61. Basra	Svc	2,906	YIAB
62. Basrah	Cgo	13,656	HNBS
63. Buzurgan	Tkr	36,400	HNBR
64. Damascus	Tug	149	YIDS
65. Damen Gorinchem 5716	Svc	NA	NA
66. Damen Gorinchem 5717	Svc	NA	NA
67. Damen Gorinchem 5718	Svc	NA	NA
68. Deyala	Tug	350	YIBJ
69. Dijlah	Tug	356	HNDJ
70. Diving Launch I	Svc	NA	NA
71. Diwaniya	Tug	350	YIBK
72. Dockan	Tkr	528	YIDN
73. Dump Barge I	Svc	1,330	J8IY
74. Dump Barge II	Svc	1,330	J8IZ
75. Dump Barge III	Svc	1,330	J8JA
76. Fire Boat No. 705	Svc	NA	NA
77. Fire Boat No. 706	Svc	NA	NA
78. Forel	Fsh	1,163	HNFL
79. Furat	Tug	350	HNFT
80. Gaza	Svc	2,422	YIGZ
81. Hamdan	Tug	387	YIHM
82. Heet	Tug	89	NA
83. Hillah	Svc	6,709	YIAR
84. Himreen	Svc	508	YIHN
85. Hittin	Tkr	155,210	HNHT
86. Ibn Khaldoon	Svc	12,670	HNIN
87. Ibn Majid 6	Svc	NA	NA
88. Imhejran	Tug	386	YIMH
89. Jahha	Tug	244	YIJA
90. Jambur	Tkr	35,338	HNJM
91. Jamhoria	Tug	368	YIJR
92. Kefal	Fsh	1,170	HNKL
93. Kerbala	Svc	NA	NA
94. Khalid Ibin Al Waleed	Svc	2,235	YIBM

APPENDIX B.—MERCHANT VESSELS REGISTERED [1]—Continued

Vessel name	Ship type	DWT	Call sign
95. Khanaqin	Tkr	35,338	HNKQ
96. Khawla Bint Al Zawra	RO/RO	3,985	HNKN
97. Kirkuk	Tkr	35,338	HNKK
98. Mandali	Svc	6,977	YIQS
99. Maysaloon	Tug	368	YIMY
100. Measan	Tug	310	YIMN
101. Methaq	Tug	248	YIMQ
102. Moon Lady	RO/RO	3,985	HNNZ
103. Nagroor	Fsh	140	NA
104. Nainawa	Tug	310	YINW
105. Nisr	Svc	744	YISR
106. No. 1	SVc	30	NA
107. No. 2	Svc	30	NA
108. Nuwaibi	Fsh	140	NA
109. Ohod 5	Svc	NA	NA
110. Ohod 6	Svc	NA	NA
111. Ohod 7	Svc	NA	NA
112. Orooba	Tug	368	YIOB
113. Otori Maru No. 2	Svc	NA	NA
114. Palestine	Svc	4,649	YIFN
115. Pilot 393	Svc	NA	NA
116. Pilot 394	Svc	NA	NA
117. Police 1	Ptrl	NA	NA
118. Police 2	Ptrl	NA	NA
119. Police 3	Ptrl	NA	NA
120. Radhwa 18	Tug	NA	NA
121. Radhwa 19	Tug	NA	NA
122. Radhwa 20	Tug	NA	NA
123. Rodian	Fsh	129	NA
124. Rumaila	Tkr	36,330	HNRM
125. Saif Saad	Svc	742	NA
126. Samarra	Fer	NA	YIBC
127. Sanam	Svc	508	YISM
128. Sboor	Fsh	129	HRN2
129. Seabank	Fsh/Cgo	6,953	HQHR4
130. Seamusic II	Cgo	26,732	9HYH2
131. Sebaa Nissan	Tug	368	YISN
132. Shaboot	Fsh	1,163	HNLK
133. Shatt al Basrah	Fsh	404	HNSR
134. Shorook	Svc	403	YISH
135. SHU' Alah	Tug	NA	NA
136. Sihan	Tug	387	YISI
137. Sinai	Svc	1,286	NA
138. Sinjar	Svc	NA	YIAY
139. Sky Sea	Cgo	8,334	HNRZ
140. Solnechnik	Fsh	404	UOJE
141. Sulaimaniyah	Svc	NA	YIAG
142. Survey Launch No. 1	Res	NA	NA
143. Survey Launch No. 2	Res	NA	NA
144. Survey Launch No. 3	Res	NA	NA
145. Tadmur	Tkr	3,627	HNTD
146. Tahreer	Svc	4,649	YITR
147. Tarik Ibn Ziyad	Tkr	118,139	HNTZ
148. Theeqar	Tug	220	YIAC
149. Ur	Tug	368	YIUR
150. Work Boat No. 6	Brg	NA	NA
151. Workship 3	Svc	NA	NA
152. Yanbu 31	Svc	NA	NA
153. Yousifan	Tug	386	YIYN
154. Zain Al Qaws	Cgo	9,247	HNZQ
155. Zamzam	Tkr	544	YIAZ
156. Zanoobia	Cgo	3,549	HNZN
157. Zubaidy	Fsh	NA	YIBO
158. 1 Athar	Tkr	1,502	HNAR
159. 1 Hurizan	Tkr	1,502	HNHN
160. 7 Nissan	Tkr	1,502	HNHN

[1] Owned, Or Controlled by the Government of Iraq or by Persons Acting Directly or Indirectly on Behalf of the Government of Iraq.

Note—All ships listed or Iraqi-flagged unless otherwise indicated. "NA" is listed where information is not available.

Vessel name	Owner
1. Ain Zalah	Iraqi Oil Tankers Company, Basrah, Iraq.
2. Al Anbar	Government of the Republic of Iraq. Managed by the State Organization of Iraqi Ports, Basrah, Iraq.
3. Al Fao	State Org. of Iraqi Ports.
4. Al Karamah	Iraqi Oil Tankers Company.
5. Al Khalida	Do.
6. Al Mansur	Iraqi State Enterprise for Water Transport.
7. Al Merbid	State Org. of Iraqi Ports.
8. Al Mosul	Do.
9. Al Najaf	Do.
10. Al Nasr	Do.
11. Al Nasr	Iraqi Oil Tanker Company.
12. Al Omarah	State Org. of Iraqi Ports.
13. Al Ramadi	Do.
14. Al Rasheed	Do.
15. Al Ratba	Do.
16. Al Shumookh	Do.
17. Al Waleed	Do.
18. Al Zab	Do.
19. Al Zawraa	Iraqi State Enterprise for Water Transport, Baghdad.
20. Al-Alyaa	State Org. of Iraqi Ports.
21. Al-Amin	Do.
22. Al-Baath	Iraqi Oil Tankers Company.
23. Al-Bakr	State Org. of Iraqi Ports.
24. Al-Bayaa	Iraqi State Enterprise for Water Transport. Formerly the Hiboob.
25. Al-Entisar	Iraqi Org. of Iraqi Ports.
26. Al-Hather	Do.
27. Al-Karrkh	Do.

Vessel name	Owner
28. Al-Khalij Al Arabi	Do.
29. Al-Nohoodh	Do.
30. Al-Qadisiya	Iraqi State Enterprise for Water Transport.
31. Al-Ressafa	State Org. of Iraqi Ports.
32. Al-Sahil Al-Arabi	Iraqi State Enterprise for Sea Fisheries, Basrah, Iraq.
33. Al-Thirthar	State Org. of Iraqi Ports.
34. Al-Wahdah	Do.
35. Alabid	Iraqi State Enterprise for Water Transport. Formerly the Sanabul.
36. Aledreesi	Iraqi State Enterprise for Water Transport.
37. Alfarabi	Do.
38. Alfaahidi	Iraqi Oil Tankers Company.
39. Alfidaa	Iraqi State Enterprise for Water Transport. Formerly the Silowat.
40. Alkhansaa	Iraqi State Enterprise for Water Transport.
41. Alkindi	Do.
42. Almustansiriyah	Iraqi Oil Tankers Company.
43. Almutanabbi	Do.
44. Alnajaf	State Org. of Iraqi Ports.
45. Alqadisiyah	Iraqi Oil Tankers Company.
46. Alsumood	State Org. of Iraqi Ports.
47. Alttaawin Alarabi	Iraqi State Enterprise for Water Transport.
48. Alwahda	Do.
49. Alwasitti	Do.
50. Alyarmuk	Iraqi Oil Tankers Company.
51. Alzubair	State Org. of Iraqi Ports.
52. Amuriyah	Iraqi Oil Tankers Company.
53. Antara	State Org. of Iraqi Ports.
54. Arbeel	Do.
55. Baba Gurgur	Iraqi Oil Tankers Company.
56. Babylon	Iraqi State Enterprise for Water Transport. Government of the Republic of Iraq, Ministry of Oil, State.
57. Badr 7	Company for Oil Projects, Baghdad, Iraq. (flag: Saudi Arabia).
58. Baghdad	State Org. of Iraqi Ports.
59. Baghdad	Iraqi State Enterprise for Water Transport.
60. Balqees	State Organization of Iraqi Government.
61. Basra	State Org. of Iraqi Ports.
62. Basrah	Iraqi State Enterprise for Water Transport.
63. Buzurgan	Iraqi Oil Tankers Company.
64. Damascus	State Org. of Iraqi Ports.
65. Damen	Do.
Gorinchem 5716	Do.
66. Damen Gorinchem 5717.	Do.
67. Damen Gorinchem 5718.	Do.
68. Dayala	Do.
69. Dijlah	Do.
70. Diving Launch 1	Do.
71. Diwaniya	Do.
72. Dockan	Do.
73. Dump Barge I	Whale Shipping Ltd., c/o State Org. of Iraqi Ports (flag: Gibralter).
74. Dump Barge II	Do.
75. Dump Barge III	Do.
76. Fire Boat No. 705	State Org. of Iraqi Ports.
77. Fire Boat No 706	Do.
78. Forel	Rafidain Fisheries Co. Ltd., Basrah, Iraq.
79. Furat	State Org. of Iraqi Ports.
80. Gaza	Do.
81. Hamdan	Do.
82. Heet	Do.
83. Hillah	Do.
84. Himreen	Do.
85. Hittin	Iraqi Oil Tankers Company.
86. Ibn Khaldoon	State Org. of Iraqi Ports.
87. Ibn Majid 6	Iraqi State Company for Oil Projects (flag: Saudi Arabia).
88. Imhejran	State Org. of Iraqi Ports.
89. Jabha	Do.
90. Jambur	Iraqi Oil Tankers Company.
91. Jamhoria	State Org. of Iraqi Ports.
92. Kefal	Rafidain Fisheries Co. Ltd.
93. Kerbala	State Org. of Iraqi Ports.
94. Khalid Ibin Al Waleed.	Do.
95. Khanaqin	Iraqi Oil Tankers Company.
96. Khawla Bint Al Zawra.	Iraqi State Enterprise for Water Transport.
97. Kirkuk	Iraqi Oil Tankers Company.
98. Mandali	State Org. of Iraqi Ports. Formerly the Alkadisiyah.
99. Maysaloon	State Org. of Iraqi Ports.
100. Measan	Do.
101. Methaq	Do.
102. Moon Lady	Pandora Shipping Co., S.A., Honduras, Managed by Petra Navigation & International Trading Co. Ltd., Amman, Jordan, Formerly the Iraqi-owned AL–ZAHRAA. (flag: Honduras).
103. Nagroor	Government of the Republic of Iraq, Ministry of Agriculture & Agrarian Reform, State Fisheries Company, Baghdad, Iraq.
104. Nainawa	State Org. of Iraqi Ports.
105. Nisr	Do.
106. No. 1	Do.
107. No. 2	Do.
108. Nuwaibi	Iraqi State Fisheries Co.
109. Ohod 5	Iraqi State Company for Oil Projects (flag: Saudi Arabia).
110. Ohod 6	Do.
111. Ohod 7	Do.
112. Orooba	State Org. of Iraqi Ports.
113. Otori Maru No. 2	Do.
114. Palestine	Do.
115. Pilot 393	Do.
116. Pilot 394	Do.
117. Police 1	Do.
118. Police 2	Do.
119. Police 3	Do.
120. Radhwa 18	Iraqi State Company for Oil Projects.
121. Radhwa 19	Do.
122. Radhwa 20	Do.
123. Robian	Iraqi State Fisheries Company.
124. Rumaila	Iraqi Oil Tankers Company.
125. Saif Saad	State Org. of Iraqi Ports.
126. Samarra	Do.
127. Sanam	Do.
128. Sboor	Iraqi State Fisheries Company.
129. Seabank	Trading & Maritime Investments, Honduras. Managed by Arab Trans Trade Co. S.A.E., Alexandria Egypt. Formerly the Iraqi-owned AL-BAHAR AL-ARABI (flag: Honduras).
130. Seamusic II	Seamusic Shipping Co. Ltd., c/o Thenamaris Ships Management Inc., Athens, Greece. Vessel Seized by Government of Iraq. (flag: Malta).
131. Sebaa Nissan	State Org. of Iraqi Ports.
132. Shaboot	Rafidain Fisheries Co., Ltd.
133. Shatt al Basrah	Iraqi State Fisheries Company.
134. Shorook	State Org. of Iraqi Ports.
135. SHU' Alah	Do.
136. Sihan	Do.
137. Sinai	Do.
138. Sinjar	Do.
139. Sky Sea	Pandora Shipping Co. S.A., Honduras. Managed by Petra Navigation & International Trading Co. Ltd., Amman, Jordan. Formerly the Iraqi-owned ALRAZI. (flag: Honduras).
140. Solnechnik	Iraqi State Fisheries Company.
141. Sulaimaniyan	State Org. of Iraqi Ports.
142. Survey Launch No. 1.	Do.
143. Survey Launch No. 2.	Do.
144. Survey Launch No. 3.	Do.
145. Tadmur	Iraqi Oil Tankers Company.
146. Tahreer	State Org. of Iraqi Ports.
147. Tarik Ibn Ziyad	Iraqi Oil Tankers Company.
148. Theeqar	State Org. of Iraqi Ports.
149. Ur	Do.
150. Work Boat No. 6	Do.
151. Workship 3	Do.
152. Yanbu 31	Iraqi State Company for Oil Projects (flag: Saudi Arabia).
153. Yousifan	State Org. of Iraqi Ports.
154. Zain Al Qaws	Iraqi State Enterprise for Water Transport.
155. Zamzam	State Org. of Iraqi Ports.
156. Zanoobia	Iraqi State Enterprise for Water Transport.
157. Zubaidy	State Org. of Iraqi Ports.
158. 1 Athar	Iraqi Oil Tankers Company.
159. 1 Hurizan	Do.
160. 7 Nissan	Do.

Mr. McCAIN. Mr. President, the United Nations' Special Commission in Iraq has uncovered far more missiles and weapons plants than experts had previously suspected. Iraq had disguised them well. In a report prepared by my staff, titled "Iraq and Weapons of Mass Destruction," it is noted:

In late 1991, Iraq had declared seven missile facilities, no biological or nuclear weapons facilities, and 11 chemical weapons facilities.

United Nations experts now talk about 52 missile storage, assembly, and maintenance facilities, 13 facilities associated with biological weapons, 48 facilities associated with chemical weapons, and 20 facilities associated with nuclear weapons. These may still be low estimates. Some U.S. Government experts privately talk about a list of 200 such facilities.

Iraq's most egregious violations of international law have been its lying about its nuclear program, its deceptive efforts to conceal the program, and its complete disregard for its obligations as a signatory to the Non-Proliferation Treaty. Its violations of the Non-Proliferation Treaty include principally the violation of its pledge to remain a nonnuclear weapons state.

Thanks to the United Nations investigations in Iraq, the international community has learned the hard lesson that being an NPT signatory does not mean compliance with NPT terms. We need to reinforce the NPT regime, applying the lessons we have learned. We also need to strengthen the International Atomic Energy Agency and give it more muscle—more intrusive inspections authority, a ready inspection team, and more random inspections. These remedies will help prevent the reoccurrence of another Iraq elsewhere.

THE THREAT FROM IRAN

Let me move on to Iran, the other great threat in the Middle East.

Iran's important geostrategic position, its population, and its natural resources provide it with a great potential for influence in the region. In recognition of this, Iranian policies have focused on acquiring, extending, and exercising its influence. Yet, Iranian goals have diverged greatly from those of the peace-seeking members of the international community.

Iran has been a parish state since 1979 when it demonstrated its contempt for international law by seizing the United States Embassy in Tehran. It has continued to demonstrate its contempt for globally accepted norms via its support for terrorism and hostage-taking in Lebanon, and its support for Moslem radicals who have fostered instability throughout the Middle East and North Africa. Even within its own borders, it violates basic human rights in its persecution of its Bahai minority.

Iran is no friend of peace. In addition to the instability it continues to promote throughout the world, Iran has labored furiously to sabotage the Middle East peace process. While it campaigns against Israel, it actively supports the proliferation of arms among Moslem states.

The Iranian Deputy President—Ayatollah Mohajerani—has pledged that—

* * * because the enemy (Israel) has nuclear facilities, the Muslim states, too, should be equipped with the same capacity. I am not talking only about one Muslim country, but rather the entirety of the Muslim states * * * In other words, the atomic capacity of Muslims and Israel should be at par.

Unlike Iraq, Iran has been free to stockpile missiles, biological and chemical weapons, and advanced arms. It is spending vast sums of money on the procurement of arms to put teeth into its peace-threatening program. While a lot of those funds are going to expanding a conventional capability, a significant portion is going toward nuclear, biological, chemical, and missile-type weapons.

Iran is seeking such technology all over the world, just as Iraq did before it. Reports have surfaced over the past year of extensive Chinese technical support to Iran's nuclear weapons program. In addition, Iran has been negotiating with China for a license to produce advanced medium-range ballistic missiles. Further to the east, Iran has negotiated with North Korea for a supply of SCUD missiles.

Iran is active in the Western Hemisphere. Last October the periodical Nucleonics Week reported that Iran and Cuba had signed an agreement in September for the exchange of information on nuclear technology. The first of Cuba's two nuclear reactors is scheduled to begin operation in 1993. The cooperation of these states should raise red flags worldwide!

THE NEED FOR AN EFFECTIVE ARMS CONTROL REGIME

Mr. President, we must act on what we have learned from the Iran-Iraq war and the Persian Gulf war. We must accept the fact that a tougher international arms control regime is necessary, and that it must be targeted against the states that are the real threats to peace.

Viewed in that light, the legislation that Senator GORE and I propose is moderate. It gives the President wide discretion in the sanctions he can use without depriving the legislation of teeth that no merchant of mass destruction can avoid.

At the same time, it builds upon legislation we have already passed dealing with proliferation. It reflects the lessons of recent analysis of the historical implementation and consequent effectiveness of various types of sanctions. The sanctions in this legislation are harsh enough to punish the proliferators of dangerous weaponry, yet flexible enough to allow their implementation by the President.

These points are important because we cannot simply impose sanctions without regard for our allies, but we also cannot rely on business as usual, or worry about the sensitivities of foreign merchants of mass destruction. There is no—I repeat—there is no case for selling advanced arms to Iran and Iraq. None.

Put simply, if we do not pass such legislation, and rely on words instead of actions, threats will build up that sooner or later will kill our friends in the gulf, kill our friends in Israel, and kill our own men and women in uniform. Our choice is simple. Act now, or fight another war tomorrow.

Mr. President, I ask unanimous consent that the text of the Iran-Iraq arms control bill be printed in the RECORD, along with two papers regarding Iran and Iraq and weapons of mass destruction.

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

S. 2543

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. AMENDMENT TO THE FOREIGN RELATIONS AUTHORIZATION ACT, FISCAL YEARS 1992 AND 1993.

The Foreign Relations Authorization Act, Fiscal Years 1992 and 1993, is amended by adding at the end thereof the following new title:

"TITLE VI—IRAN-IRAQ ARMS NON-PROLIFERATION ACT OF 1992

"SEC. 601. SHORT TITLE.

"This title may be cited as the 'Iran-Iraq Arms Non-Proliferation Act of 1992'.

"SEC. 602. POLICY.

"(a) IN GENERAL.—It shall be the policy of the United States to oppose any transfer of any goods or technology, including dual-use goods or technology, to Iraq or Iran wherever there is reason to believe that any such transfer could contribute to that country's acquiring chemical, biological, or nuclear weapons or advanced conventional weapons.

"(b) PUBLIC IDENTIFICATION.—The Congress calls on the President to identify publicly any country or person that transfers goods or technology to Iraq or Iran contrary to the policy described in subsection (a).

"SEC. 603. APPLICATION OF IRAQ SANCTIONS TO IRAN.

"The sanctions in effect against Iraq under paragraphs (1) through (4) of section 586G of the Iraq Sanctions Act of 1990 (as contained in Public Law 101-513), including denial of export licenses for United States persons and prohibitions on United States Government sales, shall apply to the same extent and in the same manner to Iran, except that the President may not exercise the waiver authority of section 586H of such Act with respect to such sanctions for Iran or Iraq, notwithstanding any other provision of law.

"SEC. 604. SANCTIONS AGAINST FOREIGN PERSONS.

"(a) PROHIBITION.—If any foreign person transfers goods or technology so as to contribute knowingly or materially to the efforts by Iran, Iraq, or any agency or instrumentality thereof to acquire the weapons, defense systems, or technology described in section 602, then—

"(1) such person shall be subject to the sanctions set forth in subsection (b); and

"(2) the President is authorized to apply against such person, in the discretion of the President, the sanction set forth in subsection (c).

"(b) MANDATORY SANCTIONS.—The sanctions referred to in subsection (a)(1) are as follows:

"(1) For a period of 2 years the United States Government shall not procure, or enter into any contract for the procurement of, any goods or services from the foreign person or any parent, subsidiary, affiliate, or successor entity thereof.

"(2) No license shall be approved for the export by or to such foreign person for a period of 2 years.

"(c) DISCRETIONARY SANCTION.—The sanction referred to in subsection (a)(2) is that the importation into the United States of any articles which are the growth, product, or manufacture—

"(1) of that person, or

"(2) of any other person that has equity or interest in such foreign person,

may be prohibited for such period of time as the President may determine.

"SEC. 605. SANCTIONS ON THIRD COUNTRY TRANSFERS.

"(a) PROHIBITION.—If any foreign country transfers, or permits the transfer from its territory, of goods or technology so as to contribute knowingly or materially to the efforts by Iran, Iraq, or any agency or instrumentality thereof to acquire the weapons, defense systems, or technology described in section 602, then—

"(1) such country shall be subject to the sanctions set forth in subsection (b); and

"(2) the President is authorized to apply against such country, in his discretion, the sanctions set forth in subsection (c).

"(b) MANDATORY SANCTIONS.—The sanctions referred to in subsection (a)(1) are as follows:

"(1) SUSPENSION OF UNITED STATES ASSISTANCE.—The United States Government shall suspend for a period of one year any United States assistance to the sanctioned country except for urgent humanitarian assistance and food or other agricultural commodities or products.

"(2) MULTILATERAL DEVELOPMENT BANK ASSISTANCE.—The Secretary of the Treasury shall instruct United States executive directors to the appropriate international financial institutions, in accordance with section 701 of the International Financial Institutions Act (22 U.S.C. 262d), to oppose, and vote against, for a period of two years, the extension of any loan or financial or technical assistance to the sanctioned country by such institutions.

"(3) TERMINATION OF CODEVELOPMENT OR COPRODUCTION AGREEMENTS.—All obligations of the United States under any memorandum of understanding (MOU) with the sanctioned country for the codevelopment or coproduction of any item on the United States Munitions List (established under section 38 of the Arms Export Control Act) shall be null and void, including any obligation for implementation of the MOU through the sale to the sanctioned country of technical data or assistance or the licensing for export to the sanctioned country of any component part.

"(4) TERMINATION OF TECHNICAL EXCHANGE AGREEMENTS.—Any technical exchange agreement entered into between the United States and a sanctioned country shall have no force or effect within the United States, and no technology may be exported from the United States to a sanctioned country.

"(c) DISCRETIONARY SANCTIONS.—The sanctions referred to in subsection (a)(2) are as follows:

"(1) DENIAL OF MOST-FAVORED-NATION STATUS.—Notwithstanding any other provision of law, the President may suspend the application of nondiscriminatory trade treatment (most-favored-nation status) to the sanctioned country.

"(2) BLOCKING INTERNATIONAL FINANCIAL TRANSACTIONS.—The President may exercise the authorities of the International Emergency Economic Powers Act to prohibit any transaction involving any property in which the sanctioned country or any national thereof has any interest whatsoever except for the purchase of food or other agricultural commodities or products.

"(3) PRESIDENTIAL ACTION REGARDING AVIATION.—(A)(i) The President is authorized to notify the government of a sanctioned country of his intention to suspend the authority of foreign air carriers owned or controlled by the government of that country to engage in foreign air transportation to or from the United States.

"(ii) Within 10 days after the date of notification of a government under clause (i), the Secretary of Transportation is authorized to take all steps necessary to suspend at the earliest possible date the authority of any foreign air carrier owned or controlled, directly or indirectly, by that government to engage in foreign air transportation to or from the United States, notwithstanding any agreement relating to air services.

"(B)(i) The President may direct the Secretary of State to terminate any air service agreement between the United States and a sanctioned country, in accordance with the provisions of that agreement.

"(ii) Upon termination of an agreement under this subparagraph, the Secretary of

Transportation is authorized to take such steps as may be necessary to revoke at the earliest possible date the right of any foreign air carrier owned, or controlled, directly or indirectly, by the government of that country to engage in foreign air transportation to or from the United States.

"(C) The Secretary of Transportation may provide for such exceptions from subparagraphs (A) and (B) as the Secretary considers necessary to provide for emergencies in which the safety of an aircraft or its crew or passengers is threatened.

"(D) For purposes of this paragraph, the terms 'air transportation', 'air carrier', 'foreign air carrier', and 'foreign air transportation' have the meanings such terms have under section 101 of the Federal Aviation Act of 1958 (49 U.S.C. App. 1301).

"(4) PROHIBITION ON VESSELS THAT ENTER PORTS OF SANCTIONED COUNTRIES TO ENGAGE IN TRADE.—

"(A) IN GENERAL.—Beginning on the 10th day after a sanction is imposed under this Act against a country, a vessel which enters a port or place in the sanctioned country to engage in the trade of goods or services may not, if the President so requires, within 180 days after departure from such port or place in the sanctioned country, load or unload any freight at any place in the United States.

"(B) DEFINITIONS.—As used in this paragraph—

"(i) the term 'vessel' includes every description of water craft or other contrivance used, or capable of being used, as a means of transportation in water, but does not include aircraft; and

"(ii) the term 'United States' includes the territories and possessions of the United States and the customs waters of the United States (as defined in section 401 of the Tariff Act of 1930 (19 U.S.C. 1401)).

"SEC. 606. WAIVER.

"The provisions of sections 604 and 605 shall not apply with respect to a specific foreign person or country if the President determines, and so reports to the Congress, that to do so would jeopardize the national security interests of the United States.

"SEC. 607. REPORTING REQUIREMENT.

"(a) ANNUAL REPORT.—Beginning one year after the date of enactment of this Act, and every 12 months thereafter, the President shall submit a report to the Congress detailing—

"(1) all transfers made during the preceding 12-month period which are subject to any sanction under this title, whether by a foreign government, a United States person, or a foreign person; and

"(2) the actions the President intends to undertake or has undertaken under the provisions of this Act with respect to such transfers.

"(b) REPORT ON INDIVIDUAL TRANSFERS.—Whenever the President determines that a United States person or foreign person or foreign government has made a transfer which is subject to any sanction under this title, the President shall, within 30 days of such transfer, submit to the Congress a report—

"(1) identifying the United States person or foreign person or government and providing the details of the transfer; and

"(2) describing the actions the President intends to undertake or has undertaken under the provisions of this Act with respect to each such transfer.

"(c) FORM OF TRANSMITTAL.—Reports required by this section may be submitted in classified as well as in unclassified form.

"SEC. 608. CONSTRUCTION.

"Nothing in this title may be construed to prohibit the application of any other sanction against Iraq, Iran, or any sanctioned country which may be imposed pursuant to any other provision of law.

"SEC. 609. DEFINITIONS.

"For purposes of this title—

"(1) the term 'advanced conventional weapons' includes—

"(A) long-range precision-guided munitions, fuel air explosives, cruise missiles, low observability aircraft or other radar evading aircraft, military satellites, electro-magnetic weapons, and laser weapons, and

"(B) advanced command, control and communications systems, electronic warfare systems, or intelligence collection systems that the President determines destabilizes the military balance or enhances offensive capabilities in destabilizing ways,

except that the President may by regulation add or remove from this paragraph such items or systems as he may determine necessary;

"(2) the term 'cruise missile' means guided missiles that use aerodynamic lift to offset gravity and propulsion to counteract drag;

"(3) the term 'export' means—

"(A) an actual shipment, transfer, or transmission of goods or technology out of the United States;

"(B) a transfer of goods or technology in the United States to an embassy or affiliate of a controlled country; or

"(C) a transfer to any person of goods or technology either within the United States or outside of the United States with the knowledge or intent that the goods or technology will be shipped, transferred, or transmitted to an unauthorized recipient;

"(4) the term 'foreign person' means any person other than a United States person;

"(5) the term 'good' means any article, natural or manmade substance, material, supply or manufactured product, including inspection and test equipment, and excluding technical data;

"(6) the term 'person' means any individual, partnership, corporation, or other form of association;

"(7) the term 'sanctioned country' means a country against which the sanctions of section 604 are required to be imposed;

"(8) the term 'technology' means the information and know-how (whether in tangible form, such as models, prototypes, drawings, sketches, diagrams, blueprints, or manuals, or in intangible form, such as training or technical services) that can be used to design, produce, manufacture, utilize, or reconstruct goods, including computer software and technical data, but not the goods themselves;

"(9) the term 'United States assistance' means—

"(A) assistance under the Foreign Assistance Act of 1961;

"(B) sales, credits, and guarantees under the Arms Export Control Act;

"(C) sales and donations of agricultural commodities under the Agricultural Trade Development and Assistance Act of 1954;

"(D) financing by the Commodity Credit Corporation for export sales of agricultural commodities; and

"(E) financing under the Export-Import Bank Act of 1945; and

"(10) the term 'United States person' means any United States resident or national (other than an individual resident outside the United States and employed by other than a United States person), any domestic concern (including any permanent domestic establishment of any foreign concern) and any foreign subsidiary or affiliate (including any permanent foreign establishment) of any domestic concern which is controlled in fact by such domestic concern, as determined under regulations of the President.".

IRAN AND WEAPONS OF MASS DESTRUCTION

(By Anthony H. Cordesman)

Iran has long sought weapons of mass destruction, and the means to deliver them, although its efforts cannot be compared to Iraq. Iran has lacked the resources to finance a massive world-wide purchasing effort, and its revolutionary turmoil has limited its access to foreign technology and the efficiency of its industrial base. Iran has, however, sought long range missiles, produced chemical weapons, developed biological weapons, and made efforts to acquire nuclear weapons.

IRAN'S LONG RANGE MISSILE PROGRAMS

Iran relied on its force under the Shah, and made no effort to acquire long range missiles until the beginning of the Iran-Iraq War. Iraq began to fire FROG-7s at Iranian positions during the first weeks of the Iran-Iraq conflict, however, and Iran responded by making a major effort to develop and employ its own long range unguided rockets. This effort had made considerable progress by the mid-1980s. Iran claimed that it had over 100 factories manufacturing some sort of part or equipment for missiles and rockets, with major production facilities at Sirjan and a launch facility at Rafsanjan. These reports are unquestionably exaggerated, but Iran did succeed in 1985 in producing its own version of a Chinese Type-83 artillery rocket, which it called the Oghab. It also tried to develop its an original design for long range rocket, which it called the Iran-130.[1]

Iran used the Oghab in combat almost as soon as it entered production. It made about 325 Oghab rockets, and to have fired roughly 260–270 rockets out of this total between 1985 and the cease-fire in the Iran-Iraq War August, 1988. The Oghabs only had a range of 40 kilometers, however, and they lacked the range and/or accuracy to hit anything smaller than large area targets like assembly areas and cities. The Oghabs also had only a 70–300 kilogram warhead, and their operational CEP proved to be in excess of 1,000 meters.[2] Further, Iran had no way to accurately target the Oghab. The most it could do was to launch the Oghab's at the Iraqi cities near the border. These targets included Basra, Abu al-Khasib, Al-Zuybar, Umm-Qasr, Mandali, Khanaqin, and Banmil, but the Oghab had such a small warhead that ever successful hits in urban areas only did minor damage. Such strikes had far less effect than artillery barrages.[3]

Iran failed to develop and produce its longer range IRAN–130 in any numbers. The full details of this system remain unclear, but it seems to have been an attempt to use commercially available components and a simple inertial guidance system to build a missile that could reach ranges of about 80 miles (130 kilometers).[4] In practice, the "missile" was little more than a solid fuel free rocket with a jury-rigged guidance system. It proved highly unreliable, and only reached a maximum range of about 120 kilometers. It had very poor reliability and accuracy, and its payload only seems to have been several hundred kilograms at most. Some IRAN 130s were deployed to the regular Pasdaran, and the first such missiles were

Footnotes at end of article.

fired against Al-Amarah on March 19, 1988. Four more were fired against the city in April, but it is unclear that any of these strikes hit their targets or had any tactical effect.

In contrast to free rockets, Iranian efforts to use the Soviet-designed Scud B guided missile did have an impact on the war. The Scud B is a relatively old design and first became operational in 1967, and has a maximum range of 290-310 kilometers with its normal conventional payload, and a maximum flight time of 325 seconds.[5] The missile is 11.25 meters long, is 85 centimeters in diameter, and weighs 6,300 kilograms, and has a warhead weighing about 1,000 kilograms, of which 800 kilograms are high explosive and 200 are the warhead structure and fusing system.[6] It has a single stage storable liquid rocket engine and is usually deployed on the MAZ-543 eight wheel transport-erector-launcher (TEL). It has a strap-down inertial guidance using three gyros to correct its ballistic trajectory, and uses internal graphite jet vane steering. It has a warhead that detaches from the missile body during the final fall towards target. This provides added stability and allows the warhead to hit a velocity above Mach 1.5.[7]

Iran fired its first Scuds in March, 1985. It fired as many as 14 Scuds in 1985, 8 in 1986, 18 in 1987, and 77 in 1988. These missile attacks initially were more effective than those of Iraq. All of Iraq's major cities were comparatively close to its border with Iran, but Tehran and most of Iran's major cities that had not already been targets in the war were outside the range of Iraqi Scud attacks. Iran could never exploit its range advantage, however, because it lacked the number of missiles needed to sustain frequent attacks or deliver large amounts of high explosive at a given time, and Iraq had vastly superior air resources it could use as a substitute for or supplement to missile attacks. Further, most Iranian missiles struck outside Baghdad.[8] Even the missiles that did hit inside the city often hit in open spaces, and even direct hits on buildings rarely produced high casualties. Iran never hit any of its proclaimed major targets.

Like Iraq, Iran sought to improve the capabilities of its Scuds through out most of the 1980s. Iran, however, had no real success in developing longer range missiles during the Iran-Iraq War, and its wartime claims to be manufacturing Scuds in Iran were false. Although Iran claimed during the course of 1985-1988 that it had over 100 factories manufacturing some sort of part or equipment for missiles and rockets, it failed to demonstrate any production capability as late as 1991.[9]

This failure to develop a longer range Scud explains Iran's interest in the PRC's "M-9" and "M-11" group of missiles, and surface-to-surface conversions of surface-to-air missiles during.[10] It also explains why Iran is importing and/or manufacturing a Northern Korean upgrade of the Scud with ranges in excess of 500 kilometers, a payload of at least 500 kilograms, and with relatively high accuracy and reliability. Various sources indicate that anywhere from 15 to several hundred of these North Korean "Scud" missiles were delivered during 1991—but it seems unlikely that more than 50 of the new missiles were delivered and likely that any additional missiles were deliveries of the older Scud B. Iran also, however, served as a transshipment point for North Korean missile deliveries during 1992, and there are reports that Iran and Syria are cooperating in the development of missile production capabilities.[11]

There are indications that Iran has bought PRC-made CSS-8 missiles, with ranges of approximately 150 kilometers. Iran has definitely obtained 60-100 C-801 or YF-6 missiles from the PRC. These short range ballistic missiles can be launched from the land, ships, and aircraft. They have a range of approximately 70 kilometers in the surface-to-surface mode, and use J-Band active radar guidance. Further, it is virtually certain that Iran has had at least some Chinese aid for part of its nuclear weapons effort, and is continuing to manufacture chemical weapons and develop biological weapons.

IRANIAN CHEMICAL WEAPONS

Like Iraq, Iran signed the Geneva Protocols of 1925, prohibiting the use of poison gas, and both have signed the Biological Warfare Convention of 1972, banning the development, production, and deployment or stockpiling of biological weapons.[12] Nevertheless, Iran has actively sought weapons of mass destruction since the early 1970s, and used poisoned gas during the Iran-Iraq War.

Iran became serious about chemical warfare much later than Iraq, but it is hardly surprising that Iraq's attacks led Iran into a crash effort to purchase massive stocks of chemical defense gear and to develop its own chemcial agents. The purchase of defense gear proved relatively easy, and Iran obtained large stocks of such gear after 1984. Iran also obtained large stocks of non-lethal CS gas, although it quickly found such gas had limited military impact—since it could only be used effectively in closed areas or very small open air areas.

Acquiring poisonous chemcial agents proved far more difficult. Iran did not have the capacity to manufacture poisonous chemical agents when Iraq launched its chemical attacks.[13] While Iran seems to have made limited use of chemical mortar and artillery rounds as early as 1985—and possibly as early as 1984—these rounds were almost certainly captured from Iran.[14]

Iran only seems to have begun a crash effort to create a domestic chemical weapons production capability in 1983-1984. It sought aid from European firms like Lurgi to produce large "pesticide" plants, and began to try to obtain the needed feedstock from a wide range of sources, relying heavily on its Embassy in Bonn to manage the necessary deals. While Lurgi did not provide the pesticide plant Iran sought, Iran did obtain substantial support from other European firms and feedstocks from a wide range of Western sources.[15]

These efforts began to pay off in 1986-1987.[16] Iran began to produce enough lethal agents to load its own weapons.[17] The Director of the CIA and informed observers in the Gulf have indicated that Iran could produce mustard gas and blood agents like hydrogen cyanide, phosgene gas, and/or chlorine gas by 1987.[18] These gas agents were loaded into bombs and artillery shells, and were used sporadically against Iraq in 1987 and 1988.

Iran was beginning to produce significant amounts of mustard gas and nerve gas by the time of the August, 1988 cease fire in the Iran-Iraq War, but never succeed in using poison gas effectively during the war. Iranian troops could not be trained and equipped to use chemical weapons effectively at a time when Iraqi forces had vastly superior experience and were scoring major victories along the entire front. It is interesting to note, however, that debates took place in the Iranian Majlis in late 1988 over the safety of Pasdaran gas plants located near Iranian towns, and that Rafsanjani described chemical weapons as follows:

"Chemical and biological weapons are poor man's atomic bombs and can easily be produced. We should at least consider them for our defense. Although the use of such weapons is inhuman, the war taught us that international laws are only scraps of paper."[19]

The exact status of Iran's current capabilities is unknown. It is clear, however, that Iran has established a significant chemical weapons production capability, including blood agents and nerve gases such as V-agents, and is seeking to obtain and/or manufacture surface-to-surface missiles that could be used for both chemical and nuclear strikes. There are reports that Iran may have obtained chemical weapons materials and technology from India, North Korea, West Germany, and the PRC.[20] Western intelligence experts agree that Iran can now deliver fairly large amounts of chemical weapons.

IRANIAN BIOLOGICAL WEAPONS

Experts also agree that there are strong indications that Iran is actively working on biological weapons. Rumors of such biological activity surfaced as early as 1982, along with reports that Iran was working on the production of mycotoxins—a simple biological agent that requires limited laboratory facilities.[21] These rumors were confirmed by U.S. intelligence sources in August, 1989, when it became clear that Iran was trying to buy tow new strains of fungus from Canada and the Netherlands.[22] German sources indicated that Iran had successfully purchased such cultures several years earlier.

The Imam Reza Medical Center at Mashed Medical Sciences University and the Iranian Research Organization for Science and Technology were identified as the end users for this purchasing effort, but it is likely that the true end user is an Iranian government agency specializing in biological warfare. It also seems likely that Iran has conducted extensive research on more lethal active agents like Anthrax and on biotoxins. Little is known about the state of the Iranian effort, weaponization, and volume of production. Unclassified sources have identified a facility at Damghan as working on both biological and chemical weapons research and production, and Iran may be producing biological weapons at a pesticide facility near Tehran.[23]

IRANIAN NUCLEAR WEAPONS

Like other Middle Eastern proliferators, Iran has found it difficult to build nuclear weapons. Nevertheless, Iran has long been involved in trying to create a nuclear weapons program. Iran began its efforts while the Shah of Iran was still in power and had excellent access to Western technology. As a result, its initial efforts were far more ambitious than those of Iraq. In the early 1970s, the Shah acquired Iran's first nuclear reactor from the U.S. for the Tehran Nuclear Research Center. This five megawatt university reactor was originally supplied by the U.S., and started up in 1967. It uses a core with 93% enriched uranium, which is suitable for some forms of nuclear weapons.

The Shah established the Atomic Energy Organization of Iran in 1974, and rapidly began to negotiate for nuclear power plants. He concluded an extendible ten year nuclear fuel contract with the U.S. in 1974, with Germany in 1976, and France in 1977. In 1975, he purchased a 10% share a EURODIF uranium enrichment plant being built in France.[24]

The Shah sought more than weapons. He wanted to develop a nuclear power capability to reduce Iran's internal demand for oil, ex-

pand Iran's industrial infrastructure, and protect Iran's industrial growth once it depleted its oil reserves. This led the Shah to create an extremely ambitious plan calling for a network of 23 power reactors throughout Iran that was to be operating by the mid-1990s. By the time the Shah fell in January, 1979, he was already attempting to purchase 12 nuclear power plants from the FRG, France, and U.S. Two 1,300 megawatt German plants at Bushehr were 60% and 75% completed, and site preparation work had begun on the first of two 935 megawatt French plants at Darkhouin that were to be supplied by Framatome.[25] Thousands of Iranians were training in nuclear technology in France, the FRG, India, the U.K., and U.S.

Far less publicly, the Shah began a nuclear weapons research program, centered at the Tehran Research Center.[26] This research effort included studies of weapons designs, plutonium recovery from spent reactor fuel, and a laser enrichment program which began in 1975, and led to a complex and highly illegal effort to obtain laser separation technology from the U.S. This latter effort continued from 1976 until the Shah's fall, and four lasers operating in the critical 16 micron band were shipped to Iran in October, 1978.[27] At the same time, Iran worked on ways to obtain plutonium. It created a secret reprocessing research effort to use enriched uranium, and set up a small nuclear weapons design team.[28]

In 1976, Iran signed a secret contract to buy $700 million worth of yellow cake from South Africa, and seems to have reached an agreement to buy up to 1,000 metric tons a year.[29] It is unclear how much of this ore South Africa shipped before it agreed to adopt IAEA export restrictions in 1984, and whether South Africa really honors such export restrictions even now.[30] Iran also tried to purchase 26.2 kilograms of highly enriched uranium; the application to the U.S. for this purchase was still pending when the Shah fell.

The new Khomenini government let much of the Shah's nuclear power program collapse during 1979 and 1980, although it kept the core Iran's nuclear research effort going. The Khomeini government began to revive the nuclear program in 1981, however, after Iraq had invaded Irans' territory. The government provided new funds to the research teams operating the U.S. supplied reactor at Tehran University, although it continued to operate the reactor under IAEA safeguards. At least one senior official of the new government, Mohammed Behesti, stated to senior officials managing the nuclear research effort in 1981, that the mandate of Iran's nuclear program was now to develop a nuclear weapon. Iran's former President Al Khomeini may have implied the same thing in a speech to the Atomic Energy Organization in 1987.[31]

Iran also seems to have revitalized its laser isotope separation program in 1983, and held several conferences on the subject, including an international conference in September, 1987. It opened a new nuclear research center in Isfahan in 1984, and sought French and Pakistani help for a new research reactor for this center. The Khomeini government may also have obtained several thousand pounds of uranium dioxide from Argentina by purchasing it through Algeria. Uranium dioxide is considerably more refined than yellow cake, and is much easier to use in irradiating material in a reactor to produce plutonium.[32]

In 1984, the Khomeini government began to restart work at the Bushehr reactor complex, although the FRG officially refused to support the rebuilding effort until the war ended. Iran got around this refusal by obtaining Argentine support in completing the Bushehr 1 reactor, which was 75% finished. Reports surfaced in April, 1987 that the Argentine nuclear power agency, CNEA, had signed an agreement with Iran.[33] CNEA works closely with West Germany's Kraftwerk Union (KWU), which had the original contract for the reactor. The Spanish firm Impresarios Agupados may also have been part of the consortium.[34]

These Iranian efforts suffered major set backs during the Iran-Iraq War when Iraq repeatedly bombed Iran's reactor projects at Bushehr. Iraqi bombings occurred on March 24, 1984. February 12, 1985, March 4 or 5, 1985, July 12, 1986, November 17, 1987, November 19, 1987, and July 19, 1988, at least some foreign technicians died during these bombings, and work on the reactors was often suspended. It is interesting to note, however, that the 1987 and 1988 raids may have been a response to the fact that Iran had begun to move IAEA safeguarded material to the area in February, 1987.[35] While the FRG firm Kraftwerk Union officially pulled out of the Bushehr project in September, 1980. KWU or a proxy firm seems to have been working on the reactor when Iraqi aircraft bombed it on November 17, 1987. Several Kraftwerk technicians were injured and one was killed.[36]

Since 1987, the course of the Iranian program has become far harder to trace, and it has been the source of many unconfirmed rumors, U.S. exports believe that Iran has such a program, but do not believe that is anywhere nearly as advanced as Iraq's program was before the Gulf War. The International Atomic Energy Agency has also inspected many facilities rumored to be the site of Iran's nuclear weapons efforts by anti-regime groups like the People's Mujadeen. Its inspections did not find any of the rumored facilities, and in some cases conclusively indicated that the rumors were false.

It seems likely that Iran has attempted to build its program slowly by concentrating on research, rather than leaping forward by brute force massive investments of the kind made by Iraq. Even then, it has not always been successful.

For example, Argentina agreed to train Iranian technicians at its Jose Balaseiro Nuclear Institute, and sold Iran $5.5 million worth of uranium for its small Tehran university reactor in May, 1987. A CENA team visited Iran in late 1987 and early 1988, and seems to have agreed to sell Iran the technology necessary to operate its reactor with 20% enriched Uranium as a substitute for the highly enriched core provided by the U.S., and possibly uranium enrichment and plutonium reprocessing technology as well.[37] Changes in Argentina's government then, however, made it much less willing to support proliferation. The Argentine government announced in February, 1992, that it was canceling an $18 million nuclear technology sale to Iran because it had not signed a nuclear safeguards arrangement. Argentine press sources suggested, however, that Argentina was reacting to U.S. pressure.[38]

Iran has had equal problems in restarting its reactor program. It does seem to have had some success in getting German help in rebuilding one of its reactors near Busher.[39] It has not, however, found a source of new major reactors, although it has certainly tried. In February, 1990 a Spanish paper reported that Associated Enterprises of Spain was negotiating to complete the two nuclear power plants at Busher. Another Spanish firm called ENUSA (national Uranium Enterprises) was to provide the fuel, and Kraftwerk Union (KWU) would be involved. Later reports indicated that a 10 man delegation from Iran's Ministry of Industry was in Madrid negotiating with the Director of Associated Enterprises, Adolofo Garcia Rodriguez.[40]

These reports were followed in March, 1990 by reports that the USSR had provided an initial agreement to work on two 440 megawatt nuclear power plants in Iran, and that this might include both a new power plant and completion of the two PMR unit at Bushehr.[41] The same month, reports surfaced that South Korea was exploring the possibility of participating in rebuilding the facilities at Bushehr, and that the Korea Power Engineering Company (KOPEC) had sent a survey team to Iran to look at the project.[42]

Iran has also sought nuclear reactors from India. In 1992, reports surfaced that Iran and India were negotiating the sale of a 10 megawatt research reactor. While such a reactor is comparatively small, it can still produce enough Plutonium or enriched Uranium to produce the fissile material for about one bomb a year if it is run 24 hours a day. It is also interesting that India seems to have offered a 5 megawatt reactor for research purposes, but that Iran pressed harder for a larger 10 megawatt reactor. These same reports indicated that Iran was seeking a 220 megawatt power reactor.[43]

Given the fact that none of these reports of new reactor programs have yet been followed by major construction activity, and that Iran's only significant reactor is the small 5 megawatt research reactor that the U.S. supplied it in 1967, it is unlikely that Iran will have nuclear weapons before the late-1990s.[44] The U.S. reactor is under IAEA inspection, and the reactor at Busher will be under IAEA inspection, even if it comes on line early enough to be a potential source of weapons grade material.

Iran has, however, engaged in activities which may give it more of the resources it needs. Iran has found sources of raw material. While it has never been able to use the Shah's 10% investment in EURODIF to obtain enriched material, there are significant uranium deposits (at least 5,000 tons) in the Shagand region of Iran's Yazd Province.[45] There are also reports that Iran has a Uranium processing or enrichment facility at Pilcaniyeu. Iran announced plans to set up a yellow cake plant in Yazd Province in 1987, and this facility was under construction by 1989.[46] It may have opened a new uranium ore processing plant close to its Shagand uranium mine in March, 1990, and it seems to have extended its search for Uranium ore into three new areas.[47]

Iran has also found sources of nuclear technology. On February 7, 1990, the speaker of the Majlis publicly toured the Iranian Atomic Energy Organization and opened a new Jabir Ibn al Hayyan laboratory to train Iranian nuclear technicians.[48] Reports surfaced later that Iran had at least 200 scientists and a work force of about 2,000 working on nuclear research.

Pakistan signed a nuclear cooperation agreement with Iran in 1987. Specialists from Iran's Atomic Energy Organization began to train in Pakistan, and Dr. Abdul Qadeer Khan, who has directed much of Pakistan's effort to develop nuclear weapons material, visited Tehran. There are some reports that Pakistan is aiding Iran in developing plutonium extraction and other weapons technologies. There are also reports that Iran may have obtained nuclear weapons materials and technology from India, North Korea, and the PRC.[49] However, Pakistan de-

nied it was giving Iran assistance in creating a nuclear center at Kazmin in November, 1990. It also indicated in 1992 that it had denied an Iranian request to provide nuclear weapons technology, and U.S. experts indicated that this denial was probably correct.[50]

Iran also established research ties to the PRC, although their military significance has sometimes been exaggerated. The two countries signed a nuclear research cooperation agreement in 1990. In 1989, the PRC sold Iran a Calutron. This, however, was only a 1 milliamp machine versus the 600 milliamp machines used by Iraq in its weapons enrichment efforts, and was so small that it was suitable only for research purposes—specifically to test insulators and liners and to produce stable isotopes of zinc for pharmaceutical purposes. In 1991, the PRC sold Iran a small 27-kilowatt research reactor which was located at Isfahan, but which was far too small to produce fissile materials.[51]

There is no evidence that Iran has major facilities to enrich Uranium or design and produce weapons. The People's Mujadeen, an anti-regime group has reported that Iran has a number of major nuclear weapons facilities. It reported that these included weapons site near Quazvin on the Caspian, two Soviet supplied 450 megawatt reactors at Gorgan on the Caspian, a weapons site at Moallem Kalayeh in the northern Elbruz mountains, a Calutron facility near Isfahan, a major Uranium mining facility at Shaghand, a nuclear reactor at Karaj, and a weapons facility in the south central part of Iran near the Iraqi border.[52] The IAEA, however, inspected six of these sites for the first time in February, 1992. It found no sign of weapons activity at any of these sites: The site at Moallem Kalayeh was nothing but a motel sized retreat, a Calutron was found at Isfahan but was far too small for weapons purposes, and only minor Uranium exploration efforts were found at Shaghand.[53] Similarly, reports that Iran has hired large numbers of Soviet scientists, bought weapons grade material from the Soviet Union, or even bought nuclear armed missiles from Khazakstan during the spring of 1992 all proved exaggerated or incorrect.[54]

In spite of these developments, it seems clear that Iran is willing to allocate major resources to continuing its nuclear weapons efforts, as well as continue its efforts to improve its chemical weapons and develop biological weapons. Robert Gates, the Director of Central Intelligence, testified to Congress in February, 1992, that Iran was, "Building up its special weapons capability as part of a massive * * * effort to develop its military and defense capability."[55] Further, Iran's difficulties in nuclear proliferation may well lead it to accelerate its production of chemical and biological weapons and to develop and produce more lethal systems.

FOOTNOTES

[1] The following details of the Iranian missile program are taken from W. Seth Carus and Joseph S. Bermudez, "Iran's Growing Missile Forces," Jane's Defense Weekly, July 23, 1988, pp. 126-131.

[2] Iran publicly displayed the Oghab at a military show in Libreville in 1989. It is 230 mm in diameter, 4,820 mm long, and weighs 320 kilograms, with a 70 kilogram warhead. Iran also displayed another rocket called the Nazeat, which is 355 mm in diameter, 5,900 mm long, weighs 950 kilograms and has a 180 kilogram warhead. Jane's Defense Weekly, February 11, 1989, p. 219; Lora Lumpe, Lisbeth Gronlund, and David C. Wright, "Third World Missiles Fall Short," The Bulletin of the Atomic Scientists, March, 1992, pp. 30-36.

[3] Jane's Defense Weekly, June 20, 1987, p. 1289; Lora Lumpe, Lisbeth Gronlund, and David C. Wright, "Third World Missiles Fall Short," The Bulletin of the Atomic Scientists, March 1992, pp. 30-36.

[4] Some estimates indicate a range of up to 200 kilometers. For background on the system, see Financial Times, June 8, 1988, p. 20, and The Middle East, April 1988, pp. 1 and 18.

[5] The reader should be aware that all such performance data are nominal, and that various sources report significant differences in given performance characteristics.

[6] CRS Report for Congress, Missile Proliferation: Survey of Emerging Missile Forces, Congressional Research Service, Report 88-624F, February 9, 1989, pp. 52-53.

[7] Edward L. Korb Editor, The World's Missile Systems, Seventh Edition, General Dynamics, Pomona Division, April, 1982, pp. 223-226.

[8] Iran had to target an inherently inaccurate missile without the kind of maps, satellite aids, and other targeting systems to correct for the fact the world is not perfectly round, and the inevitable bias errors in the missile's guidance systems. Beyond visual range targeting in excess of 200 miles is a major problem for nations without extensive test ranges and satellite or other advanced intelligence systems.

[9] The following details of the Iranian missile program are taken from W. Seth Carus and Joseph S. Bermudez, "Iran's Growing Missile Forces," Jane's Defense Weekly, July 23, 1988, pp. 126-131.

[10] Baltimore Sun, March 9, 1989; New York Times, March 12, 1992, p. A-12; Washington Post, February 2, 1992, p. A-1; Lora Lumpe, Lisabeth Gronlund, and David C. Wright, "Third World Missiles Fall Short," The Bulletin of the Atomic Scientists, March 1992, p. 30-36.

[11] Iran allowed a Northern Korean freighter to dock at Bandar Abbas and transshipped to missiles by air. Syria is reported to have allowed Iran to deliver arms to the Hizbollah and Party of God in Lebanon in return. Defense News, October 16, 1989, p. 60; Washington Times, June 18, 1990, p. A1, March 10, 1992, p. A-3; Lora Lumpe, Lisbeth Gronlund, and David C. Wright, "Third World Missiles Fall Short," The Bulletin of the Atomic Scientists, March, 1992, pp. 30-36.

[12] General references for this section include "Chemical and Biological Warefare," Hearing Before the Committee on Foreign Relations, U.S. Senate, 91st Congress, April 30, 1969; Department of Political and Security Council Affairs, Chemical and Bateriological (Biological) Weapons and the Effects of Their Possible Use, Report of the Secretary General, United Nations, New York, 1969; unpublished testimony of W. Seth Carus before the Committee on Governmental Affairs, U.S. Senate, February 9, 1989; W. Seth Carus, "Chemical Weapons in the Middle East," Policy Focus, Number Nine, Washington Institute for Near East Policy, December, 1988; unpublished testimony of Mr. David Goldberg, Foreign Science and Technology Center, U.S. Army Intelligence Agency, before the Committee on Governmental Affairs, U.S. Senate, February 9, 1989; unpublished testimony of Dr. Barry J. Erlick, Senior Biological Warfare Analyst, U.S. Army, before the Committee on Governmental Affairs, U.S. Senate, February 9, 1989; unpublished testimony of Dr. Robert Mullen Cook-Deegan, Physicians for Human Rights, before the Committee on Governmental Affairs, U.S. Senate, February 9, 1989; Elisa D. Harris, "Chemical Weapons Proliferation in the Developing World," RUSI and Brassey's Defense Yearbook, 1989, London, 1988, pp. 67-88; and "Winds of Death: Iraq's Use of Poison Gas Against Its Kurdish Population", Report of a Medical Mission to Turkish Kurdistan by Physicians for Human Rights, February, 1989.

[13] Washington Times, October 29, 1986, p. 9-A.

[14] Washington Times, October 29, 1986, p. 9-A.

[15] Iran was caught trying to by 430 drums of Thiodiglycol feedstock in April, 1988, for a U.S. firm called Alcolac. Baltimore Sun, February 11, 1988, p. 6.

[16] While rumors surfaced in November, 1986, that Iran had bought nerve gas bombs and warheads from Libya—which had obtained such weapons from the USSR—these reports were almost certainly false. Iran does not seem to have used nerve gas at any time during the conflict.

[17] Washington Times, October 29, 1986, p. 9-A.

[18] Unpublished "Statement of the Honorable William H. Webster, Director, Central Intelligence Agency, Before the Committee on Governmental Affairs, Hearings on Global Spread of Chemical and Biological Weapons, February 9, 1989.

[19] IRNA (English) October 19, 1988, as reported in FBIS, Near East and South Asia, October 19, 1988, pp. 55-56.

[20] Working papers by Leonard Spector; Observer, June 12, 1988; U.S. News and World Report, February 12, 1990; FBIS—NES, March 23, 1990, p. 57; Defense and Foreign Affairs, November 20, 1989, p. 2; New York Times, July 1, 1989, May 9, 1989, June 27, 1989; Financial Times, February 6, 1992, p. 3.

[21] Such reports begin in the SIPRI Yearbooks in 1982, and occur sporadically through the 1988 edition.

[22] New York Times, August 13, 1989, p. 11.

[23] James Smith, "Biological Weapons Developments," Jane's Intelligence Review, November 1991, pp. 483-487; New York Times, August 13, 1989, p. 11.

[24] Working papers by Leonard Spector, Daniel Poneman, Nuclear Power in the Developing World, London, Allen and Unwin, 1982, Chapter 5.

[25] Some reports indicate that one reactor at Bushehr was 80% complete.

[26] Much of this analysis is based on research by Leonard Spector of the Carnegie Endowment.

[27] The lasers were exported by a firm headed by Dr. Jeffery Earkens, who had worked on classified laser enrichment technology. They seem to have been exported filled with gases that did not produce the optimal wave length for nuclear enrichment, but could be refilled with the gases necessary to produce the required wave length.

[28] *Los Angeles Times*, August 22, 1979; Leonard Spector, *Going Nuclear*, Cambridge, Ballinger, 1987, pp. 47-53' Shyam Bhatia, *Nuclear Rivals in the Middle East*, London, Routledge, 1988, p. 85; JPRS-NTD, December 23, 1989.

[29] *Observer*, May 17, 1987.

[30] Yellow cake is not subject to IAEA inspection.

[31] Working papers by Leonard Spector and *Washington Post*, April 12, 1987.

[32] Uranium dioxide is normally subject to IAEA safeguards and inspection, but Argentine compliance is uncertain. Argentina sold at least three metric tons to Algeria in January, 1986. *Nucleonics Week*, May 7, 1987, p. 6.

[33] Argentina has not ratified the nuclear non-proliferation treaty, but Iran is an NPT signatory, and Argentina has agreed to IAEA safeguards. It is unclear what impact the Argentinean agreement with Iran will have on Iran's nuclear weapons program. As has been discussed earlier, agreement to IAEA safeguards and inspection does not preclude the development of a nuclear weapon.

[34] *Washington Times*, April 22, 1987, page 6; *Economist*, "Foreign Report", April 2, 1987, p. 7.

[35] Many of the details on these aspects of the Iranian effort are drawn from working papers provided by Leonard Spector of the Carnegie Endowment, and Warren Donnelly of the Congressional Research Service. Also see *Nucleonics Week*, November 19, 1987, p. 1; November 26, 1987, p. 5; March 3, 1988, p. 7; July 28, 1988, p. 15.

[36] *Nucleonics Week*, November 19, 1987, p. 1, November 26, 1987, p. 5.

[37] The U.S. had supplied 11 pounds of 93% enriched uranium in the mid-1970s, but this was largely depleted and could not keep the reactor running continuously. Based upon work by Leonard Spector; *Nucleonics Week*, May 14, 1989, p. 2; *Observer*, March 6, 1988.

[38] Reuters, February 7, 1992, AM Cycle, and *Rio Negro*, February 7, 1992.

[39] The German firm may be Siemens or one of its subsidiaries, like KWU of Brazil. Agence France Presse, February 12, 1992; *Los Angeles Times*, January 27, 1991, p. 1; Agence France Presse, December 2, 1991.

[40] *Nuclear Engineering International*, March, 1990, p. 3.

[41] Tehran Domestic Service, March 7, 1990; *Nuclear News*, April 1990, p. 19; *Nuclear Engineering International*, May, 1990, p. 7.

[42] *Korea Times*, March 2, 1990.

[43] *Washington Post*, November 15, 1991, p. A-33; Agence France Presse, November 20, 1991; AP AM Cycle, November 15, 1991.

[44] *Nuclear Fuel*, November 25, 1991, p. 8.

[45] The agreement made under the Shah has given Iran about 250-300 metric tons of Uranium enriched to 3%. During 1980-1990, Iran refused to accept the material or pay for it. When Iran did ask for the material in 1991, France used the fact that Iran's option to obtain enriched material for its investment had expired to deny Iran shipment of the material guaranteed under the original terms of the Iranian investment. *Washington Times*, November 15, 1991, p. F-4; David Albright and Mark Hibbs, "Spotlight Shifts to Iran," *Bulletin of the Atomic Scientists*, March, 1992 pp. 9-12.

[46] *Washington Post*, April 12, 1987, p. D-1; James Bruce, "Iraq and Iran: Running the Nuclear Technology Race," *Jane's Defense Weekly*, December 5, 1988, p. 1307; working papers by Leonard Spector; JPRS-TND, October 6, 1989, p. 19.

[47] *El Independiente*, Madrid, February 5 and 6, 1990; *FBIS-Middle East*, December 1, 1988.

[48] *El Independiente*, Madrid, February 5 and 6, 1990; *FBIS-Middle East*, December 1, 1988.

[49] Working papers by Leonard Spector; *Observer*, June 12, 1988; *U.S. News and World Report*, February 12, 1990; *FBIS-NES*, March 23, 1990, p. 57; *FBIS-EAS*, December 9, 1989, December 11, 1989; Defense and Foreign Affairs, November 20, 1989, p. 2; *New York Times*, May 8, 1989, June 27, 1989.

[50] *FBIS-Near East*, December 1, 1988 and April 4, 1989; David Albright and Mark Hibbs, "Spotlight Shifts to Iran," *Bulletin of the Atomic Scientists*, March, 1992, pp. 9–12.

[51] *Washington, Times*, November 6, 1991, p. F–4, November 1, 1991, p. 7; *Los Angeles Times*, October 31, 1991, p. B–4, March 17, 1992, p. 1; David Albright and Mark Hibbs, "Spotlight Shifts to Iran," *Bulletin of the Atomic Scientists*, March 1992, pp. 9–12; *Washington Post*, October 31, 1991, p. 1, January 12, 1992, p. C–7, February 2, 1992, p. A–1.

[52] *Washington Times*, November 15, 1991, p. F–4; *Washington Post*, February 7, 1992, p. A–18; February 15, 1992, p. A–29; AP PM Cycle, February 6, 1992.

[53] *Washington Post*, February 15, 1992, pp. A–29–A–30; *Los Angeles Times*, March 17, 1992, p. 1; AP, AM Cycle, February 12, 1992; Agence France Presse, February 12, 1992;

[54] Although the possibility is a real one. *Financial Times*, January 30, 1992, p. 4; Agence France Presse, January 26, 1992; *Sunday Times*, January 26, 1992.

[55] *Los Angeles Times*, March 17, 1992, p. 1.

IRAQ AND WEAPONS OF MASS DESTRUCTION

(By Anthony H. Cordesman)

No country in the Middle East, and perhaps in the developing world, has spent so much to acquire weapons of mass destruction as Iraq. While there is no way of precisely costing Iraq's effort to acquire long range missiles and biological, chemical, and nuclear weapons, few outside experts feel that Iraq has spent less than $10 billion dollars. The U.S. Government has also released a list of 52 businesses and 32 front organizations that Iraq used to buy the materials and technology it needed for such weapons.[1]

The sheer scale of this effort only became clear after the Gulf War. Under the terms of the cease-fire in the Gulf War, Iraq committed itself to allowing the UN inspected destruction of its biological, chemical, and nuclear weapons facilities, and long range missiles. On April 3, 1991, the UN created a Special Commission to prepare a plan for the destruction and removal of Iraq's biological, chemical, and nuclear weapons materials and facilities. This Special Commission authorized the International Atomic Energy Agency (IAEA) to carry out part of this task and created a force of UN inspectors to perform to rest.

As a result of the data allied intelligence efforts uncovered during the Gulf War, and the UN inspection effort, it became apparent that Iraq had far more missiles and launchers than experts had suspected before the war, had taken routes to acquiring nuclear material unknown to Western intelligence, and had far larger numbers of missile, biological, chemical, and nuclear facilities. At the same time, Iraq continued to make every effort to conceal these facilities from the UN inspectors that were supposed to supervise them as part of the terms of the 1991 cease fire. In late 1991, Iraq had declared seven missile facilities, no biological and nuclear weapons facilities, and 11 chemical weapons facilities. UN experts privately estimated that Iraq had 52 missile storage, assembly, and maintenance facilities, 13 facilities associated with biological weapons, 48 facilities associated with chemical weapons, and 20 facilities associated with nuclear weapons. Even these totals, however, may well have been an undercount.

IRAQ'S MISSILE WEAPONS AND THE DEVELOPMENT OF THE AL-HUSSEIN

Iraq started the use of surface-to-surface missiles and rockets in the Iran-Iraq War by firing FROG–7s at Iranian positions during the first weeks of the conflict. Iraq soon found, however, that these rockets had little military effect. They did not carry an effective conventional warhead, and Iraq lacked any means of effective beyond visual range (BVR) targeting. A good example of this lack of effectiveness occurred early in the war when Iraq fired four FROG 7 surface-to-surface rockets in an attempt to disorganize some of the staging areas of the Iranian Army near Dezful and Ahwaz. The rockets exploded without producing any significant casualties.

The reasons why the FROGs proved ineffective are easy to understand, and illustrate why the proliferation of long range guided missiles is being given so high a priority relative to unguided rockets. The FROG-7, which is also called the R65A or Luna, is an obsolete system. While it does have a high explosive warhead with up to 455 kilograms of high explosive, it was designed primarily to use nuclear warheads, is too inaccurate for use as a conventional weapon.[2]

Iraq made more effective use of the Scud, largely against Iranian population centers to the rear of the battlefield.[3] Iraq initially used the unmodified Scud B, with a range of 280 kilometers, a CEP of 1.0 kilometers, and a 1,000 kilogram warhead. Iraq first acquired these missiles in 1975, and used them against Iran as early as October, 1980. Typical targets included cities nearer the border like Dezful, Ahwaz, Khorramabad, and Borujerd (190 kilometers from the Iran-Iraq border). Iraq could not attack key targets like the Iranian capital of Tehran with the Scud B, however, because Tehran was about 510 kilometers from the Iraqi border—about 220 kilometers beyond the range of the Scud B.[4]

Iraq tried from 1982 onwards to acquire the longer range missiles it needed to attack targets deep in Iran. There is still considerable uncertainty as to exactly how Iraq got the technology to modify its Scuds. Various sources have claimed Iraq received Chinese, Egyptian, French, German, and/or Soviet help. All of these claims may be true, and other nations seem to be involved. Many firms have now been named as sources of assistance to Iraq's missile efforts, and several have been named specifically as provided assistance to Iraq in extending the range of the Scud.

In any case, these efforts first paid off in August, 1987, when Iraq announced it had tested a missile with a range of about 375–400 miles, or 650 kilometers.[5] This came to be called the Al Husayn, and gave Iraq Scuds that could reach Tehran and Qom from positions south of Baghdad, and Iraq soon began to use them. Iraq fired an average of nearly three Scuds a day, and some estimates indicate that it fired over 160 missiles at Tehran between February 29 and April 18, 1988.[6]

There is still some controversy over the way in which Iraq extended the range of the system. It could have modified a standard Scud by (a) cutting its warhead payload from around 800 kilograms to around 200–250 kilograms, (b) altering it to burn all its propellant at the cost of reliability, or (c) doing both.[7] The latter explanation seems most likely. Iraq could also have gotten higher payloads of up to 500 kilograms by using strap-on boosters—since there are unconfirmed reports of weld marks and other alterations on fragments of the Scuds recovered in Iran—but most experts now discount this possibility.

The improved Iraqi Scuds seem to have had ranges of over 550 kilometers, and re-fire times of 60 minutes versus 160 minutes for the earlier model Scuds. The precise range capabilities of Al Husayn could not be determined as a result of the attacks made during either the Iran-Iraq or Gulf wars because the Iraqis regularly moved the missile launch sites during this phase of their attack.[8] One Israeli source, however, estimates that the Al Husayn has a maximum range of 600 kilometers, a warhead weight of 300 kilograms, and a flight time of 420 seconds, and a CEP of around 1,700–2,300 meters.[9] Several U.S. experts feel this estimate may be right although some quote a range of 375 miles and a warhead weight of only 250 pounds.[10]

THE AL-ABBAS AND IRAQ'S MISSILE DEVELOPMENTS AFTER THE IRAN-IRAQ WAR

After the August, 1988 cease-fire, Iraq went on to develop more advanced missiles. It also tested and deployed chemical warheads for its regular Scuds, and may have done so for its Al Husayns and Al Abbas.[11] The timing of Iraq's chemical tests is uncertain, and Iraq did not have high quality chemical warheads at the time the Gulf War began, but UN inspection efforts later strongly indicates that Iraq developed its missile warheads to the point of readiness for deployment after the cease-fire.[12]

On April 25, 1988, Iraq tested a longer range missile called the Al-Abbas which reached a target area about 530 miles (850 kilometers) from the launch site. The Al-Abbas underwent further development during 1988 and 1989, and matured into a system with a range of 700–900 kilometers, a 100 to 300 kilogram payload, a flight time of 540 seconds, and seems to have an operational CEP at maximum range of 2,500 to 3,000 meters.[13] This maximum range was not tested during the Gulf War, and some experts feel the missile's range may be well below 800 kilometers and the payload is below 200 kilograms. The Al-Abbas's CEP also varies with range. It seems to have relatively high accuracy up to 400 kilometers, medium-high accuracy at 600 kilometers and poor accuracy beyond 700 kilometers.[14]

It is not completely clear whether the Al-Abbas missile is a still further modification of the Scud with additional fuel capacity, or an original design, but now seems very likely that it is a Scud modification which stretched the body of the original missile. This development was made possible by the fact that Iraq invested up to $3 billion on missile and other advanced weapons facilities between 1980 and 1990, and this funded a massive missile and highly modern research and development establishment.

The agency managing the activity seems to have been the "State Organization for Technical Industries—Sa'ad General Establishment", although some sources report it was managed by the office of Lt. General Amer Hammoudi al Saadi, the First Deputy Minister of Industry and Military Industrialization, and head of Iraq's Military Production Authority. Some sources refer to this as "Project 395", but so many designations have been applied to various Iraqi facilities and activities that there is no way to be sure of the program's title.[15]

The details of the various programs under the Military Production Authority are also far from clear, but one key missile development facility, with tunnels and rocket motor test ramps, was located at Al Kindi near Mosul in northern Iraq—and nicknamed "Sa'ad 16". Iraq also built a chemical and fuel facility called "DO–1" or "Project 96" at Al-Hillah, about 17 kilometers south of

Baghdad, and an engineering workshop and Scud assembly plant called "DO-2" or "Project 124" near Fallujah.[16] The scale of Iraq's efforts at Al-Hillah is illustrated by the fact an explosion at the Al-Hillah missile facility on August 17, 1989 killed up to 700 people, but did not produce a prolonged halt in work activity at the site.[17]

There was also a major Space Research Center at An-anbar in the desert near Karbala.[18] There was a rocket test range called DO-3 near Karbala, and several experts feel that Iraq had at least three to four more major fuel production, missile production, testing facilities.[19] These included two facilities west of Rutba, one near Mosul, and one near Mahmuniyan.[20]

These facilities did far more than work on modified versions of the Scud. Iraq established research links with Argentina and Egypt, and joined them in a project called Badar 2000. The project was supposed to turn a large Argentine weather rocket called the Condor, which Argentina had developed in the late 1970s, into a two-stage solid fuel long range missile. While Egypt and Argentina seem to have eventually canceled their work on the Condor project, after considerable pressure from the U.S., Iraq had obtained a great deal of technology from Argentina and the various European firms as a result of the project.[21]

Iraq continued the Condor project in Iraq, where it was managed largely by Iraqis, but with a wide range of foreign experts, and some technical workers hired in Pakistan. Ironically, given the rivalry between Argentina and Brazil, Iraq also hired a 23 man missile technology development team from Brazil. This team was led by retired Major Brigadier Hugo de Olivera Piva, the ex-director of Brazil's Aerospace Technology Center. Piva headed the effort to convert Brazil's Sonda IV space rocket into a missile large enough to carry a nuclear warhead.[22]

Iraq bought still further aid from the PRC and Europe. The details of these Iraqi relation with the PRC are nuclear, but they seem to have involved extensive cooperation in further modification of the Scud and aid in completing a Scud production facility. Some of the key Europeans involved included former MBB employees, a German construction firm called Zublin, a Swiss firm called Consen, and Austrian firms such as Consultico, Feneberg GmbH, and the Austrian subsidiaries of the British firms BBC Brown Boveri, and Bacon.

Consen was particularly important. It was a consortium based in Zug, Switzerland, which is staffed by former MBB employees. According to various reports, it procured technology for Iraq's technical corps for Special Projects between 1987 and 1989, and acted as a prime contractor for both Iraq's Sa'ad 16 facility and Project 395—which some reports indicate included the Project 073 missile workshops near Fallujah, the Project 1157 missile test area near Karbala, and the project 096 rocket propellant production facility near Mahmudiya.[23] Consen acted as the prime contractor for more than $400 million worth of projects under the direction of the Technical Corps for Special Projects and State Organization for Technical Industries. Consen was closed down in early 1989, but was replaced by a Swiss firm called Vufvaltun and Financierung AG (VUFAG).[24]

The Technical Corps for Special Projects acted as yet another front for Iraqi proliferation efforts, and was headed by General Husayn Kamil. According to some reports, it was able to purchase missile related technology from 22 different European and U.S. companies. Iraq has helped finance these various efforts to buy missile technology in the West—as well as other military technology and technology for weapons of mass destruction—by using the Atlanta branch of Italy's Banca Nazional del Lavoro to launder some 2,500 letters of credit worth nearly $3 billion.[25]

Throughout the period between the ceasefire in the Iran-Iraq War and the Gulf War, Iraq continued to develop its missile research facilities at its Sa'ad 16 research complex south of Baghdad (where some reports indicate it carried out much of its work on the Condor II), and at Al-Anbar, 80 kilometers west of Baghdad.[26] It explored further cooperation in missile design with both Brazilian and French aerospace officials, and some French aerospace officials seem to have visited secret Iraqi missile research facilities. Other firms which are reported to have become involved in the Iraqi missile research effort include Matrix-Churchill of the U.K. Iraq also established new "cover" companies to manage this technology transfer effort, including Techcorp, the Technology and Development Corporation, and NASR State Enterprise for Mechanical Industries.[27]

This vast network of facilities and foreign supply and advisory efforts began to pay off about nine months before the Gulf War. On December 5, 1989, Iraq tested a new long range booster, which reached a range close to 1,500 nautical miles.[28] This three stage system was called the Al Abid, and it seems to have been a 48 ton missile that used a cluster of five Scud boosters in its primary stage. The other two stages may not have been activated during the test. Nevertheless, the test showed Iraq would eventually be capable of launching a satellite into orbit or firing much longer range missiles. Reports had previously surfaced that Iraq's Scientific Research Center and Brazil's space agency, the Instituto de Pesquisas, had been discussing Brazilian supply of a surveillance satellite. Such a satellite could have critical value in providing Iraq with the long range targeting data it needs and the ability to improve its operational accuracy by allowing it to locate the precise point its missiles actually hit.[29]

On December 14, 1989—virtually at the same time the Western members of the Missile Technology Control Regime (MTCR) were holding a meeting in London—Iraq announced it had developed two new missiles.[30] It called one of these missiles the Tamuz 1, and claimed it had tested the missile twice and that the launches had reached ranges of up to 2,000 kilometers. The Tamuz seemed to be a three stage, liquid fueled, 48 ton missile similar to the Al Abid booster system—with five Al-Abbas boosters in the first stage, one in the second stage, and a third stage with a 750 kilogram payload.[31]

Some experts felt that the Tamuz could have a range of roughly 2,000 kilometers miles once it is deployed with its completed guidance package, but others felt that a range of 1,250 kilometers was more likely once a military payload is added. Such a missile would be very complex, involve a great deal of launch preparation and launch time, and require large fixed facilities. It would, however, be the first Iraqi missile with the range-payload to deliver a large nuclear weapon, or large chemical or biological weapons payload, against any target in Israel and Iran from launch sites deep in Iraq.

While any such performance estimates are highly controversial, one expert gave the following comparison of the performance characteristics of existing Iraq's missiles and the Tamuz.[32]

TABLE I.—IRAQI SURFACE-TO-SURFACE MISSILE PERFORMANCE

	Normal Scud B	Al-Husayn	Al-Abbas	Tamuz
Date first appeared		03 Aug87	18Mar88	07Dec89.
Number of stages	1	1	2	3.
Diameter	0.884 m	0.884 m	0.884 m	
Length	11.7 m	12.55 m	13 m	
Weight	6,300 kg	7,340 kg	34,500 kg	
Range	300 km	620 km	900 km	
Chem-warhead	985 kg total	190 kg total	220 kg	
	555 kg agent	107 kg agent		
Flight time	6.0–6.5 min	8.0–9.0 min	10–12 min	
Flight Mach	4.0	4.0	4.0	
Fuse	variable prox	variable prox	variable prox	
Accuracy		2000 m	2000 m	

The second new missile seemed to be a solid fuel missile with roughly the same, or somewhat shorter range. Iraq did not describe the details of this system, but it seemed to be a distinct new missile that was being developed in addition to the work on the Condor project. Ranges of 1,000 to 2,000 kilometers have been claimed for these missiles.[33] It became clear from UN inspections after the Gulf War, that Iraq had been actively working on nuclear warhead designs for its missiles.[34]

Finally, Iraq was experimenting with the use of advanced "gun" systems to launch its missiles at the time the Gulf War began, although these systems were still in the early developmental stage. This Iraqi effort became public on April 10, 1990, when British customs officials at Teeside seized eight steel tubes bound for Iraq. These tubes were part of a giant "cannon" that could hurl projectiles hundreds of miles. They also were part of a series of shipments. Britain later disclosed that 44 such tubes had already been sent to Iraq, and that devices that could serve as the breach for such a "gun" had been intercepted in Turkey.[35]

UN inspection teams found later that Iraq already had a 356mm meter gun for trails purposes, and that the tubes were to be used in two 1000mm prototype guns. The 356mm experimental gun had been operational for several years, tested seven times, and then had evidently not been used for about a year before the Gulf War. It was built into the slope of a mountain at Jabal Hamrayn, about 200 kilometers north of Baghdad. The

British firm of Walter Sommers had supplied the steel tubing for the 356mm gun during mid-1988 through early 1989. It was hardly a highly lethal long range weapon. It fired a projectile of 75 kilograms (165 pounds), but carried only 15 kilograms (30 pounds) of high explosive. Its total range was about 150 kilometers (93 miles) to 180 kilometers (120 miles), and Israel was some 825 kilometers (550 miles) away.[36]

Neither of the 1000mm guns were assembled, and only one had sufficient components to indicate it would be operational in the near future. The parts were stored for this gun at Iskabdariyah. According to some reports, it was supposed to be about 131 feet (40 meters) long, with a 39" breech, and weigh up to 402 tons.[37] The steel tubes, what seems to have been a recoil mechanism, and a frame for swinging the tube up to 60 meters, were all to be made by Walter Sommers Limited and Sheffield Forgemasters in the U.K.[38] Iraq also ordered large amounts of propellants to be used for the gun from a firm in Belgium. This came to light when the British firm Astra bought the Belgian Company of PRB, and found the order on its books.[39]

These "super guns" had been designed by Dr. Gerald Bull, a Canadian ballistics export who was murdered outside his home in Brussels on March 22, 1990. Several explanations have been advanced regarding the purpose of Bull's 1000mm super guns, ranging from a satellite launcher, to a system designed to attack Iran and Israel at long distances. Bull's primary interest was in space, and he headed a firm called Space Research Corporation (SRC), which was headquartered in Brussels.[40] While experts disagreed over the exact technology and performance of the weapon. Most experts estimated that it was an extension of work that Bull had done earlier for the U.S. and Canada in what was called "Project Harp".[41]

Data released by the UN inspection teams indicated that each gun was to be in 26 sections and about 160 meters long (the length of 1½ football fields.) It was to fire a 1,000 kilogram (2,200 pound) projective with 408 kilograms (898 pounds) of high explosive or payload.[42] Some experts estimate that it would have had a range of up to 1,000 miles; others that was designed to put payloads of 300 to 500 pounds into orbit.[43]

According to some sources, the 1000mm gun was designed to fire fin-stabilized rockets, and possibly to employ traveling charge technology. This technology burns solid fuel at the base of a rocket as the rocket moves up the barrel. The rocket gases prevent a vacuum from forming at the base of the projectile and slowing it down. The barrel is flanged rather than rifled, and a tight seal between the projectile and the barrel is far less critical that in a normal artillery projectile. The rocket may also use a second motor to provide additional power after the projectile leaves the barrel.[44]

IRAQ'S MISSILE ACTIVITY DURING THE GULF WAR

While there is still no way to determine exactly how many missiles Iraq had in inventory at the beginning of the Gulf War, it almost certainly had over 1,000 Scuds of all types, and at least several hundred extended range Al Husayn and Al Abbas missiles. While it is difficult to determine the exact point at which Iraq decided to go to war, it also expanded its missile deployments over its western as well as it eastern borders.

In March, 1990, Iraq deployed from 12 to 18 fixed Al-Abbas missile launcher at three fixed sites in southern, western, and northern Iraq. The northern and southern sites gave Iraq the ability to strike deeper into Iran, but the western and southern sites gave Iraq the ability to strike at other targets and provided coverage of targets in Israel, Syria, and Turkey.[45] The site nearest to Israel was near the H-2 airfield in Western Iraq, on the road between Iraq and Jordan, and had six launchers oriented towards targets in Israel or Syria. In addition, Iraq had nine prepared launch sites for Scud missiles with 62 launch positions, although several normally did not have launchers deployed.[46]

In April, 1990, information surfaced that Iraq was setting up a new missile test range in Mauritania in West Africa. This test range gave Iraq the ability to test missiles in excess of 1,000 miles—tests that were impossible in Iraq without crossing international borders. Finally, in July, 1990, it became apparent that Iraq had quietly sought to buy titanium furnaces from the U.S. These furnaces can be used to manufacture a number of lightweight titanium missile parts, including advanced nose cone designs for warheads.[47]

The Condor, Tamuz, and any other new missiles were still in the development stage when the Gulf War took place. However, on October 9, 1990, Saddam Hussein announced that Iraq had developed yet another new missile that could hit Israel. The timing of this announcement was suspicious. It came in the midst of a growing confrontation between Iraq and the nations supporting the UN blockade and military coalition that came as a reaction to Iraq's invasion of Kuwait. It also came the day after a major clash between Israel and Palestinians at the Temple Mount in Jerusalem that Saddam Hussein was trying to exploit to weaken Arab support for the UN.[48]

In any case, Iraq's efforts to use its existing missiles were serious enough. In some ways, Iraq's fixed Scud sites became more "deception targets" than actual launch sites.[49] Iraq created a wide range of presurveyed and fixed missile sites between its invasion of Kuwait in August, 1990, and the start of the Gulf War, to try to counter the build-up of forces supporting the UN. While many experts still felt that Iraq still only had 36 Scud B launchers at the time the war began, this ignored the fact that Iraq exhibited a new transporter-erector-launcher (TEL) called the Al Walid in 1989, at the Baghdad International Arms Exhibition. Iraq modified over 100 additional vehicles to act as transporter-erector-launchers, and continued to building fixed launch sites until the Gulf War stared.[50]

Iraq also sharply reduced its dependence on fixed sites, and sites that allied intelligence had detected before the actual fighting in the Gulf War began. Iraq presurveyed and set up a large number of sites in the launch areas that could be used to fire on Israel and Saudi Arabia in the months before combat began. This allowed it to scatter its missile units over a wide amount of territory, and to hide many with camouflage, in civil buildings, or other places of concealment. Its new TELs and support vehicles were difficult to distinguish from commerical vehicles without extensive reconnaissance, and usually move at night. Iraq also deployed it missiles and equipment shortly before a firing to minimize their vulnerability make targeting far more difficult.

The range of equipment Iraq deployed with its missile units during the Gulf War is uncertain. Iraq is known to have used the Soviet "End Tray" meteorological radar associated with the Frog 7 and Scud B in some of its missile deployments, and the UAZ-452T support vehicles. It is not known how effective any of this support equipment was at the ranges of the Al-Hussein and Al-Abas. Iraq did, however, develop relatively simple truck mounted launchers to supplement its sophisticated and expensive Soviet transporter-erector-launchers (TELS). This gave it far more missile launchers than the UN Coalition estimated at the start of the Gulf War, and made wartime targeting and enforcement of the post war cease-fire extremely difficult.[51]

Iraq may have had as many as 225 of these cheaper launchers by the time the Gulf War took place, in addition to the 36 Soviet-style TELs.[52] It took advantage of these launchers throughout the course of the Gulf War, and its surface-to-surface missile campaign was perhaps its only "success" of the war. The total pattern of launches is shown in Table II. The first Scud strike came late on the afternoon of January 17th, in the form of two Scuds aimed at Israel. The first strike on Saudi Arabia took place on January 18th. These systems might have caused large scale panic if it had not been for the Patriot air defense system. A Patriot hit the second round of Scuds aimed at Dhahran at 17,000 feet, and the U.S. provided aid to Israel in readying its Patriot missile systems, rushing 32 missiles to Israel in 17 hours.

The Patriot system, however, was only a point defense anti-tactical ballistic missile system, and could not provide anything approaching a leak proof defense system. It also could not prevent missile debris and warheads falling on populated areas. As a result, the UN Coalition was forced into a massive Scud hunt that consumed some 2,493 sorties. The Coalition was forced to create two "Scud boxes" to cover the areas launching missiles against Israel and Saudi Arabia. Both the U.S. and U.K. deployed special operations forces to help find the missiles, and the U.S. used F-15Es, with Lantirn directed by JSTARS to target and kill missiles, and F-16C/Ds and A-10s to patrol roads and key launch areas. It also used B-52s and F-117As to hit storage and production facilities.

This effort never succeeded in halting the Iraqi Scud launches, although it certainly affected launch rates, accuracy, and reliability. With over 1,000 missiles—and some estimates go up to 2,000—there was no way to locate and destroy all the missiles. The Iraqis were able to hide Scud TELs in towns and under underpasses. They also adopt "scoot and shoot" tactics that made it very difficult to detect and kill missiles when they were ready to launch. As a result, Iraq was able to launch its peak firing rate of 10 missiles at late as the 10th day of the war, and its last missiles on February 25th. It also scored its only major strike against U.S. forces when a chance hit near Dhahran killed 28 U.S. soldiers and wounded 97 others. The U.S. was still striking at Iraqi Scud forces when the war ended on February 27th.[53]

TABLE II.—IRAQI SURFACE-TO-SURFACE MISSILE LAUNCHES DURING THE GULF WAR

	Israel	Target		
		Saudi Arabia	Bahrain	Total
Total fired	40	48	3	91
Missed country	1	3	2	6
Missed target area	15	11	1	27
Intercepted by Patriot	34	11	0	45
Hit target	0	13	0	13
Debris hit	7	7	0	14

Source: OSD Public Affairs, March, 1991.

Iraq did not use missiles with chemical weapons during the Gulf War, and the dam-

age done by its missile strikes was relatively limited—although one missile did kill a large number of U.S. combat troops and the attack on Israel damaged a number of urban areas. It is unclear whether this failure to use chemical weapons was the result of Iraq's fear of retaliation or the fact Iraq's Al Hussein and Al Abbas missiles lacked the range-payload and reliability to carry more than a token chemical warhead.

UN inspectors did confirm that Iraq had chemical warheads for its missiles, although the inspectors also concluded that the warheads were very crude. Soviet technicians who inspected the Iraqi missiles felt much of the basic missile work was also crude, and that explained both the break up of many Iraqi modified Scuds during their approach towards targets in Israel. They also felt that the chemical warheads were imbalanced, and would have made these problems far worse—potentially making the warheads burn up or depriving them of much of their effectiveness.[54]

IRAQ'S MISSILE ACTIVITY AFTER THE GULF WAR

There is no way to tell how much of Iraq's missile activity survived the Gulf War, and there are radically different estimates of how much of its equipment it dispersed before the UN Coalition attacks and recovered and hid after the Gulf War. Iraq initially declared that it had 52 ballistic missiles, 38 launchers, 30 chemical-filled warheads, and 23 conventionally armed warheads at five sites. It eventually admitted that it had nine more missiles at one of the sides.[55]

According to the ongoing work of the UN, at least 17 facilities have been identified since the war as being areas where the Iraqi government conducted research, production, testing and repair of ballistic missiles, launchers, and rocket fuel.[56] By February 1992, the UN had destroyed all the stocks that Iraq had declared and a substantial amount of additional equipment. The items destroyed included 62 missiles, 11 missile decoys, dozens of fixed and mobile launchers, 8 missile transporters, and 146 missile storage units.[57] The UN also found the 30 chemical warheads for Iraq's Scud missiles stored in the Dujael area, some 18 miles away from the position Iraq had declared. Sixteen used a unitary nerve gas warhead and 14 were binary.[58]

It was clear, however, that Iraq might have concealed a large number of missiles and Iraqi made launchers, as well as much of the manufacturing equipment, parts, and test equipment that it had purchased before the war. Some estimates indicated that Iraq had imported a total of 800 Scuds to launch or modify before the war, and that well over 100 missiles might still be left. In fact, the Director of the CIA estimated that the total might by "hundreds" in testimony before Congress in January, 1992.[59] While there is no way to know what number is correct, Iraq had established underground missile storage sites before the war and seemed to be building new sites after the cease-fire. Some Iraqi stocks of concealed missiles seem likely.[60] Further, Iraq continued to defy UN orders to destroy the equipment the UN did discover, and in February, began deploying the special fuel trucks used to launch Scud missiles in areas outside Baghdad.[61]

IRAQI CHEMICAL WEAPONS PROGRAMS

Iraq is a signatory to the Geneva Protocols of 1925, prohibiting the use of poison gas, and the Biological Warfare Convention of 1972, banning the development, production, and deployment or stockpiling of biological weapons. This did not, however, prevent it from producing and using chemical weapons in the Iran-Iraq War. Chemical weapons offered Iraq a highly lethal weapon that was well within its technical and manufacturing capability.

A great deal of information has become public since the Gulf War, in spite of the covert nature of Iraq's efforts, but there is no way to be certain of what Iraq has successfully been able to conceal. The uncertainties regarding Iraq's acquisition of chemical weapons are particularly striking during the period before the mid-1970's. Iraq seems to have been actively interested in chemical weapons since the 1960s, but there is no way to date the point at which it began to seek such weapons or establish technical capabilities to produce and use them. According to some U.S. experts, Iraq first sought chemical weapons from Egypt and the U.S.S.R. following Egypt's use of chemical weapons in the Yemens. Some Israeli experts believe that Iraq first acquired small amounts of chemical weapons from the U.S.S.R. in the 1970s, and that Iraq may have had assistance from Egypt in developing production and storage techniques in the period before the Camp David accords.[62] Iraqi forces do seem to have had limited chemical warfare training based on Soviet doctrine by the early-1970s, and may well have had some training support from Soviet and Egyptian officers.[63]

It seems likely that Iraq first decided to create laboratory-scale facilities to produce chemical weapons around the time of the October War in 1973. This was a period when there were numerous reports that Egyptian and Israeli forces were equipped with chemical weapons, and Iraq faced a growing threat from the military build-up in Iran and its Kurdish rebels.[64] There also are reports that Iraq may have used poison gas shells or bombs against its Kurdish rebels during its campaigns of 1973–1975.[65] These reports cannot be confirmed, but many Western experts agree that Iraq weaponized mustard gas for use by mortars and artillery by the late 1970s, and had mustard gas shells for at least 120mm mortars and 130mm artillery.[66]

Iraq initially turned to U.S. and British firms for help in setting up insecticide and fertilizer plants. When this failed, Iraq turned to firms from West Germany, Switzerland, France, the Netherlands, Belgium, and Italy, and obtained most of the components it needed.[67] Iraq obtained a special "pesticide" plant and three other small pilot facilities from Pilot Plant, a unit of Karl Kolb—a major West German laboratory equipment supplier. The Kolb supplied plant had some of the special equipment necessary to make Sarin nerve gas, but not special pumps.[68] Iraq also purchased technical assistance from a West German firm called Fritz Werner.[69] It received heavy duty pumps and chemicals from Water Engineering Trading GmbH of Hamburg, which sold some $11 million worth of equipment and tons of chemical, including trichloride, a nerve gas precursor; and equipment from Quast, which provided reactor vessels, centrifuges, and piping line with Hastalloy.[70]

It is unclear how successful Iraq's efforts were when the Iran-Iraq war began. Iraq was probably producing some mustard gas at Samara, and was constructing two small pilot plants to produce nerve gas at Samara, with a planned capacity of around 30–50 tons per year.[71] These two plants, however, were only designed to produce small amounts of nerve agents and had to use specialized feedstocks that were difficult to come by. Iraq may, however, have had enough non-lethal CS gas, or some form of blister agents, to have used them in the attack on Susangerd in November, 1980, attacks on Dezful and other areas in mid-1981, in defending against the Iranian attacks on Dezful and Sush in late March, 1982, and in the battles to defend Basra and Mandali in the fall and winter of 1982. Iraq may also have used mustard gas during some of these battles.[72]

By 1983, Iraqi production of mustard gas was sufficient for Iraq to begin to deliver small amounts of gas with artillery, fighters, and Mi-8 helicopters. It is unclear exactly when Iraq developed bombs using chemical agents, but Iraq seems to have used 250 kilogram bombs it bought from Spain, dropped by Fitter aircraft. The gas in these bombs was exceptionally pure, and this indicates that Iraq was still producing batches under laboratory conditions, rather than mass producing mustard gas in tons. This mustard gas seems to have been produced at the Iraqi chemical weapons facility at Samara.[73]

Mustard gas offered Iraq significant military advantages—advantages which apply to any future uses of this gas. Mustard gas is a blistering agent which is 10 to 100 times less lethal than the simpler nerve agents in terms of direct exposure, and slow to act on those who are exposed. Lethality, however, is not the only issue in measuring the effectiveness of chemical weapons. Mustard gas is easier to produce, handle, and deliver. It attacks the lungs, eyes, and skin, and gas masks alone are not effective protection. Mustard gas can also be more effective than many nerve gases for several important tactical purposes, particularly against infantry, or exposed humans in other target areas. It persists for several days to several weeks, and its wounds are slow to heal. Limited exposures to mustard gas can blind or blister for periods of 4 to 6 weeks. Casualties consume large amounts of medical services and support. These properties of mustard gas gave it considerable effectiveness against Iranian infantry, which often spent considerable time in static exposed locations and had relatively poor medical facilities.

In order to obtain the massive amounts of mustard gas it needed for larger scale operations, Iraq made major new efforts to acquire technology and feedstock overseas. For example, the Iraqi State Ministry of Pesticide Production turned to a unit of Philips Petroleum Company in Tessenderloo, Belgium, to obtain 500 metric tons of a chemical called Thiodiglycol.[74 75]

Other firms that gave Iraq more direct support in building its first mustard gas production facility seem to have included Montedison of Italy, Melchemie of the Netherlands, and Atomchem of France, with engineering support came from Technipetrol of Italy. These and other firms are reported to have helped Iraq build a mustard gas plant at Akashat, about 16 kilometers from Rutbahj and 370 kilometers from Baghdad.[76]

These problems in obtaining feedstocks abroad led Iraq to increase its efforts to build the facilities it needed to manufacturer ethylene oxide and the other chemicals it needed to make Thiodiglycol and produce mustard gas, and to eliminate its dependence on outside sources. Iraq had already begun to build-up ethylene production facilities in the late 1970s. These were located at Petrochemical Complex No. 1 near Basra. Basra, however, was within range of Iranian artillery fire at the start of the war, and soon came under fire again in the early 1980s. As a result, the Basra facility may not have begun large scale production until 1987 or 1988. This may explain why Iraq began construction of a new Petrochemical Complex No. 2 ethylene

plant near Musayyib in 1988, with a target date of 1991 for actual operations.[77]

While the resulting history of the Iraq's ethylene production is uncertain, the Basra plant was designed with a capacity to produce 410,000 tons of ethylene products a year, and the Musayyib facility to produce 420,000 tons of ethylene and 67,000 tons of ethylene oxide.[78] Iraq completed construction of the special refinery and other facilities necessary to make Thiodiglycol. As a result, Iraq's industrial complex at Al Fallujah, northwest of Baghdad, seems to have been able to make Thiodiglycol before the August, 1988 cease-fire, and possibly some precursors for nerve gas.[79]

Iraq also acquired the equipment and feedstock to make nerve gas, and set up a precursor plant at Habbaniyah.[80] Iraq's initial goal was to produce non-persistent nerve gas, consisting of "G-agents" like Tabun (GA) and Sarin (GB). These agents are extremely lethal, and act almost instantly when the skin, eyes, and wet tissue of their victims are exposed. Nerve gasses are difficult to detect, and troops require excellent protection and an antidote in order to prevent high casualties.

The G-agents persist for only a few minutes to a few days, and allow an attacker relative rapid tactical movement into exposed areas. In contrast, persistent agents may remain lethal for several days to several weeks. Friendly troops can only operate in exposed areas if they have full protection, and occupy the area for only a limited amount of time. This is why persistent agents are much better suited to fixed targets like air bases and logistic centers, or defensive operations where they can be used against the rear areas of the enemy with only limited risk to friendly troops.[81]

U.S. customs stopped another State Ministry of Pesticide Production order for 74 barrels of potassium fluoride, another precusor of Sarin nerve gas, in February, 1984. The order was placed by Al-Haddad Enterprises Incorporated, owned by Sahib al-Haddad, a naturalized Iraqi citizen. The shipment was not then illegal, because the chemical was not yet controlled, and there is no clear way of determining how many other shipments occurred in the U.S. or other countries. However, at least one Dutch firm—Melchemie Holland B.V.—has since been convicted of export violations for selling phosphorous oxychloride, another precursor of nerve gas. Iraqi agents also bought large amounts of equipment from a West German firm in Drereich that it seems to have claimed would be used to make organophosphate fertilizer, but which could help manufacture nerve gas.[82]

A major new Iraqi research center for chemical weapons was set up at Salman Pak, 56 kilometers south of Baghdad. This facility has since expanded to the point where it works on biological and other advanced weapons. According to some reports, it has experimented with cyanide, hydrogen-cyanide, cyanogen-chloride, and Lewisite gases as well as the nerve, mustard, and CS gases that Iraq came to use extensively in the Iran-Iraq War.[83]

Iraq created a major production center for mustard gas, and Tabun and Sarin nerve agents, at Samara. The Samara complex occupied 26 square kilometers in an area about 100 kilometers north of Baghdad, and was constructed with numerous heavily sheltered facilities. It was defended by troops and SA-2 missiles. The complex became the largest single Iraqi production facility for mustard gas. This production seems to have begun in 1983, and climbed steadily to the point where Iraq could produce large quantities of mustard gas in 1985. The initial output of mustard gas seems to have been about 60 tons per year, and Iraq was able to use the gas fill bombs, artillery shells, and rockets—including 250 kilogram bombs based on Spanish designs. These Iraqi weapons at first were filled with mustard gas so pure that it seems to have been produced in laboratory scale facilities, but later had the impurities associated with large scale production.[84]

West German firms and technicians that helped Iraq to set up these pilot plants for the production of Tabun and Sarin nerve gases at Samara, which eventually expanded to a total production capacity of 48 tons per year. West German equipment for the nerve gas plants at Samara—and evidently for the nerve gas at other plants—was purchased through firms in West Germany, Austria, and Italy, along with large amounts of chemicals. Production of large quantities of Tabun began in 1984 and production of Sarin began in 1985 or 1986. Samara did not reach full capacity production of either mustard or nerve gases, however, until the late 1980s.[85] The Samara complex also housed one of the "insecticide plants" obtained earlier from the West, and this complex now serves as the nucleus for new facilities to produce large amounts of the feedstock to manufacture nerve gas without depending on imports of specialized chemicals. Iraq also may have established another plant near Karbala to produce nerve gas. According to some reports, this plant may be the facility developing nerve gas warheads for Iraq's long range missiles.[86]

Further, Iraq began a major effort to produce the precursor chemicals or feedstocks necessary to manufacture nerve gas without dependence on outside sources. Iraq was able to take advantage of the fact that it has phosphate mines at Akashat, and already was developing a phosphate industry centered at Akashat and Al Qaim, and the powdered detergent and fertilizer plants it had set up to use its phosphate ore could be adapted to make some of the necessary feedstocks. As a result, Iraq expanded its facility at Rutbah, just south of Ashkhat. This facility now seems to produce nerve agents using acids and other chemical components, and may have become the Iraqi facility which is most free of dependence on chemical imports of any kind. Iraq also established a complex called "Project 9320" in the area which has three factories to produce secondary chemicals to aid in the manufacture of nerve gas. This complex was built largely by West German firms and technicians, and has large underground storage tanks. Additional facilities seem to be under construction to transform basic phosphorous into precursor chemicals for the manufacture of nerve gas.[87]

Iraq set up a gas warfare complex at Fallujah, 65 kilometers west of Baghdad. Some reports credit the Fallujah facility with having three plants which were capable of producing 1,000 tons per month of Sarin, and large amounts of persistent VX nerve gas, by the late 1980s.[88] V-agents like VX retain their lethal effect for periods of several days to several weeks. They are slightly slower to kill than G-agents, but they kill far more quickly than mustard gas.[89] These reports also indicate that Fallujah is the main center of Iraqi loading of artillery shells and rockets with nerve gas.[90] West German and Austrian firms also gave Iraq the capabilities it needed to experiment with hydrogen cyanide, cyanogen chloride, and Lewisite.[91]

As UN inspectors found after the Gulf War, Iraq set up a plant to actually arm chemical weapons at Al-Muthana. This seems to have been the only place that Iraq actually armed rockets, shells, bombs, and warheads with chemical agents, and 280 tons of mustard gas.[92]

As a result, Iraq expanded from production levels of about 10 tons a month of all types of gases by late 1985, to a capacity of over 50 tons per month by late 1986.[93] In late 1987, Iraq could produce over 60 tons of mustard gas a month and four tons each of Tabun and Sarin.[94] In early 1988, Iraq could produce over 70 tons of mustard gas a month and six tons each of Tabun and Sarin.[95] It may have had the technical capability to produce Soman, a choking agent like Phosgene, blood agents like Hydrogen Cyanide and Cyanogen Cyanide, vesicants like Lewisite and agents like Adamsite and Chloropicrin.[96]

These production efforts expanded steadily from the August, 1988 cease-fire in the Iran-Iraq War to the beginning of the Gulf War. Iraq continued to import additional precursors from nations like the United Kingdom, and to produce large amounts of mustard and nerve gas weapons until its operations were halted by Coalition bombing.[97] It had at least ten major storage bunkers for chemical weapons scattered throughout Iraq the time the bombing began. Iraq was able to produce up to 3,500 tons of mustard gas and 2,000 tons of Sarin and Tabun a year by 1990, or more than 20 times the amount it could produce in 1985. It had a major plant producing Tabun near Samara, and three facilities producing Sarin near Fallujah.[98]

It was also producing persistent agents VX and VR-55, and its plant at Fallujah was being expanded to a capacity of 2,000 tons per month. This production would have given Iraq enough chemical agents to arm 250,000-500,000 tube and rocket artillery rounds each year, as well as smaller numbers of bombs.[99]

Iraq made it clear during early 1990 that it had binary chemical weapons—a technology it seems to have acquired in 1984 or 1985, and used in at least crude form in most of the weapons it used during the latter half of the Iran-Iraq War. Further, Iraq reports surface that Iraq might also be able to manufacture blood agents like cyanide and "dusty" mustard gas.[100] Blood agents rapidly defeat most military as masks. "Dusty" mustard gas is a powder form of mustard gas which is very persistent, and which can coat particles so small that they are only several microns in size and which may be able to penetrate protective clothing and filters.

Iraq also experimented with "double channel" or "cocktail" chemical weapons that mix several chemical agents together to provide different kinds of lethality and/or defeat different forms of protection. Some sources indicate that Iraq used "cocktails" of cyanogen with mustard gas and Tabun in Kurdistan. Saddam Hussein stated on April 2, 1990, that Iraq had "double-combined chemical" weapons, and had them since the last year of the war.[101] Iraq does, however, seem to have had some significant problems in keeping its agents pure, and in developing corrosion proof materials. The UN inspection teams charged with destroying Iraq's chemical weapons after the war found that nearly 25% of them leaked, although it was often impossible to distinguish between problems with the chemical agents, problems with the weapons design, and problems because of wartime damage or rapid post-war movement and inadequate storage.[102]

By the time the Gulf War began, Iraqi doctrine called for the regular training of all

combined arms elements in chemical warfare. Iraqi field forces were equipped with numerous dual capable delivery systems, and sophisticated chemical protection, reconnaissance, and decontamination gear. Delivery systems included rifle grenades, 81mm mortars; 152mm, 130mm, and 122mm artillery rounds; bombs, bomblets, 90mm air-to-ground rockets, 216 kilogram FROG and 555 kilogram Scud warheads, and possibly land mines, and cruise missiles.[103]

UN inspections after the war determined that most of the chemical rounds for these weapons were not binary. They used a tube or canister of a single chemical agent in a plastic tube surrounded by a burster explosive like TNT. This weapons design made it difficult to store the round since Iraq's chemical agents were often impure or corrosive and the quality control of many rounds was poor. It helps to explain both the leaks found in Iraqi rounds after the war, and reported during the war that Iraqi rounds armed in the summer of 1990 had begun to leak by the time the war began.[104]

While regular army and air force units fired the weapons that actually delivered the chemical weapons, there were special chemical troops integrated throughout all of the branches of the Iraqi armed forces which were responsible for the care, build-up, and delivery of chemical weapons. They had a status approaching that of a separate combat arm, and included units and sub-units responsible for chemical defense, radiation and chemical reconnaissance, the operation of smoke and flame generators, the identification of chemical targets and meteorological analysis, and decontamination. Each corps had a chemical battalion, each independent brigade or division had a chemical company, regiments had chemical platoons, and chemical sections were assigned to battalions or platoons with weapons capable of delivering chemical weapons. As many as 50% of Iraq's combat aircraft and artillery weapons could deliver chemical rounds.[105]

Once it invaded Kuwait, Iraq quickly resorted to threats to use chemical weapons in dealing with the Western and Arab reaction to its invasion of Kuwait and build-up on the Saudi border. It conspicuously loaded its aircraft with chemical weapons before removing the weapons and placing them in storage. It dispersed chemical weapons in a wide range of areas, and on August 20, 1990, President Saddam Hussein gave a speech stating that foreign hostages would be dispersed to military and key civil locations throughout Iraq, including Iraq's major chemical weapons production facilities.

By November, 1990, Iraq had built up large dispersed and sheltered stocks of chemical weapons in its territory outside the KTO. It deployed a wide range of delivery systems to its forces supporting its invasion of Kuwait, deployed protection and decontamination gear, and built decontamination trenches in the forward and rear areas. As has been noted earlier, however, Iraq never used chemical weapons during the Gulf War. This may have been the result of many factors. Iraqi fear of Coalition or Israeli retaliation with nuclear or chemical weapons, the shattering impact of Coalition bombing and its loss of effective command and control and distribution capability, or the rapid understanding that the Coalition could expand its conventional strategic bombing campaign to devastating levels.

There is no question, however, that Iraq had ample stocks of chemical weapons, and that it equipped its units with chemical protection and decontamination gear, and with the operational instructions for using chemical weapons.[106] Iraq initially declared to the UN that it had 355 tons of mustard gas and nerve agents, 650 tons of intermediate chemicals, 6,920 chemical filled rocket warheads, 1,376 aerial bombs, and 105 artillery shells, virtually all at Samara.[107] As of February, 1992, the UN had found at least 46,000 chemical weapons versus the 10,000 to 11,000 that Iraq had initially declared, and 3,000 tons of raw materials for chemical weapons versus the 650 tons that Iraq had originally declared. UN and U.S. sources were estimating that Iraq might have 54,000 to 79,000 more rounds than it declared.[108]

The 46,000 rounds the UN was able to inspect and start destroying included 20,000 mortar rounds of non-lethal CS gas, plus 26,000 rounds filled with nerve agent or mustard gas. The lethal rounds included large numbers of 122mm and 155mm artillery shells, 250 kilogram and their bombs, and 30 Scud missile warheads. Iraq had ample time to disperse many of its chemical weapons, precursors, and production systems before the Gulf War began, and continued to hide and disperse them after it signed a ceasefire.[109]

While UN inspection discovered a great deal of Iraq's chemical weapons and production equipment, including items like production equipment concealed in a milk plant near Mosul, most experts felt as of the spring of 1992, that Iraq retained significant stocks of weapons. Robert Gates, the Director of CIA, testified to Congress in early 1992, that much of Iraq's "hard to get production equipment" for chemical weapons had been "hidden" before the allied bombing attacks. He also estimated that, "If UN sanctions are relaxed, we believe Iraq could produce modest quantities of chemical agents almost immediately, but it would take a year or more to recover the chemical weapons capability it previously enjoyed."[110]

TABLE III.—PROBABLE IRAQI CHEMICAL AGENTS

Type of agent	Delivery method	Symptoms	Effects	Rate of action
Confirmed:				
Blistering Mustard	Missile, artillery, bomb, aerial spray, landmine.	No early symptoms for mustard types; searing of eyes, stinging of skin.	Blisters skin, destroys respiratory tract, causes temporary blindness.	Minutes.
Nerve-Sarin (GB), Tabun (GB), VK/VX?	Missile, artillery, bomb, aerial spray, landmine.	Difficult breathing, drooling, nausea, vomiting, convulsions.	Incapacitates or kills when delivered in high concentrations.	Seconds
Suspected in At Least Limited Amounts:				
Blood-Cyanide	Missile, artillery, bomb	Convulsions and coma	Incapacitates or kills when delivered in high concentrations.	Minutes.
Possible at Experimental Level:				
Choking Phosgene	Missile, artillery, bomb	Coughing, choking, nausea, headache	Damages and floods lungs	Hours.

See Dick Palowski, Changes in Threat Air Combat Doctrine and Force Structure, 24th Edition, Fort Worth, General Dynamics DWIC-01, February, 1992, pp. II-336 to II-338.

IRAQI BIOLOGICAL WEAPONS

The history of Iraq's efforts to develop biological weapons is less clear than that of its efforts to develop chemical weapons. This illustrates a key problem in tracking the proliferation of weapons of mass destruction in the Middle East. Biological weapons are an effective and relatively cheap way of acquiring weapons of mass destruction. At the same time, efforts to develop such weapons can be concealed far more easily than the facilities to produce chemical and nuclear weapons.

There have been some highly controversial changes that Iraq has used mycotoxins against its Kurdish population since early in the Iran-Iraq War, but these charges have not been confirmed.[111] Most of the examples and symptoms cited in these charges can also be more easily explained because of the sanitary and health conditions affecting the population in the area. The use of mycotoxins or "yellow rain" weapons cannot be ruled out, but reports that the Iraqi secret service used biological agents or toxins to poison the food in Kurdish refugee camps in mid-1989, and produce 700 dead and 4,000 casualties, seem dubious.[112]

Virtually all Western experts agree, however, that Iraq was actively working on the production of biological weapons when the Gulf War began, and many listed Anthrax and Botulin toxin as being among the most likely weapons.[113] A West German official, Friedhelm Ost, stated in early 1989, that Iraq was developing biological weapons research and might already have started the production of biological agents, and the U.S. Director of Central Intelligence, Judge Webster, publicly announced in October, 1990, that Iraq was producing biological weapons.[114] Iraq strongly denies developing such weapons as well as reports that it has used them against the Kurds.[115] Nevertheless, there not only are strong indications that Iraq is working on agents like botulin and anthrax, but is conducting research into typhoid, cholera, tularemia, and equine encephalitis.[116]

After the Gulf War, it became clear that Salman Pak was the main Iraqi center for the development and production of biological weapons, as well as chemical weapons. It also became clear that other facilities existed. Some reports indicate that such facilities exist at Samara or in a separate location west of Baghdad. Iraq also established a new Genetic Engineering and Biotechnology Research Center shortly after the Iran-Iraq War, and was the first nation to ratify an agreement by the UN setting up international centers for such research in Trieste, Italy and New Dehli, India. It seems to be exploiting these connections for biological weapons research.[117]

Some of Iraq's biological warfare facilities were co-located with industrial plants. The Iraqi Ministry of Industry and Military Industrialization created a State Enterprise for Drug Industries at Samara which consolidated plants originally built with Soviet assistance, but which later benefited from West German support. Some seem to have been involved in biological weapons.

The Al-Kindi Company for Serum and Vaccine Production was a major French-designed factory for manufacturing the vaccine for hoof and mouth disease at Doura, Baghdad, which some reports indicate can make up to 12 million doses per year, and has a re-

search effort designed to allow it to manufacture up to 15 different vaccines. The Arab Company for Antibiotic Industries in Baghdad is an Iraqi-Jordanian-Saudi government-owned firm that is building a factory capable of making 200 tons of penicillin a year. This project has received extensive support from a West German firm called V-Consult Ingenieur.[118]

There also are reports that Iraq acquired mobile toxicological laboratories from West German companies. These laboratories theoretically are for "agricultural chemistry" but the West German firms involved in supplying them include Karl Kolb, a firm that actively helped Iraq acquire chemical weapons.[119] Further, a West German firm called Josef Kuhn and Plato-Kuehn seems to have sold Iraq 2.7 grams of mycotoxins called T-2 and HT-2, that it acquired from its parent U.S. firm, Sigma Chemie.[120] The State Department has charged that these are the same toxins used by Vietnam in Cambodia and the USSR in Afghanistan.

A wide number of companies may have deliberately or inadvertently helped Iraq in its biological weapons efforts. Sigma Chemie is also reported to have transferred precursor viruses for biological weapons, and Iraq seems to have obtained the strains for a number of viruses that can be used for biological warfare from centers in the U.S. under the guise of requesting them for medical research. Other firms seem to include Swatek and Cerny (Austria)—sanitary equipment; Labsco GmbH (FRG)—biological equipment; Rhein-Bayern Vehicle Construction (FRG)—mobile toxicological laboratory; Anton Eyerle (FRG)—mobile toxicological laboratory; and Iveco Magrius Deutz (FRG)—vehicles for mobile laboratories.[121]

There is no reliable way to determine exactly what biological weapons Iraq was developing before the Gulf War, although the head of the British government's Defense Arms Control Unit, Peter Verker, has stated that,[122]

"Biological research activities for military purposes had been undertaken at Salman Pak since 1986, and included research into some of the most effective biological agents—the organisms which cause gas gangrene (clostridium perfringens), anthrax, (Bacillus anthracis), and botulism (Clostridium botulinum)."

The UN inspection teams have also found brucellosis and tularemia.[123] Other logical biological weapons include equine encephalitis, and possibly cholera and typhoid. What is clear is that it had both production facilities at Salman Pak, and at least some stock piles of toxins and probably of stable weapons like Anthrax. It is also clear that Iraq had at least three to six other biological warfare sites, and probably had a number of other storage facilities.

Many of these facilities had not been inspected by the UN in the early spring of 1992, and it seems likely that Iraq still had stocks of some biological weapons. Further, having the technology, it could rapidly set up covert production centers at university research centers, medical goods and drug production plants, or virtually any other facility where it could maintain a secure biological research and production activity. Robert Gates, the Director of the CIA, responded to questions about Iraq's biological weapons effort in January, 1992, by stating that "the biological weapons program was also damaged, but critical equipment for it, too, was hidden during the war." Iraq could produce biological agents "in a matter of weeks."[124]

IRAQI NUCLEAR WEAPONS EFFORTS

Iraq denied that it was seeking nuclear weapons from the time this was first suspected in the 1970s until an admission was forced upon it by UN inspectors in 1991. Long before this admission, however, there was overwhelming evidence that Iraq had sought specialized expertise and technology which had only limited secondary applications, and in ways which could only be explained by a covert nuclear weapons program.[125]

Iraq's major nuclear research efforts began in 1959, when it ordered a small research reactor from the Soviet Union. This small 5 megawatt light-water reactor, called the IRT-2000, used highly enriched Uranium and went on line in 1968. This reactor was later used to test the production of plutonium from spent reactor fuel, although no confirmed reports exist regarding these tests until 1988.[126]

Iraq's next major reactor acquisition effort was the purchase of the "Isis" or "Tamuz II" reactor from France in 1976. This was a small 800 kilowatt light water reactor using highly enriched Uranium, and went on line in 1980. During this period, Iraq established a significant nuclear research effort and set up a laboratory scale Uranium purification plant at Tuwaitha with Italian support. Iraq is known to have tried unsuccessfully to purchase bulk depleted uranium and reactor fuel pins from the U.S. and Canada.[127]

The key step Iraq took in developing a nuclear weapon during the late 1970s and early 1980s was the purchase of the Osiraq (Tamuz I) light water reactor from France in 1976, which originally was designed to use 158 pounds (78 kilograms) of highly enriched uranium. The amount would have been sufficient to manufacture up to three nuclear weapons.[128] Iraq also obtained Italian assistance in developing fuel fabrication capability, and in obtaining a plutonium reprocessing technology with a capacity of up to 8 kilograms per year. This equipment included three radiologically shielded "hot cells" which could extract plutonium from uranium irradiated in a reactor, and related equipment suitable for producing plutonium.[129] The "hot cells" were particularly important to a nuclear weapons effort because the 40 megawatt Osiraq reactor was unusually large for research purposes, and could be used to irradiate uranium in "hot cells" to produce plutonium.

Experts still disagree over the extent to which the Osiraq reactor complex was designed for nuclear weapons purposes, but it now seems clear that Iraq was interested in nuclear weapons and not in nuclear power. While Iraq claimed that the reactor was purely for research purposes, its covert efforts to acquire plutonium "hot cells" and reprocessing capability make these claims extremely unlikely. So does Iraq's insistence during this period on obtaining 158 pounds of highly enriched uranium from France—although France eventually reacted to international pressure by limiting its supply to Iraq to 55 pounds at any one time.[130]

Further, Iraq bought large amounts of natural uranium from Brazil, Portugal, Niger, and Italy in 1980 and 1981 that it could not process into reactor fuel, but could process into uranium and could irradiate into Plutonium.[131] Plutonium can be produced by exposing Uranium to neutrons within a reactor and then chemically separating out the Uranium. Iraq also placed an order in early 1980 for 25,000 pounds of depleted uranium fuel pins from a West German firm called NUKEM. The pins were sized for irradiation in the Osiraq reactor, and had no other real purpose than to produce about ten to twelve kilograms of weapons grade plutonium. By 1990, Iraq had at least 332,000 kilograms of Yellowcake, 116,000 kilograms of UO_2, 2,577 kilograms of UCl_4, 0.465 kilograms of UF6, 1,850 kilograms of ADU, 2,050 kilograms of UO_3, 310 kilograms of UF_4, and 2,255 kilograms of UO_4.[132]

Iraq could count on be gamble to use the irradiation approach to proliferation because of the limits to international inspection before the Gulf War. While the Osiraq reactor was under International Atomic Energy Authority (IAEA) inspection, and French technicians were working at the site, Iraq seems to have followed roughly the same approach to disguising its nuclear weapons efforts that Sweden had used in the early 1960s. While the fuel cells at the Osirak reactor were subject to inspection, they were only subject to inspection after Iraq declared that material was present. The IAEA had no right to inspect the cells on an on-going basis or the fabrication of the material being inspected. According to one Israeli source, the reactor also had a covert chamber of irradiating uranium which allowed it to produce significant amounts of plutonium—enough to produce one to two bombs over a period of two to three years. This allowed Iraq to "comply" with the IAEA, while developing an ability to handle plutonium technology and stockpiling material for weapons purposes.[133]

This mix of factors that led Israel to a series of efforts to halt or destroy the reactor. Israeli agents almost certainly planted a bomb in April, 1979, that destroyed the reactor's first set of core structures while they were still awaiting shipment to Iraq in Seine sur Mer, France. Israeli agents also seem to have assassinated Dr. Yahya el-Meshad, an Egyptian physicist working for Iraq, and to have bombed several of the French and Italian companies working on the project .[134] Finally, on June 7, 1981, Israel launched the highly publicized air raid that destroyed the reactor before it could become operational.

At the time when Israel attacked and destroyed the reactor, Iraq was negotiating to buy a heavy water power reactor from Italy and a sizable reprocessing facility whose purpose was almost certainly plutonium production. This series of deals seems to have halted, however, after it became clear that Israel would take military action to prevent it from going forward.[135]

While France initially agreed to rebuild the Osirak reactor, it failed to do so because of a mix of U.S. and other international pressures, the Iran-Iraq War, and Iraqi payment problems.[136] This forced Iraq to find other ways to produce its fissionable material. Iraq continued to give the search for a replacement for Osirak very high priority, and but it also started a major Uranium enrichment effort, and tried to develop a capability to process Plutonium.

Iraq used nuclear power as its "cover" in attempting to obtain nuclear reactors. In 1984—in the midst of the Iran-Iraq War, while unable to export its oil, and while nearly bankrupt—Iraq announced it was seeking to provide 10% of its power needs with nuclear power, and had contracted with the Soviet Union in 1984, to build a 440 megawatt plant at a cost of $2 billion. The plant was supposed to be built by the Soviet Atomnergo group, but even before Iraq's invasion of Kuwait, there was no sign that Iraq would get the USSR to start construction, or that Soviet Union would build a new reactor Iraq could integrate into a weapons development cycle.

In March, 1989, Saddam Hussein declared that Saudi Arabia had agreed to finance the rebuilding of the reactor during a visit to King Fahd to Baghdad.[137] This announce-

ment, however, was not confirmed by Saudi Arabia, and still left the issue of who would actually rebuild the reactor unclear. No progress was made between March, 1989, and the virtual severing of Saudi-Iraqi relations following Iraq's conquest of Kuwait in August, 1990. Iraq also sought Latin American support in building an uncontrolled reactor somewhere in Northern Iraq, but seems to have had equally little success.

Iraq was far more successful in obtaining support in finding other ways of obtaining fissile materials and in getting nuclear weapons technology. Reports of Iraqi cooperation with other proliferating nations during this period are uncertain, but it seems likely that such cooperation took place. Iraq cooperated with Brazil in some aspects of missile research during this period, and Brazil is actively involved in manufacturing centrifuges, and has used many of the same suppliers for its centrifuge development effort as Iraq. Brazil sold Iraq substantial amounts of uranium, and had a research cooperation agreement with Iraq that at least lasted to 1989. Argentina sold Iraq uranium and missile technology, and may have cooperated with Iraq on some aspects of fissile material manufacture.

While Pakistan has closer ties to Iran than Iraq, Iraq had a nuclear research cooperation agreement with Pakistan and Egypt since 1985. At least some Pakistani scientists associated with Pakistan's centrifuge plant at Kahuta, near Islamabad, seem to have visited Iraq. Iraq was also the leading member of the Arab Atomic Energy Commission, which was established in December, 1988, and which includes Jordan, Kuwait, Lebanon, Libya, Palestine, Saudi Arabia, Syria, and Tunisia.[138]

IRAQ'S NUCLEAR EFFORTS AFTER 1988

What is certain is that Iraq spent up to $10 billion during the 1980s to acquire Calutron and centrifuge enrichment facilities, on other methods of enrichment, and on acquiring virtually all of the technology and equipment to use fissile material in a nuclear weapon.[139] At the time the Gulf War began, Iraq had over 5,000 Iraqi workers involved in its nuclear weapons effort and the following major facilities.[140]

Abu Ghraib: Military base and fuel-rod storage.

Abu Sukhayr: Exploratory mine located about 25 kilometers south-west of Najar. Production from September, 1988 to end of 1990, when was flooded. Uranium in ore ranged from 80 to 800 ppm.

Ahashat: Phosphate and open faced Uranium mine. Uranium extraction.

Amil: Liquid nitrogen for Calutron program.

Amir: Calutron component manufacturing: Magnet cores, return irons, ion sources, collector parts.

Ameen: Calutron component manufacturing—prototype components.

Atheer: Nuclear weapons design and testing of high explosives. Hydrodynamic studies. Large cold isostatic press for shaping explosive charges by Asea Brown Boveri. High temperature vacuum induction furnaces by Arthur Pfeiffer Vacuum Technik GmbH. Planned casting and machining of fissile material, machining of Uranium plates, and assembly of explosive structure and core of nuclear weapons. Plasma coating molds and mold fabrications, Design of regular implosion type nuclear weapon.[141]

Badr: Centrifuge component manufacturing. Civil contracting for Al Furat project.

Daura (SEHEE): Calutron component manufacturing—Vacuum chamber parts. Civil contracting for Al Furat project.

Fao: Civil contracting for Al Furat project.

Falluja: Military base and equipment storage.

Furat (Farat or Pharat): Centrifuge research. Two centrifuge manufacturing sites. Maraging centrifuge facility. Had begun with a Beams type and was capable of making the more advanced Zippe type by mid-1987. Iraqi initially claimed they were capable of producing up to 200 centrifuges a year. The manufacturing equipment intended for installation indicates that the true figure was 2,000.

IRT-5000: Po-210 production.

Jezira: Uranium processing; UCl_4 production. Calutron and centrifuge production.

Al Hadre: High Explosives research and hydrodynamic studies.

Hatteen: High Explosives research; main explosive structure research.

Musayyib: Materials research and high explosive test site. Test range for shaped charges. Power plant. Nuclear weapons laboratories.

Mosel: UCl_4 production.

Nafad: Calutron component storage.

Nasser Works: Centrifuge component manufacturing and machining.

Al Qa Qaa: Development of non-nuclear components and explosives for nuclear weapons, HMX production and casting for weapon, pressing and machining, main explosive structure of weapon, explosive lens building, and lens assembly. Detonator research. Exploding bridge wire detonators. Research facility for Ministry of Industry and Military Industrialization.

Qaim: Superphosphated fertilizer plant, Uranium extraction plant and yellowcake production.

Al Radwan: Centrifuge component manufacturing: Magnet cores, return irons, ion sources, collector parts.

Al Rashidiya: Maraging centrifuge facility.

Saddam Works: Calutron component manufacturing and centrifuge machining.

Salladine: Calutron component manufacturing—electrical control panels.

Ash Shakyli: Warehouse storing centrifuge components.

Sharqat: About 240 kilometers north of Baghdad. Worked started in 1988. Three groups of facilities. Uranium enrichment for Calutron. An Iraqi duplicate of Tarmiyah, with 600mm and 1,200mm Calutrons, but not yet operational.

Suwayrah: Nuclear equipment.

Tarmiyah: Calutron research. Main production site for Uranium enrichment. 8 working 1,200mm Calutrons. 17 1,200mm improved Calutrons being installed. Building for 20 600mm Calutrons under construction. Capacity of 90 600mm and 1,200mm Calutrons. This could have produced 15 kilograms of 93% enriched Uranium per year, and more of less enriched Uranium. (This complex was built by the Yugoslav Federal Directorate of Supply and Procurement and equipped by the Yugoslav firm of EMO electrical Engineering)).[142] Also, computer facility.

Technical University of Baghdad: Streak video cameras and related equipment suitable for weaponization work by Hamamatsu.[143]

Tikrit: Storage of yellowcake.

Tuwaitha: A major research and production center, Site of damaged Tamuz 1 and Tamuz 2 reactors, and IRT-5000 reactor (heavily damaged in war). Nuclear physics labs. Main computer facility with IBM-370 main frame and many IBM PS/2s. Uranium research and development. UCl_4 and UF_6 production. Calutron and centrifuge tests, Plutonium separation, and chemical separation. 5 working Calutrons. Gaseous diffusion research. Po-210 extraction and neutron initiator research and design. UF_4 production. Metal reduction, casting, and machining. Research on implosion nuclear weapon. Firing system research and design.

Zaafarniyah: Al Dijla and Al-Rabee sites fabricated Calutron components.

Walid: Centrifuge factory.

Most of these facilities were not declared to the IAEA and were not subject to its inspection, and many only became known after the UN inspections began following the Gulf War. While Iraq relied on dispersal and secrecy to protection some of these facilities, it also established massive surface-to-air missile defenses at major facilities like Tuwaitha.[144] These defenses were combined with hardened shelters at locations like Tuwaitha and Al Atheer, and Iraq had at least one underground facility in a mountain near Irbil.[145].

Iraq's critical problem was to obtain fissile material. In the late 1980s, Iraq only had a total of 27.5 pounds (11.3 kilograms) of French-supplied 93% enriched uranium for the Tamuz 1 reactor destroyed by Israel, and 22.3 kilograms of Russian supplied Uranium with levels of enrichment varying from 36% to 80% for its Russian supplied IRT-5000. research reactor.[146] Only the French material could be used in a bomb. Using this limited amount material to build even a single weapon also required the use of very complex implosion technology, since it cannot be used in the simpler weapon's designs made possible by using plutonium or mixes of uranium and plutonium. Iraq would have had no surplus material to test its weapon design.[147]

As a result, Iraq simultaneously pursued several approaches to getting the weapons grade material it needed. Iraq turned to the international black market in arms for fissile material, but made little progress. For example, Iraqi officers failed in 1984 to purchase some 33.9 kilogram (74.6 pounds) of Plutonium from Italian arms smugglers in what seems to have been little more than a confidence scheme.[148]

The UN Special Commission did find after the Gulf War that Iraq had managed to extract a little over five grams of weapons grade Plutonium from reactor fuel that was subject to IAEA inspection. Later examination of the source of Iraq's Plutonium indicated that it came from two sources. First, 2.26 grams of Plutonium had been separate at a small laboratory at the Tuwaitha Nuclear Research Center. This had evidently been separate between 1982 and 1988 after the IAEA exempted five fuel elements from inspection which contained 10% enriched uranium for the Soviet IRT-5000 research reactor. Such an IAEA exemption is normal for small amounts of material used for research purposes.

The second batch of 3 grams was also separated at Tuwaitha. This time, however, Iraq used natural Uranium that it had separated at Al Qaim in northern Iraq. Iran inserted about 11 kilograms of this processed Uranium into its research reactor. Iraq had sent another 8 kilograms to Tuwaitha by the start of the war, but this had not been processed by the time the UN inspected the facility.

This Plutonium enrichment activity demonstrates Iraq's interest in nuclear weapons, but it must be kept in careful perspective. If Iraq had used its laboratory in this way, round the clock for a year, it would only have obtained 100 grams of Plutonium. It takes approximately 8 to 10 kilograms of Plutonium to make a nuclear weapon, and there is no evidence that Iraq had a secret

reactor or large scale facility for Plutonium production.[149]

Iraq also turned to cascade technology, but had little success. It studied gaseous diffusion from 1982 to 1987, but concluded that it required a more advanced industrial infrastructure than Iraq had available, and abandoned it for centrifuge and Calutron technology.[150] Iraq actively sought centrifuge technology from the U.S., Europe, and PRC, and this led to a number of incidents over attempts to smuggle equipment to Iraq. The U.S. blocked an attempt to acquire the specialized pumps needed for cascade facilities in February, 1989, and other Iraqi attempts to smuggle centrifuge technology from the U.S. to Iraq in 1988 and 1989 were blocked by U.S. officials.

Nevertheless, Iraq made significant progress towards creating a centrifuge enrichment capability, and meeting a long term goal of 10,000 operating centrifuges, U.S. aid.[151] Iraq had a Beams type centrifuge by mid-1987, and more advanced Zippe type by mid-1988. The UN Special Commission found that Iraq purchased centrifuge technology and equipment from thirteen different German companies, and found a plant at Al Furat that the Iraqi claimed was capable of producing up to 200 centrifuges a year that had escaped the UN bombing.[152]

Iraq seems to have had the designs for an early URENCO centrifuge, and a 1988 design by MAN Technologies GmbH of Munich.[153] It acquired the specialized drill presses, and rolling machines or lathes, for manufacturing enrichment centrifuges from H&H Metalform Mashinenbau and Vertriebsa Ltd. of Drensteinfurt in West Germany during 1987–1988.[154] It acquired machinery to manufacture end caps and flow-forming machines to make the thin and precisely machined rotors for centrifuges out of maraging-steel tubes from H&H and other German companies. It acquired 240,000 ferrite magnet spacers, 300 tons of special aluminum alloy for vacuum housings, and 84 tons of special aluminum alloy for molecular pumps. In 1989, Iraq acquired at least 100 tons of maraging steel-350, a high nickel content steel whose primary use is in uranium centrifuges. Some of this steel seems to have come from Export Union Duesseldorf GmbH, although not enough was found to provide for a major centrifuge manufacturing effort. Some experts feel Iraq's rotors were also still of low grade at the time of UN inspection.[155]

Iraq obtained the samarium cobalt magnets used to hold the centrifuge in place during high speed rotation from West Germany and the PRC. It attempted to acquire the specialized vacuum pumps used to circulate uranium hexafluoride gas through gas centrifuges from CVC products of Rochester, New York. When this failed, it seems to have acquired them in Europe.[156]

Iraq set up a hydrogen fluoride plant at Al-Qaim, in a facility plant used for phosphate production. Hydrogen fluoride is needed to produce uranium fluoride gas.[157] Iraq made enough progress to set up a maraging centrifuge facility at Al Farat, and another at Al Rashidiya. The West German investigation of the actions of H&H and technicians associated with MAN, indicated that this manufacturer played a major role in setting up a nuclear materials research and centrifuge manufacturing plant at Tuwaitha, and that research and development work on centrifuges was taking place at the Sa'ad 16 center near Mosul. It also indicated that a ex-MAN employee, Bruno Stemmler, played a critical role in making Ira's centrifuge design function.[158]

A number of other firms played a deliberate or inadvertent role in helping Iraq to acquire a centrifuge capability. These include a number of Austrian, German, and Swiss firms, and one American firm. UN reports have named Acomel Ltd. (high frequency converters for operating centrifuges), Degussa (large oxidation furnaces), Du Pont (Krytox nuclear grade fluorinated vacuum pump oil), Leybold Heraeus AG (electron beam welder), Neue Magdelburger Werkzeugmashchinenfabrik Ltd. (large centrifuge machines), Dr. Reutlinger & Soehne (horizontal and vertical balancing machines), and NUPRO, VAT, and Balzer (different types of bellows valves).[159]

Iraq planned to have a 100 machine cascade in operation by 1993 and a 500 machine cascade in operation by 1996. It would probably have had at least 2,000 machines on line by the late 1990. Under optimal conditions, a line or cascade of 2,000 centrifuges can produce 40 to 50 pounds of highly enriched Uranium a year, or about enough to produce one bomb.

The centrifuge, however, is a difficult to enrichment, and few developing countries are likely to get anything approaching this level of output.[160] The UN Special Commission found serious problems in the quality of Iraq's centrifuge technology and production equipment. Pakistan seems to have taken nine years to build a centrifuge enrichment facility, and still only seems to have about 1,000 out of 14,000 centrifuges running at its plant at any one time. Brazil took ten years to get a small plant running at Aramar, with only 50–75 centrifuges, although was well on its way to operating a full scale 2,000–3,000 centrifuge plant by 1990.[161]

As for other methods of enrichment, Iraq showed no interest in laser isotope separation, limited interest in chemical and jet nozzle separation, and a major interest in Calutron enrichment. Iraq tried both Japanese and French techniques for chemical separation which rely on catalysts to speed up the exchanges between U–235 and U–238. It abandoned the Japanese technique, but continued working on the French technique in order to obtain a relatively cheap and efficient method of low level enrichment. It only seems to have made limited progress in jet nozzle technology, and abandoned it.[162]

Iraq's efforts to use Calutrons was somewhat more successful, and was only discovered after the Gulf War. The Iraqi effort to keep these facilities was so covert that it led a number of experts to speculate that Iraq had taken advantage of deception techniques to hide its activities from U.S. satellites that it obtained from the Soviets after the Israeli attack on Osriak, and from studying U.S. satellite photos of Iran that the U.S. had supplied to Iraq during the Iran-Iraq War.[163]

Iraq's major Calutron facilities have been listed earlier, but the UN has not fully disclosed what it has discovered about the Iraqi Calutron effort or the names of its foreign suppliers. It is clear, however, that Iraq set up electro-magnetic isotope separation (EMIS) facilities at Ad Dijjla, Tarmiya, Ar Rabiyah, Al Hamath and in the Zaafariniyah section of Baghdad.[164] After the Gulf War, the U.N. Special Commission found these involved the production of massive equipment assemblies that included at least thirty 12 foot disks weighing 60 tons. These were supplied by a number of Austrian and German firms, including Voest-Alpine.[165]

While several Calutrons were built, their importance was sometimes exaggerated in the press. They do not appear to have been functioning with high reliability, at a significant scale, or with the throughout required to support a major weapons effort. They could, however, have been more effective as a way of preparing enrichment material for further enrichment by centrifuges. The UN Special Commission noted that the Calutrons could be used for high capacity-low enrichment operation and the centrifuges for low capacity-high enrichment.[166]

Iraq seems to have produced only grams of enriched Uranium and milligrams of 40%–45% enriched Uranium in the facility at Tuwaitha, which was constructed in 1985–1986. Iraq only began operating the Calutrons at Tarmiya in February, 1990, and produced a total of 500 grams of 4% enriched uranium with some at a high of 10%. The facility at Tarmiya was still in the test bed stage, and each Calutron had four ion sources and a design beam current of 145 milliamps of Uranium ions. Iraq was experiencing problems in keeping all the ion sources operating at once and in maintaining stable beams, but had evidently solved all the development problems except the ion source.[167]

It was installing a circular system, or racetrack, of 17 Calutrons when the war began to produce low enriched Uranium, with the goal of installing up to 70 low enrichment units and 20 high enrichment units. None of the high enrichment Calutrons were installed or operating, but UN officials speculated that they might eventually have produced 12–90 kilograms a year of Uranium with an enrichment level of at least 90%. This, however, required all four beams in each machine to operate at 145 milliamps and all machines to operate an average of 55% of the time. An output of 8–9 kilograms would have been more likely.

As this enrichment effort moved forward, Iraq steadily expanded what Iraq later admitted was its nuclear weapons design facility at Al Atheer.[168] The UN later identified several firms as providing equipment or technical data for the Al Atheer facility. They include Asea Brown Boverie of Switzerland (large cold isostatic press), Arthur Pfeiffer Vakum Technik Ltd. (very high temperature furnaces), and Hamamatu of Japan (high speed video cameras).[169]

Al Atheer was involved in research relating to the production of Plutonium, Polonium–210, natural Uranium metal, enriched Uranium metal and Yellow Cerium Sulfide. It worked on detonation and neutronic tests, nuclear initiation, and flash X-Rays. It also worked on firing systems, control, and guidance. Projects included explosive lens testing and analysis, natural Uranium reflector design, Polonium 210/Beryllium initiators, hardened iron tampers, synchronization and timing systems, pulse power equipment, charging power equipment, junction switches, capacitors, and related measurements.[170] The UN found some 40,000 pages of documents relating to the Iraqi nuclear weapons design effort, and sophisticated one and two-dimensional computer codes tailored to nuclear weapons design.[171]

Work by the UN inspection teams found that Iraq had concluded that gun type devices need more material, although they were simpler and had fewer calculation requirements. This led Iraq to concentrate on an intermediary implosion type device, and to focus on a yield of 20 kilotons—similar to the nominal yield of the weapon dropped on Nagasaki. Iraq had performed 20 detonation experiments relating to such designs by May 31, 1990—the last date referred to in UN-held Iraqi reports.[172] It is important to note that no records have yet been discovered for the period after May, 1990.

Because Iraq calculated that minor shifts in design could produce a yield as low as 1 kiloton, and lacked predetermined values for several critical calculations, it was using one dimensional integrated codes for much of its design work. It conducted weaponization studies, hydrodynamic calculations, exploding wire studies, initial initiator studies, flash X-ray studies, energy source studies, Neptunium and U-233 experiments, and Li-6 experiments. The bulk of this calculation work seems to have been done at Tuwaitha, using an IBM 370 mainframe and smaller IBM PS/2 computers, although the hydrostatic calculations were performed on an NEC mainframe computer.[173]

Iraq also purchased components for the high melting point explosive (HMX) and rapid detonation explosive (RDX) needed to compress fissile material into critical mass.[174] It obtained polonium 210 from Bismuth, and completed 20 tests of a polonium-beryllium initiator.[175] Iraq obtained X-ray crystal measurement, mass spectrometers, and beryllium. It bought some $96 million worth of computers from the U.S. between 1984 and 1990, and $26 million of which went to Iraqi military facilities, and large amounts of optical fiber.[176] Further, the UN Special Commission reported that Iraq was producing, or had obtained, up to 220 pounds of Lithium-6 a year. Lithium-6 can be used both in thermonuclear weapons, and to enhance the yield of fission weapons. The UN concluded from Iraqi records that Iraq was using Lithium to work on a boosted weapon.[177]

The exact level of Iraq's success in warhead design at the time the Gulf War began is still a matter of some debate. The report of IAEA Director Hans Blix to the UN Security Council on the results of the sixth IAEA inspection of Iraq makes it clear, however, that Iraq had made substantial progress:[178]

"The key result of the sixth inspection is the uncovering of documents that show conclusively that Iraq was very well advanced in a program to develop an implosion-type nuclear weapon and that links existed to a surface-to-surface missile project. In deed, so advanced has this program been deemed to be that the time needed to reach bomb-making capacity seems to have been determined by the time necessary for the enrichment facilities, rather than the weapons design activities.

". . . The sixth report also uncovered evidence of broad based Iraqi international procurement efforts in violation of laws of States from which the export originated. However, much, if not most of the procurement of which evidence will be available, will be found to pertain to equipment and material not subject to export controls elsewhere."

This statement and evidence discovered by the UN inspection teams leaves little doubt that Iraq had most of the technical capability to make an implosion type fission weapon. In fact, the U.S. seems to have helped Iraq in developing some of the explosion technology involved by inviting them to a conference in Portland, Oregon on denotation techniques.[179]

There is less clear, however, that Iraq could have deployed a weapon without testing. Iraq might not have found predictability of yield to be critical. Even a partial success, or "fizzle", that only produced a 5-6 kiloton yield is still an extremely effectively weapon. An outright failure to explode, however, could cost Iraq roughly $100 to $200 million per weapon until it developed a major fissile material production capability, and represent a significant portion of Iraq's total stockpile.

Further, Iraq faced the risk that a nuclear weapon susceptible to shock, accidental triggering, or partial detonation from causes ranging from static electricity to misuse of safety interlocks could do devastating damage to Iraqi territory. There are some indications that the bomb Iraq designed "crammed" so much high explosive into a narrow area that it was highly sensitive to shock and accidental detonation.[180]

Iraq also faced the challenge of mating a nuclear weapon to a delivery system. It had to develop the technology necessary to carry bombs on airplanes in ways that ensure safety and proper release, develop accurate delivery methods, and fuse the bombs to provide reliable control over the height of burst.[181] It had to develop similar technology for missiles, as well as missiles that are so reliable that there is almost a zero chance of the loss of one of Iraq's limited number of warheads. The warhead performance of Iraq's longer range missiles was extremely unreliable at the time of the Gulf War, and presented a risk of missing a target by several kilometers, and of misses that could detonate at virtually any point within their maximum range if the missile malfunctions.

Iraq's effort in March, 1990 to smuggle high speed, high voltage, capacitors from the U.S., suitable for use in nuclear weapons, provides a good example of the some of the other problems Iraq faced in moving from the possession of most of the technology it needs for nuclear weapons to all of the technology it needs for nuclear weapons. On March 28, 1990, five people were arrested in London's Heathrow Airport, after an 18 month "sting" operation in which U.S. and British officials tracked Iraq's purchasing efforts to buy military capacitors. These efforts were made by the London-based firms called Euromac and Atlas Equipment, Ltd., which were fronts for an Iraqi purchasing mission involving the efforts of at least three members of Iraq's Al-Qaa qaa military research and development establishment.[182] Euromac had previously been involved in smuggling cluster bomb parts out of Italy, and some of the Iraqi government personnel involved had ties to the facilities at Tuwaitha and Iraq's Sa'ad 16 military facility near Mosul, which are key centers for such nuclear weapons research.[183]

It is not absolutely certain that Iraq wanted the capacitors for nuclear weapons. They do have a number of other potential military applications, such as triggering the high explosive charges in a gas cannon, the capacitors are co-axial, high voltage, low inductance devices that have exceptional resistance to humidity, vibration, and shock. Nevertheless, they are identical to the devices used in U.S. nuclear weapons and they are perfectly suited to deliver the instant burst of electricity, or triggering charge, necessary to detonate all of the high explosive hemispheres surrounding nuclear material in other to ensure that it is compressed into critical mass with optimum efficiency.[184]

Without access to such technology, however, Iraq faced major problems in miniaturizing its nuclear devices, mating them to missile warheads, making effective use of its limited fissile material, and enhancing the yields it can obtain. It also risked producing weapons sensitive to shock and accidents, which may have significant fusing and reliability problems.

Finally, Iraq faced the problem of nuclear weapons security. The seizure of a nuclear weapon could give any political faction a dominant role in a coup attempt or struggle for power. In the case of a revolution, or ideological struggle, it could easily threaten the existence of the regime or lead to the use of a weapon that could trigger a major war. Creating effective security systems and devices, however, is not easy. Security devices that are internal in the weapon are probably the only way of ensuring a reasonable degree of central government control, but effective designs must be built into every aspect of the weapons design and can interfere with weapons function. Less stringent protection systems can be bypassed in relatively short periods of time, or by disassembling one weapon to learn how to bypass the security systems on the others.

As for the future, UN Coalition attacks destroyed many of Iraq's nuclear facilities during the Gulf War, and the deployment of UN inspection teams by the UN Special Commission created to implement the terms of the 1991 cease-fire in the Gulf War found and destroyed many others.[185] The IAEA has removed the enriched material from the two small research reactors still operating at Tuwaitha, and the UN bombing and Special Commission efforts have destroyed facilities for Plutonium production, Uranium production, hexafluoride conversion, and Uranium mining and milling.[186]

The UN bombing and post-war inspection and dismantling effort cannot, however, deny Iraq the advantages of the technology it has acquired from two decades of nuclear weapons development efforts. As CIA Director Robert Gates noted in testimony before Congress, ". . . Iraq will remain a primary proliferation threat at least as long as Saddam Hussein remains in power. . . . The cadre of scientists and engineers trained for these programs will be able to reconstitute any dormant program quickly."[187] Nevertheless, the UN effort does confront Iraq with a massive problem in investment and in re-acquiring the complex mix of equipment and facilities it had before the Gulf War.

If the UN sanctions are fully enforced, it will probably be at least five to eight years before Iraq's nuclear efforts can recover once the UN inspection effort ends. It could well be many years longer before Iraq can build up substantial nuclear forces. This would not, however, prevent Iraq from creating the kind of "nuclear ambiguity" that is already present in India and Pakistan. Iraq may well have a credible enough potential to possess a bomb to influence the regional balances years before it has an effective device. On the one hand this will increase its political and strategic leverage. On the other hand, such ambiguity could make Iraq a high priority target and lead to preemptive attacks by a state like Israel.

FOOTNOTES

[1] U.S. Federal Register, Volume 56, Number 64, p. 13584; London Financial Times, April 2, 1991, p. 1; London Times, April 3, 1991, p. 2.

[2] The Iraqi-held version of the FROG-7 is a free rocket with a range of 11 to 70 kilometers, a CEP of 0.5-0.7 kilometers, and a 550 kilogram warhead. The FROG 7 has a single stage solid propellant rocket motor, and the main nozzle is surrounded by a ring of much small nozzles. This variant of the FROG was first exhibited in 1967. It is 9.0 meters long, 61 centimeters in diameter, and weighs 5,727 kilograms. The FROG-7 is normally mounted upon, and launched from, a wheeled erector launcher called the ZIL-135. While the FROG-7 is superior in reliability and accuracy to early FROGs, there is no guidance system other than a spin-stabilized ballistic trajectory. If any trajectory correction is made after launch, it will begin during boost. After boost, the trajectory is ballistic and at long ranges the missile can strike up to two kilometers from its in-

tended target. Iraq's Scud holdings included a wide range of types. The World's Missile Systems, Seventh Edition, General Dynamics, Pomona Division, April 1982, pp. 65–66.

[3] "U.S. Reasserts Aim to Keep Oil Flowing From Persian Gulf," Washington Times (February 22, 1984), p. A–1.

[4] "Iraqis Fire Missiles on Iranian Cities," Chicago Tribune (February 25, 1984), p. 20; Washington Post, May 11, 1988, p. A–1.

[5] New York Times, May 1, 1988, p. 1.; Los Angeles Times, May 21, 1988, p. 18; Washington Post, May 11, 1988, p. A–1.

[6] Washington Post, May 11, 1988, p. A–1. Work done by Dick Pawloski of General Dynamics describes the systems as follows:

Alert State and Deployment:

State	Warhead	Missile	TEL
6	In storage	In storage	Available.
5	In storage	Sys/comp cks.	Available.
4	Attached	Fueled	Available.
3	Attached	Put on TEL	Move to site.
2	Attached	Erected	Set up.
1	Fused	Launched	Crew dispersed.

All of the SCUD's are liquid fueled and it takes a trained team around one hour to fuel and position the missile TEL (transporter-erector-launcher). It would take another hour to reload the launcher and an additional hour to prepare it for launching, not counting driving time to and from the reload site A chemical warhead would also be "filled" with the VX Agent. These warheads utilize pre-mixed agents that require crews in MOP gear to fill them. The binary forms are not considered feasible for rocket employment at this time.

The "Al-Hussein", which utilizes a reduced payload package (985 to 190 kg) to effect a 100% growth in range to 600 km (328 NM). The warhead inventory which comprises nuclear, high-explosive, ICM Bomblets, chemical (985kg with 555kg active VX), of fuel-air-explosive (FAE).

Iraq's 48 ton, three-stage, "Tamuz-1" heavy duty rocket is supposed to have put up a satellite and its "Abbas" two-stage 2000 km (1100 NM) SSM has been test fired. These advanced rockets could place Iraq into the ICBM club of the superpowers. There is another rocket project, the "Condor II", that was being done with the cooperation of Egypt and Argentina. Fortunately, it has been plagued with technical problems.

The latest advanced missile under development in Iraq has been named the "Al-Hijara" (stone), which is considered to be a modernized "Al Hussayn".

[7] The USSR claimed that none of the Scuds it sold to Iraq had the range to reach Teheran. Iran claims to have recovered parts showing the Scuds used in the attacks were of recent Soviet manufacture. Some sources claim that Egypt, Italy, France, the FRG, PRC, and/or USSR helped the Iraqis add boosters or modify the missiles to use more of their fuel and/or a smaller warhead.

[8] Baghdad has 23% of Iraq's population and is only 80 miles from the border. Tehran is about 290 miles from the front line.

[9] In spite of the knowledge gained during the Gulf War, sources still differ on other aspects of the performance of this system. According to some reports, the improved Iraqi Scuds have a CEP of 1,300 meters versus 1,000 meters for the Scud B, and carry only 600 kilograms versus 1,000 kilograms for the Scud B. According to other reports, Iraq has obtained Scud Ds from the USSR, although this seems unlikely. The Scud Ds are substantially more accurate than the Scud C, and can use minelet and submunition payloads, but there is no evidence the USSR has sold such systems to Third World states. Some reports indicate that Iraq has Soviet-made Scud C missiles with strap on boosters. This seems doubtful because the missiles Iran recovered did not have such boosters, only a smaller warhead. David C. Isby, Weapons and Tactics of the Soviet Army, Fully Revised Edition, London, Jane's 1988, pp. 296–301

[10] Working paper issued by the Israeli Embassy in Washington, April, 1990. No author, title, or publisher listed. Also see Duncan Lennox, "Iraq-Ballistic Missiles", Current News, Supplement, Department of Defense, October 11, 1990, pp. B-4 to B-6; Washington Post, October 10, 1990, p. 19; Dick Palowski, Changes in Threat Air Combat Doctrine and Force Structure, 24th Edition, Forth Worth General Dynamics DWIC-01, February, 1992, pp. II-330 to II-331; San Diego Navy Dispatch, September 8, 1990, p. 26; DAH-90, December 1989, p. 30.

[11] New York Times. November 12, 1991, p. A–3.

[12] New York Times, March 30, 1990, p. 6, April 3, 1990, p. 1, November 12, 1991, p. A–3; Christian Science Monitor, January 23, 1992, p. 1; The Atlanta Constitution, January 16, 1992, p. 1

[13] FBIS, Middle East, April 25, 1988, p. 1; Duncan Lennox, "Iraq-Ballistic Missiles", Current News, Supplement, Department of Defense, October 11, 1990, pp. B-4 to B-6.

[14] Defense and Foreign Affairs Weekly, May 8–14, 1989, pp. 3 and 6. Iraq's minister of Industry and Military Industrialization Husayn Kamil, has denied Iraq is cooperating in missile development with any foreign country. Jane's Defense Weekly, May 13, 1989, p. 843.

[15] Kenneth R. Timmerman, The Poison Gas Connection, Los Angeles, Simon Weisenthal Center, 1990, pp. 10–12 and 21–22.

[16] Flight International, May 13, 1989, pp. 20–21, and work by Dick Pawloski, provide a view of the DOT program that may be summarized as follows: European countries helped Iraq set up a series of Rocket and Chemical development, testing and production projects. The scheme was always linked to the cooperative "Condor 2" program with Argentina and Egypt. The "Condor 2" was supported to create a two-staged. 1000 km range (500 kg payload) growth derivative from the Argentina "Condor 1" "weather rocket" developed with the help of MBB from Germany in the late 1970's. The central role of the "Condor 2" project was played by a group of small Swiss companies, headed by Zug-based Consen, staffed by former MBB engineers. In 1984, Egypt contracted the Ifat Company which also involved Argentina.

Iraq approached a Vienna based consultancy, Consultco, with a project for Iraq alone which became the "DOT" Program. A consortium was built with Zublin from Germany, two other Austrian firms, and several other electrical firms. Money was generously received and the work progressed. Thousands of Pakistani workers were recruited and the Feneberg construction firm built the complexes. DOT incorporated three major tasks and Feneberg completed them by March, 1989:

DO-1: near Hilla, 50 km south of Baghdad, chemical rocket fuels development.

DO-2; a collection of engineering workshops near the city of Fallujah, adjacent the Yugoslavian built artillery & ammunition factor called SADD 5.

DO-3: a rocket testing range some 95 km south of Baghdad near Karbala.

[17] The report also said that the fire took a week to fully extinguish and that up to one-third of the main complex had been destroyed, but this is not confirmed. New York Times, September 7, 1989, p. A–9; The Independent, September 6, 1989.

[18] Washington Post, May 3, 1989, p. A–19; Kenneth R. Timmerman, The Poison Gas Connection, Los Angeles, Simmon Weisenthal Center, 1990, pp. 21–22.

[19] Task Force on Terrorism and Unconventional Warfare, Chemical Weapons in The Third World: 2. Iraq's Expanding Chemical Arsenal, House Republican Research Committee, U.S. House of Representatives, May 29, 1990, p. 11.

[20] *Aviation Week and Space Technology*, August 27, 1990, p. 17, and Dick Palowski, *Changes in Threat Air Combat Doctrine and Force Structure, 24 Edition*, Fort Worth, General Dynamics DWIC-01, February, 1992, pp. 11–323.

[21] For a good summary report, see *Jane's Defense Weekly*, February 17, 1990, p. 295. Also see *Financial Times*, November 21, 1989, p. 1; *Washington Post*, September 20, 1989.

[22] *Flight International*, May 13, 1989, p. 20; *Wall Street Journal*, August 30, 1990.

[23] Michael Eisenstadt, "The Sword of the Arabs:" Iraq's Strategic Weapons, Washington, Washington Institute for Near East Policy, Policy Paper 21, September, 1990, p. 22.

[24] Michael Eisenstadt, "The Sword of the Arabs:" Iraq's Strategic Weapons, Washington, Washington Institute for Near East Policy, Policy Paper 21, September, 1990, pp. 22–23.

[25] Ruchita Vora, "Iraq Joins the Missile Club: Impact and Implications," *Strategic Analysis*, April 1990, p. 59; *Flight International*, May 13, 1989, p. 20.

[26] *Jane's Defense Weekly*, December 23, 1989, pp. 1371–1372.

[27] *Jane's Defense Weekly*, December 23, 1989, pp. 1371–1372.

[28] Some sources indicate that the booster is called the al-Abbid or Worshipper.

[29] *The Middle East*, November, 1989, p. 19.

[30] *New York Times*, September 7, 1989, p. A–9.

[31] Duncan Lennox, "Iraq-Ballistic Missiles", *Current News, Supplement*, Department of Defense, October 11, 1990, pp. B-4 to B-6.

[32] Working paper by Dick Pawloski.

[33] *New York Times*, December 5, 1989; *Washington Post*, *Washington Post*, December 9, 1989; *Aviation Week*, December 11, 1989, p. 31; *Defense Daily*, December 12, 1989, p. 381; *Financial Times*, December 20, 1989, p; FBIS-WES, December 8, 1989, p. 23; *Jane's Defense Weekly*, December 23, 1989, pp. 1371–1372.

[34] Reuters, October 4, 1991, AM cycle.

[35] Considerable debate has taken place since the war as to whether British officials knew about the gun much earlier and could have prevented earlier deliveries of equipment to Iraq. *Washington Post*, January 16, 1992, p. 11; *London Financial Times*, January 22, 1992, p. 6.

[36] The gun was aimed in the general direction of Israel. *Jane's Defense Weekly*, April 24, 1990, November 24, 1990, September 14, 1991, pp. 458–459; *Defense News*, November 11, 1991, p. 4; *U.S. News and World Report*, November 25, 1991, p. 36.

[37] Some sources estimate a barrel length of 153–160 meters. *Nature*, April 26, 1990, p. 811; *International Defense Review*, 5/1990. p. 481; *Financial Times*, April 18, 1990, p. 22, May 2, 1990, p. 18; The Middle East, March, 1990, pp. 17–18.

[38] Space Research Corporation had also done extensive work for Israel. Other firms involved may have included Societa delle Funcine, Firpas SrL and Italian Technology Innovation SrL of Italy; Amalgamated Trading Industries of Belgium; Advanced Technology Institute of Athens; PRB of Belgium, and Astra Defense Systems of the U.K. It is uncertain how many of these firms were knowingly involved, if they were involved at all. *Jane's Defense Weekly*, April 28, 1990, pp. 770–771; *Washington Post*, April 19, 1990, p. A–37; *London Sunday Times*, April 22, 1990, p. 1

[39] *London Financial Times*, February 20, 1992, p. 8, February 28, 1992, p. 6. A U.S. firm called Kennametal, Inc. of Pittsburgh has been accused of selling equipment that might have been used in the supergun effort, but the evidence is ambiguous. *The Philadelphia Inquirer*, February 18, 1992, p. 1; *Wall Street Journal*, January 31, 1992, p. 3.

[40] Space Research Corporation had also done extensive work for Israel. Other firms involved may have included Societa delle Funcine, Firpas SrL and Italian Technology Innovation SrL of Italy; Amalgamated Trading Industries of Belgium; Advanced Technology Institute of Athens; PRB of Belgium, and Astra Defense Systems of the U.K. It is uncertain how many of these firms were knowingly involved, if they were involved at all. *Jane's Defense Weekly*, April 28, 1990, pp. 770–771; *Washington Post*, April 19, 1990, p. A–37; London Sunday Times, April 22, 1990, p. 1.

[41] Project Harp had tested a gun based on combining two 16" guns bored out to a caliber of 16.69 inches with a total caliber length of L/86. This project demonstrated that such a device could launch 185 pound payloads up to altitudes of 118 miles (200 kilometers). Bull had claimed that such a device using a solid propellant rocket could deliver a 272 kilogram payload to ranges of 1,150 miles (1,852 kilometers), and 90 kilograms to 2,000 miles (3,200) kilometers. In addition, to helping Israel develop 175 mm guns rounds that reaches ranges of 40 kilometers, Bull and SRC had previously helped Iraq develop its own Majnoon 155mm and Al Faw 210mm artillery weapons. Jane's Defense Weekly, April 28, 1990, pp. 770-771, June 2, 1990, p. 1063, Washington Post, April 19, 1990, p. A-37; Economist, May 5, 1990, p. 99; Aviation Week, May 7, 1990, p. 88; Nature, April 26, 1990, p. 811.

[42] Jane's Defense Weekly, September 14, 1991 pp. 458-459; Defense News, November 11, 1991, p. 4; Philadelphia Inquirer, October 9, 1991, p. 12.

[43] Philadelphia Inquirer, October 9, 1991, p. 12 ; U.S. News and World Report, November 25, 1991, p. 36.

[44] Some experts seriously doubt whether the device would have worked. Bull, however, had an exceptional track record as a scientist. These are five types of "super guns", in addition to the use of weapons for launching rocket assisted projectiles. These include the concentric charge cannon, the ram cannon, the coil gun, and the electromagnetic rail gun—only the concentric charge and gas cannons seem to fit the components being delivered to Iraq:

A concentric charge cannon fits concentric charges of high explosive at regular intervals throughout the barrel of the gun. The intermediate propellant charges go off at regular intervals behind the projectile building up a growing wave of gas be-

hind it. This requires critical timing and may explain why Iraq attempted to smuggle in detonating capacitors from the U.S. earlier in April, 1990, although these also have application to nuclear weapons.

A gas cannon uses the explosion or compression of a secondary gas like hydrogen to amplify the force of an initial explosion. A normal cannon can only accelerate projectiles to about 3,500 kilometers per second, a gas cannon may be able to accelerate them to 5,000 to 6,000 kilometers per second.

A ram cannon uses a barrel filled with inflammable gases, the passage of a projectile though the barrel causes the gas to ignite behind it and push it even faster because of the constantly expanding explosive wave behind it.

A coil gun is an electromagnetic weapon with a series of current bearing loops. The current in each loop creates an electromagnetic field that passes through the center of the loop. If a smaller coil is then put at the center of the loop, on the axis, the magnetic field will induce a current in it which will induce a second magnetic field. This field will act in the opposite direction. The gun's magnetic field then throws the smaller coil along the access of the loops.

A rail gun puts its payload across two parallel rails. A current passes up one rail through the payload and down the other. This creates a magnetic field that moves the projectile along the tracks.

Technical sources include: International Defense Review, No. 5, 1990, p. 481; Financial Times, April 18, 1990. p. 22, May 2, 1990, p. 18; The Middle East, March, 1990 pp. 17-18; Nature, Vol. 344, April 26, 1990, Jane's Defense Review, April 28, 1990, p. 770-771; the Economist, May 5, 1990, p. 99; Fort Worth Star-Telegram, April 24, 1990, p. 19; Aviation Week, May 7, 1990, p. 88 Washington Post, April 19, 1990, p. A-37.

[45] Washington Times, March 29, 1990, pp. A-1 April 29, 1990; Washington Post, April 30, 1990; Jane's Defense Weekly, October 29, 1988, p. 1045; New York Times, March 30, 1990, p. A-6.

[46] U.S. Navy working paper, August, 1990. The sites were Wadi al Jabaryah, Luadl or Ratqa, H-2, Wadi Amil, Ishuayb al Awaj, Qasr Amij East, Qasr Amij West, Wadi Hawran, and Zawr Hawran.

[47] New York Times, April 25, 1990, p. 13; Washington Times, May 30, 1990, July 10, 1990.

[48] Washington Post, October 10, 1990, p. 19; Financial Times (London), October 10, 1990, p. 7.

[49] See the deliberate furor Saddam Hussein created over the fixed sites in March, 1990. New York Times, March 30, 1990. p. 6.

[50] Duncan Lennox, "Iraq-Ballistic Missiles", Current News, Supplement, Department of Defense, October 11, 1990, pp. B-4 to B-6.

[51] Dick Palowski, Changes in Threat Air Combat Doctrine and Force Structure, 24th Edition, Forth Worth, General Dynamics DWIC-01, February, 1992, p. II-332, UK Recognition Journal, October, 1988, p. 312.

[52] Some reports indicate that the U.S. firm of Terex in Bridgeport, Connecticut, assisted Iraq in making these units. New York Times, January 26, 1992, p. A-12.

[53] These statistics are taken from a U.S. Department of Defense background briefing dated March, 1991.

[54] New York Times, November 12, 1991, p. A-3; Christian Science Monitor, January 23, 1992, p. 1.

[55] Washington Post, July 26, 1991, p. A-1.

[56] The UN refused to name the facilities at the time of this declaration because it feared this would allow Iraq to move some of the equipment and missiles in them. Washington Post, February 14, 1992, p. A-33.

[57] Washington Post, February 14, 1992, p. A-33; Washington Post, January 15, 1992, p. A-18.

[58] Christian Science Monitor, January 23, 1992, p. 1.

[59] The Atlanta Constitution, January 16, 1992, p. 1.

[60] Washington Post, January 15, 1992, p. A-18; Washington Times, September 12, 1991, p. A8; March 5, 1992, p. 1. U.S. News and World Report published an article claiming that Iraq might have an underground factory and some 800 missiles on February 10, 1992 (p. 22). General Colin Powell later indicated that he had seen no evidence of any underground facility and that Iraq's maximum holding might be about 250 missiles. Albany Times Union, February 5, 1992, p. 7.

[61] New York Times, February 28, 1992, p. 28; Washington Times, February 11, 1992, p. 1.

[62] Based upon discussions with Israeli sources in January, 1989.

[63] The author visited the area several times during this period. Reports of such use were provided by both Iranian and Israeli officials, and confirmed by a British expert. Also see W.A. Terrill, Strategic Review, Spring, 1986; D. Wood, Jane's Defense Weekly, March 31, 1984; Task Force on Terrorism and Unconventional Warfare, Chemical Weapons in The Third World: 2. Iraq's Expanding Chemical Arsenal. House Republican Research Committee. U.S. House of Representatives, May 29, 1990, p. 7.

[64] Peter Dunn, "The Chemical War: Journey to Iran, NBC Defense & Technology International, pp. 28-37 and "Iran Keep Chemical Options Open", pp. 12-14.

[65] The author visited the area several times during this period. Reports of such use were provided by both Iranian and Israeli officials, and confirmed by a British expert. Also see W.A. Terrill, Strategic Review, Spring, 1986; D. Wood, Jane's Defense Weekly, March 31, 1984; Task Force on Terrorism and Unconventional Warfare, Chemical Weapons in The Third World: 2. Iraq's Expanding Chemical Arsenal. House Republican Research Committee, U.S. House of Representatives, May 29, 1990, p. 7.

[66] Mustard "gas" is actually an oily liquid. It can be manufactured by three relatively simple processes: reacting vinyl chloride (which can be made from ethylene or acetylene) and hydrogen sulfide; reacting ethylene and sulfur monochloride; or reacting Thiodiglycol with hydrogen chloride after making the Thiodiglycol from ethylene or ethylene oxide and hydrogen sulfide. Sulfur and ethylene are produced by many refineries, and hydrogen chloride or chlorine gas can be made from salt, sea water, or petroleum brines. The manufacturing problem is not producing limited amounts, but producing tons. For a good discussion of the early Iraqi effort to acquire chemical weapons, see David Ignatius, "Iraq's 13-year Search for Deadly Chemicals," Washington Post, Outlook section, September 25, 1988.

[67] Based on work by Leonard Spector of the Carnegie Endowment for International Peace, and other working material.

[68] Christian Science Monitor, December 12, 1988; and BBC Panorama, 1986; The Iraqis had a natural reason to turn to Germany. Many Iraqis studied in Germany and one, Dr. Amer Hammoudi al Saadi, later became the Lt. General who serves as First Deputy Ministry of Industry and Military Industrialization—the group in charge of Iraq's strategic weapons effort and Military Production Authority.

[69] Christian Science Monitor, April 13, 1988, p. 32.

[70] There is no way to trace all the firms and countries involved, although an illustrated list is provided later in the text. By October 1990, 59 West German firms were under investigation by the West German government for arms sales to the Middle East. A classified report by Economics Minister Helmut Haussman has not been fully released, but evidently found that 25 German firms had directly contributed to the sale of technology to produce poison gas. According to German government sources, at least five German companies played a critical role in building Iraq's chemical weapons production plants (Walter Engineering Trading, GmbH of Hamburg; Karl Kolb GmbH & Co. KG, of Creieich bei Offenbach; Pilot Plant GmbH of Dreieich; Prussag AG, of Hanover; and Heberger Bau GmbH, Schifferstadt bei Ludwigshafen); eight German firms helped build the Saad-16 research and development center for chemical, biological, and nuclear weapons near Mosul; at least five German companies helped Iraq modernize and extend the range of its Scuds and equipped them with advanced warheads; and three German companies supplied Iraq with critical parts to build gas centrifuges. (Baltimore Sun, October 14, 1990, p. 4) A report by Kenneth R. Timmerman of the Simon Weisenthal Center of Los Angeles, The Poison Gas Connection, issued in late 1990, found that 29 German firms had played a critical role in helping West Germany to proliferate.

A working paper issued in September 1990 by the Republican Staff of the Senate Foreign Relations Committee put this issue in a broader perspective. It found that a total of 87 German firms had helped Iraq with its proliferation and military production efforts, versus 18 for Austria, 17 for France, 16 for the United States, 15 for the United Kingdom, 12 for Spain, 12 for Switzerland, 10 for Italy, 8 for Belguim, 6 for India, 4 for Brazil, 3 for Argentina, 3 for the Netherlands, 2 for Japan, and 1 each for Chile, Greece, Poland, Kuwait, and Sweden. This same Senate working paper named 60 West German firms as contributing in some way to Iraq's development of chemical, biological, and nuclear weapons, or long range missile developments. In addition, the Senate working paper named 3 Argentine firms, 12 Austrian firms, 6 Belgian firms, 4 Brazilian firms, 1 Egyptian firm, 13 French firms, 1 Greek firm, 6 Indian firms, 9 Italian firms, 1 Japanese firm, 1 Kuwaiti firm, 2 Netherlands firms; 8 Spanish firms, 1 Swedish firm, 12 Swiss firms, 7 British firms, and 13 U.S. firms as having contributed at least some equipment and technology to Iraq's efforts at proliferation. Later reporting indicated U.S firm unwittingly sold precursors to Iraq through a Dutch agent, Frans Van Anraat using the firm Alcolac as a cover. Alcolac had sold some 528 tons of Thiodiglycol to Iraq, but this seems to have been used up before the Gulf War. (Baltimore Sun, June 28, 1991, p. D1.)

[71] This is a small amount. About 15-20 tons of a nerve agent like Tabun are need to cover a single square kilometer.

[72] Iran claimed the Iraq used nerve and phosgene gas delivered by FROG-7s and BM-21s, and produced hundreds of killed and thousands of wounded as early as the Iraqi attack on Dezful in mid-1981. These reports do not seem true. Claims of the use of mycotoxins seem to reflect the results of poor sanitation conditions in the Iranian forces. Col. H.N., Commander of the IDF NBC Center, *Ma'arakhot*, No. 296, February, 1983; Task Force on Terrorism and Unconventional Warfare, *Chemical Weapons in The Third World: 2. Iraq's Expanding Chemical Arsenal*, House Republican Research Committee, U.S. House of Representatives, May 29, 1990, p. 7; Edgar O' Ballance, *The Gulf War*, London, Brassey's Defense Publishers, 1988, p. 77; Anthony H. Cordesman, *Lessons of Modern Wars—Volume II: The Iran-Iraq War*, Boulder, Westview, 1990, pp. 122-123.

[73] Seth Carus, *The Genie Unleashed: Iraq's Chemical and Biological Weapons Production*, Washington, Washington Institute Policy Papers, No. 14., 1989, p. 11.

[74] John J. Fialka, "Fighting Dirty", *Wall Street Journal*, September 16, 1988, p. 1; *New York Times*, January 31, 1989, p. A-3; *Washington Post*, January 31, 1989, pp. A-1 and A-10. There are several ways of manufacturing Mustard Gas, but the use Thiodiglycol as a precursor is most common. Thiodiglycol has a number of commerical uses, including the manufacture of dyes and inks. When it is mixed with hydrochloric acid, it produces Mustard Gas. Thiodiglycol can be manufactured, however, using a reaction of ethylene oxide with hydrogen sulfide. These are relatively common industrial chemicals, and hydrogen sulfide can be obtained by removing it from sour natural gas or petroleum. Iraq mines sulfur and has a limited industrial capability to process sulfur.

[75] Philips has since claimed that it did not react to the first order for Thiodiglycol because such orders were routine, and the Iraqi order because it was placed by KBS Holland B.V., a Dutch trading firm. It was only after the trading firm began to ship its initial order in July, 1983, that Philips learned that the actual customer was in Iraq, and even then it paid little attention because it was said to be a large "agricultural" organization. In early 1984, when the State Ministry of Pesticide Production placed a second order for 500 tons, Philips grew suspicious and canceled the order. Philips then notified the Belgian government, which reacted by canceling Philips' license to produce the chemical. A number of experts disagree, however, and feel that only limited amounts could have credibly been assumed to be used in printing, textiles, and automotive manufacturing. Iraq may also have obtained another 500 metric tons from other sources. This cannot be confirmed, but an American company called Alcolac was convicted of shipping Thiodiglycol to both Iraq and Iran in 1987 and 1988. John J. Fialka, "Fighting Dirty", *Wall Street Journal*, September 16, 1988, p. 1. *New York Times*, January 31, 1989, p. A-3 and *Washington Post*, January 31, 1989, p. A-1. Also see W. Seth Carus, *The Genie Unleashed: Iraq's Chemical and Biological Weapons Production*, Washington, Washington Institute Policy Papers, No. 14., 1989, p. 14. It takes roughly 1 metric ton of Thiodiglycol to produce one ton of mustard gas.

[76] Kenneth R. Timmerman, The Poison Gas Connection, Los Angeles, Simon Weisenthal Center, 1990, pp. 9-10.

[77] Task Force on Terrorism and Unconventional Warfare, Chemical Weapons in The Third World: 2. Iraq's Expanding Chemical Arsenal, House Republican Research Committee, U.S. House of Representatives, May 29, 1990, p. 8; Anthony H. Cordesman, Lessons of Modern Wars—Volume II: The Iran-Iraq War, Boulder, Westview, 1990, pp. 510-512; W. Seth Carus, The Genie Unleashed: Iraq's Chemical and Biological Weapons Production, Washington, Washington Institute Policy Papers, No. 14, 1989, pp. 11-17.

[78] It takes 0.45 tons of ethylene oxide to make 1.0 tons of Thiodiglycol. Carus, p. 15.

[79] Task Force on Terrorism and Unconventional Warfare, Chemical Weapons in The Third World: 2. Iraq's Expanding Chemical Arsenal, House Republican Research Committee, U.S. House of Representatives, May 29, 1990, p. 8; Anthony H. Cordesman, Lessons of Modern Wars—Volume II: The Iran-Iraq War, Boulder, Westview, 1990, pp. 510-512; W. Seth Carus, The Genie Unleashed: Iraq's Chemical and Biological Weapons Production, Washington, Washington Institute Policy Papers, No. 14, 1989, pp. 11-17.

[80] Nerve gases are more complex to manufacture than mustard gas. There are more ways to manufacture nerve gases than mustard gas, and many types of chemicals that can be used, but sales of most of these chemicals—such as pinacolyl alcohol, potassium fluoride, phosphorous oxychloride, phosphorous trichloride, and trimethyl phosphite—are easy to track and many have only limited commercial applications.

[81] The persistence of chemical agents is dependent on wind and temperature, and whether they are disperse as liquids or aerosols. Gases tend to disperse quickly in very hot weather and to persist far longer in cold weather. It is important to note that gases that may disperse in minutes under some conditions take days to disperse under others, and that persistent gases that last days or weeks in hot weather can last up to three times longer in cold weather.

[82] Carus, p. 11.

[83] Jane's Defense Weekly, January 9, 1988, p. 3; February 27, 1988, p.336.

[84] Unpublished "Statement of the Honorable William H. Webster, Director, Central Intelligence Agency, Before the Committee on Governmental Affairs, Hearings on Global Spread of Chemical and Biological Weapons", February 9, 1989; Task Force on Terrorism and Unconventional Warfare, Chemical Weapons in The Third World: 2. Iraq's Expanding Chemical Arsenal, House Republican Research Committee, U.S. House of Representatives, May 29, 1990, p. 8; Anthony H. Cordesman, Lessons of Modern Wars—Volume II: The Iran-Iraq War, Boulder, Westview, 1990; W. Seth Carus, The Genie Unleashed: Iraq's Chemical and Biological Weapons Production, Washington, Washington Institute Policy Papers, No. 14, 1989; New York Times, March 27, 1984; Wall Street Journal, October 29, 1991, p. 24.

[85] At least four batches of chemicals were bought in the United Kingdom (London Financial Times, November 5, 1991, p. 9). For general sources for this analysis see unpublished "Statement of the Honorable William H. Webster, Director, Central Intelligence Agency, Before the Committee on Governmental Affairs, Hearings on Global Spread of Chemical and Biological Weapons", February 9, 1989; Task Force on Terrorism and Unconventional Warfare, Chemical Weapons in The Third World: 2. Iraq's Expanding Chemical Arsenal, House Republican Research Committee, U.S. House of Representatives, May 29, 1990, p. 8; Anthony H. Cordesman, Lessons of Modern Wars—Volume II: The Iran-Iraq War, Boulder, Westview, 1990; W. Seth Carus, The Genie Unleashed: Iraq's Chemical and Biological Weapons Production, Washington, Washington Institute Policy Papers, No. 14, 1989.

[86] Task Force on Terrorism and Unconventional Warfare, Chemical Weapons in The Third World: 2. Iraq's Expanding Chemical Arsenal, House Republican Research Committee, U.S. House of Representatives, May 29, 1990, p. 8; Anthony H. Cordesman, Lessons of Modern Wars—Volume II: The Iran-Iraq War, Boulder, Westview, 1990, pp. 510-512; W. Seth Carus, The Genie Unleashed: Iraq's Chemical and Biological Weapons Production, Washington, Washington Institute Policy Papers, No. 14, 1989, pp. 11-17.

[87] Task Force on Terrorism and Unconventional Warfare, Chemical Weapons in The Third World: 2. Iraq's Expanding Chemical Arsenal. House Republican Research Committee, U.S. House of Representatives, May 29, 1990, pp. 9-10.

[88] Some of these reports may be exaggerated. There is no question that Fallujah has large scale facilities, but some of these facilities seem to produce nothing but the precursor chemicals for Sarin like phosphorous oxychloride, and phosphorous trichloride. Fallujah may be concentrating on the production of precursors. For a more pessimistic view, see Task Force on Terrorism and Unconventional Warfare, Chemical Weapons in The Third World: 2. Iraq's Expanding Chemical Arsenal. House Republican Research Committee, U.S. House of Representatives, May 29, 1990, p. 8.

[89] Seth Carus, "Chemical Weapons in the Middle East," Policy Focus, Number Nine, Washington Institute for Near East Policy, December, 1988, p. 4; "Iraq's Scare Tactic," Newsweek, August 2, 1982; Washington Post, April 5, 1988, p. A-1.

[90] Peter Dunn, "The Chemical War: Journey to Iran, NBC Defense & Technology International, pp. 28-37; Seth Carus, The Genie Unleashed: Iraq's Chemical and Biological Weapons Production, Washington, Washington Institute Policy Papers, No. 14., 1989, pp. 22-23; Foreign Report, March 31, 1988, p. 12; and "Iran Keep Chemical Options Open", pp. 12-14. Jane's Defense Weekly, January 9, 1988, p. 3; February 27, 1988, p. 336. The Austrian firms seems to have included Neuberger Holz und Kunstoffindustrie and Lenhardt Metallbau under Dachdecker. Five West German firms seem to have been involved, including WTB (Walter Thosti Boswau), Infraplan, and Karl Kolb.

[91] Peter Dunn, "The Chemical War: Journey to Iran, NBC Defense & Technology International, pp. 28-37; Seth Carus, The Genie Unleashed: Iraq's Chemical and Biological Weapons Production, Washington, Washington Institute Policy Papers, No. 14., 1989, pp. 22-23; Foreign Report, March 31, 1988, p. 12; and "Iran Keep Chemical Options Open", pp. 12-14. Jane's Defense Weekly, January 9, 1988, p. 3; February 27, 1988, p. 336. The Austrian firms seems to have included Neuberger Holz und Kunstoffindustrie and Lenhardt Metallbau under Dachdecker. Five West German firms seem to have been involved, including WTB (Walter Thosti Boswau), Infraplan, and Karl Kolb.

[92] Christian Science Monitor, January 23, 1992, p. 1.

[93] "Iraq's Scare Tactic," Newsweek, August 2, 1982; Washington Post, April 5, 1988, p. A-1.

[94] "Iraq's Scare Tactic," Newsweek, August 2, 1982; Washington Post, April 5, 1988, p. A-1; Seth Carus, The Genie Unleashed: Iraq's Chemical and Biological Weapons Production, Washington, Washington Institute Policy Papers, No. 14., 1989, pp. 7-9; Task Force on Terrorism and Unconventional Warfare, Chemical Weapons in The Third World: 2. Iraq's Expanding Chemical Arsenal, House Republican Research Committee, U.S. House of Representatives, May 29, 1990, p. 9.

[95] "Iraq's Scare Tactic," Newsweek, August 2, 1982; Washington Post, April 5, 1988, p. A-1; Seth Carus, The Genie Unleashed: Iraq's Chemical and Biological Weapons Production, Washington, Washington Institute Policy Papers, No. 14., 1989, pp. 7-9.

[96] Dick Palowski, Changes in Threat Air Combat Doctrine and Force Structure, 24th Edition, Fort Worth, General Dynamics DWIC-01, February, 1992, p. II-325.

[97] It later became clear that Iraq had imported large amounts of thiodiglycol (whose main civil use is keeping the ink running in ball point pens) and thionyl chloride from Britain, The Independent, July 28, 1991, p. 2. Peter Dunn, "The Chemical War: Journey to Iran", NBC Defense & Technology International, pp. 28-37 and "Iran Keeps Chemical Options Open", pp. 12-14.

[98] Seth Carus, The Genie Unleashed: Iraq's Chemical and Biological Weapons Production, Washington, Washington Institute Policy Papers, No. 14., 1989, p. 22; Dick Palowski, Changes in Threat Air Combat Doctrine and Force Structure, 24th Edition, Fort Worth, General Dynamics DWIC-01, February, 1992, pp. II-375.

[99] The priority Iraq gave to chemical and biological weapons is illustrated by the fact that Hussein Kamil—Saddam Hussein's son-in-law and cousin—headed the Ministry of Industry and Military Industries during most of this period. The Ministry of Industry and Military Industries is the branch of the Iraqi government which is responsible for the production of chemical and biological weapons. Michael Eisenstadt, "The Sword of the Arabs:" Iraq's Strategic Weapons, Washington, Washington Institute for Near East Policy, Policy Paper 21, September, 1990, p. 7. W. Seth Carus, "Chemical Weapons in the Middle East," Policy Focus, Number Nine, Washington Institute for Near East Policy, December, 1988, p. 4; "Iraq's Scare Tactic," Newsweek, August 2, 1982; Washington Post, April 5, 1988, p. A-1; Dick Palowski, Changes in Threat Air Combat Doctrine and Force Structure, 24th Edition, Fort Worth, General Dynamics DWIC-01, February, 1992, pp. II-325 and II-334; Jane's Soviet Intelligence Review, June, 1989, p. 256; Foreign Report, March 31, 1988, p. 1.

[100] New York Times, April 3, 1990, p. 1.

[101] Jane's Defense Weekly, January 9, 1988, and January 28, 1989; Der Spiegel, January 23, 1989; Task Force on Terrorism and Unconventional Warfare, Chemical Weapons in The Third World: 2. Iraq's Expanding Chemical Arsenal, House Republican Research Committee, U.S. House of Representatives, May 29, 1990, p. 10; Baghdad Domestic Service, April 2, 1990.

[102] Baltimore Sun, November 3, 1991, p. 16A; New York Times, November 12, 1991, p. A-3; Jane's Defense Weekly, December 14, 1991, pp. 1144-1145; Associate Press, December 12, 1991, PM cycle.

[103] Michael Eisenstadt, "The Sword of the Arabs:" Iraq's Strategic Weapons, Washington, Washington Institute for Near East Policy, Policy Paper 21, September 1990, p. 7 W. Seth Carus, "Chemical Weapons in the Middle East," Policy Focus, Number Nine, Washington Institute for Near East Policy, December, 1988, p. 4; "Iraq's Scare Tactic," Newsweek, August 2, 1982; Washington Post, April 5, 1988, p. A-1; Dick Palowski, Changes in Threat Air Combat Doctrine and Force Structure, 24th Edition, Fort Worth, General Dynamics DWIC-01, February, 1992, pp. II-325 and II-334; Jane's Soviet Intelligence Review, June, 1989, p. 256; Foreign Report, March 31, 1988, p. 1: New York Times, November 12, 1991.

[104] New York Times, November 12, 1991; London Times, March 4, 1992, p. 10; Christian Science Monitor, January 23, 1992, p. 1.

[105] Dick Palowski, Changes in Threat Air Combat Doctrine and Force Structure, 24th Edition, Fort Worth, General Dynamics DWIC-01, February, 1992, pp. II-326 to II-327.

[106] The author visited many Iraqi positions the week after the war with senior Saudi officers. At several field headquarters positions, we found orders and instructions for the use of chemical weapons.

[107] Washington Post, July 26, 1991, p. A-1.

[108] New York Times, July 31, 1991, p. A-1, November 12, 1991, p. A-3; Christian Science Monitor, January 23, 1992, p. 1; Associate Press, December 12, 1991, PM cycle.

[109] New York Times, November 12, 1991, p. A3; Christian Science Monitor, January 23, 1992, p. 1; Jane's Defense Weekly, December 14, 1991, pp. 1144-1145; Associate Press, December 12, 1991, PM cycle.

[110] Christian Science Monitor, January 23, 1992, p. 1; The Atlanta Constitution, January 16, 1992, p. 1.; Jane's Defense Weekly, December 14, 1991, pp. 1144-1145; Associate Press, December 12, 1991, PM cycle. The UN found nearly 100 metal working machines for chemical weapons at the plant during a raid on November 20, 1991.

[111] Many sources classify mycotoxins as chemical poisons. Unfortunately, mycotoxins have become one of those weapons that are popular with journalists or propagandists seeking to sensationally a given conflict, and countries are often accused of using mycotoxins in cases where ambiguous symptoms are present. Iran has also been accused of producing and using mycotoxins.

[112] Task Force on Terrorism and Unconventional Warfare, Chemical Weapons in The Third World: 2. Iraq's Expanding Chemical Arsenal, House Republican Research Committee, U.S. House of Representatives, May 29, 1990, p. 12; Wiener Zeitung, June 25, 1989.

[113] For sample reporting, see Washington Post, January 26, 1989, p. A-16; New York Times, January 18, 1989, p A-7; Reuters, January 17, 1989.

[114] Washington Times, January 27, 1989, p. 2; Wall Street Journal, January 23, 1989, p. A-11.

[115] Seth Carus, The Genie Unleashed: Iraq's Chemical and Biological Weapons Production, Washington, Washington Institute Policy Papers, No. 14., 1989, pp. 29-35.

[116] Washington Times, January 19, 1989, p. A-8.

[117] Baltimore Sun, August 19, 1990, p. 5-E.

[118] Middle East Economic Digest, June 27, 1987, p. 16, August 29, 1987, p. 10; June 10, 1988, p. 9, June 24, 1988, p. 9, October 14, 1988, p. 20, February 10, 1989, p. 15; Seth Carus, The Genie Unleashed; Iraq's Chemical and Biological Weapons Production, Washington, Washington Institute Policy Papers, No. 14., 1989, pp. 33-35.

[119] FBIS, Daily Report, Western Europe, January 23, 1989, p. 11, January 25, 1989, p. 8, and February 6, 1989, p. 9; Der Spiegel, January 23, 1989, pp. 16-27.

[120] FBIS Daily Report, Western Europe, January 30, 1989, pp. 9-10, Wall Street Journal, February 1, 1989, p. A-11.

[121] Listed in Senate Foreign Relations Committee, Republican Staff, "Weapons Sales to Iraq," Working Paper, October 17, 1990.

[122] Jane's Defense Weekly, September 14, 1991, p. 471.

[123] Jane's Defense Weekly, September 14, 1991, p. 471.

[124] The Atlanta Constitution, January 16, 1992, p. 1.

[125] Iraq's President Saddam Hussein repeated this denial on July 10, 1990. He stated that, "We do not have nuclear weapons." He also went on to say, however, that, ". . . we would see no problem in a Western nation helping us to develop nuclear arms to help compensate for those owned by Israel." French TF1 Television network release, July 9, 1990; Washington Times, July 19, 1990, p. 2.

[126] Based on work by Leonard Spector and Atomic Energy Commission of Iraq, Annual Report for 1988, Baghdad, Iraq Atomic Energy Commission, 1989, p. 94.

[127] Leonard S. Spector, The Undeclared Bomb, Ballinger, New York, 1988; Leonard S. Spector and Jacqueline R. Smith, Nuclear Exports: The Challenge of Control, Carnegie Endowment for Peace, Washington, April, 1990, pp. 21-26; New York Times, March 18, 1980; Energy Daily, October 2, 1980; and Dr. Michael Brenner, "Iran as a Nuclear Power in the Middle East," SAI, December 14, 1989, Appendix B.

[128] The IAEA estimates that it takes 55 pounds (25 kilograms) of highly enriched uranium to make a nuclear weapon.

[129] See Leonard S. Spector, The Undeclared Bomb, Ballinger, New York, 1988; Leonard S. Spector and Jacqueline R. Smith, Nuclear Exports; The Challenge of Control, Carnegie Endowment for Peace, Washington, April, 1990, pp. 21-26; Jed Snyder, "The Non-Proliferation Regime: Managing the Impending Crisis," Journal of Strategic Studies, December, 1985, p. 11; Shyam Bhatia, Nuclear Rivals in the Middle East, London, Routledge Paul, 1988, p. 85.

[130] Half of the 55 pounds would have been in the core of Osirak and unusable for weapons purposes, and the rest would have been irradiated in the nearby Isis reactor, both of which would have been subject to IAEA inspection. Based on work by Leonard Spector.

[131] United Nations Security Council, Report on the Eighth IAEA Inspection in Iraq Under Security Council Resolution 687, 11-18 November, 1991, New York, United Nations, S/23283 (English), pp. 21-23 and Annex 2.

[132] Leonard Spector, The New Nuclear Nations, New York, Vintage, 1985, pp. 165-166; Energy Daily, October 2, 1980, p. 1.

[133] For an excellent history of Iraq's nuclear weapons effort prior to 1983, see Jed C. Snyder, "The Road to Osirak: Baghdad's Quest for the Bomb," Middle East Journal, No. 37, Autumn 1983, pp. 565-594. Also see Leonard Spector, The New Nuclear Nations, New York, Vintage, 1985, pp. 65-67.

[134] Leonard Spector, Proliferation Today, New York, Vintage Books, 1984, pp. 175-178.

[135] Shyam Bhatia, Nuclear Rivals in the Middle East, London, Routledge Paul, 1988, p. 85.

[136] See Andrew T. Parasiliti, "Iraq, Nuclear Weapons, and the Middle East", The Middle East Institute, December 14, 1989, p. 3.

[137] Washington Post, March 31, 1989, p. A-32.

[138] Working papers by Leonard Spector, Journal do Brazil, May 22, 1988; William H. Webster, Director of Central Intelligence, "Testimony Before the Committee on Governmental Affairs, "U.S. Senate, May 18, 1989; Washington Post, September 29, 1989; Mideast Markets, June 12, 1989, p. 10, September 18, 1989, p. 11; October 16, 1989; Financial Times Mid-East Market, December 12, 1989; Arms Control Today, April, 1990, p. 27; The Middle East, May, 1990, pp. 11-14; Nucleonics Week, May 29, 1986, p. 6; Defense News, May 8, 1989; Nuclear Engineering International, December, 1988, p. 5.

[139] The $10 billion dollar figure is a UN staff estimate. See New York Times, October 14, 1991, p. A-6.

[140] Washington Post, October 13, 1991, p. A-1; Newsweek, October 7, 1991, pp. 28-33; U.S. News and World Report, November 25, 1991, pp. 34-40; Chicago Tribune, October 6, 1991, p. I-28; United Nations Security Council, Report on the First and Second IAEA Inspection in Iraq Under Security Council Resolution 687, 15 July, 1991, New York, United Nations, S/22788 (English); Report on the Third IAEA Inspection in Iraq Under Security Council Resolution 687, 25 July, 1991, New York, United Nations, S/232/83 (English); Report on the Fourth IAEA Inspection in Iraq Under Security Council Resolution 687, 28 August, 1991, New York, United Nations, S/22986 (English); Report on the Fifth IAEA Inspection in Iraq Under Security Council Resolution 687, 4 October, 1991, New York, United Nations, S/23112 (English); Report on the Seventh IAEA Inspection in Iraq Under Security Council Resolution 687, 6 October, 1991, New York, United Nations, S/23122 (English); Report on the Seventh IAEA Inspection in Iraq Under Security Council Resolution 687, 14 November, 1991, New York, United Nations, S/232215 (English); Report on the Eighth IAEA Inspection in Iraq Under Security Council Resolution 687, 11-18 November, 1991, New York, United Nations, S/23283 (English); Report on the Ninth IAEA Inspection in Iraq Under Security Council Resolution 687, 30 January 1992, New York, United Nations, S/23505 (English).

[141] United Nations Security Council, Report on the Eighth IAEA Inspection in Iraq Under Security Council Resolution 687, 11-18 November, 1991, New York, United Nations, S/23283 (English), p. 14.

[142] U.S. News and World Report, November 25, 1991, p. 36.

[143] United Nations Security Council, Report on the Eighth IAEA Inspection in Iraq Under Security Council Resolution 687, 11-18 November, 1991, New York, United Nations, S/23283 (English), p. 14.

[144] James Bruce, "Iraq and Iran: Running the Nuclear Technology Race," Jane's Defense Weekly, December 5, 1988, p. 1307; New York Times, July 10, 1992.

[145] Washington Times, August 29, 1990, p. 8; South, July 1987, pp. 99-100; Stern, April 6, 1989, pp. 214-217; Der Spiegel, December 18-25, 1989, pp. 93-94; Michael Eisenstadt, "The Sword of the Arabs:" Iraq's Strategic Weapons, Washington, Washington Institute for Near East Policy, Policy Paper 21, September, 1990, pp. 11-13.

[146] Nuclear Fuel, August 5, 1991, Vol. 16, No. 16, p. 14.

[147] It takes 15 to 25 kilograms to make one relatively simple nuclear weapon. More advanced weapons take substantially less. The IAEA did, however, certify on May 7, 1990, that all such material was still accounted for. Source: IAEA Office, United Nations, New York, New York.

[148] Leonard S. Spector, The New Nuclear Nations, New York, Vintage, 1985, pp. 44-54; FBIS, DR:NESA, Vol. 89, no. 66, April 7, 1989, p. 21; Defense and Foreign Affairs Weekly, vol. xv, no. 15, April 15-23, 1989, p. 3.

[149] New York Times, February 13, 1992, p. A-16; Zachary SA. Davis and Warren H. Donnelly, "Iraq and Nuclear Weapons," Congressional Research Service, IB90113, February 13, 1992, p. 3; David Albright and Mark Hibbs, "News that the front page missed," Bulletin of the Atomic Scientists, October, 1991, pp. 7-9.

[150] Andrew T. Parasiliti, "Iraq, Nuclear Weapons, and the Middle East", The Middle East Institute, December 14, 1989, pp. 4-5; Mideast Markets, Vol. 16, no. 8, April 17, 1989, p. 15 and vol. 16, no. 9, May 1, 1989, p. 12; Washington Post, March 31, 1989, p. A-1; Report on the Seventh IAEA Inspection in Iraq Under Security Council Resolution 687, 14 November, 1991, New York, United Nations, S/23215 (English), p. 3.

[151] U.S. News and World Report, Vol. 112, January 20, 1992, p. 45; London Financial Times, January 15, 1992, p. 1.

[152] Maximum ultimate design capability was 2,000 centrifuges per year. Washington Post, May 5, 1989; Rochester Democrat and Chronicle, March 28, 1989; New York Times, January 15, 1992; David Albright and Mark Hibbs, "News that the front page missed," Bulletin of the Atomic Scientists, October, 1991, pp. 7-9; Report on the Seventh IAEA Inspection in Iraq Under Security Council Resolution 687, 14 November, 1991, New York, United Nations, S/232215 (English), p. 19.

[153] Gary Milhollin, "Building Saddam Hussein's Bomb," New York Times, March 8, 1992, pp. 30-31.

[154] H&H was headed by Walter Busse, a former employee of MAN Technologies Ltd. which had built the uranium centrifuge assembly plant at Gronau in West Germany for URENCO. Washington Post, June 4, 1989; Der Spiegel, December 18, 1989; FBIS-Western Europe, December 20, 1989; Nucleonics Week, May 4, 1987, p. 1; Wall Street Journal, October 29, 1991, p. 24.

[155] Wall Street Journal, October 7, 1991, p. A-10.

[156] Michael Eisenstadt, "The Sword of the Arabs:" Iraq's Strategic Weapons, Washington, Washington Institute for Near East Policy, Policy Paper 21, September, 1990, pp. 11-13; Rochester Democrat and Chronicle, March 28, 1988, pp. 1A and 10A; Washington Post, May 5, 1989, p. A-24.

[157] The Middle East, May, 1990, pp. 11-14.

[158] H&H was headed by Walter Busse, a former employee of MAN Technologies Ltd. which had built the uranium centrifuge assembly plant at Gronau in West Germany for URENCO. It seems to have provided machinery for the production of gas ultracentrifuges. Washington Post, June 4, Los Angeles Times, December 12, 1991, A-9; Associated Press, December 11, 1991 AM cycle. Other firms named at this time included Schenk Weraberg and Machinebau, 1989; Der Spiegel, December 18, 1989; FBIS-Western Europe, December 20, 1989; Nucleonics Week, May 4, 1987; p. 1; Gary Milhollin, "Building Saddam Hussein's Bomb," New York Times, March 8, 1992, pp. 30-31.

[159] United Nations Security Council, Report on the Eighth IAEA Inspection in Iraq Under Security Council Resolution 687, 11-18 November, 1991, New York, United Nations, S/23283 (English), p. 13. Press sources have named Neue Magdeburger Werkzeugmaschinenfabrik, Schenk Werkzeug and Machinenbau, Machinenbau and Technikhandel, Dieburg, Rittal-Werk Rudolf Loh, Schmiedemeccanica (precision gas forgings), and Vacuum Apparat Technick. Associated Press, December 11, 1991 AM Cycle; Washington Post, October 16, 1991, p. A-1. Los Angeles Times, December 15, 1991, p. A-9. The Senate Foreign Relations Committee has also named Fried, Krupp GmbH, Carl Zeiss, and Man Aktiengesellschaft. Washington Post, October 18, 1991, p. A-3.

[160] New York Times, January 15, 1992, p. A-1.

[161] Michael Eisenstadt, "The Sword of the Arabs:" Iraq's Strategic Weapons, Washington, Washington Institute of Near East Policy, Policy Paper 21, September, 1990, p. 15.

[162] Washington Post, October 5, 1991, p. A-1; Wall Street Journal, October 29, 1991, p. 24.

[163] Washington Post, November 2, 1991, p. C-1.

[164] New York Times, January 15, 1992, p. A-1; U.S. News and World Report, Vol. 112, January 20, 1992, p. 45; Star Tribune, November 22, 1991, p. 22A, Christian Science Monitor, October 23, 1991, p. 9.

[165] U.S. News and World Report, November 25, 1991, p. 36. Vol. 112, January 20, 1992, p. 45; United Nations Security Council, Report on the Eighth IAEA Inspection in Iraq Under Security Council Resolution 687, 11-18 November, 1991, New York, United Nations, S/23283 (English).

[166] Zachary SA. Davis and Warren H. Donnelly, "Iraq and Nuclear Weapons," Congressional Research Service, IB90113, February 13, 1992, p. 3; David Albright and Mark Hibbs, "Iraq and the Bomb: Were They Even Close?, Bulletin of Atomic Scientists, March, 1991, pp. 16-25; U.S. Experts Divided on Whether Iraqi Calutrons Procure U-235," Nuclear Fuel, June 24, 1991, pp. 3-4.

[167] This analysis draws heavily on David Albright and Mark Hibbs, "Iraq and the Bomb: Were They Even Close?, Bulletin of Atomic Scientists, March, 1991, pp. 16-25; U.S. Experts Divided on Whether Iraqi Calutrons Procure U-235," Nuclear Fuel, June 24, 1991, pp. 3-4.

[168] Iraq made this admission to the UN on October 21, 1991. New York Times, October 14, 1991, p. A6, October 20, 1991, IV-5; United Nations Security Council, Report on the Eighth IAEA Inspection in Iraq Under Security Council Resolution 687, 11-18 November, 1991, New York, United Nations, S/23283 (English), p. 9.

[169] Los Angeles Times, December 12, 1991, p. A-9.

[170] A full description of activities is not included because of their value I nuclear weapons design. United Nations Security Council, Report on the Sixth IAEA Inspection in Iraq Under Security Council Resolution 687, 8 October, 1991, New York, United Nations, S/23122 (English).

[171] Washington Post, October 5, 1991, p. A-1.

[172] Gary Milhollin, "Building Saddam Hussein's Bomb," New York Times, March 8, 1992, pp. 30-31.

[173] United Nations Security Council, Report on the Eighth IAEA Inspection in Iraq Under Security Council Resolution 687, 11-18 November, 1991, New York, United Nations, S/23283 (English). pp. 14-15, 29; Gary Milhollin, "Building Saddam Hussein's Bomb," New York Times, March 8, 1992, pp. 30-31; Report on the Seventh IAEA Inspection in Iraq Under Security Council Resolution 687, 14 November, 1991, New York, United Nations, S/232215 (English), p. 30.

[174] The Middle East, 1990, pp. 11-14.

[175] U.S. News and World Report, November 25, 1991, p. 36; United Nations Security Council, Report on the Eighth IAEA Inspection in Iraq Under Security Council Resolution 687, 11-18 November, 1991, New York, United Nations, S/23283 (English), p. 29.

[176] U.S. News and World Report, November 25, 1991, p. 36. This same article named a number of possible U.S. supplies, including Honeywell (computers), Canberra Industries, Inc. (computer equipment to measure neutrons and for design specifications, Carl Zeiss (computer equipment to process photographic data), Databit, inc. (computer data transmission and circuit switches), Forney International (computer equipment for power stations), Hewellet-Packard (optical fiber cables, computers, frequency, synthesizers, precision electronic and photo equipment), Perkin-Elmer (computers, precision electronic, and photo equipment, Sackman Associates (computers, electronic assemblies, and photo equipment), and Westinghouse Electric (computer hardware and software for the Iraqi electric system). Many of these supplies almost certainly had little or nothing to do with the Iraqi nuclear effort.

[177] Zachary S. Davis and Warren H. Donnelly, "Iraq and Nuclear Weapons," Congressional Research

Service, IB90113, February 13, 1992, p. 4; Washington Post, October 9, 1991, p. A-17.

[178] Report to the UN Security Council on October 8, 1991; USA Today, October 10, 1991, p. 6.

[179] Gary Milhollin, "Building Saddam Hussein's Bomb," New York Times, March 8, 1992, pp. 30-31.

[180] Gary Milhollin, "Building Saddam Hussein's Bomb," New York Times, March 8, 1992, pp. 30-31.

[181] The problem of height of burst is critical because it determines the fall out effects of a weapon, and the relative importance of blast, radiation, and thermal energy affecting a given target. Fusing is not necessarily different from the fusing needed for ordinary bombs, but the fusing on ordinary bombs often fails to function properly.

[182] For general discussion see Wall Street Journal, March 30, 1990, p. A-18, April 4, 1990, p. A-24; The Middle East, May, 1990, pp. 11-14; Newsweek, April 9, 1990, pp. 26-28; Time, June 11, 1990, p. 34.

[183] The "sting" operation is a good example df what happens when a company that is concerned with proliferation takes immediate action to contact the officials in the country involved. A U.S. Company called CSI Technologies of San Marcos, California, immediately contacted U.S. Customs officials when it was contacted by Euromac, the Iraqi front organization. Located in Thames Ditton, New London. U.S. officials contacted British officials, and they worked together to set up a series of meetings, some of which were televised, and to make the intercept and arrests at Heathrow Airport. Ironically, Euromac was registered as a "general grocers and provision merchant". It is also unclear that the Iraqi fully understood what they were ordering. Maxwell Laboratories of San Diego had been delivering other types of capacitors to Iraq, and had delivered 518 slow speed capacitors to Iraq. Iraq then ordered 185 high speed capacitors. Maxwell Laboratories notified Customs, and halted the shipment at Customs' request. The new type of capacitor, however, was still unsuitable for nuclear weapons. Andrew T. Parasiliti, "Iraq, Nuclear Weapons, and the Middle East", The Middle East Institute, December 14, 1989, pp. 4-5; Mideast Markets, vol. 16, No. 8, April 17, 1989, p. 15 and Vol. 16, no. 9, May 1, 1989, p. 12; Washington Post, March 31, 1989; p. A-1; Los Angeles Times, March 30, 1990; Washington Post, March 31, 1990, p. 2.

[184] The core of a nuclear bomb consists of fissile material, a layer of outer explosives, and a firing circuit connected to all parts of the out high explosive cover to detonate all of it as exactly the same moment and achieve maximum compression at the precise instant high energy neutrons are being injected into the compressed fissile core. Washington Times, March 28, 29, 30, 1990; Washington Post, March 28, 29, 30, 1990; New York Times, March 28, 29, 30, 1990;

[185] Nucleonics Week, January 24, 1991.

[186] Zachary S. Davis and Warren H. Donnelly, "Iraq and Nuclear Weapons," Congressional Research Service, IB90113, February 13, 1992, p. 6.

[187] The Atlanta Constitution, January 16, 1992.

Mr. GORE. Mr. President, the bill we are introducing today—the Iran-Iraq Arms Non-Proliferation Act of 1992—aims to contribute to the stability of the Middle East by inhibiting insofar as we possibly can, the ambitions of Iran and Iraq to acquire weapons of mass destruction and advanced conventional weapons. Or to be more exact, we aim to inhibit as much as possible the willingness of enterprises and, even of governments to provide Iran and Iraq with the means to create these capabilities.

Our bill is very blunt. It says that the policy of the United States shall be to oppose any transfer of goods or technology to Iraq or Iran wherever there is reason to believe that any such transfer could contribute to the acquisition of chemical, biological, or nuclear weapons or advanced conventional weapons. Where such transfers are discovered by us, the law provides for a wide range of very effective economic penalties. Of course, the objective is to deter rather than to punish, and it is our hope that this will be the way in which our bill exercises its primary influence.

Nevertheless, we do feel that the sanctions package has got to lay out the choice for dealers in these technologies, in very stark terms. Mr. President, it is abundantly clear that we need to raise the stakes high, and we need to act without compunction if we catch violators. Our experience with Iraq demonstrates that there is no limit to the kinds of technologies and weapons that some are willing to traffic in. It does not matter if they place the survival of millions at risk, so long as payment is received. No level of horror, no moral consideration, interproses. So, if money is alone as the motivator, then loss of money must stand as the primary deterrent.

Fortunately, the legal structure of this bill is now as familiar as the substantive case for it. In many ways, what we are proposing today follows the precedents established by earlier legislation in which Senators BINGAMAN, MCCAIN and I authored, on sanctions to buttress export constraints for ballistic missiles and ballistic missile technology. That legislation is in place and is now acknowledged to be a useful extension of Presidential authority to deal with one dimension of the proliferation problem. The McCain-Gore bill this year can be thought of as a logical extension of that concept.

I commend Senator MCCAIN for his deep and tenacious concerns about the proliferation of weapons of mass destruction, and am very pleased to join him in presenting a new effort to deal with this threat.

By Mr. BINGAMAN (for himself and Mr. DOMENICI):

S. 2544. A bill to establish in the Department of the Interior the Colonial New Mexico Preservation Commission, and for other purposes; to the Committee on Energy and Natural Resources.

COLONIAL NEW MEXICO COMMEMORATIVE ACT

• Mr. BINGAMAN. Mr. President, I rise today to introduce legislation to commemorate a significant period in the history of the State of New Mexico and the United States. In 1598, approximately 10 years before the establishment of the Jamestown settlement, the colonization of New Mexico territory by Spanish explorers began nearly 200 years of interaction of our American Indian and Hispanic peoples.

These two centuries of interaction, while often traumatic, have wrought a unique cultural landscape which distinguishes the character of New Mexico within the United States and even within the American Southwest.

To preserve and protect the tangible historic resources of the colonial New Mexico period and, equally important, the more intangible qualities such as the tradition and customs of our local American Indian and Hispanic cultures, I am introducing legislation which formally recognizes the influence of this period on our national history and establishes a vehicle by which this unique period can be preserved and interpreted for the benefit of the American people.

This legislation establishes a Colonial New Mexico Preservation Commission within the National Park Service. This Commission, which will have a lifespan of 10 years, will be charged with the development and implementation of a comprehensive management plan to guide programs in preservation, onsite interpretation, and public education activities such as film documentaries and school programs. The Commission will also coordinate the colonial New Mexico initiative with appropriate local, State, and Federal offices and the private sector, and provide the necessary oversight for historic surveys and archeological investigations.

In 1991, I convened a New Mexico based task force to study this issue and to provide the recommendations which ultimately resulted in this bill. The task force was composed of representatives from local, State, and Federal agencies as well as representatives from the regional Indian tribes and Hispanic communities. As a result of their hard work, I believe that there is strong support for this initiative throughout the State and for the establishment of a Colonial New Mexico Commission whose function it will be to implement this effort.

I am pleased that my colleague Senator DOMENICI has agreed to cosponsor this legislation.

Accordingly, Mr. President, I ask unanimous consent that the text of this bill be printed in the RECORD.

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

S. 2544

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 "Colonial New Mexico Commemorative Act".

SEC. 2. FINDINGS AND PURPOSE.

(a) FINDINGS.—Congress finds that—

(1) in 1598, almost a decade before the first permanent English settlement was established at Jamestown, Spanish colonists entered New Mexico, beginning more than 2 centuries of colonization that would indelibly mark the character of the American Southwest;

(2) because of the flow of history, New Mexico has remained a unique area of the Spanish borderlands;

(3) as a result of its remoteness, New Mexico changed more slowly than other settlements and has retained many significant remnants of colonial customs, language, and attitudes; and

(4) the interaction of the American Indian and Hispanic colonial heritages resulted in customs, architecture, and many other

manifestations that are unique to today's American culture.

(b) PURPOSE.—In order to enhance the preservation, interpretation, and public understanding of various aspects of colonial New Mexico, the purpose of this Act is to establish a commission representing government and private sector interests to formulate a program for the research, interpretation, and preservation of various aspects of the colonial New Mexico story.

SEC. 3. DEFINITIONS.

As used in this Act:

(1) COMMISSION.—The term "Commission" means the Colonial New Mexico Preservation Commission established by section 4.

(2) PLAN.—The term "plan" means the comprehensive management plan described in section 8.

(3) SECRETARY.—The term "Secretary" means the Secretary of the Interior.

SEC. 4. ESTABLISHMENT OF COMMISSION.

(a) IN GENERAL.—There is established in the Department of the Interior the Colonial New Mexico Preservation Commission to carry out the purpose of this Act.

(b) MEMBERSHIP.—

(1) COMPOSITION.—The Commission shall be composed of 13 members who have knowledge of New Mexico colonial history and culture and who shall be appointed by the Secretary, of whom—

(A) two members shall be appointed from recommendations submitted by the Governor of New Mexico, of whom one member shall represent the Office of Cultural Affairs of the State of New Mexico;

(B) one member shall be appointed from recommendations submitted by the All Indian Pueblo Council;

(C) one member—

(i) shall be appointed from recommendations submitted by the Director of the National Park Service; and

(ii) shall have knowledge of colonial history in New Mexico;

(D) four members—

(i) shall be appointed from recommendations submitted by local governments in New Mexico; and

(ii) shall represent Hispanic communities;

(E) one member shall be appointed from recommendations submitted by the President of the University of New Mexico;

(F) one member shall be appointed from recommendations submitted by Navajo and Apache tribal governments;

(G) one member shall have professional expertise in the colonial history of New Mexico;

(H) one member shall have professional expertise in architectural history; and

(I) one member, who shall be an ex officio member, shall be the Director of the National Park Service or a designee of the Director.

(2) CHAIRPERSON.—

(A) IN GENERAL.—The Commission shall elect a chairperson from among its members.

(B) TERM.—The chairperson shall serve for a term of 2 years.

(3) VACANCIES.—A vacancy in the Commission shall be filled in the manner in which the original appointment was made.

(4) TERMS.—

(A) IN GENERAL.—Each member of the Commission shall be appointed for a term of 5 years.

(B) MEMBERS FILLING VACANCIES.—A member appointed to fill a vacancy shall serve for the remainder of the term for which the member's predecessor was appointed.

(C) EXTENDED SERVICE.—A member of the Commission may serve after the expiration of the member's term until a successor is appointed.

(5) COMPENSATION.—Members of the Commission shall serve without compensation.

(6) TRAVEL EXPENSES.—While away from their homes or regular places of business in the performance of services for the Commission, members of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as persons employed intermittently in the Government service are allowed expenses under section 5703 of title 5, United States Code.

(c) MEETINGS.—

(1) IN GENERAL.—The Commission shall meet at least twice annually or at the call of the chairperson or a majority of the members of the Commission.

(2) QUORUM.—A simple majority of members of the Commission shall constitute a quorum.

(d) TERMINATION.—The Commission shall terminate 10 years after completion of the appointment of the first group of members.

SEC. 5. STAFF OF COMMISSION.

(a) STAFF.—

(1) IN GENERAL.—

(A) IN GENERAL.—Subject to subparagraph (B), the Commission shall have the power to appoint and fix the compensation of such professional and nonprofessional staff, including an executive director, as is necessary to carry out the duties of the Commission.

(B) EXECUTIVE DIRECTOR.—The Commission shall select an executive director in consultation with the National Park Service.

(2) APPOINTMENT AND COMPENSATION.—Staff appointed by the Commission—

(A) shall be appointed subject to title 5, United States Code, governing appointments in the competitive service; and

(B) shall be paid in accordance with chapter 51 and subchapter III of chapter 53 of such title, relating to classification and General Schedule pay rates, at a rate not to exceed the rate of pay prescribed for step 10 of level GS-13 of the General Schedule.

(b) CONSULTANTS.—The Commission may contract for consultant services to assist the Commission in carrying out this Act, including consultant services for research necessary for plan preparation and site surveys.

(c) STAFF OF OTHER AGENCIES.—On a reimbursable basis, the Commission may procure the services of personnel detailed from the State of New Mexico, the National Park Service, or other Federal agencies.

(d) ADMINISTRATIVE AND RESEARCH SUPPORT.—The National Park Service shall provide—

(1) such administrative support to the Commission and its staff as the Commission may request; and

(2) research support and professional advice through the Spanish Colonial Research Center.

SEC. 6. POWERS OF COMMISSION.

(a) HEARINGS.—In carrying out this Act, the Commission may hold public hearings, take testimony, and record the views of the public regarding the plan and implementation of the plan.

(b) ADVISORY GROUPS AND SUBCOMMITTEES.—The Commission may appoint advisory groups or subcommittees to provide technical assistance in research programs, educational media, historic preservation, and other areas as necessary.

(c) DONATIONS.—The Commission may seek and accept donations of funds or services from public and private entities to assist the Commission in carrying out this Act.

(d) MAILS.—The Commission may use the United States mails in the same manner and under the same conditions as other departments and agencies of the United States.

(e) OFFICE SUPPORT.—On a reimbursable basis, the Commission may procure the assistance of the General Services Administration to provide such office support services as the Commission may request, including rental of office space for staff of the Commission.

SEC. 7. DUTIES OF COMMISSION.

(a) PLAN.—

(1) PREPARATION.—The Commission shall coordinate the preparation of the comprehensive management plan described in section 8.

(2) IMPLEMENTATION.—In close consultation with the Office of Cultural Affairs of the State of New Mexico, the Commission shall—

(A) coordinate the activities of Federal, State, and local governments, and private businesses and organizations, to carry out the plan and the purpose of this Act; and

(B) consistent with standards established by the National Park Service and the Secretary for the preservation of historic properties and for educational programs, and consistent with the National Historic Preservation Act (16 U.S.C. 470 et seq.), prepare guidelines and standards for projects, as identified in the plan, that will further public understanding of colonial New Mexican history.

(b) GRANTS.—

(1) IN GENERAL.—From funds appropriated, donated, or otherwise made available to the Commission, the Commission shall award grants to tribal, governmental, and nongovernmental entities to pay the Federal share of conserving and protecting structures, objects, and sites, and helping support cultural events, that have outstanding significance in the commemoration of colonial New Mexico.

(2) FEDERAL SHARE.—The Federal share may not exceed 50 percent of the cost of each project.

(3) NON-FEDERAL SHARE.—The non-Federal share may be in the form of cash or services, including donation of labor for project implementation.

(c) SURVEYS AND ARCHAEOLOGICAL INVESTIGATIONS.—The Commission shall contract for surveys and archaeological and historical investigations of sites relating to colonial New Mexico, including the preparation of reports and maps, and the curation of artifacts.

(d) PUBLICATIONS.—The Commission shall publish study reports and educational materials.

(e) NOMINATIONS TO NATIONAL REGISTER OF HISTORIC PLACES.—The Commission shall prepare thematic nominations to the National Register of Historic Places of colonial sites and resources in New Mexico.

SEC. 8. COMPREHENSIVE MANAGEMENT PLAN.

(a) IN GENERAL.—Not later than 2 years after funds are made available for operation of the Commission, the Commission, with assistance from its staff, the National Park Service, the State of New Mexico, units of local government, and private groups, shall prepare a comprehensive management plan to provide direction for commemorative actions and projects.

(b) CONTENTS.—The plan shall—

(1) establish a process and procedures for undertaking research relating to colonial New Mexico and a program for regular publication of research materials and findings;

(2) develop a survey program to further evaluate known resources and identify sites and features that require additional study;

(3) identify a core system of interpretive sites and features that would provide a com-

prehensive overview of the colonial New Mexico story;

(4) prepare interpretive materials to address the colonial New Mexico story and identify locations where this material will be available to the public;

(5) evaluate and recommend high priority sites and resources that need protection and assistance from the Commission;

(6) with the assistance of site owners, prepare options for the protection and management of high priority colonial New Mexico resources;

(7) evaluate and recommend highway routes that could be designated by the State of New Mexico as colonial New Mexico tour routes; and

(8) evaluate the feasibility of and need for developing commemorative centers in New Mexico in accordance with section 9(a).

SEC. 9. COMMEMORATIVE CENTERS.

(a) IN GENERAL.—

(1) IN GENERAL.—In accordance with the recommendations of the Commission pursuant to section 8(b)(8), the National Park Service may pay the Federal share of the cost of the development of commemorative centers to operate educational programs, provide technical assistance, conduct cultural events, and prepare media materials.

(2) FEDERAL SHARE.—The Federal share may not exceed 50 percent of the total cost of development.

(3) NON-FEDERAL SHARE.—The non-Federal share may be in the form of cash or services.

(b) ESPANOLA PLAZA CENTER.—

(1) IN GENERAL.—In consultation with the Commission, the National Park Service may pay to the city of Espanola, New Mexico, the Federal share of planning, developing, and operating a commemorative center as an element of the Spanish Commemorative Plaza.

(2) FEDERAL SHARE.—The Federal share may not exceed 50 percent of the total cost of the Espanola Plaza project.

(3) NON-FEDERAL SHARE.—The non-Federal share may be in the form of cash or services.

SEC. 10. GALISTEO BASIN STUDY.

In accordance with the National Park Service document entitled "Alternative Concepts for Commemorating Spanish Colonization" and dated February 1991, the National Park Service shall undertake a special resource study of the major prehistoric and historic sites in the Galisteo Basin relating to colonial New Mexico. The study shall include evaluations of significance, site integrity, threats, and protection and management options.

SEC. 11. ANNUAL REPORTS.

(a) IN GENERAL.—The Commission shall submit an annual report to the Secretary that lists—

(1) accomplishments regarding the duties of the Commission;

(2) expenses, income, and the entities to which any grants were made during the fiscal year;

(3) recipients of technical assistance; and

(4) actions taken to protect and interpret significant sites, structures, and objects relating to colonial New Mexico.

(b) COST ESTIMATES.—The report shall include detailed cost estimates of projects that are proposed to be funded during the next fiscal year.

SEC. 12. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the Commission $5,000,000 to carry out this Act, to remain available until expended.●

By Mr. SANFORD (for himself and Mr. HELMS):

S. 2545. A bill to correct the Harmonized Tariff Schedule of the United States as it applies to pharmaceutical grade phospholipide and soybean oil; to the Committee on Finance.

RECLASSIFICATION OF TARIFF ON CERTAIN PHARMACEUTICAL OILS

● Mr. SANFORD. Mr. President, today I am introducing a tariff reclassification bill on behalf of Kabi Pharmacia's manufacturing plant in Clayton, NC.

The problem which this bill seeks to correct threatens the future of Kabi Pharmacia, Inc., a company which currently employs 165 people in Clayton and generates almost $90 million in economic activity in that region of my State.

Kabi's main product, intralipid, is a unique intravenous fat emulsion which is used as a life support for hospital patients. This product is important not only to the economy of North Carolina, but also to many patients and health care professionals across the country.

In 1976, Kabi's Swedish parent decided to open a facility in North Carolina. At that time, the duty on the two unique components of Kabi's product was set at 1.5 percent. However, in October 1991, the Customs Service reclassified Kabi's phospholipid and increased the duty to more than 4.5 percent. The basis for the reclassification was a new listing for all phospholipids in the Harmonized Tariff System [HTS] as of 1989.

As my colleagues know, the HTS was not intended to change any tariffs, but rather to make the system more manageable. Because Kabi's phospholipid product is a unique pharmaceutical-grade item and clearly distinguishable from other phospholipids, I believe that its duty should continue at the 1.5 percent rate rather than be grouped with vaguely similar products at the 4.5 percent rate.

I thank my colleagues for their support of this noncontroversial yet significant correction in the tariff schedule.●

By Mr. MACK (for himself, Mr. HELMS, and Mr. SMITH):

S. 2546. A bill to designate a route as the "POW/MIA Memorial Highway," and for other purposes; to the Committee on Environment and Public Works.

POW/MIA MEMORIAL HIGHWAY

● Mr. MACK. Mr. President, I rise today to introduce legislation to pay tribute to the noble service and costly sacrifices of the men and women of the U.S. military who are former prisoners of war, those who might still be held against their will, and those who remain missing in action. This legislation is also a tribute to the families of these men and women, many of whom spend every day wondering if a loved one is still alive overseas.

I am today introducing legislation to establish a living memorial to these men and women by designating two interconnecting, transcontinental systems of existing U.S. interstate highways as the "POW/MIA Memorial Highway." One system will run from key West, FL, northwest to Bellingham, WA, at the Canadian border. The other will run southwest from Hulton, ME, to Cabrillo National Monument at San Diego, CA.

The idea of establishing a POW/MIA Memorial Highway came as a suggestion from one of my constituents, José N. Proenza-Sanfiel, of St. Cloud, FL. A Cuban refugee and former U.S. marine, Mr. Proenza-Sanfiel has unselfishly devoted his time, talent, and effort to this cause for a number of years. He has never accepted a penny of compensation for his efforts, saying he is not a patriot for profit. He has been successful in gaining passage of legislation in Florida to designate U.S. 1 from Key West to the Georgia border as the POW/MIA Blue Star Memorial Highway. His next vision is to establish a pathway of honor across this great country.

Mr. President, it horrifies me to think that American soldiers might still be held against their will in lands abroad. A recent issue of Newsweek indicates that as many as 2,300 United States military personnel might still be held in Vietnam, Laos, and Cambodia. More than 8,000 Korean war veterans remain unaccounted for. And, shockingly, there are approximately 79,000 MIA's from World War II.

Couple these figures with the anguish, heartache, and uncertainty of the families and friends of POW's and MIA's and the need to focus on this issue becomes even more compelling.

That is why the establishment of a POW/MIA Memorial Highway is so important. By enacting this legislation, it will call attention to the plight of these brave men and women and their families. It will also serve as a tribute to all former prisoners of war. I urge my colleagues to join me in this effort.

Mr. President, I ask unanimous consent that the text of the bill along with the article "Help Sanfiel Get His Drive on the Road To Honor POW's/MIA's" from the February 24, 1989, issue of the Orlando Sentinel be inserted in the CONGRESSIONAL RECORD immediately following my remarks.

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

S. 2546

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 "POW/MIA Memorial Highway Designation Act".

SEC. 2. ROUTE DESIGNATION.

(a) IN GENERAL.—The route described in subsection (b) is designated as the "POW/MIA Memorial Highway".

(b) DESCRIPTION OF ROUTE.—

(1) FLORIDA-TO-WASHINGTON PORTION.—The portion of the route running from Florida to Washington is—

(A) United States Route 1 north from Key West, Florida, to the border with the State of Georgia;

(B) Interstate Route 95 north to Savannah, Georgia;

(C) Interstate Route 16 north to Atlanta, Georgia;

(D) Interstate Route 24 north to Cairo, Indiana;

(E) Interstate Route 57 north to Interstate Route 64;

(F) Interstate Route 64 north to St. Louis, Missouri;

(G) Interstate Route 70 west to Kansas City, Missouri;

(H) Interstate Route 29 north to Sioux Falls, South Dakota;

(I) Interstate Route 90 west to Seattle, Washington; and

(J) Interstate Route 5 north to the border with Canada at Bellingham, Washington.

(2) MAINE-TO-CALIFORNIA PORTION.—The portion of the route running from Maine to California is—

(A) Interstate Route 95 south from Houlton, Maine, to Richmond, Virginia;

(B) Interstate Route 64 east to Norfolk, Virginia;

(C) Interstate Route 64 east from Charleston, West Virginia, to St. Louis, Missouri;

(D) Interstate Route 70 west to Denver, Colorado;

(E) Interstate Route 25 north to Cheyenne, Wyoming;

(F) Interstate Route 80 west to Sacramento, California; and

(G) Interstate Route 5 south to Cabrillo National Monument in San Diego, California.

SEC. 3. MEMORIAL PLAQUES.

(a) IN GENERAL.—In accordance with subsection (b) and in consultation with Former Prisoners of War and POW/MIA organizations, the Secretary of Transportation shall place appropriate memorial plaques along the POW/MIA Memorial Highway designated by section 2.

(b) LOCATION.—The memorial plaques shall—

(1) bear an official logo, the design of which shall be determined by the Secretary in consultation with former Prisoners of War and POW/MIA Organizations, and which shall be designed specifically for the POW/MIA Memorial Highway.

(2) be placed in scenic overlooks, rest areas, and other appropriate locations where vehicle parking is provided;

(3) be inconspicuously located relative to vehicle operations; and

(4) comply with the Manual on Uniform Traffic Control Devices for Streets and Highways approved by the Federal Highway Administrator.

[From the Orlando Sentinel, Feb. 24, 1989]

HELP SANFIEL GET HIS DRIVE ON THE ROAD TO HONOR POW'S/MIA'S

(By Charley Reese)

Andy Jackson, one of my favorite presidents, said, "One man with courage is a majority." Such a fellow is Jose N. Proenza Sanfiel, of Kissimmee. Sanfiel has taken it upon himself to persuade Congress to name two of the interstate highways in honor of Americans who are or were prisoners of war and those who are missing in action.

I think it is a great idea and I'm betting on Sanfiel. This American, who came from Cuba as a young boy and who has served two hitches in the Marine Corps, has all the qualities today's politicians are least able to cope with. He wants nothing for himself. He won't tolerate a runaround. And he won't quit.

It would seem to me that a Congress eager to hand out $12 billion to foreign governments, some of which are our enemies, or $2 billion to Japanese-Americans and former Japanese aliens, could at least name two highways for the MIAs/POWs. After all, it won't cost anything but the signs.

Ever since Americans left Saigon in 1975, I have been listening to American politicians flapping their lips about their dedication to the MIAs/POWs. Of course, former President Jimmy Carter tried to evade the problem of the MIAs by simply having a bureaucratic procedure declare them dead. The bureaucratic ploy was based on this ridiculous premise: Mrs. Wife and Child, do you (who live here as private citizens with no resources) have any proof your husband and father is alive? No? Well, we declare him dead.

Only outrage prevented this bureaucratic sleight of hand that was designed to hide the fact now tainting several administrations that the U.S. government, for reasons of political expediency, has not gone to the mat on the MIAs/POWs just as it did not go to the mat after the Korean War and World War II.

At any rate, Sanfiel thinks that if we name two highways in honor of these men, then it will be harder for the politicians to forget them. He wrote state officials and they told him it was a federal matter. He wrote his congressman, Rep. Bill Nelson, and Nelson said it was a state matter.

Sanfiel, however, is not one who gives up on the runarounds. He wrote the federal Department of Highway Administration and got it straight from the horse's mouth: The U.S. Congress may name an interstate highway whatever it wishes to name it.

So, at his own expense, Sanfiel, while working and studying to become a registered nurse, writes letter after letter and passes out literature. His strategy is simple: If enough Americans write their U.S. representatives and senators and ask for it, they will do it.

And he's right. At first, they will try to ignore it. Then they will come up with several bureaucratic reasons why it can't be done. In the end, however, if enough Americans persist with the same faith and tenacity as Sanfiel, the politicians will give in. Then, of course, they will pat themselves on the back and take credit for the idea.

I want to quote from Sanfiel's handout because I like his style:

"How can you help? Are contributions to this cause being taken? Where do you send them? You can help by passing the word on to any and all people that you know until the goal is reached. Contributions? If any one asks you for money for this project, slap their faces and call the cops. The only contributions "accepted" are a 25-cent stamp attached to an envelope and addressed to Washington, D.C., with your view regarding this subject."

In other words, all Sanfiel wants anyone to do is to sit down and write their members of Congress and ask them to name two interstate highways in honor of the MIAs/POWs.

That is refreshing. I, like most people, am forever being bombarded with computerized letters from patriots-for-profit who need our money to save the republic from some current horror. Jose is a true patriot. And like all true patriots, he's not for sale.●

By Mr. LUGAR:

S. 2548. A bill to suspend temporarily the duty on certain high displacement industrial diesel engines and turbochargers; to the Committee on Finance.

DUTY SUSPENSION ON CERTAIN DIESEL ENGINES AND SUPERCHARGERS

● Mr. LUGAR. Mr. President, I rise today to introduce a bill to suspend temporarily the duty on certain high displacement industrial diesel engines and turbochargers. I ask unanimous consent that the full text be printed in the RECORD, and that the bill be referred to the appropriate committee for review.

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

S. 2548

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1.

(a) IN GENERAL.—Subchapter II of chapter 99 of the Harmonized Tariff Schedule of the United States is amended by inserting in numerical sequence the following new headings:

"9902.84.08	Four-cycle compression ignition engines having more than 671 kilowatts and a displacement of 35 liters or greater, not principally used in motor vehicles (provided for in subheading 8408.90.90).	Free	No change	No change	On or before 12/31/95
9902.84.14	Turbochargers and parts thereof for compression ignition diesel engines which are not used with passenger care engines (provided for in subheading 8414.80.20).	Free	No change	No change	On or before 12/31/95".

(b) EFFECTIVE DATE.—The amendment made by this section applies with respect to articles entered, or withdrawn from warehouse for consumption, on or after the 15 day after the date of the enactment of this Act.●

By Mr. MOYNIHAN:

S. 2549. A bill to establish the Hudson River Artists National Historical Park in the State of New York, and for other purposes; to the Committee on Energy and Natural Resources.

HUDSON RIVER ARTISTS NATIONAL HISTORICAL PARK ACT

● Mr. MOYNIHAN. Mr. President, I rise to introduce a bill that would place the home and studio of Thomas Cole under the care of the National Park Service as a national historic site. Thomas Cole founded the American artistic tradition known as the Hudson River School. He painted landscapes of the American wilderness as it never had been depicted, untamed and majestic, the way Americans saw it in the 1830's and 1840's. His students and followers included Frederick Church, Alfred Bierstadt, Thomas Moran, and John Frederick Kennesett.

No description of Cole's works would do them justice, so let me just say that their moody, dramatic style and subject matter were in sharp contrast to the pastoral European landscapes that Americans had previously admired. The new country was just settled

enough that some people had time and resources to devote to collecting art. Cole's new style coincided with this growing interest, to the benefit of both.

Cole had begun his painting career in Manhattan, but one day took a steamboat up the Hudson for inspiration. It worked. The landscapes he saw set him on the artistic course that became his life's work. He eventually moved to a house up the river in Catskill, where he in turn boarded, owned, married, and raised his family. That house, known as Cedar Grove, remained in the Cole family until 1979, when it was put up for sale. Three art collectors saved it from developers, and now the Thomas Cole Foundation is offering to donate the house to the Park Service.

In addition to designating the Cole House a national historic site, the Secretary of the Interior would be allowed to acquire at no cost some surrounding lands now owned by the State of New York which include some of the landscapes depicted by Thomas Cole and disciples. Such an area would be known as the Hudson River Artists National Historic Park, and would be as large as 19,000 acres.

Mr. President, the home of one of the most influential 19th-century American painters is being offered as a donation. I believe we owe it to him, and to the many people who admire the Hudson River School and explore its origins, to accept this offer and designate it a national historic site.

I regret that none of Thomas Cole's work hangs in the Capitol, although two works by Bierstadt can be found in the stairwell outside the Speaker's lobby. Perhaps Cole's greatest work is the four-part "Voyage of Life," an allegorical series that depicts man in the four stages of life. It can be found in the National Gallery, along with two other Cole paintings. The National Gallery recently had a major exhibition of works by Church, who was Cole's first student.

I urge my colleagues to seek out these and other works from the Hudson River School. They are proof enough of Cole's importance and the need to add his home to the list of national historic sites.

Mr. President, I ask that the text of the bill be printed at the conclusion of these remarks.

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

S. 2549

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 "Hudson River Artists National Historical Park Act of 1992".

SEC. 2. DEFINITIONS.

As used in this Act:

(1) HUDSON RIVER ARTISTS.—The term "Hudson River artists" means artists who belonged to the Hudson River School of Landscape Painting described in section 3(a)(1).

(2) HUDSON RIVER VALLEY REGION.—The term "Hudson River Valley region" means the counties of Albany, Columbia, Dutchess, Greene, Orange, Saratoga, Putnam, Rockland, Ulster, Rensselaer, Washington, Bronx, New York, and Westchester in the State of New York.

(3) PARK.—The term "Park" means the Hudson River Artists National Historical Park established pursuant to section 4(b).

(4) SECRETARY.—The term "Secretary" means the Secretary of the Interior.

(5) SITE.—The term "Site" means the Thomas Cole National Historic Site established by section 4(a).

SEC. 3. FINDINGS AND PURPOSES.

(a) FINDINGS.—Congress finds that—

(1) the Hudson River School of Landscape Painting was inspired by Thomas Cole and was characterized by a group of 19th century landscape artists who recorded and celebrated the landscape and wilderness of America, particularly the Hudson River Valley region in the State of New York;

(2) Thomas Cole and his student Frederic Church have been recognized as America's most prominent landscape and allegorical painters in the mid-19th century;

(3) the Thomas Cole House in Greene County, New York, and the Olana State Historic Site and the home and studio of Frederic Church in Columbia County, New York, are listed on the National Register of Historic Places and are designated as National Historic Landmarks;

(4) within a 15-mile area of the Thomas Cole House, an area that forms a key part of the rich cultural and natural heritage of the Hudson River Valley region, significant landscapes and scenes painted by the Hudson River artists survive intact;

(5) collectively, the resources described in paragraphs (3) and (4) provide—

(A) opportunities for illustrating and interpreting cultural themes of the heritage of the United States; and

(B) unique opportunities for education, public use, and enjoyment; and

(6) New York State has established the Hudson River Valley Greenway to promote the preservation, public use, and enjoyment of the natural and cultural resources of the Hudson River Valley region.

(b) PURPOSES.—The purposes of this Act are—

(1) to preserve and interpret for the benefit, inspiration, and education of the people of the United States significant places illustrative and representative of the legacy of the Hudson River artists;

(2) to help maintain the integrity of setting in the Hudson River Valley region that inspired artistic expression;

(3) through cooperative management, to coordinate the interpretive, preservation, and recreational efforts of Federal, State, and other entities in the Hudson River Valley region in order to enhance opportunities for education, public use, and enjoyment; and

(4) to broaden public understanding of the Hudson River Valley region and its role in American prehistory, history, and culture.

SEC. 4. ESTABLISHMENT OF SITE AND PARK.

(a) THOMAS COLE NATIONAL HISTORIC SITE.—There is established, as a unit of the National Park System, the Thomas Cole National Historic Site—

(1) consisting of the home and studio of Thomas Cole, which is comprised of the 3.4 acre site and improvements on the site that are located at 218 Spring Street, Village of Catskill, State of New York; and

(2) as generally depicted on the map entitled "Thomas Cole National Historic Site Boundary Map", and dated _____.

(b) HUDSON RIVER ARTISTS NATIONAL HISTORICAL PARK.—

(1) ESTABLISHMENT.—At such time as the Secretary determines that sufficient lands, improvements, and interests in lands and improvements have been acquired, or at such time as the Secretary has entered into cooperative agreements satisfying the interpretive, preservation, and historical objectives of this Act, the Secretary may establish the Hudson River Artists National Historical Park in the State of New York by publication in the Federal Register of—

(A) notice of the establishment; and

(B) a detailed description or map setting forth the lands and improvements included in the Park.

(2) INCLUDED LANDS.—The Park shall consist of—

(A) the Site; and

(B) the approximately 19,471 acres of lands and improvements on the lands that are—

(i) owned by the State of New York;

(ii) managed as the Kaaterskill Wild Forest, North Mountain Wild Forest, Blackhead Range Wild Forest, North/South Lake Intensive Use Area, Rogers Island Wildlife Management Area, and Rogers Island Overlook Scenic Area;

(iii) under the jurisdiction of the Department of Environmental Conservation of the State of New York; and

(iv) generally depicted on a map entitled "Land Inventory Map, Hudson River Artists National Historical Park" and dated _____.

(c) MAPS.—The maps referred to in this section shall be on file and available for public inspection in appropriate offices of the National Park Service of the Department of the Interior.

SEC. 5. ACQUISITION OF REAL AND PERSONAL PROPERTY AND SERVICES.

(a) REAL PROPERTY.—

(1) IN GENERAL.—The Secretary may acquire—

(A) by donation only, the lands and improvements described in section 4(b)(2)(B); and

(B) such lands and improvements in Catskill, New York, as are necessary for the management and operation of the Site.

(2) STATE LANDS.—Lands and improvements owned by the State of New York may be acquired by the Secretary only by transfer at no cost to the Federal Government.

(b) PERSONAL PROPERTY.—For the purposes of the Park, the Secretary may acquire historic objects and artifacts and other personal property associated with and appropriate for the interpretation of the Park.

(c) OTHER PROPERTY, FUNDS, AND SERVICES.—For the purpose of carrying out this Act, the Secretary may—

(1) enter into cooperative agreements with—

(A) the Office of Parks, Recreation and Historic Preservation of the State of New York;

(B) the Department of Environmental Conservation of the State of New York; and

(C) other appropriate State, county, and local entities and individuals, including—

(i) the Thomas Cole Foundation;

(ii) the Greene County Historical Society;

(iii) the Hudson River Valley Greenway Council; and

(iv) other private museums and institutions; and

(2) accept donated funds, property, and services.

SEC. 6. ADMINISTRATION OF PARK.

(a) IN GENERAL.—The Secretary shall administer the Park in accordance with—

(1) this Act; and

(2) all laws generally applicable to national historic sites, including the Acts entitled—

(A) "An Act to establish a National Park Service, and for other purposes", approved August 25, 1916 (16 U.S.C. 1 et seq.); and

(B) "An Act to provide for the preservation of historic American sites, buildings, objects, and antiquities of national significance, and for other purposes", approved August 21, 1935 (16 U.S.C. 461 et seq.).

(b) PRESERVATION AND INTERPRETATION.—

(1) IN GENERAL.—Subject to paragraph (2), in administering the Park, the Secretary shall—

(A) preserve and interpret the Site;

(B) preserve and perpetuate knowledge and understanding, and provide for public understanding and enjoyment, of the lives and works of the Hudson River artists; and

(C) provide assistance to public and private entities in the interpretation of the Hudson River artists, their houses and studios, and the vistas depicted by the artists throughout the Hudson River Valley region.

(2) STATE PROPERTIES.—

(A) IN GENERAL.—The Secretary shall take no action with respect to the lands and structures owned by the State of New York within the boundaries of the Park except through cooperative agreements in accordance with subsection (c).

(B) STATE FOREST PRESERVE.—With regard to lands within the State Forest Preserve, the provisions of a cooperative agreement as described in subparagraph (A) shall be in strict conformance with the pertinent provisions of the Constitution of the State of New York.

(c) COOPERATIVE AGREEMENTS WITH NEW YORK AND OTHER ENTITIES.—

(1) IN GENERAL.—

(A) IN GENERAL.—To further the purposes of this Act, the Secretary may consult with and enter into cooperative agreements with the State of New York and other public and private entities.

(B) PURPOSES OF AGREEMENTS.—Each agreement shall—

(i) facilitate the development, presentation, and funding of art exhibits, resident artist programs, and other appropriate activities related to the preservation, interpretation, development, and use of the Park; and

(ii) encourage an appreciation of the scenic and artistic tradition inspired by the Hudson River artists.

(C) TECHNICAL ASSISTANCE.—Through agreements, the Secretary may provide technical assistance to cooperating entities described in subparagraph (A) for the marking, interpretation, restoration, preservation, or interpretation of any property listed in section 4.

(D) INTERPRETATION AGREEMENTS.—The Secretary may enter into additional cooperative agreements to plan and coordinate the interpretation of the cultural and natural history of the Hudson River Valley region, which provides the context for the work of the Hudson River artists.

(2) LIBRARY AGREEMENT.—The Secretary may enter into a cooperative agreement with the Greene County Historical Society to provide for the establishment of a library and research center at the Site.

(d) GENERAL MANAGEMENT PLAN.—

(1) IN GENERAL.—Not later than the end of the second fiscal year that begins after the establishment of the Park, the Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Interior and Insular Affairs of the House of Representatives a general management plan for the Site and the Park.

(2) CONSULTATION.—In preparing the plan, the Secretary, acting through the Director of the National Park Service, shall consult with advisors (including representatives of cooperating entities described in subsection (c)(1)(A), representatives of local and municipal interests, nationally recognized historians, scholars, and other experts) concerning the interpretation, preservation, and visitation of, and other issues pertaining to, the Park and other sites of related historical or scenic significance in the Hudson River Valley region.

(3) STATUTORY AUTHORITIES.—The plan shall be prepared in accordance with—

(A) this subsection;

(B) section 12(b) of the Act entitled "An Act to improve the administration of the national park system by the Secretary of the Interior, and to clarify the authorities applicable to the system, and for other purposes", approved August 18, 1970 (16 U.S.C. 1a-7); and

(C) other applicable law.

(4) CONTENTS.—The plan shall include—

(A) recommendations and cost estimates for the identification, marking, interpretation, and preservation of properties and landscapes associated with the Hudson River artists and located throughout the Hudson River Valley region (to be carried out through cooperative agreements and other means considered appropriate and practicable);

(B) recommendations on ways to broaden public understanding of the Hudson River Valley region and its role in American prehistory, history, and culture; and

(C) recommendations on ways to foster relevant public education, resource preservation, and appropriate levels of regional tourism.

SEC. 7. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as are necessary to carry out this Act.●

By Mr. BOREN (for himself, Mr. DOLE, Mr. SIMPSON, Mr. WALLOP, and Mr. NICKLES):

S. 2550. A bill to amend certain provisions of the Employee Retirement Income and Security Act of 1974 and the Internal Revenue Code of 1986 to assure the provision of health care to retired members of the United Mine Workers of America Union and to their family dependents who receive health care benefits from the United Mine Workers of America 1950 Benefit Plan ("1950 Benefit Plan") or from the United Mine Workers of America 1974 Benefit Plan ("1974 Benefit Plan"), and, to assure the manner in which such care is funded and maintained, and for other purposes; to the Committee on Finance.

UNITED MINE WORKERS OF AMERICA RETIREE HEALTH BENEFIT ACT

Mr. BOREN. Mr. President, I join today with several of my colleagues to introduce legislation designed to solve the financial problems of the UMWA-BCOA health benefit plans equitably and permanently. We are all aware of the financial crisis facing the plans and the resulting uncertainty for the retired coal miners and their dependents who rely on those funds for their health benefits. The debate here and in various federal courts centers not on the existence of the problem, but on disagreements over the best way to restore the funds to solvency.

The UMWA-BCOA health benefit plans were established though collective bargaining between the United Mine Workers and several bituminous coal companies. The agreements set up two health benefit trust funds. The 1950 benefit trust fund provides medical benefits to all UMWA coal miners who retired before 1976; and the 1974 benefit trust fund provides medical benefits to UMWA coal miners who retired after 1975 and whose companies ceased to be signatories to the contract.

Everyone appears to agree that still operating companies should be responsible for the health benefits of their own retirees. The difficulty lies in determining how to pay for the health benefits of the "orphan" retirees, or those retirees whose employers are no longer producing coal. The UMWA and the BCOA anticipated the need for a funding mechanism for the health benefits of these retirees when they negotiated their labor agreements; indeed, the 1974 fund was intended to fund only the benefits of these orphans, and the 1950 fund covers some orphans as well.

Until 1988, this negotiated system operated successfully. In 1988 and 1990, however, the Health Benefit Funds began to run deficits. Preliminary data from GAO indicates that as of December 31, 1992, the deficit in the 1950 fund was $99.3 million, and the deficit in the 1974 fund was about $15 million. The financial problems in the trusts coincided with adoption of the 1988 UMWA-BCOA labor agreement that changed the contribution rate paid by signatory companies.

If the contributions by BCOA members had continued at the rates set by the 1988 agreement, it is uncontested that the Trust Funds would be inadequately funded and health benefits to the retirees might well have been cut off. The trustees have pursued judicial remedies to avert this crisis and have prevailed in this litigation. Recently, a Federal district court in Virginia required the BCOA to increase contributions by 47 percent to a level sufficient to fund its obligation fully. The judge also ordered the trustees to reduce the benefit payments to Medicare-insured levels.

While this court decision has solved the immediate crisis and avoided a cutoff in benefits to the retirees, a more permanent solution is required to guarantee that the miners and their dependents will receive appropriate health care over the long term. Senator ROCKEFELLER has introduced legislation that presents his vision of a solution to this crisis. Although this legislation is well-intentioned, I have ar-

gued in the Finance Committee and before the full Senate that it is flawed legislation that sets a terrible precedent. Senator ROCKEFELLER's proposal would impose an industrywide tax on all coal companies, whether or not they were signatories to any of the UMWA-BCOA agreements, to provide funding for health benefits provided to orphan miners and their dependents.

The Rockefeller legislation would establish the disastrous precedent that companies that were not parties to a particular collective bargaining agreement would be legally required to meet certain contractual obligations. This result violates one of the fundamental tenets of contract law: a contract is not binding on persons who were not parties to the agreement. To adopt the Rockefeller solution would reward parties to a contract who may well have entered into the agreement with the idea that they could walk away from their legal obligations later and convince the government to hold other parties responsible.

The Rockefeller proposal had other problems, particularly after it was changed so that it could pass the Senate Finance Committee as an amendment to the comprehensive tax bill that we considered in March. One fundamental problem was the way the industrywide tax was set and imposed. The power to increase the tax in the future would have been exercised by a five-person board of directors of a new government corporation. This provision clearly violated the constitutional principle that taxation should be assessed only by elected representatives. In addition, many of us expressed concern with provisions establishing various exemptions and tax rates that differed according to geographic region.

The court-ordered increase in contribution rates gives us breathing space and allows the Senate to proceed thoughtfully and carefully in constructing a solution to this problem. As part of that effort, I am introducing today the United Mine Workers of America Retiree Health Benefit Act of 1992. The legislation has four components to ensure that the appropriate parties meet their obligations to fund adequate health benefits for the retired coal miners and their dependents.

First, the legislation authorizes the transfer of $180 million in excess pension plan assets from the UMWA 1950 pension plan to the health benefit plans. This amount would be sufficient to eliminate the accumulated deficits in the funds and to provide a cushion for the future. This provision is similar to one contained in the proposal advanced by Senator ROCKEFELLER.

Second, it would impose on every signatory to the 1988 UMWA-BCOA agreement and any future collective bargaining agreement a statutory benefit plan withdrawal liability based on the highly successful pension plan withdrawal liability concept established in the Multiemployer Pension Plan Amendments Act of 1980. The 1988 collective bargaining agreement directs the Health Benefit Fund trustees to assess withdrawal liability against any employer who ceases to contribute to the plans. The amount of this liability, however, is not tied to an actuarial valuation of the unfunded, vested health benefits for their retirees. The legislation presented today would require that withdrawal liability be a realistic estimate of the future cost of health benefits for the employer's retirees.

Specifically, the legislation would:

No. 1, impose on each 1988 or future signatory that produced or processed more than 300,000 tons of coal during the term of the 1988 agreement a statutory obligation to pay its pro rata share of the plan's unfunded liability with respect to a withdrawal occurring after the effective date of the legislation. The method for calculating and assessing liability would be the same as that set forth in the Multiemployer Pension Plan Amendments Act.

No. 2, incorporate a concept of partial withdrawal liability.

No. 3, provide a $50,000 de minimis exemption to make the assessment and collection of the withdrawal liability cost-efficient and to provide relief to small operators.

No. 4, use ERISA's control group rules to make affiliated businesses jointly liable for a withdrawn employer's assessment.

No. 5, allow up to 5 years to pay off an assessment to provide an income stream to the plans, while also minimizing the financial burden on the employer.

Third, the legislation ensures that health benefits will continue to be provided after the current collective bargaining agreement expires by incorporating a statutory guarantee provision, modeled after the contractual guarantee provision that has been part of all UMWA-BCOA agreements since 1978. Importantly, the legislation does not interfere with the rights and obligations of the parties to bargain in the future about eligibility standards, benefit levels or other relevant matters. It would require only that the signatories to the contract continue fund the benefits they agree to.

Fourth, the legislation would implement managed care and cost containment programs to ensure cost-effective use of the plans' assets. These programs would be developed by a panel of health care management experts under the direction of the Secretary of Health and Human Services.

Mr. President, this legislation solves the financial problems in the Health Benefit Trust Funds that threaten the health benefits of retired coal miners and their dependents. It is a solution that requires the appropriate parties to pay for that health care—the parties that negotiated the agreements that established the plans. It does not contain provisions that set dangerous precedents that may haunt us when we deal with similar problems in other industries.

This bill may not be the solution that is finally adopted by the Congress and signed by the President, but it can serve as the basis for our discussions about that final solution. I look forward to participating in that process with the cosponsors of the United Mine Workers of America Retiree Health Benefit Act of 1992, and with other Senators, like Senator FORD and Senator ROBB, who have expressed their desire to protect the health benefits of these retirees.

Mr. DOLE. Mr. President, I am pleased to be an original cosponsor of the United Mine Workers of America Retiree Health Benefit Act, introduced by the distinguished Senator from Oklahoma, Senator BOREN.

This legislation comes to the rescue of the financially troubled retiree health trusts and to the rescue of thousands of miners and their dependents who rely on these trusts for their health care.

It is critical to recognize that this debate has always focused on who will pay to get the trusts back on their feet—not on cutting back on benefits that were promised to the miners and for which concessions were made to obtain. For me, the bottom line is that nothing should happen to the miners' health benefits; rather, those who provided these benefits should step up to the plate and stand behind their word.

The legislation crafted by the distinguished Senator from Oklahoma is very straightforward in its approach.

First, it would provide for the transfer of roughly $180 million in excess pension plan assets from the UMWA 1950 pension plan to the UMWA 1950 and 1974 benefit plans and trusts. This transfer would eradicate the estimated combined trust deficit of $140 million and provide an additional $40 million to fund the payout of benefits.

Second, the legislation would impose on each employer who signed the 1988 national bituminous coal wage agreement or who enters into any such future agreement a statutory benefit plan withdrawal liability. This withdrawal liability is modeled after the successful pension plan withdrawal liability consent established in the Multiemployer Pension Plan Amendments Act of 1980.

Third, the legislation would implement managed care and cost containment programs to ensure maximum cost-effective utilization of plan assets. We all know that health care costs have skyrocketed and managed care and cost containment methods are universally recognized as a sound and responsible means to limit the increase of these costs.

Fourth, and most important, the legislation would ensure that health benefits will continue by incorporating the contract guarantee language that has been in every national collectively bargained agreement since 1978.

To date, Mr. President, the legislation offered to deal with this very serious matter has not been workable. While I have a great deal of respect for the distinguished Senator from West Virginia, Senator ROCKEFELLER, his solution—which among other things would legislate a discriminatory coal tax based on geographic location and type of coal produced—is unprecedented and unacceptable.

It is, in short, a penalty on innocent bystanders—non-BCOA companies and non-UMW employees—whose only connection to this dispute is that they coincidentally mine coal.

While the legislation introduced by the distinguished Senator from Oklahoma, and which I am cosponsoring, may not be perfect in each and every respect, it offers a more realistic and suitable framework for solving this difficult problem.

Certainly, now that the courts have enjoined the cutoff of benefits at least until June when litigation before Judge Jackson of the district court for the District of Columbia is scheduled to go to trial, we have an opportunity to fashion a solution which works and which preserves the integrity of the collective bargaining system. I hope this opportunity is not wasted.

Mr. WALLOP. Mr. President, one of the more contentious issues included in the recent ill-fated, ill-conceived Economic Growth Act of 1992 was a provision to create a new Federal tax on coal companies to fund a private labor agreement between the Bituminous Coal Companies of America and the United Mine Workers. Many myths and misrepresentations have been made about this issue. The most repugnant charge is that opposition to the amendment will mean that thousands of retired coal miners will lose their health benefits.

This phony argument ignores the fact that the retired coal miners and the spouses receive Medicare coverage. They will continue to receive this health insurance regardless of the future of the UMWA-BCOA health program. For many of these people, the health care they receive under their labor agreement is a Medigap insurance policy. But, it is a rather archaic, unique benefit in that the program provides first-dollar coverage. Unlike practically every other health insurance program, there is no coinsurance or deductibles required. This program contradicts everything we are trying to do to control health costs by providing the incentive for nonpaying participants to overutilize health services.

The real reason that there is any problem with the health program is that several years ago, the BCOA and the UMWA agreed to change the financing for the program. This contractual change was made with the full knowledge that the retirees' health benefit fund would immediately be underfunded. This would strike the unbiased observer as fiduciary irresponsibility. Now, having made the change in financing, the contracting parties are now demanding that noncontracting companies pay for the problem created by the UMW and BCOA. That is ridiculous.

The proponents take an additional step in arguing that the Federal Government must impose a tax to solve the problem. They have developed a specious claim for Federal responsibility. After the Second World War, President Truman seized the coal mines under a declaration of national emergency. To keep the mines open, he and John Lewis, the head of the UMW, developed a labor agreement that included health insurance for active miners. But, the agreement was essentially an agreement between the mineworkers and the mineowners, and not a federally legislated policy.

In the years following that labor contract, the UMW and the BCOA negotiated new labor agreements. Over the course of time, they agreed to provide health insurance to retired miners, and to the dependents of retired miners. There was no Federal involvement in this decision.

During the Senate debate on the economic growth package, we fully explored the inequities of the coal tax amendment. But, there are two points that need to be reemphasized. The BCOA and the UMW have a contractual obligation to keep the program solvent. A Federal judge has ordered that arrangements be made by the BCOA to adequately fund the program. So, benefits will not be cut off. Second, if a legislated solution is necessary, this can be done in a way that does not create new Federal taxes nor force noncontracting companies to bear the cost.

Today, I am joining with Senator BOREN in introducing legislation which provides a reasonable solution to ensure the solvency of the UMWA retiree health plan. Under our proposal, the obligation remains with the parties who signed the national agreements between the UMWA and the BCOA. And, health benefits will be protected while requiring a mandatory cost control program. Senator BOREN has already described the components in greater detail, and I will just add that this is a sensible solution to the problem which I am certain my colleagues will warmly embrace.

By Mr. BYRD:

S. 2551. A bill to rescind certain budget authority proposed to be rescinded in a special message transmitted to the Congress by the President on April 8, 1992, in accordance with title X of the Congressional Budget and Impoundment Control Act of 1974, as amended; pursuant to the order of January 30, 1975, as modified by the order of April 11, 1986, referred jointly to the Committee on Appropriations and the Committee on the Budget.

RESCISSION OF CERTAIN BUDGET AUTHORITY

Mr. BYRD. Mr. President, the President has today sent to the Congress another rescission message, R 92-34, asking us to rescind $144,590 from the Department of Energy related to the Office of the Federal Inspector for the Alaska Natural Gas Transportation System. According to the message from the President he will soon submit legislation to abolish the Office and dispose of its various functions.

This message brings to 948 the number of rescissions proposed by Presidents since enactment of the 1974 Congressional Budget and Impoundment Control Act.

The Appropriations Committee will carefully examine this request, as we will have the other 947 requests.

I introduce and send to the desk a bill and ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 2551

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following rescissions of budget authority are made, namely:

DEPARTMENT OF ENERGY

ENERGY PROGRAMS

FOSSIL ENERGY RESEARCH AND DEVELOPMENT

(RESCISSION)

Of the funds made available under this heading for the Office of the Federal Inspector for the Alaska Natural Gas Transportation System in Public Law 102-154, R92-34, $144,590 are rescinded.

By Mr. BROWN:

S. 2552. A bill to authorize a hard rock mining reclamation demonstration project to facilitate the expendient cleanup of acid mine drainage, and for other purposes; to the Committee on Energy and Natural Resources.

HARD ROCK MINING RECLAMATION ACCELERATION ACT

• Mr. BROWN. Mr. President, today I am introducing legislation that I hope will accelerate the cleanup of our Nation's hard rock abandoned mine sites.

All too often scarce Federal resources are squandered on pre-remediation activities before actual cleanup work is started. The legislation I am introducing today authorizes a hard rock mining reclamation demonstration project. The project must be conducted through a cost-sharing arrangement between the Federal, State, and/or local governments with at least 20

percent of the total remediation costs being funded locally. The reclamation alternative selected for site remediation should be the least costly method necessary to bring the site into compliance with environmental laws and that requires little or no future maintenance.

The scope of the environmental, health and safety problems that inactive/abandoned mines pose is staggering. The State of Arizona estimates that there are 80,000 sites with an estimated remediation cost of $654 million. Montana has identified more than 20,000 sites with an estimated remediation cost of $912 million.

In the east, Florida has indicated that 62,080 acres are affected by abandoned mine sites and remediation costs will reach $192 million.

In my own State of Colorado, there are 20,299 abandoned mine openings that will cost $245 million to remediate. Acid mine drainage is one of the most severe environmental problems associated with abandoned mines and one of the most difficult to remediate. Remediation technologies are, at best, limited and expensive. Along with other States, Colorado has experimented with different technologies. However, much more work needs to be done if we are to develop long-term reliable solutions to the acid mine drainage problem.

It is my hope that demonstration projects, like the one I am proposing to authorize, will explore and develop technologies to address this problem in a cost effective and efficient manner.

Mr. President, as I've traveled across the State of Colorado, the sight of waters contaminated with acid mine drainage scarring our scenic vistas has been extremely troubling to me. Many of the sites are in close proximity to widely used recreational areas and mountain communities. I believe we have the chance to eliminate the abandoned mine problem with the cooperation of Federal and local governments and without expending a lot of Federal dollars.

By authorizing a demonstration project, we can develop a model for other sites across the country as States begin remediation of their noncoal sites.●

By Mr. ROCKEFELLER:

S. 2554. A bill to expand the technology extension activities of the National Institute of Standards and Technology in support of technical skills enhancement; to the Committee on Commerce Science, and Transportation.

TECHNICAL SKILLS ENHANCEMENT ACT.

Mr. ROCKEFELLER. Mr. President, competitiveness is a major challenge confronting American manufacturers, businesses, and workers. As a recent study succinctly pointed out, it is now "America's Choice: High Skills or Low Wages." This widely heralded report was prepared by a blue ribbon panel of experts and it starkly outlined the choices our country faces. Either we can invest in our workers to enhance our competitiveness or we can resort to low wages.

My view is that we must invest in our workers and give them high skills so American companies can compete and win in international markets, and so our workers will also win with rising standards of living.

To achieve such a goal will require bold efforts on a number of fronts including initiatives to enhance education in our schools, development of new programs to strengthen the transition from school to work, and investments in training adults already in the work force.

Today, I am introducing a modest but important bill that will emphasize the importance of training, and provide additional assistance to small- and medium-sized businesses who are interested in new technology and worker training. My bill is designed to link quality training to ongoing technology transfer efforts at the National Institute of Standards and Technology, [NIST].

The Office of Technology Assessment published an excellent report in 1990 on worker training. This publication takes an in depth look at all the training issues, including technology transfer. The report states:

> State and Federal industrial extension services are slowly learning that small firms need more than just the latest hardware—they need help in benefiting from the technology which includes training the workers. . . .

My bill is a natural, next step in the direction suggested by OTA. NIST is doing tremendous work through its Manufacturing Technology Centers [MTCs], and the State Technology Extension Program [STEP], to promote the transfer of technology to small and medium size businesses. This is essential.

But technology transfer is just part of the effort to enhance competitiveness. Whenever new technologies are introduced on the factory floor, workers need training so that they can take full advantage of the technology. I believe it makes sense to encourage NIST to promote training as it promotes technology transfer.

I commend NIST for its efforts to do this already, but I believe this legislation is necessary to make training a priority and to provide NIST with the additional resources to develop quality training initiatives to complement its excellent advanced technology initiatives.

My bill also directs NIST to work with other Federal agencies and business and labor leaders to develop a clearinghouse on the best available training materials, including software and multimedia training courses. To allow NIST to undertake these important activities, my bill authorizes funding for both MTCs and the STEP program, $5,000,000 each in the first year, increasing to $20,000,000 in the next two years. This is an important investment in our work force and future competitiveness.

Small- and medium-sized businesses rely on NIST to provide them with expertise about the advanced technology, and when my bill is enacted, NIST will also serve as a resource on what training is needed to effectively implement new technology.

Training and technology transfers should be closely linked. NIST is in a unique position to facilitate such linkages. We already have a strong program, and this will build upon it.

This is a small, but crucial step toward our goal of promoting high skills among our workers, and strengthening our competitiveness.

I believe this legislation will have special significance for West Virginia and other rural areas where access to the latest technology and training may be limited. A national clearinghouse at NIST would provide a needed resource for all States. The national clearinghouse would ensure that States do not need to reinvent the wheel. It would provide a valuable resource on training for small- and medium-size businesses. For example, as West Virginia University works to develop an industrial extension service, it could benefit enormously by tapping into some of the expertise and resources available from NIST.

The Technical Skills Enhancement Act is one piece of my larger effort to restore American competitiveness. I am also pushing other legislative initiatives on technology commercialization, software competitiveness, export promotion, and a venture capital consortium.

Each of these proposals is designed to contribute to a total strategy based on the idea that America's ability to sustain its role of world leadership in the next century will depend on its economic strength, more than its military strength. Economic strength, in turn, will be defined by critical technologies of the future and a work force capable of utilizing such technologies to full potential.

American workers understand the competitiveness challenge. The public realizes our country is on the wrong track. We face the challenge of correcting our course, and enacting efficient and effective programs required to enhance competitiveness and ensure our economic future. I hope my colleagues will recognize and support this bill, the Technical Skills Enhancement Act, as one vital step to take right now to achieve this larger objective.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 2554

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 "Technical Skills Enhancement Act of 1992".

SEC. 2. FINDINGS AND PURPOSE.

(a) FINDINGS.—Congress finds and declares the following:

(1) As manufacturing technology becomes more sophisticated and computer-controlled, managers and workers skilled in the operation of that advanced manufacturing technology will become increasingly important to the Nation's international economic competitiveness, standard of living, and national security. Skilled personnel are as important to the Nation's productivity and long-term competitiveness as are new equipment and technology.

(2) Many United States manufacturing firms, particularly smaller firms, would benefit from a Federal program which assists the States and the private sector to develop advanced training technologies and curricula and to provide technical training services to managers and workers.

(3) The Department of Commerce operates two technology extension programs which already provide assistance to small- and medium-sized manufacturers, including some training services.

(b) PURPOSE.—It is the purpose of this Act to expand the current technology extension activities of the Department of Commerce's National Institute of Standards and Technology (hereafter in this Act referred to as the "Institute") in order to increase the contribution that those activities make to the continuous, career-long upgrading of technical skills of managers and workers in United States manufacturing firms.

SEC. 3. INSTITUTE SUPPORT FOR TECHNICAL SKILLS ENHANCEMENT.

In addition to existing responsibilities and authorities prescribed by law, the Secretary of Commerce (hereafter in this Act referred to as the "Secretary"), through the Director of the Institute (hereafter in this Act referred to as the "Director"), shall, in order to help managers and workers in United States manufacturing firms to upgrade their technical skills and more effectively utilize advanced manufacturing technologies, provide financial assistance—

(1) to the Regional Centers for the Transfer of Manufacturing Technology established under section 25 of the National Institute of Standards and Technology Act (15 U.S.C. 278k) for assisting the Regional Centers to establish additional technical training services for small- and medium-sized manufacturers, particularly innovative service delivery systems such as multimedia systems and long-distance learning which can provide services to large numbers of managers and workers; and

(2) to State governments, through the State Technology Extension Program established under section 26 of the National Institute of Standards and Technology Act (15 U.S.C. 278*l*) and section 5121(b) of the Omnibus Trade and Competitiveness Act of 1988 (15 U.S.C. 278*l* note), for the purposes of—

(A) establishing effective cooperation among technical training institutions in the States, private training programs (including both corporate and union training programs), and Regional Centers for the Transfer of Manufacturing Technology; and

(B) developing programs to train personnel who can in turn provide technical skills services to managers and workers of manufacturing firms within the States.

SEC. 4. ANALYSIS AND INFORMATION DISSEMINATION.

In addition to the responsibilities set forth in section 3, the Secretary, through the Director, shall—

(1) identify, in consultation with other appropriate Federal officials and leaders from industry and labor, which types and levels of technical training, including continuing career-long training, are necessary and appropriate for both managers and workers who use advanced manufacturing technologies; and

(2) establish a clearinghouse on best available training materials and software, including multimedia technical training courses.

SEC. 5. AUTHORIZATION OF APPROPRIATIONS.

In addition to appropriations authorized by any other Act, there are authorized to be appropriated to the Secretary for the purpose of carrying out this Act—

(1) for the Regional Centers for the Transfer of Manufacturing Technology, $5,000,000 for fiscal year 1993 and $20,000,000 for each of fiscal years 1994 and 1995; and

(2) for the State Technology Extension Program, $5,000,000 for fiscal year 1993 and $20,000,000 for each of fiscal years 1994 and 1995.•

By Mr. AKAKA (for himself and Mr. INOUYE):

S. 2555. A bill to prevent the introduction of plant and animal pests into Hawaii through the mails, to increase penalties relating to the introduction of plant and animal pests, to authorize cooperative agreements to safeguard Hawaii's environment, and for other purposes; to the Committee on Governmental Affairs.

ALIEN SPECIES PREVENTION AND ENFORCEMENT ACT

• Mr. AKAKA. Mr. President, today I am introducing the Alien Species Prevention and Enforcement Act, another in a series of legislative proposals designed to turn the tide of extinction that is sweeping the Hawaiian Islands. Senator INOUYE has joined me in this bill.

Hawaii is famed for its unique natural heritage. No other place on Earth has a higher percentage of unique plant and animal species. Almost 100 percent of Hawaii's invertebrate species, and nearly 90 percent of its birds and flowering plants are endemic, making Hawaii home to over 10,000 life forms found nowhere else on the globe.

Mark Twain once called the Hawaiian Islands "the most lovely fleet of islands to lie anchored in any ocean." These islands are also the most geographically isolated in the world—a fact which explains why Hawaii is home to so many plant and animal species found nowhere else.

Yet, despite its stunning beauty and agreeable climate, Hawaii stands at the edge of an ecological abyss. Hawaii represents just two-tenths of 1 percent of the country's land mass, but accounts for more than 70 percent of the Nation's extinctions and more than one-quarter of its rare and endangered birds and plants. Behind the tranquil tropical paradise praised by Mark Twain lies a desperate battleground where the fight for survival is waged every day, and where many plant and wildlife species are barely hanging on. Countless others have altogether disappeared.

HAWAII'S EXTINCTION CRISIS

Long before the first Polynesians came to Hawaii, nature was populating our islands at a very slow pace. Only an occasional insect or spore borne on the jet stream, or a bird blown off its migratory course, reached Hawaii. Sometimes these birds carried a plant seed in their feathers or droppings. But because Hawaii is 2,500 miles from any major land mass, such arrivals were a very rare event. Only once every 50,000 to 100,000 years did a new species successfully navigate the ocean or wind currents and establish itself. And because the introduction of new species proceeded so gradually, Hawaii's fragile tropical ecosystem had the time to adapt to these new visitors.

Now, all that has changed. When European explorers began to venture to Hawaii at the close of the 18th century, the introduction of new species accelerated dramatically. Whereas prior to the arrival of man only a single new species established itself every 50,000 to 100,000 years, today Hawaii experiences an average of 19 new species annually—an influx more than a million times the natural rate. Most of these alien species are hostile to Hawaii's native ecosystems, and prey on indigenous birds, plants, and insects, leaving a widening trail of biological decline and extinction.

As a result of this massive immigration, Hawaii has suffered a tremendous loss of wildlife. Of all the species which have become extinct in the United States, two-thirds disappeared from Hawaii. The sad fact is that we simply will never know what biological treasures have been lost forever. As my colleague, Senator MITCHELL, warned in his book "World on Fire":

> When we let species become extinct, we foreordain our own extinction . . . After extinction there is nothing. There is no computer, no ingenious mechanism, so sleight of hand that can recreate even one of the lowest forms of life when it is wiped from the face of the earth.

In Hawaii we are witnessing the extinction of countless species that we, as humans, must inevitably depend upon for the future of our species. Each contains solutions to a set of unique evolutionary problems that represent an untapped gold mine of scientific knowledge. They are, in the words of Dr. Thomas Lovejoy, the Earth's "living library," more and more of which is being lost with each passing day. Worse yet, many are lost before their existence is ever known or their benefits have even been examined.

The endless immigration of alien species not only threatens to exterminate Hawaii's remaining native animal and plant world but also causes irreparable damage to agriculture, tourism and human health. And as the pace of human commerce, travel and communications quickens, more and more stowaways will arrive each day.

Mr. President, the message I want to convey to my colleagues and to every environmentally concerned citizen is simple and clear: We have to stop the extinction wave and impose stricter controls on the movement of species into Hawaii. We face a biological emergency, and the only appropriate response is an environmental call to arms.

THE FARMER AND THE ENVIRONMENTALIST—COMMON GROUND

Historically, the farmer and the environmentalist don't always see eye to eye. But on the issue of alien species, they speak with one voice.

Hawaiian agriculture has paid dearly with lost crops, quarantines and higher consumer prices as a result of alien pests. The fruit fly firmly established itself in Hawaii around the turn of the century and is but one of a number of destructive and costly pests that plague the State. Federal quarantine regulations enacted since 1910 have focused primarily on protecting the continental United States from fruit flies and are responsible for the existing of Hawaii. Hawaii is the only State where passengers and cargo en route to other States, that is to the U.S. mainland, are inspected by agricultural authorities.

The Agricultural Quarantine Enforcement Act of 1988 declared quarantined products as nomailable and mandated a strict enforcement effort by the U.S. Department of Agriculture in cooperation with the U.S. Postal Service. A successful mail interdiction program designed by the two agencies has operated in Honolulu since May 1990.

The effectiveness of the Agricultural Quarantine Enforcement Act was the subject of a hearing by the Senate Subcommittee on Federal Services, Post Office and Civil Service, which I chaired in June 1991. However, the hearing revealed that Hawaii has been completely bypassed when it comes to the inspection of pests in the mails. The importance of keeping Hawaii pest free continues to be overlooked by federal authorities who are compulsive about protecting the mainland from pest infestations but have not shown a corresponding concern for Hawaii's agriculture or environment.

This one-way Federal enforcement effort leaves a gaping hole through which new alien pests constantly enter. Mail coming to Hawaii from domestic and international sources continues to be a major pathway for noxious weeds and plants. According to Hawaii's Department of Agriculture, first class mail has been used to carry such agricultural and environmental pests as snakes, venomous spiders, live insects, snails, diseased plants and animals, and a host of other species prohibited under Hawaii's agricultural regulations.

Seven of the eight new pests that have appeared in Hawaii in the last decade are common to the Continental United States, including the yellow sugarcane aphid and the lesser cornstalk borer. Both of these have caused tremendous losses to sugarcane and pasture grasses in Hawaii. A multitude of other mainland pests pose a potential threat to Hawaii's environment and industry. Immigrant pests such as the Asian gypsy moth, which represents an immense threat to the timberlands across the United States, and a speck-sized invader called Superbug, which has spelled sudden disaster in California, could easily find their way to Hawaii from the Continental United States.

Commerce from the Caribbean through the mainland is also an increasingly dangerous pathway of alien pests. The fact that Hawaii is a hub of international traffic in the Pacific adds to Hawaii's vulnerability to alien pest invasions.

THE ALIEN SPECIES PREVENTION AND ENFORCEMENT ACT

Mr. President, the Alien Species Prevention and Enforcement Act of 1992 directs the Postmaster General and the Secretary of Agriculture to screen all mail that is destined for, or received in, Hawaii to identify mail likely to contain any plant pest of injurious animal. This interdiction program would safeguard Hawaii from unwanted pests and would, in turn, benefit the rest of the United States.

My legislation maintains all constitutional safeguards to protect the fourth amendment right against unreasonable search and seizure. When a USDA official identifies mail believed to contain a plant pest or injurious animal, that individual is required to apply for a search warrant to inspect the mail in question.

Upon receipt of a search warrant, if mail is found to contain prohibited agricultural materials, the Secretary is required to destroy the prohibited material, report the results of the inspection to a court magistrate, and determine whether the facts and circumstances warrant criminal prosecution.

The bill also updates and unifies the patchwork statutory scheme of criminal penalties for the introduction of plant or animal pests. Currently, at least 5 different Federal agencies have enforcement and prosecution authority over the introduction of alien pests. Each has a different statutory mandate. Some of these statutes are more than 70 years old and carry fines of as little as $100.

The legislation establishes a comprehensive statutory framework for the imposition of civil and criminal penalties for violating Federal laws which prohibit the movement of plant or animal pests that represent a threat to wild life resources or plant ecosystems. It adopts the following two-tier standard for Federal criminal violations: For misdemeanors, up to 1 year in jail or a fine of up to $100,000, or both. For felonies, up to 5 years in jail or a fine of up to $250,000, or both.

To speed the administration of justice, civil fines can be imposed in misdemeanor cases as an alternative to criminal penalties. However, the maximum fine of $100,000 would remain in effect.

The bill also institutes a new alternative fine based on pecuniary gain. If an individual derives financial gain as a consequence of the sale or purchase of an introduced species—for example, ornamentals sold through plant nurseries, the sale of exotic species as pests, et cetera—an individual faces fines equal to twice the amount of such gain.

Finally, the bill would require the Postmaster General and the Secretaries of Agriculture and the Interior to enter into cooperative agreements with the State of Hawaii to permit the State to enforce Federal alien species statutes. Under such cooperative agreements, Hawaii law enforcement personnel would be deputized Federal law enforcement personnel and could investigate and enforce Federal statutes which prohibit the introduction of alien species.

In closing, I would like to thank numerous State and Federal officials, as well as countless conservationists throughout Hawaii, who have voiced concern about the problems I have spoken of today. Many of them have provided valuable insights which I have attempted to incorporate in the legislation I have just introduced.

This same group of professionals were responsible for the November 1991 report entitled "Hawaii's Extinction Crisis: A Call to Action," which set forth a 10-point environmental action plan. The bill I have introduced today implements 4 elements of this 10-point plan. When the Senate returns after its Easter district work period, I intend to introduce a second initiative, the Hawaii Tropical Forest Recovery Act, which will further implement the conversationists' 10-point plan.

I ask unanimous consent that a copy of the legislation be printed in the RECORD following my statement, and that a number of articles relating to alien species also be printed in the RECORD.

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

S. 2555

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 "Alien Species Prevention and Enforcement Act of 1992".

SEC. 2. FINDINGS.

Congress finds that—

(1) Hawaii represents just two-tenths of 1 percent of the United States land mass, but accounts for more than 70 percent of the Nation's recorded extinctions and more than one-quarter of its rare and endangered species;

(2) Hawaii is home to over 10,000 native animal and plant species found nowhere else on Earth and the largest tropical rain forests in the United States;

(3) nearly two-thirds of Hawaii's original forest cover has been lost, including the majority of the lowland tropical forests of the United States;

(4) one of the prime causes of the environmental decline in Hawaii is the continued influx of alien plants, insects, and other species;

(5) an average of 19 alien species are introduced into Hawaii annually, and the number of alien introductions has been as high as 35 species in certain years;

(6) alien species cause irreparable damage to Hawaii's native ecosystems and agricultural crops and have an adverse affect on the tourist industry and human health;

(7) agricultural production in the United States is also threatened by alien pests, especially by fruit flies;

(8) preventing alien species from entering Hawaii will help prevent the eventual introduction of these pests into the United States mainland;

(9) hundreds of millions of tax dollars have been spent annually on the eradication of nonnative pests in both Hawaii and the United States mainland;

(10) a combination of public education programs, more effective regulation, and vigorous law enforcement by Federal and State agencies are critical requirements for a successful program to guard against alien species;

(11) first class mail continues to be a pathway of pest dissemination in both Hawaii and the United States mainland;

(12) the enforcement of Public Law 100-574 has demonstrated the Federal Government's ability to prevent the dissemination of plant pests and diseases and has complemented the authority of the United States Department of Agriculture by making quarantined agricultural material unmailable under the laws administered by the United States Postal Service;

(13) Public Law 100-574 has also made it possible to design and initiate a trial program that combines a public information effort with an interdiction program on mailings from Hawaii;

(14) the trial program initiated under Public Law 100-574 has been successful in detecting and interdicting dangerous pests in the mails and has demonstrated the ability to protect the agricultural industry and consumers of the United States mainland;

(15) a permanent program has not been instituted and no similar effort has been mounted to protect Hawaii's agriculture, environment, and public health from pests in the mail;

(16) Hawaii continues to be vulnerable to pest introductions from both the United States mainland and foreign countries and thus continues to be a missing link in the protective net designed to safeguard the United States from alien pests; and

(17) monitoring incoming mail to Hawaii will help close this gap.

SEC. 3. PESTS IN THE MAILS.

Section 3014 of title 39, United States Code, is amended—

(1) by redesignating subsection (d) as subsection (e); and

(2) by inserting after subsection (c) the following new subsection:

"(d)(1) The Secretary of Agriculture shall screen all mail that is destined for, or received in, Hawaii to identify mail that is likely to contain any plant pest or injurious animal.

"(2) If the Secretary has reasonable cause to believe that mail screened under paragraph (1) contains a plant pest or injurious animal, the Secretary shall hold the mail and apply to a court of competent jurisdiction for a search warrant authorizing the inspection of the mail.

"(3) If the Secretary obtains a search warrant authorizing the inspection of the mail, the Secretary shall open and inspect the mail, in the presence of an employee of the Postal Service, to determine if the mail contains a plant pest or injurious animal.

"(4) If the Secretary determines that the mail contains a plant pest or injurious animal, the Secretary shall—

"(A) remove, examine, and destroy the prohibited material;

"(B) forward a copy of the warrant and the remainder of the mail to the intended recipient;

"(C) record the results of the inspection;

"(D) report the results to the applicable magistrate; and

"(E) determine whether the facts and circumstances warrant prosecution for violation of laws relating to plant pests and injurious animals.

"(5) As used in this subsection:

"(A) The term 'injurious animal' means an animal that is injurious to human beings, to the interests of agriculture, horticulture, or forestry, or to wildlife, wildlife resources, or wildlife habitats of the United States.

"(B) The term 'plant pest' has the same meaning provided such term under section 102(c) of the Plant Quarantine Act (7 U.S.C. 150aa(c)).".

SEC. 4. PENALTIES RELATING TO INTRODUCTION OF PLANT OR ANIMAL PESTS.

(a) MARKING PACKAGES DESTINED FOR UNITED STATES.—The matter under the heading "ENFORCEMENT OF THE PLANT-QUARANTINE ACT:" of the Act of March 4, 1915 (38 Stat. 1113; 7 U.S.C. 166) (commonly known as the "Terminal Inspection Act") is amended by striking "$100." and inserting "$10,000 or imprisoned for up to 6 months, or both, and may be assessed a civil penalty by the Postmaster General not exceeding $10,000. If any person derives pecuniary gain from an offense described in this paragraph, or if the offense results in pecuniary loss to a person other than the defendant, the defendant may be fined not more than the greater of twice the gross gain or twice the gross loss, unless imposition of a fine under this sentence would unduly complicate or prolong the sentencing process.".

(b) PLANT PESTS.—Section 108 of the Federal Plant Pest Act (7 U.S.C. 150gg) is amended—

(1) in subsection (a), by striking "$5,000" and inserting "$100,000";

(2) in subsection (b), by striking "$1,000" and inserting "$100,000"; and

(3) by adding at the end the following new subsection:

"(c) If any person derives pecuniary gain from an offense described in subsection (a) or (b), or if the offense results in pecuniary loss to a person other than the defendant, the defendant may be fined not more than the greater of twice the gross gain or twice the gross loss, unless imposition of a fine under this subsection would unduly complicate or prolong the sentencing process.".

(c) NURSERY STOCK.—Section 10 of the Act of August 20, 1912 (37 Stat. 318, chapter 308; 7 U.S.C. 163) (commonly known as the "Plant Quarantine Act") is amended—

(1) by striking "$5,000" and inserting "$100,000";

(2) by striking "$1,000." and inserting "$100,000";

(3) by designating the first and second sentences as subsections (a) and (b), respectively;

(4) by designating the third through fifth sentences as subsection (d); and

(5) by inserting after subsection (b) (as designated by paragraph (3)) the following new subsection:

"(c) If any person derives pecuniary gain from an offense described in subsection (a) or (b), or if the offense results in pecuniary loss to a person other than the defendant, the defendant may be fined not more than the greater of twice the gross gain or twice the gross loss, unless imposition of a fine under this subsection would unduly complicate or prolong the sentencing process.".

(d) IMPORTATION OR SHIPMENT OF INJURIOUS ANIMALS, BIRDS, FISH, AND PLANTS.—Section 42(b) of title 18, United States Code, is amended—

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

(2) by striking "$500 or imprisoned not more than six months, or both" and inserting "$100,000 or imprisoned not more than 1 year, or both"; and

(3) by adding at the end the following new paragraph:

"(2) If any person derives pecuniary gain from an offense described in paragraph (1), or if the offense results in pecuniary loss to a person other than the defendant, the defendant may be fined not more than the greater of twice the gross gain or twice the gross loss, unless imposition of a fine under this paragraph would unduly complicate or prolong the sentencing process.".

SEC. 5. COOPERATIVE AGREEMENTS TO SAFEGUARD HAWAII'S ENVIRONMENT.

(a) COOPERATIVE AGREEMENT BETWEEN POSTAL SERVICE AND HAWAII.—

(1) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Postmaster General shall offer to enter into a cooperative agreement with the State of Hawaii for a 2-year period to enforce in the State Public Law 100-574 and the amendments made by such Public Law.

(2) AUTHORITY.—The Secretary shall use to carry out this subsection the authority provided under section 3014 of title 39, United States Code.

(b) SEARCHES AND SEIZURES.—The State of Hawaii shall conduct a search or seizure to carry out a cooperative agreement entered into under this section in accordance with applicable provisions of law.

(c) OTHER COOPERATIVE AGREEMENTS.—The Secretary of the Interior and the Secretary of Agriculture shall each offer to enter into a cooperative agreement with the State of Hawaii to enforce laws under their respective jurisdictions that relate to plant pests and injurious animals.

(d) EXTENSION OF AGREEMENTS.—A cooperative agreement entered into under this sec-

tion may be extended by mutual consent of the parties to the agreement.

[From USA Today, Nov. 7, 1991]

SILENT EXTINCTION BEFALLS HAWAII'S FLORA, FAUNA

(By Linda Kanamine)

A century ago, the Kauai 'o'o (pronounced OH-OH) was a common little black bird whose songs echoed through the Hawaiian island swamps.

But disease, probably carried by mosquitoes introduced to Hawaii by settlers, dwindled its numbers to just 12 in 1960 and two in 1981.

Scientists watched the last known 'o'o in Kauai's Alakai wilderness build a nest each year and sing to attract a mate that never came. Then that songster disappeared by 1989.

Similar sagas have occurred over and over in the Aloha State—home to less than 1% of the nation's land mass, yet nearly 75% of its documented plant and animal extinctions, says a new report out today.

"There's trouble in paradise," says David Klinger of the Fish and Wildlife Service.

The status report, written with the Nature Conservancy of Hawaii and the Hawaii Department of Land and Natural Resources, heralds increasing attention to Pacific troubles, Klinger says. Next: 189 Hawaiian plants will be proposed for endangered status.

Hawaii's primeval wilderness has been overtaken by foreign plants and animals (pigs, parrots, pineapple, sugar cane, among others), and diseases, carried to the islands beginning 1,500 years ago first by Polynesians, then waves of Europeans and Asians.

An average 12 new species each year invade Hawaii. Scientists now are watching for the brown tree snake from Guam, a ravenous predator that eats birds and bird eggs, in otherwise snake-free Hawaii.

Today, another prime culprit is development that clears native habitat for agriculture, ranching and homes.

The scenario:

At least half of more than 140 bird species are extinct. Of the 70 species remaining, 33 are endangered and 11 of those already may be beyond help.

37 types of plants are on the U.S. endangered species list. Among the rarest: 93 species with fewer than 100 individual plants left. Five have just a single plant remaining.

24 species of Oahu tree snails—part of native folklore—can no longer be found.

Two-thirds of original forest cover is lost, including half of rain forests.

On Wednesday, PBS airs a National Geographic special, Hawaii: Strangers in Paradise, taking a look at the crisis.

"Our goal is to alert people," says Carol Fox of the Nature Conservancy of Hawaii. "We worry about rain forests in Brazil and tend to think ours are all right. Well, they're not."

Among 10 urgent actions recommended to stem the tide of extinctions:

Buy or set aside more habitat for native species.

Offer incentives for private landowners to protect endangered species and habitat on their properties.

Stop influx of foreign pest species.

Stiffen conservation laws and penalties.

Expand intensive rescue efforts of "species on the brink" of extinction.

Environmental damage is easy to understand when the culprit is a bulldozer, Fox says.

"But when it's the silent extinction of thousands of species on beautiful Hawaii, which you always thought was paradise, it's hard to understand the urgency. If we don't do something, we could lose the battle."

[From the Christian Science Monitor, Nov. 7, 1991]

HAWAIIAN ISLANDS FACE EXTENSIVE ECOLOGICAL PERIL

(By Daniel B. Wood)

The Hawaiian Islands, home to 10,000 native animal and plant species found nowhere else on earth—and the only tropical rain forests on United States soil—face a state of biological emergency.

A decade of private, state, and federal efforts have coalesced with the first comprehensive inventory of birds, plants, fish, animal life and habitat since statehood (1959). Due for release tomorrow, the new report by the US Fish and Wildlife Service, the Hawaii Department of Land and Natural Resources, and The Nature Conservancy of Hawaii includes several dire conclusions:

Nearly two-thirds of Hawaii's original forest cover has been lost, including 50 percent of vital rain forests. Ninety percent of lowland plains, once forested, have been destroyed.

Of 140 listed species of native birds, only 70 remain, 33 of which are endangered. Eleven more are beyond recovery.

As of this month, 37 Hawaiian plant species were federally listed as endangered. Within two years, 152 more will be proposed. Among the state's rarest plants are 93 species with no more than 100 known individual plants—including trees, shrubs, vines, herbs, and ferns. At least five species have been reduced to one individual.

"These three organizations have come together in the recognition that with all that has been and is being done, we are losing the battle," says Michael Buck, administrator of the Hawaii Division of Forestry and Wildlife. "The facts are quite sobering."

The cause of the decline is twofold: 1) a cumulative effect of land conversion to agriculture, ranching, and residential use; 2) introduction of non-native species of insects and mammals.

The state is particularly vulnerable to both as the most isolated land mass on Earth.

"Until man came, these islands were lucky to get one new species every 10,000 years," says Alan Holt, director of science and stewardship for The Nature Conservancy.

The influx of feral pigs, goats, horses, and cattle began in the 1700s. A crossroads of Pacific travel and trade, the islands have seen a dramatic increase in foreign pets in the last 15 years.

"Now when a new prey is introduced, it can wreak havoc," Mr. Holt says.

Native birds have been hard hit by malaria and pox brought by mosquitoes, for instance. Brown tree snakes, which have devastated birds species on Guam, have been intercepted on flights to Hawaii six times.

The banana polka, a passion-flower vine which is kept in check in native South America by feeding insects, has no such predator in Hawaii. The vine has smothered 70,000 acres of forests on two islands and is threatening larger tracts.

Loss of forests, plants, and wildlife impact every level of the state's economy and cultural heritage.

The report chronicles the danger of losing forests that intercept and generate rainfall, protect coral beaches from siltation, and generate unique materials for clothing, textiles, ornaments, canoes, and scientific study. The islands surpass even the Galapagos Islands off South America in numbers of species evolving from a single ancestor.

At least 50 species have evolved from a single common ancestor in Hawaii.

To bring awareness to the new findings, study sponsors have adopted a 10-point action plan that includes acquiring habitat and funding long-term stewardship of publicly-owned natural areas. Networks of state, federal, and private areas are joining into mega-reserves large enough to sustain populations of endangered bird species.

"We're finding it's not enough just to set aside land in a protectorate," says Dr. Joan Canfield, a botanist with the US Fish and Wildlife Service. "It needs to be actively managed for invasive plants and animals."

Propagation programs have already started, including captive rearing in zoos and botanical gardens. The nene (Hawaiian goose) and koloa (Hawaiian duck) have been bred successfully.

Besides new attempts to halt the flow of foreign pests into Hawaii—modeled after a successful campaign in New Zealand—the groups are lobbying for further landowner incentives to protect endangered species on their properties, increased effectiveness of conservation laws, and more extensive research.

To heighten public awareness, the report is timed to precede a major National Geographic television special. Entitled "Hawaii: Strangers in Paradise," the show airs on PBS Wednesday, Nov. 13.

"This report in a sense says the sky is falling on one of the most remarkable paradises on earth," notes Kelvin Taketa, director of the Pacific Region for The Nature Conservancy. "We're hoping it can help coalesce the kind of broad-based, national support that can help reverse the trend."

[From the Honolulu Advertiser, Nov. 7, 1991]

DOOMSDAY FOR HAWAII WILDLIFE

(By Jan TenBruggencote)

Hawaii is losing unprecedented numbers of native birds, plants, fishes, insects—even entire natural communities. The state faces serious economic loss if aggressive changes aren't made to halt further losses, a federal-state-private report has warned.

More than 10,000 forms of life have evolved here, but species today are dying off at thousands of times the natural rate of extinction, says the report, "Hawaii's Extinction Crisis: A Call to Action." The report is due to be printed and released tomorrow.

"Current efforts are not enough to stem the tide of extinction and time is running out," says the report, prepared jointly by the state Department of Land and Natural Resources, the U.S. Fish & Wildlife Service and The Nature Conservancy of Hawaii.

"For dozens of species now nearing extinction, survival depends on human intervention to collect and raise Hawaii's rarest plants and animals in botanical gardens and zoos."

Money is needed to properly manage government lands and private landowners must be given strong incentives to protect delicate ecosystems on their property, the report says.

The report—a massive update on the status of the fragile natural environment of the Islands—paints a grim picture:

Some species like the Kauai *'o'o* and the *'aklaloa* are probably already extinct, the report said.

For some creatures, even heroic efforts are too late. The report includes a list of 12 native Hawaiian forest birds whose numbers have dropped so low that it is likely nothing

will save them, the 'o'o and the aktaloa among them.

The future is dim as well for the Hawaiian crow or alala: There are severe in breeding problems in the alala captive propagation program and few of the birds are alive in the wild.

Kelvin Taketa, director of The Nature Conservancy's Pacific Region, and: the Conservancy's Heritage Program was key to understanding what was happening among Hawaiian native habitats statewide. Using computers, researchers helped identify and gather information on natural communities (groupings of native flora and fauna), throughout the Islands.

"For the first time, we were able to pull it all together," Taketa said.

For those native species that can be saved, a well-directed multi-faceted, properly funded program is urgently needed, the report says.

"The challenge we face is how to balance the needs of a growing population and island economy with the preservation of Hawaii's limited natural resources," the report says.

But the report stresses that preservation of the ecosystem has an economic value; the native environment contributes to the Islands' attraction for tourists.

Federal and state lands need management funding and private landowners need strong incentives to protect important ecosystems on their properties, it says. Funding needs to be stable if hard-fought gains are not to be lost due to erratic support for conservation programs.

The Islands native environment is of particular importance because it is so unique, the report says. Hawaii is isolated by thousands of miles of ocean in every direction. It contains all the Earth's major ecological zones, from coral reefs to high alpine deserts.

Among the several causes of the continuing death of native species the report says, is the arrival of alien species that compete with natives, destroy habitats or kill them directly. Another factor is disturbance by humans such as deliberate destruction of native forest.

"Only the lasting legal protection and management of large, intact, natural areas can ensure the long-term survival of the majority of Hawaii's plants and animals," the report concludes.

[From the Honolulu Star Bulletin, Nov. 7, 1991]

REPORT URGES HELP TO SAVE HAWAII SPECIES

(By Peter Wagner)

Extinction may be normal, but when a state as small as Hawaii accounts for 75 percent of the nation's dead species, something's wrong.

An unusual alliance of public and private agencies has released a report urging worldwide help to save what is left of Hawaii's dwindling habitat and species.

"We have a pretty good idea what's out there and it's pretty sobering," said Michael Buck, state forestry and wildlife chief. "I don't think people know we have 12 birds on the brink of extinction."

The report calls for increased financial support, habitat protection, education, alien species eradication and other steps to slow the loss of native species.

It was prepared and released by the state Department of Land and Natural Resources, U.S. Fish and Wildlife Service and The Nature Conservancy.

"We need to get through to the decision makers at least," said Buck. "It's obvious that at the current level of funding, a lot of things are going to fall through the cracks."

According to the report, a lot of Hawaiian wildlife already has slipped through:

Half of the 140 bird species known to Hawaii are extinct.

Sixty-three plants are on the federal list of endangered species and an additional 189 are up for listing.

Two-thirds of the native forests are gone.

The problems, loss of habitat and the introduction of "alien" species, continue to threaten native plants, insects and other species. At least a dozen new species find their way into the state each year, squeezing out native flora and fauna.

One species that has been found in Hawaii, the brown tree snake, has wiped out nine of 11 bird species on Guam.

While more then a million acres of land are now protected by federal, state and private agencies, more needs to be done to protect forests and wetlands.

Among the report's recommendations:

Increase funding for conservation programs and the purchase of habitat.

Create tax breaks and other incentives to protect ecosystems on private lands.

Tighten inspections and pest control programs and educate people about native species.

Enforce laws better and increase scientific research.

Scientists say there could be 5,000 insects and other invertebrates yet to be discovered.

The unique situation is all the more reason to close in on the species loss problem before it is too late, conservationists say.

"The challenge we face is how to balance the needs of a growing population and island economy with the preservation of Hawaii's limited natural resources," the report says.

[From the Honolulu Star Bulletin, Nov. 1, 1991]

DOZENS OF NATIVE ISLE PLANTS JOIN ENDANGERED LIST

(By Ken Miller)

WASHINGTON.—The federal government has declared dozens more native Hawaiian plants endangered, signaling more grim results of human encroachment, wild animal grazing and competition from alien species in Hawaii.

In separate announcements Tuesday and Wednesday, the U.S. Fish & Wildlife Service formally declared 26 species from Oahu's Waianae Mountains as endangered and proposed an additional 25 species from Knuai for the nation's endangered species list.

Both developments are part of the agency's effort to catch up with Hawaii's endangered species problem, which worsens yearly as non-native plant species squeeze out native varieties.

Fish and Wildlife has been adding about 50 Hawaiian species a year since last year, motivated in part by a court settlement between the U.S. Interior Department and the Conservation Council for Hawaii, which argued that the federal government was dragging its feet in protecting the state's threatened plant and animal species.

The 26 Oahu plants that were declared endangered range from herbs to shrubs to bellflowers, ferns, violets and asters.

All are concentrated on Oahu, but some are found on other islands.

All species are threatened by alien plants competing for space, sunlight and food.

Others are threatened by feral pigs, cattle and goats, as well as fire and other human impacts.

The federal endangered species classification makes it illegal to pick the plants. As is its custom, Fish and Wildlife declined to declare the plants' habitats as "critical habitats" out of concern that such action would draw more attention to them and perhaps lead to poaching.

On Kauai, all but seven of the 23 plant species proposed for the endangered species list are endemic to the Garden lais. Many were once plantiful there, but their numbers have been sharply reduced for many of the same reasons as the plants on Oahu.

The species are also similar, and include small trees, members of the coffee and sandalwood, aster, primrose and citrus families.

[From the Honolulu Star Bulletin, Oct. 5, 1990]

26 MORE PLANTS TO JOIN ENDANGERED LIST

(By Ken Miller)

WASHINGTON.—The U.S. Fish and Wildlife Service is planning to add 26 more species of Hawaiian plants, all from Oahu's Waianae Mountains, to the endangered species list.

The plants, whose habitats are threatened by wild animals, competing exotic species, fires and human encroachment, are expected to join dozens of other indigenous species facing extinction in Hawaii.

The latest proposal is part of a continuing fish and wildlife plan to add 50 Hawaiian plants a year to the endangered list over three years. The plan was developed after the Conservation Council for Hawaii sued the Interior Department, claiming it was taking too long to protect Hawaii's endangered species.

Eleven species found on Lanai and Kauai were nominated for the list three weeks ago. Hawaii leads the nation in endangered plant and animal species.

The 26 species the Interior Department plans to classify as endangered are described as either endemic to the Waianae range, or at least best known there. Some have been found in the Koolau Mountains on Oahu, as well as West Maui, Kauai and Molakai. One species is found on Moku Mano Island, off Kaneohe.

Among the species are a variety of shrubs from the mallow, chickweed and spurge families, as well as ferns and varieties of asters, coffees, buckthorns, bellflowers, nettles, mints, amaranths, violets and parsleys.

Aside from people and foraging animals, the plants' enemies include rival plant species such as the extremely aggressive christmasberry, as well as koa haole and molasses grass.

There also have been 10 fires in the affected areas in the past 14 months.

[From West Hawaii Today, June 17, 1990]

19 PLANTS PROTECTED BY THE FED IS JUST TIP OF HAWAII'S PROBLEM

(By Dan Breeden)

While environmentalists worldwide have focused their efforts on stopping the devastation of rainforests in South America, few Hawaiians need look any farther than their own community to see native foliage being replaced by development.

"The whole forest is going faster than we can even identify it," said Norm Bezona, University of Hawaii at Hilo agricultural extension agent.

This is particularly unfortunate since much of Hawaii's foliage is endemic, being found nowhere else in the world. In fact this disappearance of the forest has been taking place for hundreds of years and many of Hawaii's plants are now referred to in the past tense.

The state currently has 19 plants on the federal government's list of more than 200

endangered or threatened plant species. Endangered and threatened classifications afford species similar levels of governmental protection, according to Ernest Kosaka, field supervisor with the U.S. Fish and Wildlife Service. He explained that endangered species are those in danger of extinction in all or a major portion of their habitat, while threatened species are those likely to become endangered.

Under the Endangered Species Act, section 7, the federal government has the right to review all development projects using federal funds or requiring permits to assess whether they will adversely affect an endangered or threatened species or its habitat, according to Eugene Nitta, protected species coordinator with the Fish and Wildlife Service.

"That's one of our major ways for dealing with habitat," he said.

Both endangered and threatened species may receive federal and state monies for preservation efforts and species sometimes move from one classification to another.

But the state's 19 plants barely scratches Hawaii's arboreous surface, according to Michael Buck, administrator with the state Division of Forestry and Wildlife. He said 150 Hawaiian plants have been proposed for inclusion on the list and almost a dozen may soon be approved.

Having the species listed as endangered does allow the state to take steps to protect the plants, if adequate funds and personnel are available.

In theory, endangered plants cannot be destroyed or removed and so are protected from encroaching development.

"Anything that can impact the habitat or the plant must be cleared with the fish and wildlife (office)," Buck said, "We're going to have some possible land use conflicts." This may happen when a developer has applied for permits to build on an area which contains endangered plants or is the habitat for endangered wildlife.

But firm adherence to protection of plant species may prove extremely costly to developers and so the most expedient path may be for them to simply uproot the endangered plant and never report its existence. To avoid this, state officials would rather be flexible and try to find a solution that benefits both the endangered plants and the land owner.

"We need to be able to do more than beat people over the head with the law," Buck said, "We want to work with it."

But even a careful preservation program may come too late for some species.

Because of this, sharp spines and poisons are relatively rare in native plants. These defenseless plants with their exposed roots quickly fell prey to animals introduced to the islands.

Grazing animals, such as cattle, goats, sheep and pigs, brought to Hawaii by man are particularly rough on seedlings and young trees, according to Giffin. Overgrazing has resulted in aging forests with dying trees becoming the only remnant of past greenery.

"Cattle can turn forest to pasture in 100 years," Giffin said. "They eat anything that comes up. The Waimea plains was a forest at one time."

As trees and scrubs are destroyed by grazing animals, grass quickly sprouts in its place, making it difficult for the forest to regenerate. A solution may be to temporarily remove livestock from the denuded areas and give the forest a chance to recover.

"Five years is all it would take for the Koa forest to regenerate," said Fielding Schultz, agricultural consultant and an officer with the Professional Gardeners Association.

But landowners often find there are tax advantages if they clear the rainforest from their property and put livestock on it, even if they have no intention of becoming farmers.

Bezona said deforestation is not a new problem. Barely 40,000 years ago, the expansive deserts of Australia were covered by rain forest. That was roughly the time that aborigines arrived in the area and as they began to thrive, the forest disappeared. Eventually the desert took over the lion's share of the continent.

"We need to think seriously about the carrying capacity of any animal, including man, in any land space," Bezona said.

This consideration should extend to Hawaii, home to almost 20 endangered and threatened plants.

One of the state's most famous endangered plants is the silversword, a descendant of Southern California's tarweed.

It is believed that these silverswords were once abundant on the Big Island, dotted the slopes of Hualalai, Mauna Kea and Mauna Loa.

Until Haleakala National Park was created, the Haleakala silversword was very close to extinction. Once efforts were made to protect the plants from feral goats, the silverswords quickly began to recover.

[From the Honolulu Star Bulletin, Sept. 26, 1991]

SMUGGLING OF ILLEGAL CRITTERS TO ISLES MAY BE OUT OF CONTROL, OFFICIALS FEAR

THE PUBLIC'S HELP IS CALLED ON TO FERRET OUT HIDDEN ANIMALS

(By Rod Ohira)

Once upon a time, there were no alligators, brown tree snakes, cougars or even termites in paradise.

The human animal, which brought all of them and much more to Hawaii, remains the biggest threat to Hawaii's ecological balance.

"We have met the enemy and he is us," said U.S. Customs Deputy Chief Investigator Creighton Goldsmith, quoting from the comic strip Pogo.

A 3-month-old cougar cub recovered in a search of a Hawaii Loa Ridge home Tuesday is only one of many illegal entries that officials are finding in Hawaii.

Within the last two months, state and federal officials have recovered three ferrets, including one that was running loose among passengers aboard an incoming airplane; intercepted a shipment of piranha being flown in; and confiscated a boa constrictor and a python from a passenger aboard a flight from Nevada, who hid the snakes in a pillowcase as carry-on luggage.

Just last month, a dead female alligator wrapped in a sheet and covered with plastic bags was found along Kappa Quarry Road. Not far from there, at Maunawili Stream, a dead male alligator was discovered April 26.

Officials are seeing everything from bats, which are a rabies threat, to monkeys and parrots being smuggled in. It has gotten to the point where there are no surprises.

"I think what we're seeing is only the surface. There's a lot more going on," said Larry Nakahara, head of the state's Plant Quarantine Inspection Division, which also is charged with enforcing the non-domestic animal law here. "It's getting very eerie."

Hybrid cats and dogs—for example, a bobcat that is bred with a domestic cat—may already be in Hawaii. There have been cases where dogs, declared as a German shepherds or huskies, were brought to Hawaii and later advertised for sale as part-wolves.

"At some point," warns Carroll Cox of the U.S. Fish & Wildlife Service, "the introduction of species here will create a total disruption of nature.

"They may not only become competitive with other species but could also subject humans to new diseases," he said.

There are at least 100 species of birds and countless numbers of exotic freshwater fish and flora not native to Hawaii in the wild.

Despite the efforts of state and federal officials to keep illegal animals out, the problem is growing out of control mainly because it is not difficult to sneak illegal goods into Hawaii.

"They try to smuggle in animals the same way they try to smuggle in drugs," Nakahara said. "Unless the public realizes how serious the problem is, laws are going to be difficult to enforce."

Some animals have even been sent to Hawaii via express mail and first-class mail, Nakahara said.

U.S. Customs is responsible for inspecting only foreign arrivals while state officials handle passenger inspections from the U.S. mainland. It is impossible, however, to inspect every piece of luggage.

"People carrying animals are not going to attract much attention from airport security on the mainland," Goldsmith said. "That's because they're checking for weapons, not animals."

The Legislature passed a law this year setting the maximum fine for smuggling illegal animals into Hawaii at $10,000. Fines, however, may not be enough to deter smugglers and collectors, and jail sentences are being considered.

Officials, however, believe the problem can only be controlled with public support.

"We need people who know people with illegal animals to report it to us," Nakahara said. "The public needs to be involved."

Wendell Kam, manager of the state's Conservation Education Program, says education is also an avenue that needs to be explored more thoroughly.

To report any illegal animals in Hawaii, the public can call the state Department of Agriculture at 548-7175 during regular business hours or 836-3827 at night.

[From the Honolulu Advertiser, Apr. 30, 1991]

DEAD GATOR ONLY ONE INCIDENT IN ALIEN-SPECIES INVASION OF ISLES

(By Stu Glauberman)

The discovery of a six-foot alligator in Maunawili Stream last week puts some teeth in environmentalists' efforts to keep alien species from entering Hawaii.

The frightening find calls attention to a problem the local Audubon Society has been focusing on: how to put Hawaii on guard against the arrival and introduction of unwanted animal, plant and insect immigrants.

On Thursday, the Hawaii society will launch its two-year Alien Species Alert Program, part of a National Audubon Society effort. The group's state office has raised about $40,000 to get the public-private program going.

Each year, residents and visitors introduce about 35 alien animal, insect and plant species into Hawaii's fields and streams, according to the state Department of Agriculture.

Many of the aliens are pests that threaten native species and agriculture. Most are insects. A few, like the alligator and a rabid bat captured last month, pose dangers to public health.

State agriculture officials learned yesterday that the dead alligator found under a Maunawili bridge was a male less than 10 years old.

"At least we can lay to rest any thoughts about there being alligator eggs all over the place," said Tish Uyehara, a department spokeswoman.

Based on a necropsy done at the Animal Quarantine Station in Halawa, scientists concluded that the severely decomposed animal had been dead for about a week. No wounds were seen.

Because its stomach was empty, investigators could not determine what its diet was. They had planned to rely on stomach contents to determine if it had been living wild or as a pet.

"We still don't know how it got there or why," said Albert Lam, a plant quarantine supervisor. "We're thinking of going out and taking a look at the area because there's still all kinds of possibilities."

Lam, who has dealt with alien species for 25 years, said insects borne on plants, fruits and vegetables are the most commonly introduced species.

Sheila Laffey, coordinator of the Audubon Society program, says many people don't understand that introduced species can cause irreparable damage to crops, native species and the environment.

In the case of the alligator, she said, "Who knows what problems that did cause or could have caused."

The discovery of the alligator Friday came a month after Honolulu Harbor dock workers captured a bat in a cargo container that had just arrived from California. Health officials said it was the first rabies-infected bat found in the Islands.

Laffey said environmentalists also are concerned about the release of pets, such as the rabbits let free to forage in Maui's Haleakala National Park.

A committee on introduced species—made up in part of state officials, agribusiness representatives and Bishop Museum scientists—has been meeting for two years to devise a strategy to combat the introduction of pests.

Laffey said the message will go out in the form of posters and 50,000 brochures, a traveling slide show, a Hawaii Public Television documentary and KHET-produced TV and radio announcements.

Lam said the Agriculture Department is working with a consultant to produce a videotape for use on arriving domestic flights, urging passengers to comply with state quarantine regulations.

Laffey said the society has been working with the U.S. Fish and Wildlife Service to alert people to the possible arrival of brown tree snakes.

The brown tree snake, a night-prowling native of New Guinea, has found its way to several Pacific Islands and established itself on Guam.

Laffey and Ernest Kosaka, a federal official, have been briefing Hawaiian Electric Co. transmission line workers about the snake. On Guam, snakes have been blamed for 250 outages in three years, Laffey said.

[From the Honolulu Advertiser, Oct. 12, 1991]

MORE "ALIENS" FOUND, SNAKE, IGUANA LEAVE CRAWLING CARD

(By Richard Sale)

Three more illegal creatures have been reported on Oahu.

Residents of Kailua yesterday morning found a "juvenile iguana," and turned it over to state Department of Agriculture officials; according to department spokeswoman Letitia Uyehara.

"We have no idea where it came from," Uyehara said.

The iguana, a large tropical America lizard, was taken to the Honolulu Zoo, she said.

Uyehara had no further details about its capture. Another iguana that was caught in Kauai last week is also at the zoo.

In an incident Wednesday night, a Hauula resident killed a 27-inch-long king snake as it crawled into the living room of his house, she said.

According to Uyehara, the male resident "clobbered (it) on the back of the head" with "some kind of blunt instrument."

The dead snake was taken to animal quarantine facilities early Thursday morning by department officials, who claimed the body at the Kahuku police station.

The snake had gray, black and red stripes.

King snakes aren't poisonous and their diet includes other snakes, mice, rats and geakoes.

Because they are so colorful, the snakes are often kept as pets on the Mainland, Uyehara said.

Like iguanas and other non-native species, snakes are prohibited in Hawaii.

On Tuesday, a Kunia resident reported seeing a snake four or five feet long and three inches in diameter with large brown spots near the Del Monto pineapple terminal in Kunia.

A search of the area Wednesday by Department of Agriculture inspectors produced nothing.

If you have any information, please call the Plant Quarantine Office at Honolulu Airport at 836-3827.

Noting that there has been a recent increase in sightings of snakes, Uyehara praised the public for being "more aware, more alerted to calling us."

She said the department "needs help from other eyes and ears."

[From the Maui News, Feb. 23, 1992]

ILLEGAL ANIMAL AMNESTY CALL GOES UNANSWERED

KAHULUI.—State agriculture officials here came up empty handed Saturday on a day when residents were asked to voluntarily surrender all illegal animals.

While a few illegal animals were turned in on Osha, Amnesty Day on Maui drew a big no-response, according to Anna Mae Shishito, Department of Agriculture plant quarantine inspector.

Shishito said employees at the DOA office in Kahului and at the Maui Humane Society on Mokulele Highway were all prepared with empty kennels for larger animals, pillow cases for snakes and an aquarium for illegal fish.

But none came.

However, if your conscience is still bothering you, there's another week of amnesty offered during which no penalties will be assessed to an individual who comes forward voluntarily for the safe turn-in of animals.

Illegal animals will be accepted daily until Feb. 28 at the DOA office at 635 Mua St. in Kahului and at the Maui Humane Society on Mokulele Highway.

The following is a partial list of animals that may not be kept by private individuals and should be turned in.

African clawed frogs, alligators, bulbuls, caimans, coconut crabs, cougars, crocodiles, dwarf parrots, eels, electric catfishes, electric eels, ermus ferrets, flying foxes, foxes, freshwater clams, fruit pigeons, gars, gila monsters, bombills, horseshoe crabs, hummingbirds, land crabs, land hermit crabs, leopards, lion fishes, live corals, live rocks, lizards, lories, monitor lizards, needlefishes, ocelots, opossums, piranhas, porcupines, rheas, sea anemones, skunks, snakes, snapping turtles, squirrels, stingrays, sturgeons, toucans, wild cat crosses, wild dog crosses and wolf dog hybrids.

[From the Honolulu Advertiser, Jan. 15, 1992]

SNAKES, IGUANAS—IMPERATIVE TO KEEP THEM OUT

The threat of Guam's brown tree snake spreading to Hawaii is causing nightmares among government officials and many others who care about Hawaii's environment.

But last year alone, state agriculture officials captured 20 other snakes that were deliberately smuggled here. By comparison, just six brown tree snakes have hitchhiked to Hawaii since 1981.

These repeated incidents mean the chances are actually greater that one of these other aliens will become Hawaii's horror story.

That's why it's not amusing when a pet snake turns up. Or that someone smuggled eight iguanas to Kona, planning to sell them. And it's cause for alarm that there was a record haul of illegal species last year.

Consider that the boa constrictor and the python are tree-dwelling snakes—just like the brown tree shake. These creatures have no natural enemies here.

Iguanas grow to 5 or 6 feet. One species is already believed established in upper Nuuanu Valley.

Much more must be done to keep all unpermitted alien species out—more inspections, deterrent penalties, amnesty programs and public vigilance. Especially public vigilance.

The present system of having arriving passengers on planes voluntarily fill out a plant and animal declaration form is insufficient. Baggage leaving Hawaii is inspected to protect other areas from fruit flies. This one-way policy is grossly unfair to Hawaii, which also needs protection. Senator Daniel Akaka is proposing legislation to require two-way surveillance.

Whatever is done, the best defense against the further spoiling of Hawaii by some predatory alien would be an aware and informed public.

If you have a prohibited creature, call Larry Nakahara at the state Agriculture Department, 586-0844, and arrange to turn it in without penalty. If you know of someone who has one, report it.

[From the Star-Bulletin, Jan. 14, 1992]

ILLEGAL IGUANAS, FERRETS, SNAKES SEIZED

(By Mary Adamski)

The body count of unwelcome beasts seized last weekend by state Department of Agriculture officials included two ferrets, eight iguanas and two snakes.

None of the creatures is a permitted import, and at least some of the owners face state charges and fines of up to $10,000, an Agriculture Department spokeswoman said yesterday.

The Iguanas, all young lizards that could grow to 5 feet long, could also lead to federal charges against their Big Island owners.

They apparently were brought into the state from Arizona by people intending to sell them here, said Tish Uyehara of the Agriculture Department.

She said the reptiles were seized in Kona as part of an investigation by the U.S. Fish and Wildlife Service and the state Agriculture Department.

Officials were also concerned about the potential health threat posed by the two female ferrets. The mammals, which are polecats and cousins to skunks, can become infected with rabies.

The ferrets were obviously pets, Uyehara said. They wore collars and were in a cage

being transported in a car that was stopped by police at 3 a.m. Sunday.

The driver was arrested for drunken driving. He is under investigation on charges of violating the state animals quarantine law.

The weekend's wild things also included a 4-foot boa constrictor found on Kaneohe Bay Drive by three Marines, and a 1-foot non-poisonous ribbon snake, native of the Pacific Northwest, which was turned in at the Honolulu Zoo by a Honolulu resident.

The state will not prosecute people who voluntarily surrender illegal animals, Uyehara said.

[From the West Hawaii Today, June 17, 1991]

LOST FOREVER—EXPERTS ARE CALLING HAWAII ENVIRONMENTAL KILLING GROUND

(By Dan Breeden)

The Hawaiian Islands are an environmental killing ground where large numbers of native plants and animals are being driven to extinction according to many environmentalists.

It is widely believed by scientists there have been more plant and animal species extinguished in the islands than on the entire continent of North America. This is particularly unfortunate since many of these species are endemic, unique to the islands, and so will never be seen again.

Of the 1,729 identified native Hawaiian flowering plants and 168 ferns, it has been estimated that 94.4 and 64.9 percent respectively are endemic.

Because of the islands' isolation, species evolved along paths separate from their mainland cousins. Like Australia and the Galapagos Islands; Hawaii became a natural laboratory for the evolutionary process.

Jutting abruptly from the ocean floor in the middle of the North Pacific, the Hawaiian chain is the most remote of any volcanic island group in the world. It is separated from the North American continent by about 2,500 miles of ocean and the nearest high volcanic islands lie 2,000 miles to the southwest.

Although there is evidence that Hawaii's leeward islands were once larger in size, they never formed a continuous land mass and it's generally accepted that they were never much closer than they now are to island groups in the west.

Because of this isolation, life forms had a difficult time reaching Hawaii. Though the rich soil, abundant rainfall and temperate conditions made the islands exceptionally inviting for many types of plants and animals; the enormous task of relocating to the archipelago was both difficult and unlikely. But according to Professor Sherwin Carlquist, author of "Hawaii: A Natural History," many "unlikely events can take place over a period of several million years. The islands were probably slow in their transformation from barren lava to tropical rainforest.

Most species that did make the trip were probably carried by the wind, ocean currents or on the backs of far-ranging birds.

[From the Honolulu Advertiser, Dec. 10, 1992]

THREE SNAKES FOUND OVER 10 DAYS—ONE BOA BELIEVED TO BE STILL IN KAIMUKI

(By Esme M. Infante)

Hiss. Hiss. Hiss. Miss . . . ing,

Three more snakes were found on Oahu in the past 10 days, including a 9-foot Burmese python that a Honolulu man kept as an indoor pet. But a yard-long boa constrictor still might be loose in Kaimuki.

The man voluntarily turned in the python to the Honolulu Zoo on Sunday. State Department of Agriculture spokeswoman Tish Uyehara said officials don't know how the serpent got into the state.

A 1-foot American water snake and a 1-foot garter snake also are now in agriculture department quarantine.

People who voluntarily turn in animals that are prohibited in Hawaii, such as snakes, aren't penalized or charged with any offense. However, if agriculture officials must seize an illegal animal from an owner, the owner may be fined as much as $2,500.

The American water snake was found across the street from the Walalae site where a boa constrictor skin was found last week.

State agriculture officials now think the water snake and a boa constrictor might have been set free by the same person.

"It does seem like there may be relationship. We're tracing leads," Larry Nakahara, state Plant Quarantine manager, said yesterday.

The non-poisonous water snake was found Thursday on the sidewalk in front of Liliuokalani Elementary School at 13th and Waialas avenues. The owner of a cat that was toying with the snake called the agriculture officials late that day. The cat may have killed the snake, Nakahara said.

The day before, a family living on lower Wilhelmina Rise behind Island Paradise Academy found a snake skin in their garden. Agriculture officials suspect the skin was shed by a three- or four-foot boa constrictor. No living boa constrictor was found.

Boa constrictors are native to Latin America. Like pythons, they are not poisonous and kill their prey by crushing it with their coils.

Meanwile, a garter snake—a blackish-brown serpent with yellow stripes and red spots alongside the stripes—was found alive Nov. 30 outside a Makakilo shop that was selling Christmas trees.

Officials think the garter snake stowed away in a tree. It died the next day in the aquarium of a person who took the snake home and called authorities.

Anyone spotting snakes or other alien animal species should call the agriculture department at 548-7175, or at 836-3827 after business hours and on weekends.

[From the Star-Bulletin, May 5, 1991]

ISLE FORESTS PERILED BY EVIL WEED'S EXPLOSIVE GROWTH

(By Helen Altonn)

Hawaii's native forests are facing a new threat with the explosive spread of a weed that grows 30 or 40 feet tall, alarmed island biologists report.

A paper by Betsy Gagne and Lloyd Loope, both with Haleakala National Park on Maui, yesterday warns that the plant is "a clear threat to the park resources, the Natural Area Reserve, the Nature Conservancy Reserve and any other area in preserves."

Gagne and Loope described the dangers of the miconia invasion in an interview yesterday at the Pacific Science Congress at the Sheraton Waikiki.

They said the miconia has been known about 10 years on Maui and the Big Island. It is also found on Oahu in botanical gardens, but Kauai has escaped it so far.

"Here was a case where we knew what a bad plant it was, yet nothing was done to stop it," said Loope, a research biologist.

He quoted F. Raymond Fosberg, a Smithsonian Institution botanist who has done extensive research here, as saying, "It is the one plant that could really destroy what's left of the native Hawaiian forest." The miconia threatens high-elevation ecosystems up to 6,000 feet Loope said. Haleakala's rain forests, from 3,000 feet to 6,000 feet, have been almost undisturbed until now, he said.

"This one could invade," he said. Gagne involved with haleakala resources management, said the miconia is big and beautiful and "virtually grows overnight."

It also has small seeds easily dispersed by wind, hikers' boots and feral animals, she said.

She said she "freaked out when she first saw it in Tahiti and imagined what it could do in Hawaii."

It has even larger leaves here than in Tahiti she said.

Tahiti's miconia expansion was aided by hurricanes, which also hit Hawaii, she pointed out.

"As soon as there is a hole in the forest, it can take off."

When she saw the plant on the Big Island, Gagne said, "I was literally sick to my stomach."

"It has taken root just outside Hilo and on the border of the Hawaii Volcanoes National Park," she said. "The plant also is found along the scenic road from Hilo, in the botanical garden, on the sea cliffs and both sides of the Belt Highway," she said.

"It's only a matter of time before it makes a jump into the forest," she said.

"Most distressing," she added, is that the miconia has reached the Puna district, which has some good native forest.

The biologists said they are trying to get the miconia listed as a noxious weed and banned from the state. Landowners also should be made responsible for getting rid of it, they said.

Such pest invasions can't be halted "until we get some teeth in legal regulations," Loope said.

A process is needed to respond immediately to such a crisis, he said, adding: "It's not our job to look for these things.

"In fact, it's nobody's job. The national park is getting involved in an area that is none of our business," Loope said.

"It really bugs me that there is virtually no control," George said, particularly with the nursery trade. "I would like to see more sensitivity on the part of botanical gardens to be really responsible."

Part of the problem, Gagne said, is there are so many weeds, people feel they can't do anything. "I want to see that changed."

What can be done about plants already established?

"We're going to go out and start pulling up seedlings and try to contain it," Gagne said.

"We have to try and stay on top of it," she said.

The weed completely took over Tahiti's native ecosystem in 50 years, Loope said.

"It has been here 10 years. We're running behind."•

BY MR. BUMPERS:

S. 2556. A bill to strengthen the protections afforded to units of the National Park System and certain other nationally significant historic and natural places, and for other purposes; to the Committee on Energy and Natural Resources.

NATIONAL HERITAGE CONSERVATION ACT

• Mr. BUMPERS. Mr. President, I am today introducing a proposed National Heritage Conservation Act to strengthen the protection of natural and historic places of national significance.

Four years ago the Congress moved in a critical situation to save from

commercial development historic portions of the Manassas National Battlefield. The 11th-hour rescue of Manassas was an extraordinary event but the plight of Manassas is not unique. The fact is that many Civil War battlefields and national parks, many national historic and national landmarks are under increasing pressure from development in many forms.

Clearly, in today's fiscal climate, the Federal Government cannot afford to buy off developers and save every threatened national resource. We can, however, do a much better job of planning to protect these resources than we do now. We can work more closely with business interests, with the environmental community and with concerned citizens to achieve the goal of preserving our heritage.

The legislation I am introducing today would provide a national strategy for protecting natural and historic places. It would apply to nationally significant heritage resources defined as units of the National Park System, including affiliated areas, national historic landmarks, national natural landmarks, and sites nominated by the Secretary of the Interior.

The legislation would direct the Secretary to prepare a biannual report documenting the condition of each unit of the National Park System. No such report is currently prepared. The report would include a listing of internal and external threats to the unit and a description of plans to protect the unit. It would also direct the Secretary to maintain a list of national historic landmarks and national natural landmarks that are endangered. Although the Secretary has prepared an annual report or endangered landmarks the bill would codify the procedures and criteria for such listings.

The legislation would create a new program administered by the National Park Service to encourage the protection of units of the National Park System through voluntary cooperative planning with State and local governments and the private sector.

The Service would be directed to draw up a list of units to participate in the planning process. The bill would authorize the Service to make planning grants to encourage public and private groups to participate in preparing strategies. The Service would review draft strategies and approve those that contain binding commitments for actions which, if implemented, would reduce or remove threats. For approved strategies, the proposal would authorize Federal grant funds for plan implementation.

For those landmarks identified as endangered, the bill would direct the National Park Service to seek to enter into voluntary agreements with landmark owners to provide for the long-term protection of the site. It authorizes planning grants to private owners, local governments, and State governments to enable them to help formulate an agreement. The National Park Service is authorized to make grants to implement an agreement which has been approved by affected parties. As with a heritage protection strategy, the legislation would require that all Federal agency actions be consistent with the conservation agreement.

The bill would establish a new standard for Federal agency activities that have the potential to harm a nationally significant heritage resource. Federal agencies would be prevented from approving activities that would use land from any protected site. In addition, agencies would be allowed to approve or assist activities that would adversely affect a site only if they find that there are no feasible and prudent alternatives to the action and that all possible planning to minimize the harm will be undertaken.

The legislation would also amend the National Historic Preservation Act to provide that, where Federal agencies, States and the Advisory Council on Historic Preservation cannot reach an agreement on plans to avoid or mitigate harm to a historic property listed on or eligible for listing on the National Register of Historic Places, the agency may not proceed unless it finds that it is not feasible and prudent to implement the recommendations of the council.

The legislation would authorize $25 million each year for the preparation and funding of heritage protection strategies and landmark conservation agreements.

Mr. President, I am aware that there is considerable controversy surrounding the implementation of the National Natural Landmark Program. A number of my colleagues have raised concerns about this program in recent months. The Department of the Interior's Inspector General has issued a report concerning the program and the Department itself is currently revising its regulations regarding it. While it is not the purpose of this legislation to revise, reform, defend, or attack the Natural Landmark Program, during the course of our deliberations on this measure I am sure that this issue will come before us. I look forward to learning more about this program and becoming more acquainted with the issues surrounding it.

Mr. President, I ask unanimous consent that the text of the proposed bill be printed in the RECORD at this point.

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

S. 2556

Be it enacted in the Senate and the House of Representatives in the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "National Heritage Conservation Act".

SEC. 2. FINDINGS.

The Congress finds that—

(1) The Nation's heritage of natural and historic places embrace unique, superlative, and nationally significant resources, constitute a major source of pride, inspiration, and enjoyment for the people of the United States, and have gained international recognition and acclaim.

(2) The Congress has repeatedly expressed its intentions, in both generic and specific statutes and by other means, that units of the National Park System and other natural and historic places should be accorded the highest degree of protection.

(3) Many nationally significant heritage resources are being degraded or threatened with degradation leading to the loss of tangible links to the natural and cultural history of the Nation.

(4) Units of the National Park System, national historic and natural landmarks, and sites listed on the National Register of Historic Places, are an irreplaceable national heritage whose preservation is in the public interest and essential to provide future generations of Americans with the rich legacy of cultural and national resources which are so much a part of the Nation's history and character.

(5) No comprehensive program exists for the gathering of data, the identification, analysis, and documentation of trends and the identification of problems regarding the condition of units of the National Park System and other nationally significant heritage resources, or for preventing the loss or degradation of these irreplaceable cultural and natural assets.

SEC. 3. PURPOSE AND POLICY.

(a) PURPOSE AND POLICY.—In furtherance of the provisions of the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 1, 2-4), the Act of August 21, 1935 (49 Stat. 666; 16 U.S.C. 461 et seq.), the National Historic Preservation Act (94 Stat. 2987; 16 U.S.C. 470 et seq.), the Act of August 18, 1970 (84 Stat. 825; 16 U.S.C. 1a-1 through 1a-7), and such other legislation establishing units of the National Park System, it is the purpose of this Act, and shall continue to be national policy, to provide for a highest degree of Protection and preservation of the Nation's heritage of natural and historic places for the benefit of present and future generations.

(b) SPECIFIC PURPOSE.—In furtherance of that purpose and policy, it is the specific purpose of this act to provide for the development of comprehensive management programs, and planning and decision making processes which will—

(1) identify damage, threats, and problems affecting, or which may adversely affect, nationally significant heritage sites, and

(2) provide for the implementation of actions which will maximize the protection and preservation of these resources for the benefit of present and future generations.

SEC. 4. STATE OF THE NATIONAL PARKS REPORTS.

(a) REPORT.—In furtherance of the provisions of section 3 of this Act, the Secretary shall undertake a continuing program of data collection, research, monitoring, analysis and documentation as to conditions, factors and forces which are adversely affecting, or threatening to adversely affect, units of the National Park System. The Secretary shall prepare a biennial "State of the National Parks" report. Such report shall fully document the condition of the national parks including appropriate baseline information and documentation of problems related to their degradation and solutions to

such problems. The first report shall be issued no later than January 1, 1994, by the Secretary to the Speaker of the United States House of Representatives and to the President of the United States Senate for referral to and consideration by the appropriate legislative committees of the House and Senate. Successive reports shall update previous submission. Each report shall be printed as a House document.

(b) CONTENTS.—The report shall include, but need not be limited to, a brief description, for each individual unit of the National Park System, of each of the following:

(1) The past, current, and projected conditions of the unit.

(2) All factors and forces, ranked in order of priority, emanating from both inside and outside the unit, which adversely affect or threaten to adversely affect the unit. The report shall include an analysis of the nature and severity of actual or threatened impacts from such factors or forces, including a description of the source of those factors or forces, the probability of their continuation or increase, and the resources of the unit which have been or may be adversely affected.

(3) Ongoing and planned protection and management actions, including specific research programs with regard to paragraphs (1) and (2) of this paragraph.

(4) The accomplishments and results of the actions undertaken in accordance with paragraph (3).

(c) PUBLIC INVOLVEMENT.—In the preparation of the "State of the Parks" report, the Secretary shall take appropriate steps to solicit public involvement.

SEC. 5. PREPARATION OF LIST OF ENDANGERED PLACES.

(a) PREPARATION.—The Secretary is directed to maintain a complete and current list of all national landmarks which meet the criteria of subsection (b). The Secretary shall transmit a copy of such list to the Speaker of the United States House of Representatives and to the President of the United States Senate for referral to and consideration by the appropriate legislation committees of the House and Senate. Such report shall be transmitted by the Secretary at the beginning of each fiscal year beginning with fiscal year 1994.

(b) CRITERIA FOR LISTING.—Within one year after the date of enactment of this Act, the Secretary shall promulgate criteria for designating a national landmark as endangered. Such criteria shall provide for the designation of a national landmark that faces any known or reasonably foreseeable damage or threat that may cause the landmark to lose those qualities for which the site was designated. Such damage or threat includes, but is not limited to—

(1) actions or failures to act that may result in the deterioration, destruction or alteration of all or part of the site; and

(2) the introduction of visual or audible elements that are inconsistent with the interpretation or public enjoyment of the site.

In developing these criteria, the Secretary shall consult with affected Federal agencies, businesses, organization and individuals as well as seek and consider public comments.

(c) PROCEDURES FOR LISTING.—The Secretary shall list those sites which meet the criteria established pursuant to subsection (b) following a review of such information as the Secretary deems necessary. No site shall be listed until the Secretary has—

(1) consulted with the Governor of the State (or States) and chief elected officials of the local government (or governments) in which the site is located; and

(2) provided a reasonable opportunity for public comment.

Such consultation and opportunity to comment prior to designation may be waived by the Secretary in emergency situations where delay would frustrate the purposes of this Act. In such cases, consultation and opportunity to comment shall take place at the earliest possible opportunity following listing.

(d) PETITION FOR LISTING.—Upon the request of the owner of the national landmark or the appropriate local or State government, the Secretary shall undertake a review of a site to determine whether it meets the criteria of subsection (b). The Secretary shall make such determination no later than thirty days following the receipt of a petition. Upon determining that a site meets such criteria, the Secretary shall place it on the list of endangered places.

(e) REGULATIONS.—The Secretary shall promulgate regulations for the implementation of this section within one year of the date of enactment of this Act.

SEC. 6. HERITAGE PROTECTION STRATEGIES.

(a) DESCRIPTION.—The Secretary shall initiate a program to prepare heritage protection strategies for units of the National Park System. The purpose of preparing a strategy shall be to develop specific programs of cooperation among the service, other Federal agencies, State and local governments and the private sector that will address factors and forces which adversely affect or threaten to adversely affect units of the National Parks System as documented in the State of the National Parks report—

(1) that relate wholly or in part from conditions outside the boundaries of a unit, or

(2) whose resolution is dependent in whole or part on the actions or policies of governmental agencies or persons other than the National Park Service.

(b) PREPARATION.—A heritage protection strategy shall be prepared by the Secretary in consultation with such public and private parties as the Secretary deems necessary and appropriate for the strategy's preparation and implementation. Within one hundred eighty days of the publication of the initial State of the National Parks report referred to in section 4, the Secretary shall publish a listing of not fewer than twenty units where the National Park Service shall initiate the preparation of a heritage protection strategy. Thereafter, the Secretary shall revise and republish such list in conjunction with the issuance of the State of the National Parks report.

(c) GRANTS.—The Secretary is authorized to make grants to local governments and State governments for the purposes of assisting in the preparation of a strategy described in subsection (a). Such grants shall not exceed $50,000 in any fiscal year to any local government or $250,000 to any State government.

(d) CONTENTS.—A heritage protection strategy shall include each of the following:

(1) A description of the nature of known threats to the national park unit.

(2) A definition of an area in which grant assistance, cooperative plans and other techniques to avoid or substantially mitigate the effects of non-Federal activities on the park unit and any other natural or cultural resources within the area will be applied.

(3) A detailed description of such plans and techniques as may be necessary or appropriate to prevent any adverse effect to the unit.

(4) Specific programs of private, local, state and Federal actions, including but not limited to, zoning and property acquisition, including easement acquisition, that will implement such plans and techniques.

(e) APPROVAL.—The Secretary shall not approve any strategy unless the Secretary finds it is consistent with subsection (d) and makes each of the following findings:

(1) A finding that the strategy has been developed with adequate opportunity, including public hearings, for public involvement in the preparation and review of the strategy, and public comments were received and considered in the strategy or revision as presented to the Secretary.

(2) A finding that any State and local government (or governments) or Federal agencies identified in the strategy as necessary for implementing its provisions have the necessary authority to implement the strategy and has taken such actions, or upon approval of the strategy will take such actions, including the adoption of laws, ordinances resolutions or regulations, to demonstrate their intention to use such authority to implement the strategy.

(3) A finding that the strategy, if implemented, would remove some or all of those threats identified in the state of the national parks report.

(f) GRANTS TO STATE AND LOCAL GOVERNMENTS.—The Secretary is authorized to provide grants to such State and local governments to facilitate the implementation of the strategy including grants for the acquisition of full or partial interests in property, the construction of public facilities, and the preparation and construction of such services and facilities as will enhance the public's appreciation of the park unit and any other natural, historic, or recreational resources within the area in which the strategy will be implemented. Such grants shall be conditioned on the Secretary's receipt of specific commitments for State or local actions, including but not limited to zoning and property acquisition, including easement acquisition, that will assist in the implementation of an approved heritage protection strategy. The Secretary shall suspend the provision of grants where the Secretary has withdrawn approval of the strategy pursuant to subsection (g).

(g) REVIEW.—The Secretary shall conduct a regular review of approved strategies for the purpose of ensuring that the strategy continues to meet the requirements of subsections (d) and (e). Where the Secretary finds that a strategy or its implementation no longer meets these requirements, the Secretary shall withdraw his or her approval of the strategy or portions thereof. Such a withdrawal shall occur only after consultation with the affected local and State governments.

(h) GRANT CONDITIONS.—Grants under this section shall be made only upon application of the recipient State or local government and shall come from funds specifically appropriated for this purpose as authorized by this Act. In addition, such funds shall be in addition to any other Federal financial assistance for any other program, and shall be subject to such terms and conditions as the Secretary deems necessary to carry out the purposes of this section. No grant shall be made after the date five years from the date of the Secretary's approval of the plan.

(i) CONSISTENCY OF FEDERAL ACTIVITIES WITH HERITAGE PROTECTION STRATEGIES.—Each Federal agency conducting or supporting undertakings that may affect units of the National Park System for which the Secretary has approved a strategy pursuant to this section shall conduct or support those

activities in a manner which is, to the maximum extent practicable, consistent with the strategy.

SEC. 7. NATIONAL LANDMARK CONSERVATION AGREEMENTS.

(a) AGREEMENTS.—For each national landmark identified as endangered pursuant to section 5, the Secretary shall seek to enter a binding written agreement with—

(1) the owner of the national landmark, or

(2) the local government (or in the case of a site located within multiple jurisdiction, such governments) within which the national landmark is located, or

(3) in the case of a landmark owned or controlled by an agency of the Federal government, such agency, or

(4) a combination of such owners, governments and agencies as the Secretary considers appropriate, that provides for the long-term conservation of the site. Such an agreement shall specify a detailed plan of action to preserve those characterists of the national landmark that qualified it for such designation.

(b) PLANNING GRANTS.—The Secretary is authorized to make grants for the purpose of assisting owners and local governments in the preparation of an agreement described in subsection (a). Such grants shall not exceed $50,000 in any fiscal year to any individual or local government.

(c) CONSERVATION GRANTS.—Upon the execution of an agreement the Secretary may provide grants to owners and local governments to facilitate the implementation of the agreement including grants for the acquisition of full or partial interests in property, the rehabilitation of properties and the preparation and construction of such services and facilities as will enhance the public's appreciation of the national landmark. Such grants shall be conditioned on the Secretary's receipt of specific commitments, including but not limited to zoning and property acquisition or donation, including easement acquisition and donation, that will assist in the implementation of a Landmark Conservation agreement.

(d) GRANTS CONDITIONS.—Grants under this section shall be made only upon application of the recipient local government or owner and shall come from funds specifically appropriated for this purpose as authorized by this Act. In addition, such funds shall be in addition to any other Federal financial assistance for any other program, and shall be subject to such terms and conditions as the Secretary deems necessary to carry out the purposes of this section.

(e) CONSISTENCY OF FEDERAL ACTIVITIES WITH LANDMARK CONSERVATION AGREEMENTS.—Each Federal agency conducting or supporting undertakings that may affect a national landmark for which the Secretary has executed a conservation agreement pursuant to this section shall conduct or support those activities in a manner which is, to the maximum extent practicable, consistent with the agreement.

SEC. 8. PROTECTION FROM ADVERSE FEDERAL ACTIONS.

(a) POLICY.—The head of any Federal agency shall not approve any Federal or Federally assisted undertaking unless the agency head makes each of the following determinations:

(1) A determination that the undertaking does not require the use of any land from a nationally significant heritage resource (as defined in subsection (b)).

(2) A determination that the undertaking does not adversely affect a nationally significant heritage resource or that the undertaking will be approved notwithstanding the effect because—

(A) there are no prudent and feasible alternatives to the undertaking, including not proceeding with the undertaking and

(B) the undertaking includes all possible planning to minimize harm to the nationally significant heritage resource.

(b) NATIONALLY SIGNIFICANT HERITAGE RESOURCES.—For the purpose of this Act, nationally significant heritage resources are each of the following:

(1) the units of the National Park System,

(2) those places designated as National Historic Landmarks,

(3) those places designated as National Natural Landmarks, and

(4) any resource, upon application of the Governor of the State or the chief elected official of the local government concerned, found by the Secretary to be worthy of maximum Federal efforts to conserve and enhance for the education, appreciation, and inspiration of present and future generations.

The Secretary shall promulgate standards and procedures for considering applications pursuant to this paragraph. The Secretary shall publish a listing of nationally significant heritage resources not less often than January 1 of each year.

(c) PROCEDURES.—The head of any Federal agency having direct or indirect jurisdiction over a proposed Federal or Federally assisted undertaking that may adversely affect a nationally significant heritage resource shall, prior to issuing a license, approving the expenditure of funds, or granting other such approval, sanction or assistance

(1) promptly notify the appropriate State and local governmental officials, and interested members of the public of the action at the time it is planning the action, preparing an environmental assessment regarding the action, preparing an evaluation pursuant to the National Environmental Policy Act of 1969, and if required, preparing an environmental impact statement for the action, and

(2) provide the Secretary, the Advisory Council on Historic Preservation, and the Council on Environmental Quality a reasonable opportunity to comment on the undertaking and the finding made pursuant to subsection (a) of the section.

The requirements of this subsection shall be carried out in accordance with procedures established by regulation by the Federal agency responsible for undertaking or approving the Federal action. These procedures shall utilize the procedures developed by such agency pursuant to the National Environmental Policy Act, the National Historic Preservation Act, and the regulations of the Advisory Council on Historic Preservation, the Council on Environmental Quality, or any combination of these as the agency deems appropriate, and such other applicable laws as may serve to advance the purposes of this section.

(d) EXEMPTIONS FOR NATIONAL SECURITY AND DISASTERS.—The provisions of this section shall not apply to any undertaking or class of undertakings——

(1) that is carried out by the Armed Forces of the United States (including the Coast Guard) or by the National Guard of any States that are uniquely military in nature where the President determines that it is in the paramount interest of the United States to permit such undertaking, or

(2) that takes place in an area the President has declared to be a major disaster area under the Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) and where the head of the agency determines that the undertaking—

(A) is necessary to prevent the recurrence of such a disaster and to reduce the potential loss of human life, or

(B) involves an emergency situation which does not allow compliance with this section.

(e) PREVENTION OF HARM IN ANTICIPATION OF AN APPLICATION FOR FEDERAL ASSISTANCE.—The head of any Federal agency shall not grant a loan, loan guarantee, permit, license, or other assistance in the improvement of property to an applicant who, at any time prior to the making of the application, is engaged in activity on that property that affected adversely a nationally significant heritage resource or property subject to the provisions of section 106 of the National Historic Preservation Act, or, being in a position to prevent it, allowed such activity to occur, unless such agency head, in consultation with the Secretary and the Advisory Council on Historic Preservation, determines that circumstances justify extending the requested Federal assistance despite the adverse effect created or permitted by the applicant.

SEC. 9. FEDERAL ACTIONS THAT AFFECT NATIONAL REGISTER PROPERTIES.

Section 110(f) of the National Historic Preservation Act of 1966 is amended to read as follows:

"(f) With respect to any undertaking subject to the provisions of section 106 which adversely affects any historic property for which the agency has not entered into an agreement with the Council and the appropriate State Historic Preservation Officer, the head of the responsible Federal agency may approve such undertaking only if the agency head determines that implementing the recommendations contained in the comment of the Council made pursuant to section 106 is not feasible and prudent.".

SEC 10. DEFINITIONS.

As used in this title:

(1) The term "adverse effect" or "adversely affect" means for the purposes of this Act, any factor, force or action that may damage, diminish, degrade, impair, destroy or otherwise harm.

(2) The term "appropriate committees" means those committees of both the House and the Senate which have primary justification for the activities of the National Park Service or for the appropriation of funds for the National Park Service.

(3) The term "Federal or Federally assisted undertaking" means any Federal, Federally assisted or federally licensed project, activity, or program or the approval, sanction, assistance, or support of any non-Federal action, activity or program.

(4) The "National Historic Landmark" means a property so designated by the Secretary of the Interior determined eligible for such designation pursuant to the authority of the Act of August 21, 1935.

(5) The term "national landmark" means any National Historic Landmark or any National Natural Landmark.

(6) The term "National Natural Landmark" means a property so designated by the Secretary of the Interior pursuant to authority of the Act of August 21, 1935 and as further authorized by this Act.

(7) The term "National Park System" has the meaning provided by section 2 of the Act of August 8, 1953, (16 U.S.C. 1b-1c).

(8) The term "National Register of Historic Places" means places so designated pursuant to the National Historic Preservation Act.

(9) The term "nationally significant heritage resource" or "nationally significant her-

itage resources" means any place meeting the definition of section 8(b) of this Act including—

(A) any of those resources that comprise a nationally significant heritage resource, or

(B) any of those qualities and values for which a site is designated as a nationally significant heritage resource.

(10) The term "owner" means for the purposes of this Act, the single ownership entity or, in the case of multiple owners of a single property or the owners of multiple properties, any one of such owners.

(11) The terms "resource" and "resources" include—

(A) in the case of natural resources, the geology, flora and fauna, and paleontological remains which are principally of indigenous origin, including their related ecosystems, watersheds, viewsheds, terrestrial and aquatic habitats of plant and animal species, and topographic or geological features, and

(B) in the case of cultural resources, the historic and prehistoric districts, sites, buildings, structures, landscapes, objects, associated artifacts, records and remains, and related historical contexts, natural settings or geographic features which are historically associated with the significant to an understanding of the cultural resources.

(12) The term "Secretary" means the Secretary of the Interior acting through the Director of the National Park Service except where specific reference is made to the Secretary of the Interior.

(13) The term "use of land" means for the purposes of this Act—

(A) any physical alteration of land (including improvements thereon) within the boundaries of a nationally significant heritage resource, or

(B) any substantial indirect impacts on such land, such that the utility or enjoyment of the land in terms of its environmental, ecological, or historical significance is substantially impaired.

SEC. 11 AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated not more than $25,000,000 in each of the five fiscal years following enactment of this Act for the purposes of this Act. Of this amount, $15,000,000 shall be available for the purposes of section 6 of this Act and $10,000,000 for purposes of section 7 of this Act. Such sums shall remain available until appropriated and such sums as may be appropriated shall remain available until expended.

SEC. 12. EFFECTIVE DATES.

The provisions of sections 8 and 9 of this Act shall be effective for any Federal or Federally assisted undertaking for which Federal approval has not been granted prior to the date of enactment of this Act or for any new or revised element of such undertakings proposed following such date.•

By Mr. MCCAIN (for himself, Mr. HARKIN, Mr. INOUYE, and Mr. HOLLINGS):

S. 2557. A bill to require candidates who are eligible to receive amounts from the Presidential Election Campaign Fund to prepare television commercials with closed captioning of the oral content, to the Committee on Commerce, Science, and Transportation.

CLOSED CAPTIONING OF CAMPAIGN COMMERCIALS

• Mr. MCCAIN. Mr. President, I am pleased to introduce for myself, Mr. HARKIN, Mr. INOUYE, and Mr. HOLLINGS legislation to require candidates who are eligible to receive funding from the Presidential Election Campaign Fund to prepare television commercials with closed captioning of the oral content. This legislation furthers the Senate's commitment to closed captioning and equal access.

Mr. President, first let me acknowledge the efforts of Congressman HOYER, who authored this legislation in the House. I also want to express my gratitude to my friend and esteemed colleague, Senator INOUYE, whose suggestions on this subject have been incorporated into my legislation.

This legislation is a tribute to their commitment to equal access and to our country's deaf and hearing impaired citizens.

Mr. President, the electoral process is one of the hallmarks of American liberty. The Congresss has—most correctly I believe—taken steps to ensure that the voting franchise is equally available to all.

The advent of the television age has made television advertising an integral part of every modern political campaign. Therefore, I believe it is very important that this television message be as accessible as possible. Closed captioning of the oral content of these political advertisements should be universal.

Mr. President, mandating that all candidates prepare their commercials with closed captioning would not be right. However, I do believe that the Congress has every right to mandate that if candidates receive taxpayer dollars from the Presidential Election Campaign Fund, the candidate must use closed captioning in his or her advertising.

This legislation is especially timely as the Presidential campaign season progresses and I am pleased that the Senate is considering it at this time.

The more informed the electorate, the better our Nation will be. This legislation is a positive step in that direction.

Mr. President, I ask that the full text of the measure be printed in the RECORD.

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

S. 2557

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. CLOSED CAPTIONING REQUIREMENT FOR TELEVISION COMMERCIALS OF CANDIDATES WHO ARE ELIGIBLE TO RECEIVE AMOUNTS FROM THE PRESIDENTIAL ELECTION CAMPAIGN FUND.

Section 9003 of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

"(e) CLOSED CAPTIONING REQUIREMENT.—No candidate for the office of President or Vice President may receive amounts from the Presidential Election Campaign Fund under this chapter or chapter 96 unless such candidate has certified that any television commercial prepared or distributed by the candidate will be prepared in a manner which ensures that the commercial contains or is accompanied by closed captioning of the oral content of the commercial to be broadcast in line 21 of the vertical blanking interval, or is capable of being viewed by deaf and hearing impaired individuals via any comparable successor technology to line 21 of the vertical blanking interval.

SEC. 2. EFFECTIVE DATE.

The amendment made by section 1 shall apply to amounts made available under chapter 95 or 96 of the Internal Revenue Code of 1986 more than 30 days after the date of the enactment of this Act.•

By Mr. LIEBERMAN (for himself, Mr. DODD, Mr. MOYNIHAN, Mr. D'AMATO, and Mr. LAUTENBERG):

S.J. Res. 288. Joint resolution designating the week beginning July 26, 1992, as "Lyme Disease Awareness Week"; to the Committee on the Judiciary.

LYME DISEASE AWARENESS WEEK

• Mr. LIEBERMAN. Mr. President, today I am introducing legislation to designate the week of July 26, 1992, as Lyme Disease Awareness Week. Lyme disease takes its name from a cluster of cases identified in Lyme, CT, in 1976; however, researchers now believe that is has been present in the United States since the 1940's. This tick-borne disease has now been found in 49 States. Despite the fact that 40,000 cases of Lyme diseases were reported to the Centers for Disease Control between 1982 and 1991, few doctors and even fewer members of the general public recognize the symptoms of Lyme disease.

Left untreated, Lyme disease can cause severe arthritis, heart disease, and neurological complications. The damage caused by untreated Lyme disease can be irreversible. Lyme disease poses particular risks to pregnant women since it can cross the placenta causing premature labor, fetal damage, miscarriages, and stillbirths. Last year Jamie Forschner, age 5, died from complications from Lyme disease contracted when his mother was pregnant. Jamie's 5-year battle to live taught all of us lessons about love and the strength of the human spirit. Lyme Disease Awareness Week serves as a marker to remind us that no other child should have to suffer the way Jamie did. We must continue to teach the public about the disease and pursue research on prevention and treatment.

Education, prevention, and research on this disease are critical because existing diagnostic tools cannot accurately detect the presence of the disease and there is, at this time, no vaccine which protects against Lyme disease. People who contract the disease often go through years of tests and a variety of treatments before a proper diagnosis is made.

To protect people from the worst effects of Lyme disease we must focus on

prevention, early detection, and early treatment. Physicians and the general public must be taught what precautions to take to prevent the disease. They must learn how to recognize its early symptoms, so that those with Lyme disease receive the immediate treatment with antibiotics necessary to prevent permanent damage.

We must focus particular attention on educating pregnant women and children and those who care for them, since children are the group most affected by Lyme disease. Children are especially vulnerable in the summertime because of their outdoors activities. Parents, camp counselors, those leading outdoor trips, and children themselves must be taught how to protect against Lyme disease and how to recognize its symptoms. I believe Lyme Disease Awareness Week can play an important role in teaching the American people about this devastating disease.

Mr. President, I ask that the full text of the joint resolution be printed in the RECORD.

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

S.J. RES. 288

Whereas Lyme disease (borreliosis) is spread primarily by the bite of four types of ticks infected with the bacteria Borrelia burgdorferi;

Whereas Lyme disease-carrying ticks can be found across the country—in woods, mountains, beaches, even in our yards, and no effective tick control measures currently exist;

Whereas infected ticks can be carried by animals such as cats, dogs, horses, cows, goats, birds, and transferred to humans;

Whereas our pets and livestock can be infected with Lyme disease by ticks;

Whereas Lyme disease was first discovered in Europe in 1883 and scientists have recently proven its presence on Long Island as early as the 1940's;

Whereas Lyme disease was first found in Wisconsin in 1969, and derives its name from the diagnosis of a cluster of cases in the mid-1970's in Lyme, Connecticut;

Whereas 49 states reported more than 40,000 cases of Lyme disease from 1982 through 1991;

Whereas Lyme disease knows no season—the peak west coast and southern season is November to June, the peak east coast and northern season is April to October, and victims suffer all year round.

Whereas Lyme disease, easily treated soon after the bite with oral antibiotics, can be difficult to treat (by painful intravenous injections) if not discovered in time, and for some may be incurable;

Whereas Lyme disease is difficult to diagnose because there is no reliable test that can directly detect when the infection is present;

Whereas the early symptoms of Lyme disease may include rashes, severe headaches, fever, fatigue, and swollen glands;

Whereas if left untreated Lyme disease can affect every body system causing severe damage to the heart, brain, eyes, joints, lungs, liver, spleen, blood vessels, and kidneys;

Whereas the bacteria can cross the placenta and affect fetal development;

Whereas our children are the most vulnerable and most widely affected group;

Whereas the best cure for Lyme disease is prevention;

Whereas prevention of Lyme disease depends upon public awareness; and

Whereas education is essential to making the general public, health care professionals, employers, and insurers more knowledgeable about Lyme disease and its debilitating side effects: Now, therefore, be it *Resolved by the Senate and the House of Representatives of the United States of America in Congress assembled*, That the week beginning July 26, 1992 is designated as "Lyme Disease Awareness Week", and the President is authorized and requested to issue a proclamation calling upon the people of the United States to observe such week with appropriate programs, ceremonies, and activities.•

By Mr. D'AMATO:

S.J. Res. 289. Joint resolution designating the period beginning April 9, 1992, and ending May 6, 1992, as "Bataan-Corregidor Month"; to the Committee on the Judiciary.

BATAAN-CORREGIDOR MONTH

• Mr. D'AMATO. Mr. President, I rise today to introduce a Joint resolution to designate the period commencing April 9, 1992, and ending May 6, 1992, as Bataan-Corregidor Month.

Fifty years ago—just days after the tragic attack on Pearl Harbor—thousands of American and Filipino troops embarked on a heroic effort to defend the Bataan Peninsula and Corregidor from the Imperial Japanese forces. For 5 long months, 15,000 American troops and 65,000 Filipinos in Bataan stood ground against the Japanese while enduring severe malnourishment and disease. On April 9, 1942, after 3 days of relentless Japanese attacks, Maj. Gen. Edward P. King, Jr., commanding the forces on Bataan, surrendered. An estimated 7,000 to 10,000 men—including 2,330 Americans—died during the brutal Death March to prison that followed. In the meantime, on Corregidor, over 13,000 troops continued to hold out under one of the most intense artillery bombardments of the entire war. Only after all hope of defeating the enemy was gone did the Allies surrender Corregidor on May 6, 1942.

Mr. President, we must never underestimate the importance of the heroic and courageous defense of Bataan and Corregidor. The valiant efforts of the American and Filipino defenders dealt a lethal blow to the enemy's timetable for conquest—contributing greatly to the final victory of the Allies in World War II.

The patriotism and sacrifice of the men and women who bravely fought for the defense of Bataan and Corregidor must never be forgotten. On this 50th anniversary of the fall of Bataan and Corregidor, we must ensure that these brave individuals are appropriately remembered. That is why I am strongly urging each of my colleagues to join me in supporting this resolution to designate April 9 through May 6, 1992, as Bataan-Corregidor Month.•

By Mr. GORE (for himself, Mr. WIRTH, and Mr. WOFFORD):

S.J. Res. 290. Joint resolution calling for the Secretary of the Interior, in cooperation with the Secretary of State, to enter into agreements with Canada to protect the Alsek and Tatshenshini Rivers for the Secretary of the Interior to ensure that Glacier Bay National Park and Preserve is not degraded by potential mine developments in Canada, and for other purposes; to the Committee on Foreign Relations.

PROTECTION OF ALSEK AND TATSHENSHINI RIVERS

• Mr. GORE. Mr. President, I rise today to introduce a resolution on behalf of myself and Senators WIRTH and WOFFORD to protect one of the most magnificent river systems on Earth.

The Alsek River and its tributary, the Tatshenshini, originate in Canada and flow through the Yukon Territory and British Columbia, where they join 8 miles east of the United States border. The unified river then flows into the United States, through Glacier Bay National Park and Preserve and the Tongass National Forest before entering the Gulf of Alaska. Along its course to the sea, the river flows through the largest nonpolar glacier field in North America, and forms a spectacular watershed significant not only for its natural resources, but also for the Native American population and economic activity it sustains.

Today, however, this entire river system is threatened by a huge open-pit copper mine proposed for development in Canada, just 15 miles from the border with the United States. This mine is an environmental nightmare waiting to happen. Geddes Resources Ltd., the Canadian mining company that wants to develop it, proposes to extract as much as 30,000 tons of copper ore each day. The company proposes to impound 200 million tons of acid-generating tailings in a 4-mile lake specially created for this purpose behind a 360-foot earthen dam. Two 150-mile long pipelines would be constructed to transport oil and a slurry of copper concentrate to the nearest port facility at Haines, AK, where these pipelines would discharge 360,000 gallons a day of slurry pipeline effluent into the waters of Lynn Canal.

Mr. President, the earthen dam and slurry and oil pipelines would be situated on one of North America's most active seismic areas, creating a standing risk of a catastrophic release of acidic waste into the Tatshenshini and Alsek. The toxicity of this waste would be comparable to battery acid. Even in the absence of an earthquake, the U.S. Fish and Wildlife Service, the National Park Service, and the Department of Commerce have all expressed concern that development of the proposed mine could lead to disastrous releases into the environment.

The Alsek and Tatshenshini Rivers support commercial, subsistence, and

sport fisheries valued in excess of $8.5 million annually. Lynn Canal, which is where the pipelines would discharge large amounts of toxic effluent, sustains harvests of salmon, bottomfish, shellfish, and other fisheries resources valued at $41 million annually.

Yak-Tat Kwaan, an Alaskan Native Claims Settlement Act corporation, based in Yakutat, AK, has said the projects "proposed man-made lake which hide the the mine tailings is an imminent lake of genocide to the Yakutat Tlingit people of the Gulf Coast of Alaska."

Mr. President, the Alaska National Interest Lands Conservation Act of 1980 provides for the protection of the portion of the Alsek River within the United States by including it within Glacier Bay National Park and Preserve. In 1910, the International Union of the Conservation of Nature recognized the international importance of the Tatshenshini and Alsek River system and its surrounding 2.7 million acres as unique and worthy of consideration for world Heritage status. The area is prime habitat for large mammals, including the grizzly, the rare glacial bear, moose, wolves, mountain goats, and Dall sheep, and such birds as the bald eagle, peregrine falcon, migratory birds, trumpeter swans, and other waterfowl.

This resolution recognizes the outstanding quality and environmental significance of the Alsek and Tatshenshini River system and the threat posed by the proposed development of the Geddes project. It directs the Secretary of Interior, in cooperation with the Secretary of State, to enter into negotiations with Canada to provide protection for the entire Alsek River watershed. It directs the Secretary of Interior to report to Congress by September 30, 1993, on the potential impacts to Glacier Bay National Park and Preserve and the culture of the Yakutat Tlingit and non-Native people of the region of the proposed project. It directs the Secretary of State to seek referral to the International Joint Commission, pursuant to the United States-Canada Boundary Waters Treaty, to examine the potential adverse environmental and social impacts of the proposed mining activity. Finally, the resolution directs the Secretary of Interior, in cooperation with the Secretary of State, to seek Canadian cooperation to obtain World Heritage Site status and protection for the entire Alsek and Tatshenshini River watershed.

Mr. President, I urge my colleagues to support this resolution, to help ensure the Alsek and Tatshenshini Rivers may survive in their present relatively pristine condition for the generations to come.●

ADDITIONAL COSPONSORS

S. 89

At the request of Mr. DURENBERGER, the name of the Senator from California [Mr. SEYMOUR] was added as a cosponsor of S. 89, a bill to amend the Internal Revenue Code of 1986 to permanently increase the deductible health insurance costs for self-employed individuals.

S. 1360

At the request of Mr. BENTSEN, the name of the Senator from Texas [Mr. GRAMM] was added as a cosponsor of S. 1360, a bill to establish in the State of Texas the Palo Alto Battlefield National Historic Site, and for other purposes.

S. 1565

At the request of Mr. GRAHAM, the name of the Senator from Ohio [Mr. METZENBAUM] was added as a cosponsor of S. 1565, a bill to amend the Federal Aviation Act of 1958 to ensure fair treatment of airline employees in connection with route transfers.

S. 1901

At the request of Mr. DASCHLE, the name of the Senator from Pennsylvania [Mr. WOFFORD] was added as a cosponsor of S. 1901, a bill to amend title 5, United States Code, to make election day a legal public holiday, with such holiday to be known as "Democracy Day."

S. 2064

At the request of Mr. MITCHELL, the name of the Senator from Connecticut [Mr. LIEBERMAN] was added as a cosponsor of S. 2064, a bill to impose a 1-year moratorium on the performance of nuclear weapons tests by the United States unless the Soviet Union conducts a nuclear weapons test during that period.

S. 2174

At the request of Mr. DASCHLE, the name of the Senator from Alabama [Mr. SHELBY] was added as a cosponsor of S. 2174, a bill to prohibit the provision to Members and employees of Congress, at Government expense, of services and other benefits that are not typical benefits of employment or are not otherwise necessary to the performance of their office.

S. 2211

At the request of Mr. GRAMM, his name was added as a cosponsor of S. 2211, a bill to amend the Internal Revenue Code of 1986 to eliminate tax penalties that apply to oil and gas investments, and for other purposes.

S. 2235

At the request of Mr. MOYNIHAN, the name of the Senator from Massachusetts [Mr. KENNEDY] was added as a cosponsor of S. 2235, a bill to extend until April 1993 the demonstration project under which influenza vaccinations are provided to medicare beneficiaries.

S. 2239

At the request of Mr. PRYOR, the name of the Senator from California [Mr. SEYMOUR] was added as a cosponsor of S. 2239, a bill to amend the Internal Revenue Code of 1986 to provide additional safeguards to protect taxpayers' rights.

S. 2317

At the request of Mr. LOTT, the name of the Senator from Wyoming [Mr. SIMPSON] was added as a cosponsor of S. 2317, a bill to amend the Congressional Budget and Impoundment Control of 1974 to reform the budget process, and for other purposes.

S. 2319

At the request of Mr. NICKLES, the names of the Senator from Alabama [Mr. SHELBY] and the Senator from North Dakota [Mr. CONRAD] were added as cosponsors of S. 2319, a bill to require analysis and estimates of the likely impact of Federal legislation and regulations upon the private sector and State and local governments, and for other purposes.

S. 2400

At the request of Mr. PRYOR, the names of the Senator from West Virginia [Mr. ROCKEFELLER] and the Senator from Alabama [Mr. SHELBY] were added as cosponsors of S. 2400, a bill to amend title XVIII of the Social Security Act to extend special payments under part A of Medicare for the operating costs of inpatient hospital services of hospitals with a high proportion of patients who are Medicare beneficiaries.

S. 2411

At the request of Mr. MCCAIN, the name of the Senator from Alaska [Mr. MURKOWSKI] was added as a cosponsor of S. 2411, a bill to approve the President's rescission proposals submitted to the Congress on March 20, 1992.

S. 2495

At the request of Mr. INOUYE, the name of the Senator from Hawaii [Mr. AKAKA] was added as a cosponsor of S. 2495, a bill to amend the Civil Liberties Act of 1988 to increase the authorization for the Trust Fund under the act, and for other purposes.

S. 2502

At the request of Mr. DECONCINI, the name of the Senator from Kansas [Mrs. KASSEBAUM] was added as a cosponsor of S. 2502, a bill to amend the provisions of title 28, United States Code, to provide for the payment of attorney fees to a prevailing defendant in civil actions, and for other purposes.

S. 2515

At the request of Mr. DECONCINI, the name of the Senator from Maine [Mr. MITCHELL] was added as a cosponsor of S. 2515, a bill to authorize the establishment of job training programs for unemployed veterans and persons who have been recently separated from the Armed Forces, to pay certain assistance and benefits to employers of such veterans and persons, such veterans, and such persons to defray certain costs relating to the provision of such training, and for other purposes.

S. 2520

At the request of Mr. KENNEDY, the name of the Senator from New Jersey [Mr. BRADLEY] was added as a cosponsor of S. 2520, a bill to support efforts to promote democracy in Haiti.

SENATE JOINT RESOLUTION 166

At the request of Mr. DOLE, the name of the Senator from Mississippi [Mr. COCHRAN] was added as a cosponsor of Senate Joint Resolution 166, a joint resolution designating the week of October 6 through 12, 1991, as "National Customer Service Week."

SENATE JOINT RESOLUTION 248

At the request of Mr. CONRAD, the name of the Senator from New Hampshire [Mr. SMITH] was added as a cosponsor of Senate Joint Resolution 248, a joint resolution designating August 7, 1992, as "Battle of Guadalcanal Remembrance Day."

SENATE JOINT RESOLUTION 252

At the request of Mr. DIXON, the names of the Senator from Utah [Mr. GARN], the Senator from Georgia [Mr. FOWLER], the Senator from Ohio [Mr. GLENN], the Senator from Hawaii [Mr. INOUYE], the Senator from Hawaii [Mr. AKAKA], the Senator from Missouri [Mr. DANFORTH], and the Senator from Nebraska [Mr. EXON] were added as cosponsors of Senate Joint Resolution 252, a joint resolution designating the week of April 19–25, 1992, as "National Credit Education Week."

SENATE CONCURRENT RESOLUTION 17

At the request of Mr. HATCH, the name of the Senator from North Carolina [Mr. SANFORD] was added as a cosponsor of Senate Concurrent Resolution 17, a concurrent resolution expressing the sense of Congress with respect to certain regulations of the Occupational Safety and Health Administration.

SENATE RESOLUTION 279

At the request of Mr. DASCHLE, the name of the Senator from Alabama [Mr. SHELBY] was added as a cosponsor of Senate Resolution 279, a resolution to prohibit the provision to members and employees of the Senate, at Government expense, of unnecessary or inappropriate services and other benefits.

SENATE RESOLUTION 283—RELATIVE TO FILIPINO VETERANS OF WORLD WAR II

Mr. CRANSTON submitted the following resolution; which was considered and agreed to:

S. RES. 283

Whereas, upon the outbreak of war between the United States and Japan in World War II, 110,000 members of the organized military forces of the Government of the Commonwealth of the Philippines who had been called into the service of the United States Armed Forces by order of President Roosevelt dated July 26, 1941, were committed to battle, along with United States personnel, against the Imperial Japanese forces that invaded the Philippines on December 8, 1941;

Whereas, April 9, 1992, and May 6, 1992, mark the 50th anniversaries of the fall of Bataan and Corregidor, respectively, to Imperial Japanese forces;

Whereas, the Filipino and United States defenders of the Philippines engaged Japanese forces from the beaches of the Philippine Islands to the last defense of Bataan and Corregidor in a grueling battle lasting 150 days;

Whereas, that defense compelled Japan to divert thousands of additional troops to the Philippines;

Whereas, the enormous sacrifices of the defenders in the battles of Bataan and Corregidor provided the United States and its Allies with valuable time to prepare their armed forces for a counteroffensive campaign against Japan;

Whereas, in that defense, the members of the Filipino forces and their United States counterparts struggled against difficult odds and desperate circumstances and faced, with indomitable spirit, fortitude, and loyalty to America, powerful Imperial Japanese forces;

Whereas, members of the Filipino forces acquitted themselves nobly during the Bataan death march, during their internment in death camps, and throughout 3 years of resistance against Japanese occupation of the Philippines; and

Whereas, the United States recognizes the sacrifice, loyalty, and valuable contribution of the Filipino World War II veterans to the causes of peace, freedom, and human dignity: Now, therefore, be it

Resolved, That it is the sense of the Senate that—

The President should (1) issue a proclamation designating April 9, 1992, as the Day of Recognition for Filipino War Veterans and call upon the people of the United States to observe that day with appropriate ceremonies and activities, and (2) present that proclamation to Filipino veterans and the Filipino people in Manila during the ceremonies observing the 50th anniversary of the fall of Bataan, as an expression of goodwill and a reaffirmation of the continuing regard of the United States and the American people for a lasting Filipino-American friendship.

AMENDMENTS SUBMITTED

CONCURRENT RESOLUTION ON THE BUDGET

DANFORTH (AND OTHERS) AMENDMENT NO. 1762

Mr. DANFORTH (for himself, Mr. BAUCUS, Mr. DURENBERGER, and Mr. BINGAMAN) proposed an amendment to the concurrent resolution (S. Con. Res. 106) setting forth the congressional budget for the U.S. Government for fiscal years 1993, 1994, 1995, 1996, and 1997, as follows:

At the appropriate place, insert the following:

SEC. . SENSE OF THE SENATE REGARDING FOREIGN GOVERNMENT SUBSIDIES.

(a) FINDINGS.—The Senate finds that—

(1) the provision of trade distorting industrial subsidies by foreign governments puts tremendous pressure on the United States Government to provide similar subsidies to industries in the United States; and

(2) any ratification of foreign government industrial subsidies would so increase the pressure for industrial subsidies by the United States Government as to undermine efforts to limit the growth of government spending and reduce the federal budget deficit.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that, consistent with the overall and principal trade negotiating objectives set forth in the Omnibus Trade and Competitiveness Act of 1988, the United States Government should not, as a matter of official policy, condone or legitimize trade distorting subsidies by foreign governments that cause material injury to industries in the United States.

EXON (AND OTHERS) AMENDMENT NO. 1763

Mr. EXON (for himself, Mr. SASSER, Mr. BYRD, Mr. MITCHELL, Mr. LEVIN, Mr. HARKIN, Mr. SIMON, Mr. BUMPERS, Mr. CONRAD, and Mr. KERREY) proposed an amendment to the concurrent resolution (S. Con. Res. 106), supra, as follows:

On page 3, line 16, decrease the amount by $7,700,000,000.

On page 3, line 17, decrease the amount by $8,100,000,000.

On page 3, line 18, decrease the amount by $8,600,000,000.

On page 3, line 19, decrease the amount by $9,300,000,000.

On page 3, line 20, decrease the amount by $10,000,000,000.

On page 3, line 23, decrease the amount by $3,600,000,000.

On page 3, line 24, decrease the amount by $7,800,000,000.

On page 3, line 25, decrease the amount by $9,200,000,000.

On page 4, line 1, decrease the amount by $10,200,000,000.

On page 4, line 2, decrease the amount by $11,100,000,000.

On page 4, line 5, decrease the amount by $3,600,000,000.

On page 4, line 6, decrease the amount by $7,800,000,000.

On page 4, line 7, decrease the amount by $9,200,000,000.

On page 4, line 8, decrease the amount by $10,200,000,000.

On page 4, line 9, decrease the amount by $11,100,000,000.

On page 4, line 12, decrease the amount by $3,600,000,000.

On page 4, line 13, decrease the amount by $11,400,000,000.

On page 4, line 14, decrease the amount by $20,600,000,000.

On page 4, line 15, decrease the amount by $30,800,000,000.

On page 4, line 16, decrease the amount by $41,900,000,000.

On page 5, line 20, decrease the amount by $3,600,000,000.

On page 5, line 21, decrease the amount by $7,800,000,000.

On page 5, line 22, decrease the amount by $9,200,000,000.

On page 5, line 23, decrease the amount by $10,200,000,000.

On page 5, line 24, decrease the amount by $11,100,000,000.

On page 7, line 13, decrease the amount by $7,600,000,000.

On page 7, line 14, decrease the amount by $3,500,000,000.

On page 7, line 22, decrease the amount by $7,600,000,000.

On page 7, line 23, decrease the amount by $7,300,000,000.

On page 8, line 7, decrease the amount by $7,600,000,000.

On page 8, line 8, decrease the amount by $8,200,000,000.

On page 8, line 16, decrease the amount by $7,600,000,000.

On page 8, line 17, decrease the amount by $8,500,000,000.

On page 8, line 25, decrease the amount by $7,600,000,000.

On page 9, line 1, decrease the amount by $8,700,000,000.

On page 40, line 12, decrease the amount by $100,000,000.

On page 40, line 13, decrease the amount by $100,000,000.

On page 40, line 21, decrease the amount by $500,000,000.

On page 40, line 22, decrease the amount by $500,000,000.

On page 41, line 5, decrease the amount by $1,000,000,000.

On page 41, line 6, decrease the amount by $1,000,000,000.

On page 41, line 14, decrease the amount by $1,700,000,000.

On page 41, line 15, decrease the amount by $1,700,000,000.

On page 41, line 23, decrease the amount by $2,400,000,000.

On page 41, line 24, decrease the amount by $2,400,000,000.

On page 42, line 7, decrease the amount by $100,000,000.

On page 42, line 8, decrease the amount by $500,000,000.

On page 42, line 9, decrease the amount by $1,000,000,000.

On page 42, line 10, decrease the amount by $1,700,000,000.

On page 42, line 11, decrease the amount by $2,400,000,000.

At the end of the resolution insert the following:

SEC. . SENSE OF THE CONGRESS.

It is the sense of the Congress that the levels in section 6 of this resolution are consistent with the assumption that the defense reductions required shall not result in reductions in military personnel below those levels set forth in the President's fiscal 1993 budget.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. SASSER. Mr. President, I ask unanimous consent that the Senate Committee on Agriculture, Nutrition, and Forestry be allowed to meet during the session of the Senate on Wednesday, April 8, 1992, at 10 a.m., in SD-138, to hold a hearing on the oversight of the U.S. Department of Agriculture's field office structure.

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

SUBCOMMITTEE ON MANPOWER AND PERSONNEL

Mr. SASSER. Mr. President, I ask unanimous consent that the Subcommittee on Manpower and Personnel of the Committee on Armed Services be authorized to meet on Wednesday, April 8, 1992, at 9 a.m., in open session, to receive testimony on the Reserve and National Guard programs in review of the amended defense authorization request for fiscal year 1993.

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

SUBCOMMITTEE ON DEFENSE INDUSTRY AND TECHNOLOGY

Mr. SASSER. Mr. President, I ask unanimous consent that the Subcommittee on Defense Industry and Technology of the Committee on Armed Services be authorized to meet on Wednesday, April 8, 1992, at 2 p.m., in open session, to receive testimony on national and defense technology policies and initiatives.

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

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. SASSER. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate Wednesday, April 8, 1992, at 10 a.m. to conduct a markup of a committee print entitled The Federal Housing Enterprises Regulatory Reform Act of 1992."

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

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. SASSER. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on April 8, 1992, at 10 a.m. on the nomination of Rear Adm. Robert Nelson to be Vice Commandant of the U.S. Coast Guard.

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

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. SASSER. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation/National Ocean Policy Study, be authorized to meet during the session of the Senate on April 8, 1992, immediately following the nomination hearing at 10 a.m., on reauthorization of the Coast Guard.

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

SUBCOMMITTEE ON SUPERFUND, OCEAN AND WATER PROTECTION

Mr. SASSER. Mr. President, I ask unanimous consent that the Subcommittee on Superfund, Ocean and Water Protection, Committee on Environment and Public Works, be authorized to meet during the session of the Senate on Wednesday, April 8, beginning at 9:30 a.m., to conduct a hearing on the implementation of the Superfund Program.

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

COMMITTEE ON FINANCE

Mr. SASSER. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on April 8, 1992, at 10 a.m. to hold a hearing on authorization of the Customs Service budget.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. SASSER. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Wednesday, April 8, at 10 a.m. to hold a hearing on pending treaties.

CONSULAR CONVENTIONS

Treaty Doc. 101-12—Tunisia.
Treaty Doc. 101-13—Algeria.
Treaty Doc. 101-14—Mongolia.

EXTRADITION TREATIES

Treaty Doc. 100-6—Federal Republic of Germany.
Treaty Doc. 102-17—Bahamas.
Treaty Doc. 102-23—Australia.
Treaty Doc. 102-24—Spain.

TREATIES RELATING TO MUTUAL LEGAL ASSISTANCE IN CRIMINAL MATTERS (MLATS)

Treaty Doc. 102-16—Jamaica.
Treaty Doc. 102-18—Argentina.
Treaty Doc. 102-19—Uruguay.
Treaty Doc. 102-21—Spain.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. SASSER. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Wednesday, April 8, at 4:30 p.m. to hold a hearing on ambassadorial nominations to Ukraine and the Republic of Iceland.

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

SUBCOMMITTEE ON EUROPEAN AFFAIRS

Mr. SASSER. Mr. President, I ask unanimous consent that the Subcommittee on European Affairs of the Committee on Foreign Relations be authorized to meet during the session of the Senate on Wednesday, April 8, at 2 p.m. to hold a hearing on environmental and energy challenges in Eastern Europe and the former Soviet Union.

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

SUBCOMMITTEE ON FEDERAL SERVICES, POST OFFICE, AND CIVIL SERVICE

Mr. SASSER. Mr. President, I ask unanimous consent that the Subcommittee on Federal Services, Post Office, and Civil Service, Committee on Governmental Affairs, be authorized to meet during the session of the Senate on Wednesday, April 8, 1992, on the U.S. Postal Service.

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

COMMITTEE ON VETERANS' AFFAIRS

Mr. SASSER. Mr. President, the Committee on Veterans' Affairs would like to request unanimous consent to hold a joint hearing with the House Veterans' Affairs Committee to hear the legislative presentations by AMVETs, American Ex-POW's, Jewish War Veterans, Vietnam Veterans of America Non-Commissioned Officers Association, National Association for

Uniformed Services, and Society of Military Widows. The hearing will be held on April 8, 1992, at 9:30 a.m. in Dirksen 106.

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

SELECT COMMITTEE ON INTELLIGENCE

Mr. SASSER. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on Wednesday, April 8, 1992 at 2 p.m. to hold a closed hearing on intelligence matters.

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

COMMITTEE ON THE JUDICIARY

Mr. SASSER. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to hold a business meeting during the session of the Senate on Wednesday, April 8, 1992, at 10 a.m.

I. NOMINATIONS

U.S. Circuit Judges

Paul J. Kelly, Jr., to be U.S. circuit judge for the Tenth Circuit; and

Edward E. Carnes, to be U.S. circuit judge for the Eleventh Circuit.

U.S. District Judges

J. Curtis Joyner, to be U.S. district judge for the Eastern District of Pennsylvania;

Donald J. Stohr, to be U.S. district judge for the Eastern District of Missouri;

Ewing Werlein, Jr., to be U.S. district judge for the Southern District of Texas;

Henry C. Morgan, Jr., to be U.S. district judge for the Eastern District of Virginia; and

Joseph E. Irenas, to be U.S. district judge for the District of New Jersey.

Department of Justices

George J. Terwilliger III, to be Deputy Attorney General; and

Wayne A Budd, to be Associate Attorney General.

U.S. Attorneys

George O'Connell, to be U.S. attorney for the Eastern District of California.

Board of Directors of the State Justice Institute

Sandra A. O'Connor, to be a member of the Board of Directors of the State Justice Institute;

David Brock, to be a member of the Board of Directors of the State Justice Institute;

Carlos R. Garza, to be a member of the Board of Directors of the State Justice Institute; and

Vivi L. Dilweg, to be a member of the Board of Directors of the State Justice Institute.

Commissioner of the U.S. Parole Commission

John R. Simpson, to be Commissioner of the U.S. Parole Commission.

II. BILLS

S. 1521: A bill to provide a cause of action for victims of sexual abuse, rape, and murder, against producers and distributors of hard-core pornographic material—McConnell.

S. 1941: A bill to amend the Immigration and Nationality Act for the purpose of reforming procedures for the resettlement of refugees of the United States—Kennedy.

S. 1096: A bill to ensure the protection of motion picture copyrights, and for other purposes—Kohl.

S. 2236: A bill, with an amendment, to amend the Voting Rights Act of 1965 to modify and extend the bilingual voting provisions of the Act—Simon.

H.R. 2324: A bill to amend Title 28, United States Code, with respect to witness fees—Hughes.

H.R. 2549: A bill to make technical corrections to Chapter 5 of Title 5, United States Code—Frank.

H.R. 3237: A bill to extend the terms of office of members of the foreign claims settlement commission from 3 to 6 years—Frank.

H.R. 3379: A bill to amend Section 574 of Title 5, United States Code, relating to the authorities of the Administrative Conference—Frank.

H.R. 3686: A bill to amend Title 28, United States Code, to make changes in the places of holding court in the Eastern District of North Carolina—Hughes.

S. 1569: A bill, in the nature of a substitute with an amendment, to implement the recommendations of the Federal Courts Committee, and for other purposes—Heflin.

S. 1338: A bill for the relief of Chi Hsii Tsui, Jon Mie Zhu Tsui, Yin Whee Tsui, Yin Tao Tsui, and Yin Chao Tsui—Sanford.

H.R. 1917: A bill for the relief of Michael Wu—Lowery.

S. 1216: A bill in the nature of a substitute, to provide for the adjustment of status of certain Chinese nations if conditions do not permit their safe return to China—Gorton.

S. 2099: A bill, in the nature of a substitute, to amend the Immigration and Nationality Act to designate special inquiry officers as immigration judges and to provide for the compensation of such judges—Kennedy.

S. 2201: A bill, in the nature of a substitute, to authorize the admission to the United States of certain scientists of the Commonwealth of Independent States as employment-based immigrants under the Immigration and Nationality Act, and for other purposes—Brown.

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

ADDITIONAL STATEMENTS

NOTICE OF DETERMINATION BY THE SELECT COMMITTEE ON ETHICS UNDER RULE 35, PARAGRAPH 4, PERMITTING ACCEPTANCE OF A GIFT OF EDUCATIONAL TRAVEL FROM A FOREIGN ORGANIZATION

• Mr. SANFORD. Mr. President, it is required by paragraph 4 of rule 35 that I place in the CONGRESSIONAL RECORD notices of Senate employees who participate in programs, the principal objective of which is educational, sponsored by a foreign government or a foreign educational or charitable organization involving travel to a foreign country paid for by that foreign government or organization.

The select committee received a request for a determination under rule 35 for Michael W. Punke, a member of the staff of Senator BAUCUS, to participate in a program in Hong Kong, sponsored by the Hong Kong General Chamber of Commerce, from April 12–18, 1992.

The committee has determined that participation by Mr. Punke in this program, at the expense of the Hong Kong General Chamber of Commerce, is in the interest of the Senate and the United States.

The select committee received a request for a determination under rule 35 for Donald Hardy, a member of the staff of Senator SIMPSON, to participate in a program in Hong Kong, sponsored by the Vision 2047 Foundation, from April 12–19, 1992.

The committee has determined that participation by Mr. Hardy in this program, at the expense of the Vision 2047 Foundation, is in the interest of the Senate and the United States.•

ON SENATE CONCURRENT RESOLUTION 89 AND IN PRAISE OF THE SUCCESSFUL CONCLUSION OF THE PREPARATORY COMMITTEE MEETING FOR THE UNITED NATIONS CONFERENCE ON ENVIRONMENT AND DEVELOPMENT

• Mr. DOMENICI. Mr. President, yesterday, I voted for the resolution offered by my colleague from Massachusetts expressing the sense of the Congress concerning the U.N. Conference on Environment and Development. I make this statement now to explain that vote and add a positive note to yesterday's debate.

As 1 of the 13 Senate observers to the UNCED negotiations I would argue that the Washington Post's report of the negotiations collapse was premature and my own colleagues' description of them as being in chaos is overly pessimistic. Last Friday, on the last day of the last preparatory session for the U.N. Conference on Environment and Development, representatives from over 160 nations worked through the night and at 5 a.m. Saturday agreed on a draft "Declaration on the Environment and Development." I will ask that the text of the draft be included in the RECORD as if read.

I am very pleased that these negotiations did produce this document, for had they not, I worried that the United States and the administration in particular would be blamed by our media and perhaps by some of my colleagues in this Chamber.

From my perspective as an observer, I would say this criticism has focused too narrowly on some aspects of the administration position in the climate treaty negotiations. I know there's a lot of disagreement in this Chamber on this issue, and I respect the motivations behind both: I care deeply about risks to future generations be they economic or environmental.

As you can tell from this Rio Declaration, and from the text of Senate Concurrent Resolution 89, the negotiations for UNCED are much broader than global warming. But the issues behind global warming dispute: the classic environmental protection versus economic growth, are at its core.

To illustrate, let me talk about carbon dioxide. The IPCC scientists tell us that greenhouse effect is a well established theory; that if carbon dioxide and the other greenhouse gases didn't trap heat, the earth would be almost 60 degrees colder; and that carbon dioxide in the atmosphere is now 25 percent higher than before the Industrial Revolution and increasing. Chances are, the earth will get warmer—maybe a lot warmer—by the middle of the next century.

The problem is that carbon dioxide emissions are also a good measure of the economic growth, of the prosperity of most of the world. With collapse of the Soviet Union, its carbon dioxide emissions dropped dramatically, by 25 percent since 1989. I submit that this is not the approach we would want to use to limit CO_2.

The point of the U.N. Conference on Environment and Development is not to have the standard U.S. economics versus environment ideological battle on a global scale. The United States was one of the first countries in the world to adopt stringent environmental laws. We have learned from this experience how to promote policies that consider environmental and business interests together; that are efficient and above all, are based on sound science. The world, and especially developing countries can not afford to ignore the lessons we have learned from this experience.

The point of UNCED is to recognize that economics and environment are closely intertwined. Extreme policies to limit environmental hazards at the expense of economic growth do not make sense as solutions to the long-term global environmental threats we will—whatever they may be.

I think, in this Rio Declaration the conferees have finally begun to stop arguing about ideology and agreed to some key points, as should we in the Senate. The draft declaration states "Peace, development and environmental protection are interdependent and indivisible." Eradicating poverty, decreasing the disparities in standards of living of the majority of the people in the world is requirement for protecting the environment. Finally, it promotes something I have been encouraging a long time: improving scientific understanding of environmental problems and their solutions through exchanges of scientific and technological knowledge, and by enhancing the development, adaptation, diffusion, and transfer of technologies.

Of course, the draft declaration agreed to last week is just a start. Many issues, including those described in the resolution, remain to be resolved. I hope they will be. Just as it is immoral to pass on the deficit to future generations, I would argue that without trying to reach this agreement, without taking actions of our own, without trying to help other countries to cost effectively solve their energy and environmental problems, we are gambling with the well being of future generations.

Finally, there is also some good news in all of this: by becoming more efficient, by promoting policies to prevent pollution in the first place, we save energy, generate less waste and thus save money and become more competitive internationally.

I ask that the text of the draft be printed in the RECORD.

The text follows:

DRAFT OF ENVIRONMENTAL RULES: "GLOBAL PARTNERSHIP"

(UNITED NATIONS, APRIL 4.—Following is the draft text of a declaration of principles for encouraging environmentally responsible development that is to be considered in June by leaders attending an environmental summit meeting in Rio de Janeiro:)

The Conference on Environment and Development, having met at Rio de Janeiro from June 3 to 14 1992,

Reaffirming the Declaration of the United Nations Conference on the Human Environment, adopted at Stockholm on June 16, 1972, and seeking to build upon it,

With the goal of establishing a new and equitable global partnership through the creation of new levels of cooperation among states, key sectors of societies and people,

Working toward international agreements which respect the interests of all and protect the integrity of the global environmental and developmental system,

Recognizing the integral and interdependent nature of the earth, our home,

Proclaims that:

Principle 1. Human beings are at the center of concerns for sustainable development. They are entitled to a healthy and productive life in harmony with nature.

Principle 2. States have, in accordance with the Charter of the United Nations and the principles of international law, the sovereign right to exploit their own resources pursuant to their own environmental and developmental policies, and the responsibility to insure that activities within their jurisdiction or control do not cause damage to the environment of other states or of areas beyond the limits of national jurisdiction.

Principle 3. The right to development must be fulfilled so as to equitably meet developmental and environmental needs of present and future generations.

Principle 4. In order to achieve sustainable development, environmental protection shall constitute an integral part of the development process and cannot be considered in isolation from it.

Principle 5. All states and all people shall cooperate in the essential task of eradicating poverty as an indispensable requirement for sustainable development, in order to decrease the disparities in standards of living and better meet the needs of the majority of the people of the world.

Principle 6. The special situation and needs of developing countries, particularly the least developed and those most environmentally vulnerable, shall be given special priority. International actions in the field of environment and development should also address the interests and needs of all countries.

Principle 7. States shall cooperate in a spirit of global partnership to conserve, protect and restore the health and integrity of the earth's ecosystem. In view of the different contributions to global environmental degradation, states have common but differentiated responsibilities. The developed countries acknowledge the responsibility that they bear in the international pursuit of sustainable development in view of the pressures their societies place on the global environment and of the technologies and financial resources they command.

Principle 8. To achieve sustainable development and a higher quality of life for all people, states should reduce and eliminate unsustainable patterns of production and consumption and promote appropriate demographic policies.

Principle 9. States should cooperate to strengthen endogenous capacity building for sustainable development by improving scientific understanding through exchanges of scientific and technological knowledge, and by enhancing the development, adaptation, diffusion and transfer of technologies, including new and innovative technologies.

Principle 10. Environmental issues are best handled with the participation of all concerned citizens, at the relevant level. At the national level, each individual shall have appropriate access to information concerning the environment that is held by public authorities, including information on hazardous materials and activities in their communities, and the opportunity to participate in decision-making processes. States shall facilitate and encourage public awareness and participation by making information widely available. Effective access to judicial and administrative proceedings, including redress and remedy, shall be provided.

Principle 11. States shall enact effective environmental legislation. Environmental standards, management objectives and priorities should reflect the environmental and developmental context to which they apply. Standards applied by some countries may be inappropriate and of unwarranted economic and social cost to other countries, in particular developing countries.

Principle 12. States should cooperate to promote a supportive and open international economic system that would lead to economic growth and sustainable development in all countries, to better address the problems of environmental degradation. Trade policy measures for environmental purposes should not constitute a means of arbitrary or unjustifiable discrimination or a disguised restriction on international trade. Unilateral actions to deal with environmental challenges outside the jurisdiction of the importing country should be avoided. Environmental measures addressing trans-boundary or global environmental problems should, as far as possible, be based on an international consensus.

Principle 13. States shall develop national law regarding liability and compensation for the victims of pollution and other environmental damage. States shall also cooperate in an expeditious and more determined manner to develop further international law regarding liability and compensation for adverse effects of environmental damage caused by activities within their jurisdiction or control to areas beyond their jurisdiction.

Principle 14. States should effectively cooperate to discourage or prevent the relocation and transfer to other states of any activities and substances that cause severe environmental degradation or are found to be harmful to human health.

Principle 15. In order to protect the environment, the precautionary approach shall be widely applied to states according to their

capabilities. Where there are threats of serious or irreversible damage, lack of full scientific certainty shall not be used as a reason for postponing cost-effective measures to prevent environmental degradation.

Principle 16. National authorities should endeavor to promote the internalization of environmental costs and the use of economic instruments, taking into account the approach that the polluter should, in principle, bear the cost of pollution, with due regard to the public interest and without distorting international trade and investment.

Principle 17. Environmental impact assessment, as a national instrument, shall be undertaken for proposed activities that are likely to have a significant adverse impact on the environment and are subject to a decision of a competent national authority.

Principle 18. States shall immediately notify other states of any natural disasters or other emergencies that are likely to produce sudden harmful effects on the environment of those states. Every effort shall be made by the international community to help states so afflicted.

Principle 19. States shall provide prior and timely notification and relevant information to potentially affected states on activities that may have a significant adverse transboundary environmental effect and shall consult with those states at an early stage and in good faith.

Principle 20. Women have a vital role in environmental management and development. Their full participation is therefore essential to achieve sustainable development.

Principle 21. The creativity, ideals and courage of the youth of the world should be mobilized to forge a global partnership in order to achieve sustainable development and ensure a better future for all.

Principle 22. Indigenous people and their communities, and other local communities, have a vital role in environmental management and development because of their knowledge and traditional practices. States should recognize and duly support their identity, culture and interests and enable their effective participation in the achievement of sustainable development.

Principle 23. The environment and natural resources of people under oppression, domination and occupation shall be protected.

Principle 24. Warfare is inherently destructive of sustainable development. States shall therefore respect international law providing protection for the environment in times of armed conflict and cooperate in its further development, as necessary.

Principle 25. Peace, development and environmental protection are interdependent and indivisible.

Principle 26. States shall resolve all their environmental disputes peacefully and by appropriate means in accordance with the Charter of the United Nations.

Principle 27. States and people shall cooperate in good faith and in a spirit of partnership in the fulfillment of the principles embodied in this Declaration and in the further development of international law in the field of sustainable development.•

NEIGHBORHOOD INFORMATION CENTER CELEBRATES 20 YEARS

• Mr. D'AMATO. Mr. President, I rise today to give recognition to the Neighborhood Information Center, Inc. [NIC] of Buffalo, NY. The Neighborhood Information Center will commemorate its 20th anniversary on April 24, 1992. The Neighborhood Information Center is a not-for-profit community organization serving the needs of the people residing within the Broadway-Fillmore community of Buffalo, NY.

The information center was founded in 1972 by a group of community minded residents who felt a need to address the problems facing the poor and needy of the Broadway-Fillmore area. The NIC will mark their 20-year anniversary of service to the elderly, poor, and crime victims by holding an anniversary celebration at the Marine Midland Center's 38th floor restaurant.

The primary objective of NIC is to help clients respond to the problems of daily living by providing necessary assistance and urgent information. The staff at NIC is bilingual and prepared to deal with a wide variety of complex situations by providing information and referral, transportation, interpretation/translation, chore services, casework counseling, emergency food and shelter, and assistance in crime-related situations.

The majority of the clients over the years have been senior citizens. However, services are available to any person with a need. The success of NIC is directly attributable to the dedication of the founders and staff, as well as the support of the Buffalo community. The moral and financial support that each of us provides to groups such as Neighborhood Information Center is vital to their ability to serve their clients. The NIC has provided service every day for the past 20 years and expects to continue serving their community for at least another 20 years.

The Neighborhood Information Center serves as a symbol for a caring New York. As such, they are deserving of our recognition today and our best wishes and support for tomorrow.•

HONORING RETIRING PRESIDENT SIEVENPIPER

• Mr. D'AMATO. Mr. President, I rise today to pay tribute to Ward Sievenpiper who is retiring after 15 years of dedicated service as president of the Metalworking Institute of Western New York.

Under Mr. Sievenpiper's careful guidance, the Metalworking Institute has helped thousands of economically disadvantaged persons and dislocated workers gain new skills and become productively employed in their new career fields. The institute has been recognized by the National Tooling and Machining Association [NTMA] as the number one school of its kind in the Nation. This is indeed a great honor for, and tribute to, Mr. Ward Sievenpiper.

Throughout his tenure, Mr. Sievenpiper has had a profound impact on bettering the quality of life for, and enhancing the level of skills, of, those people who the institute has trained. He has made the institute an excellent educational resource for the western New York community. The institute has also made positive contributions to the economic betterment of its community.

A grateful community will gather to honor Ward Sievenpiper for his many contributions on Tuesday, April 14, 1992. As Mr. Sievenpiper prepares to leave his post as president of the Metalworking Institute, I wish to join the western New York community in bidding him a fond farewell. He has served his community well, and for this he will be sorely missed. I congratulate Mr. Sievenpiper for his past accomplishments and wish him every success in his retirement.•

THE 50TH ANNIVERSARY OF THE SEABEES

• Mr. MOYNIHAN. Mr. President, this year marks the 50th anniversary of the Seabees, the U.S. Navy's construction battalions. Founded in 1942, this skilled unit has served the Nation both on the battlefield and in times of peace.

The Seabees evolved from the Navy's need for advanced base construction capability during World War II. These highly trained, spirited soldiers literally laid the groundwork for American wartime successes. The Seabeas built bases, performed battle damage repair, and assisted in general facility operations.

Their peacetime missions have been no less important. Their duties include sharing in the acquisition, maintenance, and operation of naval facilities worldwide. The Seabees have also been employed in many humanitarian relief efforts.

New York is proud to serve as the home of Naval Construction Battalion 13, headquartered at Camp Smith in Peekskill. This division has members from across the State—from Buffalo to Long Island. I would like to offer my great congratulations to them and to all their fellow Seabees on this noteworthy occasion. May they continue to honor their motto: "With Compassion for Others We Build. We fight for Peace with Freedom."•

TRIBUTE TO HEALTH CARE PROVIDERS, FEDERAL CORRECTIONAL INSTITUTION, DANBURY, CT

• Mr. LIEBERMAN. Mr. President, it is with great pleasure that I bring to the attention of the Senate three very special individuals from my home State of Connecticut, Dr. Justin Ahamad, Mr. Quincy Heck, and Mr. Louis Sarain. These three gentlemen have served with great distinction within the Federal Correctional Institution at Danbury, CT, in their capacities as health care providers. They

have also given their time generously to their local communities. These professionals are fine examples of the Federal employees in Connecticut who have a commitment to public service that goes far beyond the requirements of the workplace.

Dr. Justin Ahamad is the clinical director of the Danbury Correctional Institution. Dr. Ahamad has a long and distinguished medical career that has spanned nearly four decades. He has been active in addressing the health care problems of his community both as a member of the American Heart Association and as a counselor to young men and women on the dangers of alcohol and drug abuse. He also serves the Connecticut Department of Public Safety as a State police surgeon.

Mr. Quincy Heck is the health services administrator at the Danbury facility. He has gained considerable recognition from the Bureau of Federal Prisons for his work in lock-down situations in Marion, IL, where he saved the life of a prisoner, and for his work at the Oakdale, LA Federal Correctional Institution, during the Cuban refugee crisis. Mr. Heck also has received the Medical Director's Award for saving the Bureau over $200,000 in outside medical expenses. In addition, Mr. Heck also serves the youth of his community by being actively involved as a Scout leader, instilling the virtues of sound judgment and moral conduct, and a clean, drug free lifestyle into the young men he leads.

Mr. Louis Medina Sarain is an assistant health services administrator also assigned to the Danbury Federal Correctional Institute. He is a member of the affirmative action committee at the prison, where Mr. Sarain has worked to increase the awareness of staff to the varied cultural and religious aspects encountered within the Danbury prison facility. Mr. Sarain is the recent recipient of the Supervisor of the Quarter Award and the Special Act Award for the work that he has done at Danbury. He also has shown a strong interest in community affairs.

Mr. President, I hope that my colleagues will join me in paying tribute to these special men. Our Nation, and, in particular, Connecticut, benefit from having men like these who bring their commitment, dedication, and talents not only to their jobs, but also to the communities where they reside. Americans can be reassured that they are being well served by Federal employees when we look at the long and distinguished record of these fine men.•

COSPONSORSHIP OF S. 2041

• Mr. KASTEN. Mr. President, I rise today to join Senator GRASSLEY and the chairman of the Small Business Committee, Senator BUMPERS, in cosponsoring S. 2041, the Petroleum Marketing Competition Enhancement Act. This bill will ensure a level playing field in the gasoline market by prohibiting oil companies from selling their gasoline to small petroleum marketers, wholesalers, and retailers, at a higher price than they sell to their customers at their own company-operated stations. Presumptions are established to put the burden on the refiner to prove that the price charged is justified by efficient operating costs. Second, it prohibits major oil companies from controlling he retail price charged by their independent marketers. Finally, the legislation allows companies to challenge violations in Federal court.

While I oppose price controls, I do support fair competition in the marketplace. Wisconsin small petroleum marketers, wholesalers, and retailers are struggling. They are unfairly losing a competitive edge with the big oil companies and will eventually have one option—to go out of business. As a result, the consumers and farmers in the rural areas, where volume and margins are smaller, will suffer.

At a time when environmental regulations have tightened, gasoline station owners have enough expenses to absorb in order to keep their heads above the water. S. 2041 will not only secure a competitive marketplace, but also retain jobs and strengthen the economy by saving this important sector of the small business community.•

TRIBUTE TO KSM'S PRIDE

• Mr. D'AMATO. Mr. President, it is with great pride that I rise today to honor the accomplishments of KSM Interactives, Inc. This New York company has developed a very unique and effective tool in the fight against drunk driving.

KSM's PRIDE is the first and only bilingual, computer-based, interactive videodisc program to provide training and certification in the responsible handling of alcoholic beverages. Developed in New York, the program trains people who work in hotels, restaurants, and bars to become actively involved in recognizing and preventing illegal or excessive consumption of alcoholic beverages.

PRIDE has been used successfully by many large corporations, including Hilton Hotels, as well as many other establishments in New York and more than 20 other States throughout the country. Furthermore, it has been recognized by the National Commission Against Drunk Driving, and many insurance companies as effective and useful. Many of these large insurance companies grant rate reductions to PRIDE users since it limits third-party liability claims.

The program is easy to use and administer because it is completely automated. Trainees taking the PRIDE lesson sit at personal computer with videodisc player and a touchscreen monitor. They need no knowledge of computers or even typing, and only minimal reading skills are required. Employees are tested at the completion of their training to assure their understanding and recall of the training. Each employee who successfully completes the program receives a certificate which is good for a maximum of 3 years.

KSM is to be commended for its contribution to the fight against drunk driving. It is the dedication and determination of private enterprises, such as KSM, seeking solutions to social problems which makes our streets safer and our world a little better. I wish to thank KSM for doing such a fine job.•

DESALINATION

• Mr. SIMON. Mr. President, last August, the National Water Supply Improvement Association [NWSIA], in conjunction with the International Desalination Association and a few other organizations, hosted an international conference on water reuse and desalination. One of the speakers, Alexander MacLachlan of Wilmington, DE, is a senior vice president in DuPont's research and development office. While much of his speech is technical, he made many important points that I would like to highlight.

While my primary emphasis has been the application of desalination technology to make water both potable and usable for agricultural needs, Mr. MacLachlan emphasizes the need for improved technology in order to meet industrial water quality needs. He points to the increasingly stringent water discharge standards that ultimately favor recycling of water rather than discharge. Furthermore, there are increasing restrictions on the amount of water that can be pulled from the aquifers and then discharged after use. With the amount of contaminants now present in our aquifers and other bodies of water, industrial water users consequently not only need to clean up the water from their use, but from previous uses as well.

My point in highlighting these concerns is that Mr. MacLachlan concludes that existing technology is good, but technological improvements are necessary in order to address the growing needs of industrial America. The primary technology used to clean water, while less energy intensive than other alternatives, still needs to be improved to meet these needs.

The difficulty in meeting these growing needs and standards is the high cost to American businesses of basic research and development. As Mr. MacLachlan puts it:

> Development and introduction of new technology must be done with far fewer false starts. The intense competitiveness of today's world demands companies become more efficient in servicing customers.

and most importantly:

The risk of taking too long to reach profitability and/or backing the wrong technology is much more dangerous to a company than it was in the past.

Clearly we need to be doing more to meet the basic research and development needs of industry. Legislation I have introduced, S. 481, the Water Research Act of 1991, would recommit the Federal Government to helping industry. This bill would make a pool of funds available to researchers at all levels to engage in basis research and development of affordable desalination processes. It also authorizes demonstration projects to verify the feasibility of these processes. I believe this is a worthwhile and necessary use of Federal funds to ensure that the United States maintains its place in the world market.

I ask that Mr. MacLachlan's speech be printed in full at the end of my remarks.

The remarks follow:

RESEARCH AND DEVELOPMENT: THE KEY TO PROGRESS

(By Alexander MacLachlan)

I feel like a fish out of water being asked to address such a knowledgeable group as this with my limited background that is primarily based on photographic, polymer, and chemical manufacturing technology. I certainly cannot advise you on the latest in your diverse specialties which all aim to provide ample quantities of water fit both for human consumption and Industrial use.

On the other hand, I do have some credentials. Because of my age and long career at Du Pont, I do remember the early days of our reverse osmosis membrane developments and how hard many excellent scientists, engineers and business people struggled over the years to develop the wonderful technology we today market under the Permasep® trademark.

While I'm not here to talk about reverse osmosis or Permasep® and all the interesting technology it embodies, the lessons of its development which now span over 30 years offer some clues to new horizons.

First, there was the idea to try and make synthetic membranes. In the beginning, as I remember it, we were going to separate and purify all kinds of gases and chemicals. It took some time before we realized that desalinating water was really the area we ought to focus on. We had many false and expensive starts before this became clear. Then we had to arrive at the best polymer structures. Choosing between hollow fibers and other configurations was most agonizing. Then came the manufacturing process development. Certainly, incredibly difficult when you realize that not only did we have to pick the right polymer from literally millions of options, but we had to spin it into the finest of hollow fibers and then line up hundreds of thousands of these microtubular fibers in a way that one could flow water through each one and have no leaks to the opposite side. Well, happily all this was done, and over the last twenty years has been highly refined. Today, the hollow fiber market based on aramid structures have over half the world seawater market.

Now, as a technologist, and one of the architects of a major chemical company's R&D program, this state of affairs which some may call "maturing of a technology", signals the potential for new opportunity. Other signals abound as well.

Water quality, in particular industrial water quality, is a big issue today. Certainly you know that, but consider the responsibilities an industry like mine has. We must ensure that our manufacturing processes meet ever more stringent water discharge standards. Increasingly, that favors recycle of the water rather than discharge. We must now clean-up or purify based on a variety of contaminants and to different qualities dependent on the process needs. Also increasing are the restrictions on the amount of water that can be drawn from the aquifer and subsequently discharged. This further drives industrial recycle. Consider also that we now must be stewards of contamination or potential contamination situations, generated by past practices of all society including us. We now realize many of the well-intentioned past practices are potentially dangerous and must be corrected. Contaminated groundwater must be cleaned up. Also, as demand for potable water steadily increases, aquifers marginally contaminated with organics and metals will need to be used.

Now in that same the last 30 years amazing strides have been made in technology of materials and their characterization. One cannot overemphasize how spectacular progress has been over the last 30 years.

So what's my point? Reverse osmosis is well refined and still improving, but maybe at a much slower rate than in the past. Virtually all today's water purification membranes are based on one polymer technology, polyamides. Energy costs are continuing up and while reverse osmosis is less energy-intensive than distillation, one cannot help but wonder what other better possibilities there are. It's my contention, based on what I have just reviewed, that there probably are many. Furthermore, I'd like to suggest you may find these opportunities for a step change improvement in water quality enhancement in some rather different places than historically has been the case.

One place to look might be at the technologies industries like mine are now trying to utilize to solve our problems. I'll mention a few in a minute. Another place is obviously to examine new classes of polymers, or even biological or semi biological-based structures. There's been major progress in the last decade or so in understanding of biological membranes, and there have even been some attempt to make some of these synthetically. One of the most advanced ideas is coming out of my own company's basic research laboratories. Here one of our staff members, Dr. William DeGrado has synthesized a simple protein which spontaneously folds into a tube that allows passage of only certain size ions. Sorry, but we are not about to announce a new product. In fact this work is so early that we cannot even forecast where its first application might be.

Others in universities and industry around the world are looking at both near and longer term ideas to purify water. Let me just list a few of the technologies that are under-development.

There is a growing trend to look at new materials from which to fabricate higher separation efficiency membranes. People in universities are talking about third and fourth generation membranes. There is potential for higher selectivity, lower energy needs and very high productivity. In some cases, they've talking about other kinds of energy assists than the pressure we normally use. New kinds of specifically-tailored absorbants are also being designed.

In the areas where organic contaminants are involved, there is some exciting work underway that we broadly call "advanced oxidation processes". Here, high volumes of water with trace organics are subjected to plasma discharges, electrolysis, and even activated peroxide. All these techniques are aimed at "burning" the organic efficiently all the way to carbon dioxide and water.

As I said in my opening comments, I'm no expert, but I know enough about technology to recognize potential opportunity. Somehow you need to make sure you are effectively networked with these peripheral developments.

Returning for a moment to new synthetic polymers, I have to say I am convinced there must be a lot of better materials that nylon structures in there somewhere. Consider, for example, the array of fluoro polymers available today. Back 20 or so years ago we only had one, Du Pont's Teflon®. It was great for many uses, but it was not easily fabricated into even the simplest gaskets and seals, let alone membranes. Today, we can do all kinds of things with these materials. The same story can be told for polyolefins, polyimides, acrylates, polycarbonates, polyesters, polyacetals, ionomers, graft polymers, copolymers, and protein-like structures. The list is endless—and, incidentally, that's part of the problem. To start all over again and go into a broad scouting program to take advantage of today's technology is a daunting task even to a company like DuPont that spends over $1.3 MMM per year or R&D what's more we are clearly lacking much fundamental understanding of membrane performance, an area where universities ought to play a much stronger role.

To me, what I have just outlined suggests we have an opportunity, but to realize it in today's dynamic and highly competitive marketplace is going to take some new approaches. Somehow you as an industry will have to work together to spark interest by technologists in industry and elsewhere to take a fresh look at your needs.

You might say, why should we, the user industry, do that? We are the customers. We have a great market. If you serve us well, you will be successful. I agree, but the world has changed dramatically for all of us in the last several decades. We now have to talk about competition for application of new technology as well as competition from suppliers. Let me explain.

In the past my company and others turned new technology into products we thought the world needed and then tried to convince customers to buy from us. If the technology was good we did fairly well; outstandingly in some cases—DuPont's nylon, Teflon®, Kevlar®, and of course Permasep®. But we also had many failures—some too painful to think about. All in all, those of us who are still around clearly had an acceptable record of innovation. To continue to succeed we still must innovate but the roles have changed dramatically in the last decade.

Development and introduction of new technology must be done with far fewer false starts. The intense competitiveness of today's world demands companies become more efficient in serving customers. Our customers are, of course, the suppliers to their customers and they have the same need for effectiveness of deployment of their technology development funds. Our suppliers are in a similar situation. Product development times have to be much shorter than in the past because companies all over the world are competing for the same market. The risk of taking too long to reach profitability or

backing the wrong technology is much more dangerous to a company than it was in the past. This is leading to new ways of doing business and I believe an industry like yours can benefit from the new approaches.

More and more we see customer/supplier partnerships developing. The Japanese have set the standards for the approach, but we're all seeing the wisdom in it. These partnerships don't eliminate competition, but they do recognize that suppliers and customers share a common need for each to succeed. If a customer plays too many suppliers off against each other today that customer may find itself without the latest technology or materials and consequently unable to compete. If the customer base is an industry like yours, and does not help its suppliers to bring the best technologies to it, you may find a low level of innovation. In a sense, in today's world customers compete for suppliers much in the same way suppliers compete for customers. The bottom line in all this is, I think, "we are all in this together." We have to recognize the realities of today's world with its compressed time scales, high cost of failure and incredible technological potential.

So as an uninformed and inexperienced individual looking at your industry, I would like to put forward a few ideas you may wish to ponder as you struggle to deal with your needs.

How are you going to ensure your industry gets the modern technology it deserves? How are you going to work with your suppliers to make sure they are trying to do this as opposed to putting their technology development and innovation investments elsewhere? How are you going to make sure *your customers* get the best deal?

Clearly, you must work together in a variety of ways. Universities are a good place to look. I'm not a big fan of university consortia, but when they are operated well, they can be highly effective in bringing new technology to an early demonstration point.

Another approach is to form a foundation which collects dues from members and other sources and offers grants in selected areas for investigators in universities, or even companies. The American Institute of Chemical Engineers is trying to get a proposal of this type underway to sponsor innovative environmental technology development.

Still another approach is your own research foundation. Here, by doing leading edge work in new technologies you may be able to draw both people and ideas into a common focus. I'm reminded of the very successful institute for Paper Chemistry and the printing technology school at Rochester Institute of Technology. Other ideas might involve a major end user, perhaps representing a water ministry, undertaking a joint R&D program with a major membrane supplier. Such a collaborative effort could be beneficial to both parties.

There is no doubt in my mind, you have an opportunity in your industry. The key is going to be how to get the best minds working on it. After all, with today's focus on the environment in all countries of the world it should not be hard if we work together. Clearly, it's about time we got a lot more scientists and engineers interested in taking care of our water.●

RECOGNITION OF YUGOSLAV REPUBLICS

● Mr. DECONCINI. Mr. President, at long last the United States has joined the European Community and the many other countries which have recognized the independence of Bosnia-Hercegovina, Croatia, and Slovenia. Several of my colleagues and I have been urging the administration for months to respect the expressed will of the people of these former Yugoslav Republics and recognize their right to be free and independent. I hope this important step will help bring about peace and stability to this troubled part of the world.

But, Mr. President, there is still one Yugoslav Republic—Macedonia—with an outstanding request for recognition. The objection to recognition comes from Greece, which, for reasons to be found in the history of the Balkan region, has problems only with use of the name "Macedonia" by an entity outside its own territory. The Republic of Macedonia, however, has not in any way been responsible for the crisis and conflict in Yugoslavia, and it and Slovenia were, in fact, the only two Republics which were viewed by the EC Arbitration Commission as meeting the essential conditions for recognition in January. I think Macedonia should be recognized as an independent state now and brought into the community of states bound to respect Helsinki principles, including the inviolability of frontiers and human rights and fundamental freedoms. Moreover, the people of Macedonia, have the right to identify themselves as they wish; the important thing is for them to respect Helsinki principles in their relations with other states, including neighboring countries such as Greece.

Recognition of the Yugoslav Republics, however, is only part of the solution. All sides must stop fighting now. In the end, this can only be done by developing genuinely democratic institutions and respect for the rule of law including an end to the severe repression of the Albanian population in Kosovov. The establishment of genuinely democratic systems must be given high priority at the peace conference in Brussels as well as at the CSCE followup meeting currently being held in Helsinki.●

RECOGNIZING LOYOLA ACADEMY OF WILMETTE

● Mr. DIXON. Mr. President, each week during the academic year, the Chicago Sun-Times recognizes a Chicago area high school as its "high school of the week." Recently, the Sun-Times recognized Loyola Academy, a Jesuit college preparatory school serving over 1,400 young men in north suburban Wilmette. I wish to congratulate the academy and its president, the Reverend Ray Callahan, S.J., for this well-deserved recognition.

When educators across the country wonder how to reach the youth of America, how to engage them in the classroom, and develop them into critically thinking, intellectually curious adults, they may wish to beat a path to Loyola.

Loyola has a distinguished academic history, dating back to its founding in 1909. It has the most national merit semifinalists of any Catholic school in the State of Illinois. Over 98 percent of its graduates attend 4-year schools. Three graduates in the past 6 years have been named Rhodes scholars. It fields competitive academic teams in Latin and Greek, as well as boasting of a respected fine arts program. It places special emphasis on learning development, thereby helping those to reach their full potential.

It also has a distinguished athletic history. The football team has reached the semifinals of the class 6–A playoff the past two seasons, as well as capturing the Chicago prep bowl most recently in 1988. The golf team won the State title in 1986, and has won their league championship in 16 of the past 18 seasons. The swim team was fourth in the State in 1990 and 1991. Other athletic programs including baseball, track and field, soccer, water polo, and volleyball all have proud records of achievement.

What distinguishes Loyola, however, is the emphasis on service, embodied in the rich tradition of Ignatian spirituality. Loyola's motto, "Men for others," manifests itself in numerous Christian service opportunities. It is indeed rare to find a secondary school where so many students take advantage of a wealth of opportunities to put the tenets of their faith into practice.

Over 300 students at Loyola are part of the Christian service program. The opportunities include working in soup kitchens, teaching English to new immigrants, serving in homeless shelters, working in day care centers, as well as some of the toughest parishes in the inner city. The purpose of such involvement is not simply exposure to life's challenges outside the relatively comfortable world of Chicago's north suburbs, but to impress upon these students, these future leaders, the lifelong responsibility of service to others.

I congratulate Loyola—its faculty, staff and students—on its outstanding record of accomplishment in the classroom, on the field, and, most importantly, in the community, and wish it continued success educating "men for others."

I ask to insert a copy of the April 1, 1992, article from the Chicago Sun-Times.

The article follows.

[From the Chicago Sun-Times, April 1, 1992]

LOYOLA DEDICATED TO SERVICE

(By Mark Potash)

Loyola Academy senior Joe Taylor ranks ninth in his class academically and was a starter on the school's basketball team that shared the Catholic League North title this season. That's a fine example of a student-athlete, but not quite enough at Loyola.

What makes Taylor an exemplary student is his work with the "Life! Be In It!" Christian Service Program, a part of the school's ministry department that instills in Loyola students the importance of the school's motto, "Men for Others."

"The entire focus of the ministry department," basketball coach Karl Costello said, "is to engender in the student that if they leave Loyola after four years with all sorts of academic and athletic accomplishments, and that's all they leave with, they haven't taken advantage of what this school is all about. They have to leave with a sense of purpose to serve their fellow man."

So throughout his high school career Taylor, whose father Joe Taylor Sr. is the head of the ministry department, has donated his time at places like the Howard Area Day Care Center, or St. Malachy's parish on the West Side, or the Latch Key program, working with disadvantaged kids of all ages.

"It's a lot of fun," Joe Jr. said. "I get a lot of satisfaction out of seeing the little kids smile, or when they run up to you and don't want you to leave. It feels good to know you can make a difference in a kid's life."

For many Loyola students, participating in "Life! Be In It!" is their extracurricular activity. Taylor is one of more than 300 Loyola students to participate in the Christian Service Program. Activities include working in soup kitchens and homeless shelters in the city, and participating in summer programs in Appalachia and with Jesuit missions in the Dominican Republic.

"It brings out that type of commitment from the students," Costello said. "And I think it has a carryover effect to the classroom and the (athletic) teams. The guys care about each other, they pull together as a team and work very hard."

Loyola Academy was founded in 1909 on the Loyola University campus and moved to its present campus in Wilmette in 1957. The school has impeccable academic credentials: Loyola has the most National Merit semifinalists (14) of any Catholic school in the state. The mean composite score on the ACT is 23.8. Ninety-eight percent of its 1991 graduates attend four-year schools.

Three graduates in the past six years have been named Rhodes Scholars. Eight former Loyola football players played at Ivy League schools last fall.

Loyola has a rich athletic tradition as well. The football team won Prep Bowl titles in 1965, 1966 and 1969. Today, under athletic director Bill Graf, Loyola also has one of the best all-around athletic programs in the Chicago Catholic League.

The football team, coached by John Hoerster, won the Prep Bowl in 1988 and has reached the semifinals of the Class 6-A playoff the past two seasons.

The basketball team, 2-22 in Costello's first season in 1988-89, has won 17 or more games in the past three seasons.

The golf team (Jim Jackimiec) won the 1986 state championship and has won the Catholic League title in 16 of the past 18 seasons.

The swim team, (Patrick Burton) was fourth at the state meet in 1990 and 1991. Erik Mauer, a 1989 graduate who won three state titles, won the NCAA 50-meter freestyle as a junior at Stanford last month.

The volleyball team (Bob Erlenbaugh) finished third in the unofficial state meet last year and is one of the top contenders for the first Illinois High School Association championship this spring.

Despite its North Shore surroundings, Loyola prides itself on its diversity of students. Loyola attracts students of different social and academic backgrounds from throughout the Chicago area. Former Illinois Attorney General Neil Hartigan is a graduate. So is actor/comedian Bill Murray.

"Bill wasn't involved in the school [activities] too much, he spent a lot of his time in jug [detention]," said Father John Beall, who was the dean of discipline when Murray attended Loyola in the mid-to-late 1960s and now is the chaplain for the athletic department. "But he was all right. He was well-liked, a nice kid. I don't think he has to act, because he was a real comedian when he was here, too."•

FATHER DUNN IS RETIRING IN JUNE

• Mr. D'AMATO. Mr. President, I rise today to pay tribute to Rev. Gerald E. Dunn who is retiring this June after more than 40 years of dedicated service to the needs of his people in the Greater Rochester area. Father Dunn graduated from St. John the Evangelist Grammar School in Rochester and attended St. Andrew's and St. Bernard's Seminaries also in Rochester, NY. He was ordained on June 4, 1948, by Bishop James Kearney at Sacred Heart Cathedral and has served communities in Rochester and Corning since then.

After his ordination, Father Dunn was assigned to serve at Immaculate Conception Church in Rochester until 1955 when he was assigned to St. Patrick's Church in Corning. In 1958, he returned to Rochester and was assigned to St. Monica's Parish where he started the Catholic Widowed Parent Club. He became pastor of St. Theodore's Church in 1968.

Father Dunn was the first family life director of the Diocese of Rochester. He served from 1958, the year the office was opened, until 1970. As director, he started and conducted the pre-Cana classes for engaged couples and Cana classes for married couples.

As a result of Father Dunn's leadership and guidance senior citizen residences were built; Dunn Tower I and Dunn Tower II. The outstanding support provided by Father Dunn led to these and many other great feats.

Father Dunn was chosen Citizen of the Year for the town of Gates in 1980. For several years he has been the chaplain of the Gates Police Department, the Eagles Club, and Gates Ambulance. He has been actively involved in the Scouting program for many years also.

Father Dunn is a great American. I salute him as he enters a new stage in his career. Please join me in thanking him for his dedication and commitment to the people of Rochester and wishing him well in all of the years to come.•

ORDER OF PROCEDURE

Mr. SASSER. Mr. President, I ask unanimous consent that the Senate stand in recess as under the order following the conclusion of Senator SIMPSON's remarks.

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

THE BUDGET TASK

Mr. SIMPSON. Mr. President, I thank my friend from Tennessee, and I want to add, too, that the work he does and the work that Senator DOMENICI do with the budget is a thankless task and they have been in it for so many years and I have watched so many on both sides of the aisle invest so much time and it is very vexing to all of us. They are very steady in their work and I express my admiration to them for their efforts.

Mr. SASSER. Mr. President, I thank the distinguished deputy minority leader for his comments and I am sure speaking on behalf of Senator DOMENICI and myself it is always a pleasure to get some kind comments regarding our work with the budget. They come so seldom and they are so few and far between that when they do come they are doubly appreciated, I say to my friend.

Mr. SIMPSON. Mr. President, I will have to issue a paean of praise again sometimes if it is received in that way.

PROBLEMS FACING URBAN AMERICA

Mr. SIMPSON. Mr. President, I will not take but a few more minutes. It would have been more timely last week had I spoken on Thursday, but I note that portions of what I wanted to comment on were in the morning reporting of the news.

Last week, my friend Senator KERRY of Massachusetts made some thoughtful comments on the problems facing urban America today. He also discussed why he strongly believed in affirmative action programs. It is not my present purpose to dispute Senator KERRY's sincere beliefs on that issue. He spoke for nearly 45 minutes last Thursday afternoon, and some of the speech was not even partisan, and that was good, that was kind of unique for this time of year from all of us.

However—and you may have already guessed this and I have notified the Senator of my intention to make these remarks—a lot of what my friend said was not only thoroughly partisan, but I thought it—some of it was very unfair and unkind. I think that is too bad.

So I rise today to try to extinguish some of the still smoldering rhetorical fireworks that were lobbed in here by my friend. And he is that. JOHN KERRY is an impressive gentleman. His word is his bond. I know that personally. I enjoy him greatly. I have worked with him. It would just be in passing to say that if he told me he would do something I would simply immediately know that that would be the case.

Senator KERRY said that this administration has "done nothing"—that was

the quote—for the last 3½ years to help our cities. He said that all the President has done is to ridicule welfare recipients and encourage racial divisiveness in this country. Those were his remarks.

He accused the President of wearing that rhetoric like a badge of honor because he would do anything to get reelected.

I think that is a terrible thing to say. That is tantamount to accusing certain Senators on this floor of doing anything possible to get on the Democratic ballot as Vice President in November. But I am sure that was not his purpose, and I am also sure that he is perhaps unaware of what really is or was in the President's budget for cities just this year.

So, I ask unanimous consent to print in the RECORD at the conclusion of my remarks a fact sheet of outlays for local governments included in the President's fiscal year 1993 budget.

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

(See exhibit 1.)

Mr. SIMPSON. Mr. President, I will briefly summarize some of those here: The Bush administration's investment in fighting the type of crime that Senator KERRY outlined in his speech would grow from $14.6 to $15.8 billion in fiscal year 1993, and that is a 59-percent increase over 1989, 59 percent in 3 years; $7.7 billion for domestic law enforcement, nearly $470 million over last year. Money for fighting drug abuse would increase from $12 to $12.7 billion over last year; $100 billion for programs serving children, a $7 billion increase over last year, and a 66-percent increase over 1989. The administration proposed enterprise zones to create jobs and provide tax incentives to economically depressed urban areas. Of course, this program like all the rest of the President's budget, was jeeringly and gleefully touted and announced as being "dead on arrival" by the Democrat Congress.

The Education Department would receive the largest discretionary program increase for any Department, $1.6 billion over 1992 and a 42-percent increase since 1989. The President proposed incentives to first-time homebuyers. He also proposed $1 billion in HOPE grants, which would help public housing and other low-income Americans to be homeowners and take part in the American dream that we hear talked about here all day long.

He proposed pilot projects to help AFDC recipients get jobs. The administration proposal contained the largest ever one-year funding increase in the WIC Program—Women, Infants and Children, for their care.

Senator KERRY said he had no magic wand. Agreed. What he wielded was a club. But he did say that a starting point would be education, providing jobs, providing adequate health care, and the transfer of economic power to our troubled cities. He said that the responsibilities for remedying these problems goes to politicians on both sides of the aisle. Well, there, now you have it.

The President has tried to increase funding for education. He has tried to increase the economic empowerment of the poor. He has tried to fight crime in the inner cities. He has proposed a health care plan.

He has tried in each one of the areas outlined by my good friend, JOHN KERRY, the Senator from Massachusetts. And despite Senator KERRY'S comments that both sides of the aisle should work on these problems, he also then, and I think shockingly, said—and this is the reason for my presence here at this moment and I think this was unbecoming—Senator KERRY said that it was time to stand up to the likes of George Bush, David Duke, and Al Sharpton. That is what he said right here. He said we should not allow them to divide us anymore—George Bush, David Duke, and Al Sharpton, all linked in a great triangle. How crude a reference to associate our fine and decent President with Sharpton and Duke. I think that is character assassination.

George Bush is a good and decent man. It does a real disservice to the thoughtful portions of Senator KERRY'S remarks when he lumps the President in with Sharpton and Duke, two people who have managed to spread a vicious miasma or racism throughout the country.

George Bush has reached out to all Americans, not only by his words but by his actions. Senator KERRY may not have a magic wand to solve the problems of our Nation's cities—I have not seen anyone with that magic wand except the wand of money. And that is why we have a $4 trillion debt which we are going to neatly hand over to our grandchildren. And the country, in the year 2030, will be out in the bow-wows and we all know it, and we stand right here.

And that is why good people leave this Chamber, people like WARREN RUDMAN and TIM WIRTH and KENT CONRAD. We shall miss them all, hard workers in the vineyard. And that is why they leave because we all know what we have to do. But instead we just come in here and we use terms like racism to try to dump on somebody else and then try to say that others are being divisive.

So, no one has the magic wand, not even if it is George Bush. But at least he, unlike many of his detractors, is trying to do things in a tangible and politically realistic way in this very weird and political year where the intent of everything done in this body and down at the other end of the Capitol is simply to try to figure out what they can send to George Bush that will blow up in his face; that will be vetoed by him; and then come before us, hoping to then use political capital on the veto override. It is an interesting way to do the Nation's business.

So, at least someone is trying. Someone is not on the arena fence. Someone is down in the arena, and the person in the arena is George Bush, doing, while others prattle about doing it. This is not campaign rhetoric that George Bush is engaged in. It is called leadership. The Democrats ought to try a dose of it. They are anemic and pathetic at providing it at all levels of government.

I believe, in accordance with the orders, that will conclude the activities of the Senate unless someone else wishes to speak.

I thank the Chair.

EXHIBIT 1

FACTSHEET—OUTLAYS FOR LOCAL GOVERNMENTS IN THE PRESIDENT'S FY 1993 BUDGET

Listed by section, are Administration programs which will directly and indirectly benefit local governments all across our nation:

JOB TRAINING 2000

The Employment Service would be reconstructed and its resources incorporated into Skill Centers in order to improve the delivery and effectiveness of job training and vocational education programs.

These "one-stop shopping" Skill Centers would replace the many uncoordinated entry points that the programs now have in each community. Skill Centers would offer testing, counseling, job market information, referral to available jobs, and vouchers for PIC-approved education and training programs.

Private Industry Councils (PICs), originally created to administer JTPA, would be expanded and modified to manage and coordinate $12 billion in Federal resources.

$4.1 billion of proposed 1993 funds would be under direct PIC control while an additional $7.6 billion of proposed 1993 funds would be coordinated through PICs.

Only participation in certified training programs would be funded by any major Federal program. Financial incentives will make training institutions accountable.

The transition of young people from school to work will become more efficient through skill standards and youth apprenticeships.

INFRASTRUCTURE

The budget requests $19.2 billion, a $2.2 billion or 13 percent increase over 1992, for highway construction and rehabilitation and will support over 1 million jobs in 1993.

The budget proposes $2.5 billion for EPA wastewater treatment grants, a $100 million or 4 percent increase over 1992. These grants will assist cities in providing adequate secondary sewage treatment to protect health and the environment as well as allow business expansion by providing sufficient treatment capacity.

Maglev/High-Speed Rail: The budget includes $28 million, an $8 million or 40 percent increase over 1992, for high-speed rail and maglev research and development. The Administration proposes to complete a full and fair evaluation of maglev technology before deciding to undertake prototype development.

CRIME

The Bush Administration's investment in fighting crime will grow from $14.6 billion in

1992 to $15.8 billion for 1993—an 8 percent increase over 1992, and a 59 percent increase over 1989.

The Federal Bureau of Investigation (FBI) will field over 2,000 new agents.

In its pursuit of violent gang members, the Bureau of Alcohol, Tobacco, and Firearms (BATF) will devote $38 million to its National Violent Gang Enforcement Program to investigate gang members who are weapons violators.

To prosecute violent offenders and others, $814 million will be requested for the U.S. Attorneys, 77 percent more than was spent in 1989.

Every year nearly 6 million people are victims of violent crimes. In 1993, the Administration will provide $144 million to assist victims of crime and to fund programs that offer support to overcome the traumas caused by violent criminals.

Fighting White-Collar Crime: To fight white-collar crime, including financial, insurance, Medicaid, and bankruptcy fraud, the Administration will devote $864 million in 1993.

Jailing Criminals: To ensure that prison space is available so that convicted criminals will serve their entire sentences, the 1993 budget proposes $2.2 billion for Federal prisons, an increase of $185 million, or 9 percent over 1992. This is 44 percent more than was spent in 1989.

To fight crime at home, the 1993 budget proposes $7.7 billion for domestic law enforcement activities, an increase of $470 million over 1992.

DRUGS

The Administration's budget to fight drug abuse will grow from $12.0 billion in 1992 to $12.7 billion for 1993—an increase of more than 6 percent above 1992, and nearly double the sum appropriated in 1989.

To attack drug trafficking organizations at the source, the 1993 budget proposes $8.6 billion. This is an increase of $443 million or 5 percent over 1992, and 88 percent more than the 1989 level.

To protect U.S. borders from the influx of illegal narcotics, the 1993 budget proposes $2.2 billion for interdiction activities, including 200 new Border Patrol agents on the Southwest border.

To prevent people from becoming users and to help persuade current users to stop, the 1993 budget proposes $1.8 billion, an increase of $77 million, or 5 percent over 1992. Special attention will be focused on children and adolescents.

To treat and rehabilitate those whose lives have been disrupted by drug use, the 1993 budget proposes $2.3 billion, an increase of $256 million, or 12 percent over 1992.

The Administration's 1993 budget proposes a new $500 million initiative called "Weed and Seed", which will use a neighborhood-focused, two-part strategy to control violent crime, and to provide social and economic support to areas in which high crime rates and social ills are prevalent. This program will complement the President's proposal to create Enterprise Zones in distressed urban areas.

ENTERPRISE ZONES

The Administration proposes to provide tax incentives, entrepreneurship, and job creation in up to 50 economically distressed urban and rural communities. Beginning in 1993, the proposal provides for the elimination of the capital gains tax with respect to tangible investments located in a zone, expensing of investments in certain corporate stocks issued by zone businesses, and refundable tax credits for low-income zone employees. The establishment of Enterprise Zones will help create jobs in distressed urban and rural areas.

CHILDREN

The 1993 Budget invests over $100 billion in programs serving children, a $7 billion (or 7 percent) increase over 1992 levels and $40 billion (or 66 percent) over 1989 levels. This Administration has placed a priority on programs serving children, which will help ensure a better future for the next generation.

The budget also recommends that the Head Start programs increase by $600 million or 27 percent over 1992—the largest one-year increase in history. The 1993 Head Start budget of $2.8 billion is $1.6 billion (or 27 percent) higher than 1989—for the first time covering all participating 4-year-olds.

The budget increases support for childhood immunization grants by $52 million (18% increase).

The budget proposes $9.4 billion for all Federal activities to reduce infant mortality.

EDUCATION

Record investment in education overall, but specifically in math and science education, funding is recommended at a level that is 69 percent higher than in FY 1989.

The Education Department would receive the largest discretionary program increase for any Department, $1.6 billion over 1992, for a total of $24.3 billion; an increase over 1989 of $7.2 billion or 42 percent.

Education Department total outlays would grow $3.9 billion or 15 percent over 1992, to a total of $30.4 billion.

REAL ESTATE INCENTIVES

Provide first-time home-buyers a $5,000 tax credit: The Administration proposes to provide first-time home-buyers a tax credit on the purchase of principal residence. The credit would equal 10 percent of the purchase price of the residence, up to a maximum credit of $5,000.

Extend low-income housing tax credit: The Administration proposes to extend for 18 months, State authority to allocate the low-income housing credit to qualifying rental housing.

Waive the IRA withdrawal penalty for first-time home-buyers.

Reduce the top capital gains tax rate to 15.4 percent for long-term investments.

HOUSING

The President's 1993 Budget requests over $1 billion for the Homeownership and Opportunity for People Everywhere (HOPE) program, a 180 percent increase over 1992 enacted level of $361 million. HOPE grants will help public housing and other low-income people become homeowners.

The budget proposes a change in the law to allow Section 8 vouchers to be used to pay for either a home mortgage or rent. Currently, such vouchers can only be used by very low-income households to help pay rent. This change in the law would greatly expand the opportunity for low-income tenants to become homeowners.

Through the President's Low-Income Housing Preservation program, tenants will have the right to purchase buildings from private owners who wish to terminate low-income housing rental subsidies. The budget requests $1.2 billion for his program, almost double the 1992 amount enacted for this program.

The budget proposes over $1 billion for homeless programs, a 6 percent increase above funding enacted by Congress 1992. For HUD homeless programs, the budget recommends an increase of $87 million, or 19 percent, above 1992 levels.

The budget supports a new $50 million initiative. "Safe Havens," for the mentally ill homeless who are unwilling or unable to commit to existing treatment programs.

"Restore" is a $412 million budget initiative to improve the housing conditions, financial health, and affordability of an estimated 1,800 troubled projects insured by FHA that are in danger of defaulting.

PRO-FAMILY INCENTIVES

A new Flexible IRA—with penalty-free withdrawal for medical and educational expenses (in addition to first-time purchase of a home), and with tax-free withdrawal after 7 years.

Family tax allowance: Personal exemptions will be $2,300 for 1992. In order to assist families with children, the Administration proposes to increase the amount of such exemptions for dependent children, who are under 18 years of age, by $500 per child. The increase in exemptions for children would be effective October 1, 1992.

Permit deduction of interest on student loans: The Administration proposes to allow the deduction of interest paid on or after July 1, 1992 on student loans for higher education or post-secondary vocational education.

Creation of the Commission on Urban Families. Co-chairs are Missouri Governor John Ashcroft and former Dallas Mayor Annette Strauss.

HEALTH CARE

In addition to the President's comprehensive health care reform strategy, the Budget includes a additional $1.3 billion for primary and preventive health care.

This includes a 15 percent increase for community and migrant health care centers, which will be used to open new centers in areas characterized by high poverty rates and low rates of public and private insurance coverage.

The budget also continues a 19 percent increase for the National Health Service Corps (NHSC), which will train additional physicians to provide health services in low income and under served areas.

MISCELLANEOUS EXTRAS

Extend Medicare hospital insurance (HI) coverage to all State and local government employees: Extending Medicare coverage to those State and local employees not currently covered would assure that they have access to Medicare and would eliminate the inequity and the drain on the Medicare Trust Fund caused by those who receive Medicare without contributing fully.

Expand public transit exclusion to $60 per month: To encourage employees to use energy-efficient mass transit in going to and from work, the Administration proposes to increase the amount of employer-provided public transit pass expenses that may be excluded from an employee's income from $21 to $60 per month.

Extend mortgage revenue bonds: The Administration proposes to extend the authority for State and local governments to issue mortgage revenue bonds and mortgage credit certificates through December 31, 1993.

The Budget proposes the largest ever one-year funding increase to WIC, $240 million (or 9 percent), for a total of $2.84 billion.

To help AFDC recipients get jobs, pilot projects will experiment with incentives to for-profit companies to train and place AFDC clients in jobs; and test providing lump-sums to recipients who work their way off AFDC. The President's health plan would

eliminate loss of health care coverage when AFDC recipients work; their health insurance credits would help cover employer health insurance costs.

The budget includes $437 million, a 33 percent increase over 1992, for weather satellites, and $177 million, a $21 million or 14 percent increase, for Weather Service modernization which will improve weather forecasts and storm warnings.

KEEP IN MIND

Presidential Reform Proposals Still Awaiting Congressional Action:

The following programs are stalled on Capitol Hill. The quicker they are passed, the sooner they can be effectively implemented:

America 2000;

Financial Service Sector Reform;

Legal Reform; and

The National Energy Strategy.

Last but not least, please do not forget the President's remarks concerning unfunded mandates. In his State of the Union address, President Bush strongly declared his support of an end to unfinanced Federal government mandates. He realizes that unfunded mandates unfairly increase the fiscal burden of local governments and has called upon Congress to stop the practice. The President firmly believes that Congress should either responsibly supply the monies with the mandate or not pass the mandate at all.

ORDERS FOR TOMORROW

Mr. SASSER. Mr. President, on behalf of the majority leader, Senator MITCHELL, I ask unanimous consent that when the Senate completes its business today it stand in recess until 9:30 a.m., Thursday, April 9; that following the prayer, the Journal of the proceedings be deemed approved to date; that the time for the two leaders extend until 10 a.m., with the time equally divided and controlled between the two leaders, and that at 10 a.m. the Senate resume consideration of Senate Concurrent Resolution 106, the budget resolution for fiscal year 1993.

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

RECESS UNTIL 9:30 A.M. TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 9:30 a.m. tomorrow morning.

Thereupon, the Senate, at 6:41 p.m., recessed until Thursday, April 9, 1992, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate April 8, 1992:

DEPARTMENT OF EDUCATION

WILLIAM DEAN HANSEN, OF IDAHO, TO BE CHIEF FINANCIAL OFFICER, DEPARTMENT OF EDUCATION, VICE JOHN THEODORE SANDERS, RESIGNED.

EMERSON J. ELLIOTT, OF VIRGINIA, TO BE COMMISSIONER OF EDUCATION STATISTICS, FOR A TERM EXPIRING JUNE 20, 1995. (NEW POSITION)

CONFIRMATIONS

Executive nominations confirmed by the Senate April 8, 1992:

CENTRAL INTELLIGENCE

VICE ADMIRAL WILLIAM O. STUDEMAN, U.S. NAVY, TO BE DEPUTY DIRECTOR OF CENTRAL INTELLIGENCE, AND TO HAVE THE RANK OF ADMIRAL WHILE SO SERVING.

DEPARTMENT OF DEFENSE

JOHN E. CONNOLLY, OF CALIFORNIA, TO BE A MEMBER OF THE BOARD OF REGENTS OF THE UNIFORMED SERVICES UNIVERSITY OF THE HEALTH SCIENCES FOR A TERM EXPIRING JUNE 20, 1997.

WILLIAM D. SKELTON, OF GEORGIA, TO BE A MEMBER OF THE BOARD OF REGENTS OF THE UNIFORMED SERVICES UNIVERSITY OF THE HEALTH SCIENCES FOR A TERM EXPIRING JUNE 20, 1997.

THE ABOVE NOMINATIONS WERE APPROVED SUBJECT TO THE NOMINEES' COMMITMENT TO RESPOND TO REQUESTS TO APPEAR AND TESTIFY BEFORE ANY DULY CONSTITUTED COMMITTEE OF THE SENATE.

AIR FORCE

THE FOLLOWING-NAMED OFFICER FOR REAPPOINTMENT TO THE GRADE OF GENERAL WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, UNITED STATES CODE, SECTION 601:

To be general

GEN. JOHN M. LOH, [redacted] U.S. AIR FORCE.

THE FOLLOWING-NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE IN THE GRADE OF BRIGADIER GENERAL UNDER THE PROVISIONS OF SECTION 624, TITLE 10 OF THE UNITED STATES CODE:

To be brigadier general

COL. THOMAS L. HEMINGWAY, [redacted] REGULAR AIR FORCE.

AIR FORCE

THE FOLLOWING-NAMED OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED, UNDER THE PROVISIONS OF SECTIONS 593, 8218, 8373, AND 8374, TITLE 10, UNITED STATES CODE:

To be major general

BRIG. GEN. MICHAEL ADAMS, [redacted] AIR NATIONAL GUARD OF THE UNITED STATES.
BRIG. GEN. GARY C. BLAIR [redacted] AIR NATIONAL GUARD OF THE UNITED STATES.
BRIG. GEN. ALLEN C. PATE [redacted] AIR NATIONAL GUARD OF THE UNITED STATES.
BRIG. GEN. DAVID L. QUINLAN, [redacted] AIR NATIONAL GUARD OF THE UNITED STATES.
BRIG. GEN. EDWARD V. RICHARDSON [redacted] AIR NATIONAL GUARD OF THE UNITED STATES.

To be brigadier general

COL. EDMOND W. BOENISCH, JR., [redacted] AIR NATIONAL GUARD OF THE UNITED STATES.
COL. STEFFEN P. CHRISTENSEN, [redacted] AIR NATIONAL GUARD OF THE UNITED STATES.
COL. DONALD DALTON, [redacted] AIR NATIONAL GUARD OF THE UNITED STATES.
COL. DAN E. DENNIS, [redacted] AIR NATIONAL GUARD OF THE UNITED STATES.
COL. PETER L. DRAHN [redacted] AIR NATIONAL GUARD OF THE UNITED STATES.
COL. WILLIAM D. LACKEY, [redacted] AIR NATIONAL GUARD OF THE UNITED STATES.
COL. JOHN M. LOTZ, [redacted] AIR NATIONAL GUARD OF THE UNITED STATES.
COL. ROBERTA V. MILLS [redacted] AIR NATIONAL GUARD OF THE UNITED STATES.
COL. PAUL A. POCHMARA, [redacted] AIR NATIONAL GUARD OF THE UNITED STATES.
COL. ALAN T. REID, [redacted] AIR NATIONAL GUARD OF THE UNITED STATES.
COL. KENNETH L. ROSS, [redacted] AIR NATIONAL GUARD OF THE UNITED STATES.
COL. MASON C. WHITNEY, [redacted] AIR NATIONAL GUARD OF THE UNITED STATES.
COL. PHILLIP E. ZONGKER [redacted] AIR NATIONAL GUARD OF THE UNITED STATES.

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE OF MAJOR GENERAL UNDER THE PROVISIONS OF TITLE 10, UNITED STATE CODE, SECTION 624:

To be major general

BRIG. GEN. JAY D. BLUME, JR. [redacted] REGULAR AIR FORCE.
BRIG. GEN. ROY D. BRIDGES, JR., [redacted] REGULAR AIR FORCE.
BRIG. GEN. PATRICK P. CARUANA [redacted] REGULAR AIR FORCE.
BRIG. GEN. STEPHEN P. CONDON [redacted] REGULAR AIR FORCE.
BRIG. GEN. GARY L. CURTIN [redacted] REGULAR AIR FORCE.
BRIG. GEN. KENNETH E. EICKMANN [redacted] REGULAR AIR FORCE.
BRIG. GEN. PHILLIP J. FORD [redacted] REGULAR AIR FORCE.
BRIG. GEN. CARL E. FRANKLIN [redacted] REGULAR AIR FORCE.
BRIG. GEN. JOHN C. GRIFFITH [redacted] REGULAR AIR FORCE.
BRIG. GEN. OTTO K. HABEDANK, [redacted] REGULAR AIR FORCE.
BRIG. GEN. DONALD J. HARLIN [redacted] REGULAR AIR FORCE.
BRIG. GEN. JAMES L. HOBSON, JR. [redacted] REGULAR AIR FORCE.
BRIG. GEN. NICHOLAS B. KEHOE, III [redacted] REGULAR AIR FORCE.
BRIG. GEN. ROBERT E. LINHARD [redacted] REGULAR AIR FORCE.
BRIG. GEN. MICHAEL D. MCGINTY [redacted] REGULAR AIR FORCE.
BRIG. GEN. RICHARD B. MYERS, [redacted] REGULAR AIR FORCE.
BRIG. GEN. PHILIP W. NUBER [redacted] REGULAR AIR FORCE.
BRIG. GEN. EVERETT H. PRATT, JR., [redacted] REGULAR AIR FORCE.
BRIG. GEN. GLENN A. OPROFITT, II [redacted] REGULAR AIR FORCE.
BRIG. GEN. RONALD N. RUNNING [redacted] REGULAR AIR FORCE.
BRIG. GEN. GARRY A. SCHNELZER [redacted] REGULAR AIR FORCE.
BRIG. GEN. PAUL E. STEIN [redacted] REGULAR AIR FORCE.
BRIG. GEN. RALPH G. TOURINO, [redacted] REGULAR AIR FORCE.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE OF MAJOR GENERAL UNDER THE PROVISIONS OF TITLE 10, UNITED STATES CODE, SECTION 624:

To be major general

BRIG. GEN. WILLIAM E. JONES, [redacted] REGULAR AIR FORCE.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE OF LIEUTENANT GENERAL ON THE RETIRED LIST UNDER THE PROVISIONS OF TITLE 10, UNITED STATES CODE, SECTION 1370:

To be lieutenant general

LT. GEN. LEO W. SMITH, II, [redacted] U.S. AIR FORCE.

ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY, WITHOUT SPECIFICATION OF BRANCH COMPONENT, AND IN THE REGULAR ARMY OF THE UNITED STATES TO THE GRADE INDICATED IN ACCORDANCE WITH ARTICLE II, SECTION 2, CLAUSE 2 OF THE CONSTITUTION OF THE UNITED STATES. THIS APPOINTMENT IS VICE EXISTING APPOINTMENT AS A BRIGADIER GENERAL OF THE ARMY NURSE CORPS.

To be permanent brigadier general

BRIG. GEN. CLARA L. ADAMS-ENDER, [redacted] U.S. ARMY.

THE FOLLOWING OFFICER TO BE PLACED ON THE RETIRED LIST IN THE GRADE INDICATED UNDER THE PROVISIONS OF TITLE 10, UNITED STATES CODE, SECTION 1370:

To be lieutenant general

LT. GEN. JACK D. WOODALL, [redacted] U.S. ARMY.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE OF LIEUTENANT GENERAL WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, UNITED STATES CODE, SECTION 601(A):

To be lieutenant general

MAJ. GEN. JEROME H. GRANRUD [redacted] U.S. ARMY.

NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE OF VICE ADMIRAL WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, UNITED STATES CODE, SECTION 601:

To be vice admiral

REAR ADM. (SELECTEE) WILLIAM J FLANAGAN, JR., [redacted] U.S. NAVY.

THE FOLLOWING-NAMED CAPTAINS IN THE LINE OF THE UNITED STATES NAVY FOR PROMOTION TO THE PERMANENT GRADE OF REAR ADMIRAL (LOWER HALF), PURSUANT TO TITLE 10, UNITED STATES CODE, SECTION 624, SUBJECT TO QUALIFICATIONS THEREFOR AS PROVIDED BY LAW:

UNRESTRICTED LINE OFFICER

To be rear admiral (lower half)

CAPT. CHARLES STEVENSON ABBOT, [redacted] U.S. NAVY.
CAPT. MICHAEL LEE BOWMAN, [redacted] U.S. NAVY.
CAPT. RICHARD ALAN BUCHANAN, [redacted] U.S. NAVY.
CAPT. ERNEST EDWARD CHRISTENSEN, JR. [redacted] U.S. NAVY.
CAPT. KEVEN FRANCIS DELANEY [redacted] U.S. NAVY.
CAPT. FRANK MATTHEW DIRREN, JR. [redacted] U.S. NAVY.
CAPT. ROBERT LEE ELLIS, JR. [redacted] U.S. NAVY.
CAPT. MARSHA JOHNSON EVANS [redacted] U.S. NAVY.
CAPT. HENRY COLLINS GIFFIN, III [redacted] U.S. NAVY.
CAPT. LEE FREDRIC GUNN [redacted] U.S. NAVY.
CAPT. MICHAEL DONALD HASKINS [redacted] U.S. NAVY.
CAPT. HENRY FRANCIS HERRERA [redacted] U.S. NAVY.
CAPT. EDWARD KRISTIAN KRISTENSEN, [redacted] U.S. NAVY.
CAPT. FRANCIS WILLIAM LACROIX [redacted] U.S. NAVY.
CAPT. THOMAS FLETCHER MARFIAK, [redacted] U.S. NAVY.

CAPT. RICHARD WILLARD MIES, xxx-xx-xx... U.S. NAVY.
CAPT. ROBERT JOSEPH NATTER, xxx-xx-xx... U.S. NAVY.
CAPT. ROBERT MICHAEL NUTWELL, xxx-xx-xx... U.S. NAVY.
CAPT. MARC YVE EUGENIO PELAEZ, xxx-xx-xxxx, U.S. NAVY.
CAPT. JAMES GREGORY PROUT III, xxx-xx-xxxx, U.S. NAVY.
CAPT. RAYMOND CHARLES SMITH, JR., xxx-xx-xxxx, U.S. NAVY.
CAPT. JAY WOODROW SPRAGUE, xxx-xx-x... U.S. NAVY.
CAPT. JAMES REYNOLDS STARK, xxx-xx-xx... U.S. NAVY.
CAPT. RICHARD DAVID WILLIAMS III, xxx-xx-xxxx, U.S. NAVY.
CAPT. JAY BRADFORD YAKELEY III, xxx-xx-xxxx, U.S. NAVY.

ENGINEERING DUTY OFFICER

To be rear admiral (lower half)

CAPT. LEWIS ALLEN FELTON, xxx-xx-xx..., U.S. NAVY.
CAPT. PAUL MATTHEW ROBINSON, xxx-xx-xx... U.S. NAVY.

AEROSPACE ENGINEERING DUTY OFFICER

To be rear admiral (lower half)

CAPT. GLENN PATRICK PHILLIPS, xxx-xx-xx..., U.S. NAVY.
CAPT. BARTON DALE STRONG, xxx-xx-x... U.S. NAVY.

SPECIAL DUTY OFFICER (PUBLIC AFFAIRS)

To be rear admiral (lower half)

CAPT. KENDELL MILFORD PEASE, JR., xxx-xx-xxxx, U.S. NAVY.

IN THE AIR FORCE

AIR FORCE NOMINATION OF SUSANN J. STEINBERG, WHICH WAS RECEIVED BY THE SENATE ON FEBRUARY 14, 1992, AND APPEARED IN THE CONGRESSIONAL RECORD OF FEBRUARY 18, 1992.

AIR FORCE NOMINATIONS BEGINNING MAJ. JAMES D. BARKER, xxx-xx-xx... AND ENDING MAJ. WILLIAM W. MANNING, xxx-xx-xxxx WHICH NOMINATIONS WERE RECEIVED BY THE SENATE ON FEBRUARY 14, 1992, AND APPEARED IN THE CONGRESSIONAL RECORD OF FEBRUARY 18, 1992.

AIR FORCE NOMINATIONS BEGINNING JAMES A. ABBOTT, AND ENDING ANTHONY L. WOODSON, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE ON FEBRUARY 14, 1992, AND APPEARED IN THE CONGRESSIONAL RECORD OF FEBRUARY 18, 1992.

AIR FORCE NOMINATIONS BEGINNING STEVEN A. TASK, AND ENDING DAVID M. DECKMAN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD OF FEBRUARY 25, 1992.

AIR FORCE NOMINATIONS BEGINNING PHYLLIS J. HANSEN, AND ENDING DARRELL L. SECHREST, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD OF MARCH 3, 1992.

AIR FORCE NOMINATIONS BEGINNING ROBERT K. BUTLER, JR., AND ENDING WILLIAM L. SHERRILL, JR., WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD OF MARCH 3, 1992.

AIR FORCE NOMINATIONS BEGINNING *STEPHEN C. CAREY, AND ENDING *RONALD D. WONG, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD OF MARCH 3, 1992.

AIR FORCE NOMINATIONS BEGINNING GARY A. ANDERSON, AND ENDING CATHERINE R. ZELNER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD OF MARCH 10, 1992.

AIR FORCE NOMINATIONS BEGINNING TIMOTHY D. BALLARD, AND ENDING NATHAN C. WARD, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD OF MARCH 18, 1992.

IN THE ARMY

ARMY NOMINATIONS BEGINNING JAMES A. BUCKNER, AND ENDING LARRY WILLIAMS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE ON FEBRUARY 14, 1992, AND APPEARED IN THE CONGRESSIONAL RECORD OF FEBRUARY 18, 1992.

ARMY NOMINATIONS BEGINNING ROBERT G. ALBRECHT, JR., AND ENDING DONALD L. BERRY, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD OF MARCH 3, 1992.

ARMY NOMINATIONS BEGINNING INA J. CLAWSON, AND ENDING *PATRICIA A. VINOCUR, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE ON MARCH 3, 1992, AND APPEARED IN THE CONGRESSIONAL RECORD OF MARCH 4, 1992.

ARMY NOMINATIONS BEGINNING JOHNNY D. BROWN, AND ENDING GREGORY L. ANGSTMAN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE ON MARCH 3, 1992, AND APPEARED IN THE CONGRESSIONAL RECORD OF MARCH 4, 1992.

ARMY NOMINATIONS BEGINNING DAVID A. ABKE, AND ENDING JOSEPH J. ZWIRECKI, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD OF MARCH 3, 1992.

IN THE MARINE CORPS

MARINE CORPS NOMINATION OF BRUCE K. BANCROFT, WHICH WAS RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD OF MARCH 18, 1992.

THE JUDICIARY

PAUL J. KELLY, JR., OF NEW MEXICO, TO BE U.S. CIRCUIT JUDGE FOR THE TENTH CIRCUIT.

HENRY C. MORGAN, JR., OF VIRGINIA, TO BE U.S. DISTRICT JUDGE FOR THE EASTERN DISTRICT OF VIRGINIA.

J. CURTIS JOYNER, OF PENNSYLVANIA, TO BE U.S. DISTRICT JUDGE FOR THE EASTERN DISTRICT OF PENNSYLVANIA.

JOSEPH E. IRENAS, OF NEW JERSEY, TO BE U.S. DISTRICT JUDGE FOR THE DISTRICT OF NEW JERSEY.

DONALD J. STOHR, OF MISSOURI, TO BE U.S. DISTRICT JUDGE FOR THE EASTERN DISTRICT OF MISSOURI.

EWING WERLEIN, JR., OF TEXAS, TO BE U.S. DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF TEXAS.

DEPARTMENT OF JUSTICE

WAYNE A. BUDD, OF MASSACHUSETTS, TO BE ASSOCIATE ATTORNEY GENERAL.

EXTENSION OF REMARKS

CONGRATULATIONS TO THE INDEPENDENT REPUBLICS OF CROATIA, SLOVENIA, AND BOSNIA

HON. WM. S. BROOMFIELD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 8, 1992

Mr. BROOMFIELD. Mr. Speaker, today the U.S. Government officially extended diplomatic recognition to the independent states of Croatia, Slovenia, and Bosnia. I wish those new nations good luck as they mark this historic occasion. After much delay, the administration finally made the correct decision and recognized those freedom-loving republics.

Historically, America has seen promoting self-determination and democracy as its mission. Yet we stood back while a Serbian strongman unleashed his army on Croatian police and civilians in a failed effort to keep the federation together. We chose to forget that recognition of independence can create a powerful deterrent to further aggression. Fifty-one nations have taken that step before the United States, the leader of the free world.

The Croatians paid a high price for our desire to see Yugoslavia stay together. Over 10,000 people died, and 700,000 were displaced. Croatia lost one-third of its territory and sustained massive destruction to its infrastructure and economy. Croatia's suffering might have been avoided if we had stood up for the values that guide our great Nation—freedom, democracy, respect for human rights, the peaceful resolution of disputes, and an end to communism.

I am pleased that the guns are slowly falling silent in Croatia and that U.N. forces are now being deployed there. The European Community's official recognition of Bosnia takes effect today. I continue to be concerned, however, about the ongoing Serbian-backed aggression in Bosnia and the shelling of towns in that republic by Yugoslav Federal Army units. I trust that the administration and our European allies will send a strong message to Mr. Milosevic that the world will not tolerate his senseless bludgeoning of innocent people.

I am confident that these three republics will become prosperous, democratic nations that respect the rights of all their people. Those of us in this body and the various ethnic communities in America who encouraged their quest for self-determination will someday be proud of having shared their dream.

EVERYONE KNOWS LLOYD BUHL

HON. GUY VANDER JAGT

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 8, 1992

Mr. VANDER JAGT. Mr. Speaker, the New York Times may offer "all the news that's fit to print" and the Washington Post and Los Angeles Times may be vying to be the national newspaper of record, but across the country we all know that it is really the weekly newspaper that is the voice of truth, justice, and the American way.

Every once in a while a special opportunity comes our way to remind us of just what these pioneers and preservers of a very unique slice of American life mean to us. I really feel for my colleagues from big city districts who never get to know the special terror that comes from working—and sparring—with a small weekly newspaper editor. They, and the contribution they make, are truly unique. There is no more fearsome—or friendly—an editorial board than the committee of one who not only decides what news is fit to print, but also what editorial comments will accompany that news.

Among these special people is Lloyd Buhl—all the way across the State of Michigan from our Ninth Congressional District—but right at home in spirit among the hundreds of weeklies which spot our great State, and certainly at home with those of us who pledge our principled allegiance to the Grand Old Party.

Did you want Aunt Minnie's special apple pie recipe from last week's church bake sale, or maybe to know why Art and Marge down the street have not been around lately, or is it to solve the mystery of that out-of-state plate that you saw up and down Main Street last week? It will all be there on Wednesday, or Thursday, and you can bet the farm on its accuracy.

And in Deckerville, MI, people have been doing just that for almost 60 years, courtesy of Lloyd Buhl. Everyone knows Lloyd Buhl.

More to the point, Lloyd Buhl knows everyone.

From the post office to the Governor's office.

And, boy, does that make for a tradition that's an institution.

Over all his years Lloyd Buhl has served his community, served his neighbors, with wit and wisdom—and not a little bit of news.

He has also served our Republican Party—and, unlike those purportedly sanitized and nonpolitical purveyors of opinion in all those big city newspapers, has made no bones about it where it counts most: the Deckerville Recorder. And, agree with him or not, the locals read it cover to cover.

Recently one of the big city boys, the Detroit Free Press did a feature on the Land of the Buhl Newspapers and editor Lloyd Buhl. It features a great slice of American newspaper life and, like the editor it honors, it deserves the attention of my colleagues. The article, and a commentary on a photo essay which we cannot share, follows—but before it does, I would just like to correct one comment about which Lloyd Buhl, perhaps for the only time in his life, is wrong. He is quoted, following an election loss, as commenting: "I lost, which is the story of my life."

To steal a phrase from today: "Not!"

The story of Lloyd Buhl follows, and, as my colleagues will attest, it is the story of a real winner:

[From the Detroit Free Press, Mar. 25, 1992]

PUBLISHER'S THE STORY AT SMALLTOWN NEWSPAPER

(By David McKay)

DECKERVILLE.—Lloyd F. Buhl, overseer of what his headlines call "The Land of Buhl Newspapers," treats his Sanilac County village as his domain.

Many of his 1,800-plus readers must understand.

Every week, readers see the arch-Republican publisher's strong views, playful criticisms and conservative thinking woven through the Deckerville Recorder's news and opinion columns.

His headlines scream across the top of the page:

Bowling season gets under motion
In the land of the Buhl Newspapers

Or:

Bean harvest starts, like it or not,
In the land of the Buhl Newspapers

And, another that had no explanation:

New pedagogues being welcomed
In the land of the Buhl Newspapers

Deckerville, Buhl's adopted home, began as a lumber mill in 1865. Farming is the mainstay around these parts now. The newspaper that is now Buhl's began publishing 100 years ago this year.

After nearly 60 years as its publisher, Buhl himself is a local institution.

He does job printing and represents GTE, swapping good phones for bad ones ("It's kind of a pain," he says, "but we get a buck apiece every time we go to the desk.").

Though the 35-cent tabloid hasn't made him much of a living—"We've gotten by, and that's about it"—it's what gives the big man in plaid flannel shirt and suspenders a bully pulpit every Wednesday.

Sometimes, Buhl uses that pulpit to discuss his views on politics. Buhl, after all, is a GOP vice chairman for George Bush's reelection in Michigan. Election season or not, there is no doubt where he stands.

But despite an occasional look at state and national politics, what readers get mostly is local news, Lloyd Buhl-style.

Among the government advertisements, recipes, school honor rolls, readers' letters and the obituaries, Buhl's columns "Free Wheelin' thru Sanilac" and "Found on the Desk" are folksy hodgepodges of handouts, jokes and observations.

$4,500 STARTED A TRADITION

The years have made Buhl comfortable with the town and the printed voice he uses to cover and reflect it.

He was fresh out of high school in New Haven and the Great Depression was sinking into rural Michigan when his father gave him the down payment on the Recorder—a $4,500 purchase. It was that or college, and young Buhl knew he could make a living as a printer in a time when college graduates taught school for less.

All of a sudden, the boy who had started as a 12-year-old printer's devil at the Armada

Times in 1930 had become a publisher in Michigan's Thumb. Since then, says Mary Frey, the Times' editor, "We think of him as a grand old man of publishing."

Village Clerk Audrey Stolicker sums up Buhl: "Lloyd is Deckerville, to me." She took office in 1974, when he was village president—a job his son Karl, 43, had until earlier this month. (He did not run for re-election.)

The author of the Recorder's "The Gavel Rap" column on legal issues is William C. Buhl, 49, chief circuit judge in Van Buren County.

Karl and William's published-father has been a force locally and in the state GOP—even cozy with the party's governors. Still, he never succeeded at attempts to win state or national offices in Michigan.

He ran for the state Senate in 1974 and for Congress in 1988. He takes his defeats with lighthearted humor: "I lost, which is the story of my life."

In an agricultural county where roads, are named for where they lead—Juhl, Ruth, Peck, Argyle, Snover, Deckerville—Buhl has a reputation for an encyclopedic knowledge of his crossroads town of 1,030 souls.

"His mind is like a computer. He has an incredible memory," says Debbie Apsey, who helps her husband run the village's storefront funeral home. The couple uses Buhl Publishing to print funeral programs.

"Lloyd is one of those irreplaceable people," Debbie Apsey says. "He writes with so much color and history behind him."

Looking at the paper, she says, "It's so cute with his politics."

When the Army stationed Bradley D. Apsey in Thailand during the Watergate era, the Recorder followed by mail.

Debbie Apsey says Buhl would call his pal, then-governor Bill Milliken and other high-ranking Republicans, then report their comments on current events.

"Brad's friends would say, 'What is this?' and he'd say, 'Well, he knows these people.'"

EVERYONE KNOWS LLOYD BUHL

Marsha Kosal, who manages a federal food program at the local Senior Citizens Center, says, "I don't think you'd find anybody in Deckerville who doesn't know Lloyd Buhl. He's just an enjoyable man."

The Recorder is not typical, she says, "I get the paper, and sometimes you wonder why you get it." Still, she says, "I sit down . . . and read it cover-to-cover. I enjoy it."

Deckerville Police Chief Henry C. Morton says, "You could do anything wrong to him, and the next day he'll treat you the best. He holds no grudges.

"That's the best example I can give you of Lloyd Buhl."

The publisher of Buhl's nearest competitor says, "It's a unique paper, to be polite about it."

John D. Johnson, publisher and editor of the weekly Sanilac County News, in the county seat of Sandusky, says, "As far as Lloyd himself, he's done a lot of good for Deckerville, because he's always had Deckerville at heart."

Johnson owns a Deckerville building and once offered to buy Buhl out, but Buhl stays.

Over a burger and beer at Tom & Ev's Pub, a pool table and pinball bar on Main Street, Buhl explains that he didn't plan to stay in Deckerville; he just did.

"I always intended to leave the area," he says. His best shot was when he campaigned for millionaire Frederick M. Alger for governor in 1952. Buhl hoped to go to Lansing as Alger's press secretary, but, "Well, Fred lost, and the reason he lost: No. 1, he had absolutely no personality and, No. 2, he was one of the Algers of Grosse Pointe."

In the end, Buhl says, he stayed because "my kids did not want to move, so we kind of gave up the Lansing thing."

KEEPING PAPERS COMING SINCE '35

(By David McKay)

DECKERVILLE.—In a former creamery a block from this Thumb town's only traffic light, Lloyd Buhl, 74, publishes the Deckerville Recorder.

He works amid inky, dusty old machinery and cast-off equipment that took him from hand-fed, 19th-Century technology to a jerry-built computer system and offset printing. The computer, which spews out copy on a standard, 24-pin printer, came from a bank's fire sale.

Waving his hand over the clutter, he said, "This is what's left of a hardtype newspaper," when Linotype operators cast lines from molten lead.

It was in 1935 that Buhl took over the Recorder. To do it, he quit a paper in New Baltimore, where he'd gotten a job at 50 cents an hour after the publisher's girlfriend-typesetter broke an arm in a drunken fall from the porch of a blind pig.

"Back then, we were all printers. Ever since we went to offset, we're journalists."

Buhl admits, "I was never that good a writer," but he can do everything that needs to be done. "When you're a small-town editor, you have to."

He says his wife, Rosamond, was a crack shot with the Polaroid camera that used to fill the pages with local faces. The camera is retired, and so is she, except to mind the phones occasionally.

"I'd like him to get out of this business. He's 74. But I don't know what I'd do with him if he did get out of it."

POWER OF THE PRESS: ONE REPORTER'S VENDETTA

HON. CARROLL HUBBARD, JR.

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 8, 1992

Mr. HUBBARD. Mr. Speaker, this is the first of a series of three presentations to point out how vindictive, vicious, and vitriolic one member of the media can be in his ongoing goal to destroy a Member of Congress.

This series of entries in the CONGRESSIONAL RECORD, to be followed by a 60-minute speech on the House floor, was prompted by an excellent article last Sunday in the New York Times by reporter Adam Clymer entitled "Citing Rise in Frustration, Dozens of Lawmakers Quit."

The article begins with: "Redistricting, frustration with legislative gridlock and worries over scandals both real and imagined are causing more Members of the House of Representatives to choose to leave than at any time within memory."

Last week, I visited with a dozen of the House Members who are retiring. Ten of them mentioned frustration with media representatives who appear to be determined to present U.S. Representatives in the worst possible way.

Last Thursday night, at a reception at the Carlton Hotel in Washington, DC, Mike Brown, a reporter for the Courier-Journal, a daily newspaper in Louisville, KY., arrived shortly after 6 p.m. and began boasting: "As soon as CARROLL HUBBARD and his wife arrive I'll embarrass them with questions about cold checks and I'll follow them around the room until they leave. Wait and see."

My wife Carol and I were unable to attend the reception. Carol was in eastern Kentucky. I was en route to Paducah, KY.

Six members of my staff attended the reception. Reporter Mike Brown, upon learning that Carroll Hubbard and his wife would not be attending, noticeably and obviously was following two of my staff—listening to their conversations, taking in every word.

My wife Carol and I are accustomed to seeing Mike Brown at receptions. He attends our fund-raising receptions. He's always the uninvited guest who pays nothing, naturally, but stands at the front table where those attending announce their names and receive name tags. When most of the crowd have arrived he then stands inside the reception room and then walks around taking names and their affiliations. Then, over the next several days, he calls individuals who were at the fund-raising receptions and asks, in an intimidating way, why they were there.

For years, when I have filed my financial disclosure report with the Office of Records and Registration, reporter Mike Brown calls the corporations, trade associations, companies, businesses, colleges or schools to ask why they invited me.

On July 16, 1991, George Gill, publisher of the Courier-Journal, asked me: "Why does Mike Brown hate you so much?" My reply: "That's what I'm asked by Washington journalists."

My staff and I realize we are wasting our time contacting Mike Brown about grants or legislation benefiting western Kentucky—as he has told us he is not interested.

Mike Brown attended 2 full days of June, 1991, markup of the House Banking Committee regarding the Treasury Department's banking reform legislation, but, naturally, he chose not to attend the markup session when my amendment, successful days earlier in the Financial Institutions Subcommittee by an 18–17 vote, was the subject of four competing amendments, several hours debate and four rollcall votes. My amendment was not altered by any of the votes. The Hubbard amendment was news in the major national media and the subject of editorials in the Washington Post and the New York Times. But, or course, there was nothing about my amendment at any time in the Courier-Journal.

In 1985 reporter Mike Brown interviewed at least 10 House Members as to whether I owned real estate in Panama. I've never even considered owning real estate in any foreign country.

Ever since January, 1977, I've either been appointed or elected to the House Democratic whip organization. In 1989 and 1991 the Democratic House Members from West Virginia, Virginia, Maryland, Delaware and Kentucky elected me as their regional whip for the House Democratic whip organization. Naturally, Mike Brown and the Courier-Journal have never written a news article regarding my being appointed or elected as a Member of the House Democratic whip organization.

On July 15, 1991, Mike Brown tried his best to damage my wife's credibility by questioning

the accuracy of Carol's financial disclosure statement, calling her employer, telling Barbara Bayus of Computer Sciences Corp. at Falls Church, VA.: "Mrs. Hubbard has filed out a form for our newspaper and has listed her title and salary and we just want to verify it." Naturally, Mike Brown changed his comments when Joel Goins of Computer Sciences Corp. called Mike Brown regarding his strange inquiry and false comments about my wife's signing a Courier-Journal form.

In July of last year, reporter Mike Brown made telephone calls on Capitol Hill and in downtown Washington, trying to tie me with Charles Keating, the convicted Phoenix, AZ, savings and loan official. I finally wrote Mike Brown, assuring him I'd never stayed at nor even seen the Phoenician Hotel in Phoenix, and that I'd never met with Charles Keating at any time.

This is just a portion of the actions of one reporter named Mike Brown, representing the Courier-Journal. He believes freedom of the press is a license to destroy a congressman he has tortured for many years.

NATION'S FIRST AFTER SCHOOL PROGRAM FOR DEAF CHILDREN OPENS IN PINELLAS PARK

HON. C.W. BILL YOUNG

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 8, 1992

Mr. YOUNG of Florida. Mr. Speaker, I rise today to tell my colleagues of an incredible program which is about to begin within my district. On May 1, the Nation's first after school program for deaf children will begin at the Deaf Service Center of Pinellas. This one-of-a-kind program promises to offer deaf children throughout our community the opportunity to interact after school with other deaf children, older deaf volunteers, and high school and college students who act as tutors and mentors, companions, and playmates.

The program, called PEACH for Program to Enhance Achievement of Children with Hearing loss, is the result of 10 years of hard work by the Deaf Service Center of Pinellas and its advisory council. Committed to creating an environment where deaf children could learn from experienced deaf adults, they worked tirelessly within the deaf community to gain support and realize their dream. On May 1 that dream will come true when 35 students from around the area will ride to the center on buses for a well-rounded atmosphere of study and play.

The objective of the program is to instill in deaf children self-esteem, and to teach them communication and living skills needed to be successful in our everyday world. Teachers and volunteers at the center will address the needs of each individual child, focusing on the child's social and academic areas of difficulty.

It is no secret that individuals with disabilities can have learning difficulties that, without the proper teaching and attention, can lead to a higher incidence of high school and college dropout. However, by overcoming the communication barrier imposed by hearing loss in a deaf-friendly environment, deaf children and the hearing impaired always become tremendously successful in whatever they choose to do. PEACH will seek to meet that challenge.

Through the generous contributions of the Friends of the Deaf Service Center, PEACH was able to hire its first teacher on February 17, and begin its historical mission. The funding to run this ambitious program is being provided entirely through the voluntary contributions of Friends of the Deaf Service Center, and through a fundraiser, Freedom Walk II, which today enjoys the support of Sertoma, Lions, Optimist, and Kiwanis clubs as well as school groups, colleges, Florida Power Corp., GTE, AAA, and church organizations.

There are more than 280 deaf children in my community alone who could benefit from participating in PEACH. This program has taken the first step toward meeting their needs. I am hopeful that in the future, with the support and assistance of the local community and this Congress, PEACH will be able to touch each and everyone of them.

Mr. Speaker, on April 11, in Freedom Walk II, supporters of PEACH throughout the St. Petersburg area will take their own steps on the Pinellas Trail to benefit this program. It is my hope that you and my other colleagues will join with me in sending our heartfelt wishes of support to all those involved in the walk, and in recognizing the outstanding achievements of those responsible for the creation of PEACH.

BILL TO TEMPORARILY SUSPEND THE DUTY ON RIFABUTIN

HON. BILL RICHARDSON

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 8, 1992

Mr. RICHARDSON. Mr. Speaker, today I am introducing a tariff bill to temporarily suspend the duty on rifabutin, an experimental drug which can prevent or delay the onset of a life-threatening infection that often afflicts AIDS patients, mycobacterium avium complex [MAC]. There is currently no known treatment for MAC.

Specifically, my legislation will temporarily suspend the duty on rifabutin in dosage form—classified in HTS 3004.20.00 with a duty of 3.7 percent. There is no domestic production of rifabutin and Italy is the only supplier of the product.

Rifabutin is anticipating the Food and Drug Administration's approval of a new drug application. The FDA recently approved rifabutin for treatment IND [investigational new drug] status which makes the drug available to patients during the remainder of the preapproval period. Rifabutin will ultimately be bottled, labelled, packaged, and distributed by Adria Laboratories, a leading manufacturer of oncological and immunology products with a major facility—Adria S.P. Inc.—in Albuquerque, NM.

This duty suspension bill will enhance the availability and reduce the price of rifabutin for the treatment of MAC and will help preserve and protect jobs in New Mexico. I will seek to have this measure included in the miscellaneous tariff legislation now under consideration in the House.

H.R. 4826

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. TEMPORARY SUSPENSION OF DUTY.

Subchapter II of chapter 99 of the Harmonized Tariff Schedule of the United States is amended by inserting in numerical sequence the following new heading:

"9902.31.14	Rifabutin (dosage form) (CAS No. 72559-06-9) (provided for in subheading 3004.20.00)	Free	No change	No change	On or before 12/31/94".

SEC. 4. EFFECTIVE DATE.

The amendment made by section 1 applies with respect to articles entered, or withdrawn from warehouse for consumption, on or after the 15th day after the date of the enactment of this Act.

MONMOUTH MEDICAL CENTER PRESENTS PINNACLE AWARDS

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 8, 1992

Mr. PALLONE. Mr. Speaker, on Saturday, April 11, 1992, Monmouth Medical Center of Long Branch, NJ, will present its second biannual Pinnacle Awards in recognition of outstanding physicians. I will have the distinct honor and privilege of participating in this very special event, along with other leaders of the community and officials of the medical center, to pay tribute to five individuals who during their many years with Monmouth Medical Center have represented the highest standards of service, dedication and professionalism.

The winners of the Pinnacle Awards are: Nicholas J. Arcomano, M.D., who has been with the department of medicine since 1955; Pascal L. Federici, M.D., a member of the department of obstetrics/gynecology since 1954; Otto Lehman, M.D., with the department of orthopaedics since 1942; Leon Reisner, D.D.S., a member of the department of dentistry since 1948; and Gerald F. Whalen, M.D., who has been with the department of surgery since 1953. Each award will be presented by one of the recipient's colleagues.

Mr. Speaker, as a lifelong resident of Long Branch, I have seen Monmouth Medical Center grow and prosper, keeping pace with the state-of-the-art in medical services and technology, and expanding its operations throughout the community. Throughout these years of change, these five distinguished physicians have made an incalculable difference in the lives of countless individuals and families from Monmouth County and beyond. I take tremendous pride in sharing their achievement before this House.

NATIONAL CHILDREN'S ADVOCACY PROGRAM ACT OF 1992

HON. CLAUDE HARRIS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 8, 1992

Mr. HARRIS. Mr. Speaker, today I join my colleague, BUD CRAMER, in cosponsoring legislation, H.R. 4729, to create an integrated child abuse program.

Our children represent our future. I believe we should develop programs that are specifically oriented to children who have been abused. Last year, there were more than 40,000 children who were abused in Alabama. This is a disgrace. I believe we must create programs which help these children in need.

In the Seventh District of Alabama we are fortunate to have the Tuscaloosa Children's Center. This nonprofit foundation was established in 1987. It is 1 of 12 child advocacy centers in the State of Alabama. The Tuscaloosa Children's Center provides counseling for children who have been sexually or physically abused. In addition, the center coordinates the efforts of local law enforcement and social services in the investigation and management of child abuse cases. Last year, there were more than 680 reports of child abuse in Tuscaloosa County. This represents more than 910 children who need help. I believe this bill will help other communities to develop their own intervention program modeled after the successful efforts in Tuscaloosa. I applaud the tremendous efforts of Director Patti R. Steele at the Tuscaloosa Children's Center and her staff for a job well done. I believe other children would benefit from such a dedicated group of individuals.

The legislation will establish a children's advocacy advisory board which will be responsible for developing guidelines for the program. The bill authorizes $10 million to encourage communities to create children's centers. Applicants will be required to provide remedial counseling for both children and their families. The National Center for Child Abuse and Neglect as well as the Director of the Office of Juvenile Justice and Delinquency Prevention will work jointly with the board to create an interdisciplinary program.

I urge my colleagues to join us in supporting the passage of this measure.

IN SUPPORT OF LEGISLATION DESIGNATING THE WILLIAM B. HOYT II VISITOR'S CENTER IN LETCHWORTH GORGE

HON. HENRY J. NOWAK

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 8, 1992

Mr. NOWAK. Mr. Speaker, today I am introducing legislation which would provide funds for the construction of a visitors center at Letchworth Gorge in Mt. Morris, NY and would designate that facility in honor of State Assemblyman William B. Hoyt, a distinguished member of the New York State Assembly who died recently of a heart attack at the age of 54. A companion bill has been introduced in the Senate by my colleague Senator MOYNIHAN.

The bill provides such sums as are necessary to convert former Corps of Engineers barracks at the Mt. Morris Dam site into a visitors center. The Corps has already studied the feasibility of this renovation and preliminary studies and have already been completed.

It is entirely proper that this facility be named after Assemblyman Hoyt. During his 18 years in the Assembly he sponsored several bills aimed at protecting the environment, including the Fresh Water Wetlands Act in 1975 and the Letchworth State Park Protection Act in 1988.

In addition to being professionally concerned with the environment, he was a whitewater and wilderness canoe enthusiast. He paddled over 2,000 miles on numerous Arctic and sub-Arctic rivers in Canada's Northwest and Yukon Territories and in the Hudson and James Bay regions.

Naming this facility after Bill Hoyt will serve as a reminder to all who visit of the extraordinary contributions which he made to the State of New York.

ALABAMA SOUNDS OFF ON HEALTH CARE

HON. BEN ERDREICH

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 8, 1992

Mr. ERDREICH. Mr. Speaker, more than 7,000 residents of Alabama's Sixth Congressional District have responded to my health care questionnaire, and I urge my colleagues to listen closely to their sound advice. These opinions serve as a gauge for me as I go about the task of representing Alabama in Congress, and I think Congress would be well-served to take notice of the results of this questionnaire.

Only 19 percent of those responding are satisfied with the Nation's current health care delivery system, and only 31 percent are satisfied with the cost and quality of their own health insurance coverage.

The rising cost of health care is the most important issue to 70 percent of those responding. The quality of health care was next at 23 percent, followed closely by accessibility with 22 percent.

Fifty percent of those responding supported the pending pay or play health insurance proposal, but 44 percent were opposed to that approach. Similarly, 49 percent recommend a singleplayer, national health insurance plan, but 44 percent were against that proposal.

Two-thirds of those who answered this questionnaire believe the Government should get involved in health care, but at the same time, 60 percent say raising taxes is not how it should get involved.

Mr. Speaker, I thank the 7,449 people in Jefferson County who took the time to respond to this questionnaire. I am enclosing a copy of the results so we all can learn from it.

HEALTH CARE SURVEY RESULTS

[Total Responses: 7,449]

	Percent
(1) Do you currently have health insurance?	
Yes	88
No	10
Not available	2
(1B) If no, why?	
Can't afford	8
Ineligible	1
Employee does not provide	1
Other	1
Not available	89
(2) Are you satisfied with the nation's current health care delivery system?	
Satisfied	19
Unsatisfactory	53
Fairly satisfactory	24
Not available	3
(3) Are you satisfied with the cost and quality of health insurance coverage that you currently have?	
Satisfied	31
Unsatisfactory	38
Fairly satisfactory	23
Not available	7
(4) Have you every delayed medical treatment because of the costs involved in obtaining the care you required?	
Yes	42
No	55
Not available	2
(5) Legislation has been introduced in the U.S. Congress that would require employers to either provide health insurance to their employees or pay into a public fund to be created that would enable most other citizens to obtain health insurance. Do you support such a proposal?	
Yes	50
No	44
Not available	6
(6) Should the United States adopt a national health insurance program—like Canada-which provides government sponsored health insurance for all citizens?	
Yes	49
No	44
Not available	7
(7) If improving the Nation's health care system came down to either (a) requiring employers to provide health insurance or pay into a public health insurance fund or (b) establishing a national health plan, which do you prefer?	
(a)	37
(b)	52
Not available	10
(8) It has been suggested that the only way to finance health care reforms is to raise federal taxes. Would you support such a method to improve health care throughout the country?	
Yes	34
No	60
Not available	4
(9) Do you believe that it is the Federal government's role to be involved in health care reform?	
Yes	66
No	27
Not available	5
(10) If you are a Medicare beneficiary, are you generally satisfied with the program?	
Satisfied	16
Unsatisfactory	9
Fairly satisfactory	14
Not available	59
(11) What is the most critical problem confronting the U.S. health care system today? (Rank in order)	
Cost	70
Quality	23
Access	22
Poor habits	14

THE CALIFORNIA COASTLINE

HON. TOM CAMPBELL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 8, 1992

Mr. CAMPBELL of California. Mr. Speaker, one of the most beautiful treasures in the State of California is the California coastline. As summer approaches, families will be able

to spend time together in the California sun, swimming, surfing, sailing, and enjoying the outdoors.

California's coastal communities were recently given a reprieve by President Bush from oil drilling off the coast. The potential for environmental and economic damage from an oil spill far outweighs the economic benefit to be gained from drilling. Even if a slick never occurred, the natural beauty of the coastline would be diminished if offshore rigs were allowed to operate.

The coast is host to a wide range of wildlife as well as recreational sites. In my district, the Ano Nuevo State Reserve is a sanctuary for elephant seals and sea otters. An oil slick would not respect the boundaries of their sanctuary or the fragility of their habitat. The sad pictures of the birds of the Persian Gulf wallowing in oily water after the ecological disaster during the war highlights the potential damage an oil spill can do to wildlife.

The Monterrey Bay Marine Sanctuary is a sensitive habitat for fish, and hence, a valuable resource for fishing. Also, the Monterrey Bay Sanctuary adjoins coastal areas where hundreds of thousands of people live and recreate. The Monterrey Bay Sanctuary is very sensitive to water quality. It is essential for the viability of the sanctuary that drilling not be allowed on the California coast.

To ensure that drilling does not occur, I have introduced H.R. 1319, a bill to give States whose coastlines would be affected the power to decide whether drilling would occur. The citizens of California and other coastal States should have the ultimate right to decide on drilling. After all, basic issues affecting one's community should be decided as close to home as possible. The decision to allow oil drilling should be a matter of federalism as a matter of fairness. Californians know the beauty of their coastline, and should be able to protect it.

QUALITY AND COMMITMENT

HON. GUY VANDER JAGT

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 8, 1992

Mr. VANDER JAGT. Mr. Speaker, over and over again these days, even from beyond our borders, we hear that the American laborer is lazy, uncommitted, and sloppy. We are also told that American manufacturers lack a commitment to quality and excellence—and therefore American products are a distinct second to just about everyone else.

We Michiganders, proud of our tradition of responding to the American public with products that meet their needs, know that to be a vicious slur on the dedication of American employers and employees, not only in our great State, but across the Nation.

It is, of course, interesting to note in this regard, that more and more, American cars are winning prestigious engineering and manufacturing awards. The tradition of excellence in the American workplace is alive and well.

And is no more evident than at American Bumper and Manufacturing Company of Ionia, MI, in our Ninth Congressional District.

For 3 consecutive years American Bumper has produced the bumpers for the vehicle chosen by the respected Motor Trend magazine as its "Truck of the Year." Just as an aside, in 2 of those years, the truck was a Ford—and American product.

And of course, in the third of those years, even Mazda—a Japanese manufacturer—found that its best bumper supplier was an American firm.

Ford recently honored American Bumper for its contributions to this year's Motor Trend award winner, the Econoline Chateau Club wagon.

The American public has been slow to react to the changes in automobile manufacturing focus which continues the tradition of American suppliers in providing the vehicles that Americans want. For years that may have meant a different vehicle than we want today—and, unfortunately, that may have led to some delay as being as responsive as the industry would have liked.

But to say, as some have, that American industry and its employees are not committed and dedicated to providing the best possible product at the best possible price is to overlook three generations of a proud tradition of manufacturing and automobile excellence.

A tradition which lives on, a tradition to which the American public will once again respond, and a tradition which is demonstrated repeatedly—and daily—on the production line at American Bumper.

Once again, I congratulate the people of American Bumper, from it president and chief executive officer, Jack Skoog, to the "man—and woman—on the line" for their commitment to quality. I offer, for my colleagues' review, an article on the occasion of the presentation of the award recognizing American Bumper by Ford:

[From the Ionia Sentinel Standard, Mar. 25, 1992]

BUMPER RECEIVES AWARD FROM FORD

(By R.C. Gregory)

IONIA—American Bumper and Manufacturing Company was honored Tuesday by Ford Motor Company for its contributions to a prize winning van.

American Bumper supplies bumpers for Ford's Econoline Chateau Club wagon, recently named "Truck of the Year" by Motor Trend magazine.

"I'm very proud of this award." American Bumper President and Chief Executive Officer Jack Skoog said. "I'm proud on behalf of everyone here at American Bumper. This award says, very simply, we make products that please our customers. That means a team effort in our entire company."

Skoog and Brand Bronsema, vice president and chief operating officer, received the award at a ceremony in Dearborn Tuesday.

This is the third year in a row American Bumper has supplied bumpers for Motor Trends "Truck of the Year." "Three years ago." Skoog said, "we supplied bumpers for the Ford Explorers. Two years ago, for the Mazda Navajo. This year for the Econoline Chateau Wagon.

"This award says we're a good supplier. We're good suppliers because we have excellent people right here in Ionia. I think people in this area should know what we do. It's our teamwork that produced the Econoline bumper. This is the first 'gray box' program that American Bumper has produced. A gray box program includes design and engineering under Ford's supervision."

Work on the Econoline bumper started early in the development of the line. "We had permission to go into the styling studios," Bronsema said. "We got to look at the clay models. The first question there was, 'Can you make this bumper on a production basis?' "

"We were provided with a scan of the clay model. From that tape, we were able to create surfaces. We did the engineering on how we attach the plastic portions, we built the dies, we did our own contracting for the products we don't produce, and then we built and assembled the whole unit. When our bumpers go to the assembly plant, they are ready to go onto the vehicles on the line," Bronsema said.

"Because of American Bumper's achievements," Skoog said, "and because of investments, and because of our workforce, we've been able to go from 200 people on the payroll to 650. It's a good feeling to be recognized for what we stand for—for what we've made.

"I believe everyone wants to take pride in achievements, in producing a quality product, whatever it is. We're proud to be doing this here in Ionia. Our work ethic here is outstanding, but this is our community and it's here we play a role."

Ross H. Roberts, Ford Motor Company vice president and Ford general manager agreed. "The quality components from Econoline suppliers such as American Bumper were important contributions to the launch of Ford's 1992 Econoline," he said. "The Econoline has been the best seller in its class for the past 13 years and we expect to extend its string of sales successes well into the 1990s."

The '92 Chateau Club wagon is essentially an all-new vehicle that continues bond-on-frame construction, Ford's Twin-I-Beam independent front suspension, an out-front engine compartment, and other function improvements. The vehicle is the first full-sized passenger wagon in the industry to offer standard driver-side air bags to supplement safety belts and with lap and shoulder restraints at all rearward outboard seats.

American Bumper and Manufacturing has produced the front bumpers for the Econoline series for one year. The firm also manufactures F-Series front bumpers, F-Series Flareside rear bumpers, Explorer rear bumpers, and Navajo rear bumpers.

Skoog said seven suppliers were honored by Ford—"and all of them are from Michigan. I think that says something about the ability of Michigan manufacturers, including ourselves to produce top standard products."

The award is a replica of the Motor Trend magazine award Ford Motor Company received. It is a golden calipers mounted on a gear, which in turn is mounted on a base. Bronsema said arrangements would be made to place the award so all employees may see it.

NORTHWEST INDIANA HISPANIC COORDINATING COUNCIL RECOGNIZES INDIVIDUALS

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 8, 1992

Mr. VISCLOSKY. Mr. Speaker, I rise today to recognize and congratulate the many individuals who will be honored by the Northwest Indiana Hispanic Coordinating Council.

The Northwest Indiana Hispanic Coordinating Council is composed of leaders from 35 different Hispanic organizations. Its goal is to improve the standard of life of residents of northwest Indiana.

Each year the council hosts a conference which brings the Hispanic leadership together to identify important issues in the community. These include education, economic development, government/politics, family, youth development, and perception, stereotypes, and media.

On April 11, 1992, the Northwest Indiana Hispanic Coordinating Council will host its fourth annual recognition dinner in honor of the exceptional men and women of the Hispanic community of northwest Indiana. This year, six individuals will be honored for their outstanding dedication to the community. They have served as role models within their field of specialty and within the Hispanic community. Attorney Carmen Fernandez is being honored as the outstanding professional woman; Dr. John J. Attinasi, for his outstanding service in education; Mr. Oscar Sanchez, for his outstanding efforts in the labor movement; Socorro Roman, for her outstanding service in the field of health; and Father Fernando de Cristobal, for his outstanding community service.

In addition, I would like to recognize and congratulate the Alfonso Lerma Family who will be honored as the outstanding family of the year. The family members include Alfonso's wife, Esperanza, his children, and their spouses: Mr. and Mrs. Alfonso and Minerva Lerma, Jr., Alamar Lerma, Mr. and Mrs. Albert and Diane Lerma, Mr. and Mrs. Samuel and Cindy Lerma, Mr. and Mrs. Dan and Sylvia Gasser, Mr. and Mr. Andrew and Rosemary Lerma, Mr. and Mrs. Edward and Chris Lerma.

The Northwest Indiana Hispanic Coordinating Council also honors eight individuals who have been dedicated to promoting cultural enrichment through sponsorship of dance groups. I commend the following individuals for their promotion of cultural dance: Dr. Jose Arredondo, Ballet Folklorico of East Chicago; Ruth E. and Rebecca A. Alcaraz, La Tropa Michoacana; Sylvia Lopez, Las Adelitas; Jose Verduzco, Ballet Folklorico Mexicano; Celia F. Martinez, Ballet Folklorico La Villistas; and Sylvia Morrisroe, Concepciones Actuales.

The council will also honor Hispanic students who have excelled academically and athletically. Congratulations to the following students who have led their class academically: Paul Hernandez, Munster High School; Christine Ortiz, Highland High School; Tara Morales, Lake Central High School; Jessica Vega O'Neil, Crown Point High School; Daniel Arredondo, Morton High School; Margarita Rocha, Griffith High School; Daniel Rodriguez and Salvador Navarro, Jr., Wirt High School; Cynthia Otano, Merrillville High School; Veronica Camarillo, Bishop Noll High School; Gina Soria, River Forest High School; Rebecca Gomez, Clark High School; Kari Ramirez, Hammond High School; Fabiola Sanchez, Andrean High School; Judy Vizcarra, Horace Mann High School; Anjanett Rodriguez, Calumet High School; Christopher Perez, Lake Station High School; Rachel Valko, Whiting High School; Yolanda Pena, West Side; Tony Zaragoza, Gavit High School; Martha Rodriguez, Hobart High School; and Jose Martinez, Emerson High School.

I also commend the following students who have excelled athletically: Mark Lopez, Munster High School; Christine Quinn, Highland High School; Kyle Woods, Lake Central High School; Shawn Nova, Valparaiso High School; Ken Rivera, Morton High School; Denise Castillo, Griffith High School; Angel Velazquez, Wirt High School; Phillip Guerrero, Merrillville High School; Jaime Gutierrez, Bishop Noll High School; Tom Soria, River Forest High School; Ruben Solis, Clark High School; Edgar Moreno, Hammond High School; Emanuel Medellin, Andrean High School; Rosie Solis and Eddie Fowler, Calumet High School; Misty Soria, Lake Station High School; Elizabeth Ortiz, Gavit High School; Ferdinand Flores, Hobart High School; and Jose Martinez, Emerson High School.

I extend my congratulations to the aforementioned individuals who have played a key role in promoting fraternal and cultural activity among the Hispanic population of northwest Indiana. Each and every individual has served as an outstanding role model, not only to the Hispanic members of the community, but also the community as a whole. They have shown a strong dedication to addressing the many issues which are important and integral toward improving the quality of life for the peoples of northwest Indiana.

TRIBUTE TO SACRAMENTO POLICE CHIEF JOHN P. KEARNS

HON. ROBERT T. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 8, 1992

Mr. MATSUI. Mr. Speaker, I rise today to salute the many achievements of a good friend and an outstanding American, Sacramento Police Chief John P. Kearns. John will be retiring from the police force on May 1, 1992 following the second-longest tenure as chief in department history. It is a special honor to pay tribute to such a remarkable leader who has made such a great contribution to the Sacramento community.

A native of Sacramento who received his B.A. in public administration and his master degree in social science from California State University Sacramento, John got his start in police work as a patrol officer in 1956. His dedication and talent helped him to make detective in 2 years, and sergeant just 6 years later. He completed his impressive ascent through the department ranks in 1977 when he was named chief of police.

As chief of police, John has been known as a "cop's cop"; as a leader in touch with the problems and issues facing the men and women in the patrol cars, on the street, and up through the ranks.

John has initiated numerous innovative and effective new programs during his 15 years as chief of police. Among them was problem oriented policing in which officers are trained as trouble-shooters and work with other agencies to rehabilitate rundown or crime-ridden properties.

He also encouraged more active police involvement in the community by spearheading community partnership programs such as "Crime Alert," "Adopt A Cop," "Partnerships in Prevention," and community ridealongs.

John also has played a significant role in the passage of key crime fighting legislation. He endorsed State legislation which imposes a 15-day waiting period for the purchase of guns and makes it a crime for a felon or addict to possess such a weapon. Due in large part to John's lobbying efforts, State prison officials now notify police agencies of the release of State parolees and provide them with information on parolee enrollment in reentry or work furlough programs in their jurisdiction.

Mr. Speaker, it is with great pride and enthusiasm that I speak on behalf of Chief John P. Kearns. His dedication to the citizens of Sacramento has been a true inspiration and his contributions will not soon be forgotten. I ask my colleagues to join me in congratulating him and in wishing him happiness in his retirement.

SGT. ROBERT HILLEARY OF SEMINOLE, FL, AN EXAMPLE OF AIR FORCE EXCELLENCE

HON. C.W. BILL YOUNG

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 8, 1992

Mr. YOUNG of Florida. Mr. Speaker, throughout its history, the U.S. Air Force has been a symbol of American military excellence at home and throughout the world. This excellence can be attributed to many factors, but foremost among them is the quality of its personnel stationed here and abroad.

It is an honor and a pleasure for me to report to you today about the exemplary service of Air Force S. Sgt. Robert D. Hilleary, a constituent from Seminole, FL, who symbolizes the professionalism, skill, and training of Air Force personnel that have made them one of our Nation's greatest assets.

Sergeant Hilleary was recently awarded the U.S. Air Forces in Europe Professional Performer Award in recognition of his special attention to detail when he noticed a taxiing aircraft had one of its right main landing gear tires blown. Upon noticing this hazard, the aircraft was prevented from taking off, and after further investigation it was discovered that the landing gear strut had a severe hydraulic leak. Sergeant Hilleary's quick response to this serious mechanical problem prevented a catastrophic loss of life and equipment. His actions exemplify the quality of U.S. servicemen who have volunteered to represent our Nation abroad and do so with tremendous honor.

Mr. Speaker, for his devotion to his duties and particular attention to detail, I commend Sergeant Hilleary, and call to your attention his outstanding service to the U.S. Air Force and our Nation.

IN HONOR OF PALMA HIGH SCHOOL: WINNERS OF THE CALIFORNIA STATE BASKETBALL CHAMPIONSHIP

HON. LEON E. PANETTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 8, 1992

Mr. PANETTA. Mr. Speaker, I rise today to congratulate the basketball team of Palma High School in Salinas, CA. Palma is one of the first teams from the Monterey Bay area to win the Northern California Championship in Division IV, and Palma went on to become the first team from Monterey County to win the California State Basketball Championship.

The Chieftains, which finished the season at 29–2, excelled all year with the experienced starting lineup of seniors: Chad Amaral, Matt Amaral, Sky Feekes, Brandon Peterson, and junior Joey Diaz. Juniors Casey Kelley and Todd McRae and sophomore Mike Castagnello also made significant contributions during the championship run, but the entire Palma team, including seniors Mike Baclig, Robert Long, Kenny Young, and Stephen Zenk; juniors Dave Sargenti and Josh Short; and sophomore Marc Matock deserves high praise. This fine team was coached by Bob Burlison, with assistant coaches John Amaral and Mark Crossgrove.

The State championship final game against Abraham Lincoln Prep of San Diego was an exciting game that Brandon Peterson, Palma's 6'9" center who has won a scholarship to Oregon State, won by tipping in a miss for a 55–54 lead that became the final score 13 seconds later. Thus ended an emotional season for the team whose slogan was, "We Are Family."

Mr. Speaker, I must say that I am very proud to represent these young men who have strived the entire season until finally reaching their goal as California State champions. This is an honor that is truly deserved by every one of these players. It is with this that I ask my colleagues to join me in once again congratulating Palma on finishing a fine season and winning the Division IV California State Basketball Championship.

TRIBUTE TO SHELBY COUNTY HIGH SCHOOL

HON. CLAUDE HARRIS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 8, 1992

Mr. HARRIS. Mr. Speaker, I would like to share with my colleagues the impressive accomplishments of the administration, faculty, and students at Shelby County High School in Columbiana, AL. Recently, this school was recognized by Redbook Magazine as one of the five most improved schools in the United States. This recognition deserves loud applause, as such an accomplishment is invaluable to both our community and our country.

Over the last 5 years, test scores, attendance, and graduation rates at Shelby County High School have risen dramatically. These improvements can be attributed to a number of factors, including a principal, faculty, student body, and community devoted to excellence. Their dedication and achievement serve as an example to us all of the role we can and must take in betterment of our youth's education.

I commend Shelby County High School, its principal, Beverly Hall, and everyone who has contributed to the school's success. The entire State of Alabama takes great pride in this outstanding accomplishment, and I am confident that Shelby County High School will continue in its efforts to excel.

COLLEGE FOR FINANCIAL PLANNING

HON. RICHARD T. SCHULZE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 8, 1992

Mr. SCHULZE. Mr. Speaker, today I am introducing legislation to call on the U.S. Congress to recognize the need for financial planning education. My legislation would express the sense of the House of Representatives that American high schools should offer financial planning courses, which are available, free of charge, through the College for Financial Planning in partnership with the U.S. Extension Service.

The college, in partnership with the U.S. Extension Service, has programs in all 50 States and has served over 180,000 students nationwide. Through congressional recognition of the college, the goal of this legislation is to make financial planning education available to every high school student across the country.

The financial planning program designed by the college consists of six units, which includes teaching students how to differentiate between needs and wants, how to set goals, and how to manage income and saving. This program is not only for the wealthy, but for all income levels. In a study conducted by the college, nearly 53 percent of high school students hold jobs and take home paychecks that average $85 each week.

Economic hard times threaten the financial stability of American families of all income levels. Don't make the mistake that financial planning is only for the rich. To the contrary, low and middle-income individuals benefit far more from financial education than their more advantaged counterparts. Individuals who have been taught how to save and how to plan financially are faring better than those without the training. Young Americans must learn how they can help themselves—and protect themselves from financial ruin in their adult years. Individuals can no longer depend on company retirement plans or Social Security for their sole income in later years.

Consider this: If a 22 year old saves $39 a week at 9 percent interest until she is 30, and saves nothing after that period, she can accumulate $579,471 at age 65, $100,000 more than a person who begins saving that amount at age 30 and does not stop until age 65. It pays to save early in life.

These are vital lessons young Americans must learn for our Nation to continue to prosper and remain the world's leader among nations. I urge my colleagues to cosponsor this important legislation.

MR. JOHN J. MCMULLEN TO RECEIVE 1992 DISTINGUISHED BUSINESS LEADER AWARD

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 8, 1992

Mr. PALLONE. Mr. Speaker, on Tuesday, April 14, 1992, Mr. John J. McMullen, chairman of the New Jersey Devils and the Houston Astros, will be the recipient of the 1992 Distinguished Business Leaders' Award presented by Monmouth College, West Long Branch, NJ.

Mr. Speaker, John McMullen clearly typifies the ideals of success and accomplishment for whom Monmouth College intended this prestigious award. Mr. McMullen is a 1940 graduate of the U.S. Naval Academy. He served in the Navy for 14 years before retiring as a commander. During this time he earned his masters of science degree in naval architecture and marine engineering from the Massachusetts Institute of Technology and a doctorate in mechanical engineering from the Swiss Federal Institute of Technology in Zurich.

In 1957 he started John J. McMullen Associates, a naval architecture and marine engineering firm in New York, which is now a division of Talley Industries Inc. Before that he was chief of the Office of Ship Construction and Repair in the U.S. Maritime Commission. Mr. McMullen is a former chairman, president and chief executive officer of United States Lines and a former commissioner of the Port Authority of New York and New Jersey. In 1990, he was one of several distinguished Americans, including President Bush, who received the Ellis Island Medal of Honor.

Mr. McMullen is the chairman of the New Jersey Devils National Hockey League team, and owner of the Houston Astros major league baseball team and the Houston Sports Association.

The award ceremony for Mr. McMullen will be held at historic Woodrow Wilson Hall on the Monmouth County campus. Mr. James G. Cullen, president and chief executive officer of New Jersey Bell Telephone Co., will present the award and serve as the event's honorary chairman. Hilary J. Cummons, manager of community relations for Jersey Central Power & Light Co., heads the planning committee, and Ian Ross, president emeritus of AT&T Bell Laboratories, is co-chairman, and will serve as master of ceremonies.

TRIBUTE TO PAWTUCKET RED SOX BASEBALL CLUB ON THEIR 50TH ANNIVERSARY

HON. RONALD K. MACHTLEY

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 8, 1992

Mr. MACHTLEY. Mr. Speaker, I rise today to congratulate the Pawtucket Red Sox base-

ball club on their 50th anniversary. Formed in 1942, the Paw Sox were originally known as the Rhode Island Red Sox. in 1973, they began their association with the Boston Red Sox as their AAA minor league farm team. During that time, they provided Rhode Island with their only professional sports team.

In 1977 the club suffered financial problems and was deprived of its membership in professional baseball. During that year, the club was sold to Ben Mondor, who had recently retired from the corporate business world. Over the next 15 years, Ben Mondor would take the club from financial hardship to the status of being amongst the most respected clubs in minor league baseball. It can be said that Ben Mondor saved professional baseball for the city of Pawtucket and the state of Rhode Island.

Under Mondor's guidance, the Pawtucket Red Sox have reached many milestones. On August 11, 1988, the club reached the three million fan mark. In 1990, the club was named Triple-A operation of the year by "Baseball America."

McCoy Stadium, erected in 1942, is also celebrating its 50th anniversary. Located In the great city of Pawtucket, Rhode Island, it originally was the home for numerous community baseball games and became the permanent home of the Paw Sox in 1973. Named after former Mayor Thomas McCoy, it has been the minor league home for many great players including Roger Clemens and Wade Boggs.

I would again like to wish the Pawtucket Red Sox a happy 50th anniversary and the best of luck for the 1992 Triple-A baseball season.

CELEBRATING THE 100TH ANNIVERSARY OF THE GREATER BENEFICIAL UNION OF PITTSBURGH

HON. WILLIAM J. COYNE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 8, 1992

Mr. COYNE. Mr. Speaker, on Saturday, April 11, 1992, the Greater Beneficial Union of Pittsburgh will celebrate its 100th anniversary. I want to take this opportunity to commemorate this event and speak briefly about the service provided by the GBU to the people of Pittsburgh and many other communities.

One hundred years ago, a group of 12 German businessmen in Pittsburgh signed a charter on April 11, 1892, to incorporate the German Beneficial Union. This fraternal organization was established to unite new German arrivals to the United States into local district lodges in a number of States and to provide a social and financial support system for men and women who would become United States citizens.

Over the decades, the GBU grew and prospered as a fraternal life insurance society licensed in 15 States across the country. The GBU also offered a friendly meeting place in which members could celebrate their German heritage through songs, dances, and other festivities.

During the First World War, the German Beneficial Union became known simply as the Beneficial Union at a time when prejudice against German heritage and Germany forced the GBU's executive board to remove the word "German" from the organization's name for 3 years. During the Second World War, the GBU's name was officially changed to the Greater Beneficial Union of Pittsburgh. Still, even today, many of the local district lodges take great pride in their German heritage and honor this heritage in a variety of ways.

Since 1959, the GBU has had its headquarters in Allegheny County's borough of Bentwood at 4254 Clairton Boulevard. This building was dedicated by then Supreme President Theodore Heuttner, who said, "Let us dedicate this building to the men and women who helped to build the GBU by promoting the principles of fraternal life insurance and the ideal of the brotherhood of men."

Today, the GBU offers a full range of life insurance policies, as well as annuities and individual retirement plans. In addition to being active competitors in the insurance industry, the GBU offers a service uncommon to most insurance companies: German is still spoken.

The GBU takes great pride in the fact that its full-time officers—Frederick W. Schwesinger, national president, a second generation German, and both Hans H. Rauer, national vice president, and Johann G. Struff, national secretary/treasurer, who are first-generation German—all speak German.

The Officers, directors, and staff of the GBU are pleased to report that they manage a strong financial institution and plan to continue their record of service to local communities. While the German influence no longer dominates this fraternal society, the GBU is proud to celebrate 100 years of providing a center for the honoring of German customs and traditions.

Mr. Speaker, I want to salute everyone who is part of the GBU and wish this fine organization another successful 100 years.

IN HONOR OF SEASIDE HIGH SCHOOL BASKETBALL TEAM: WINNERS OF DIVISION III NORTHERN CALIFORNIA CHAMPIONSHIP

HON. LEON E. PANETTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 8, 1992

Mr. PANETTA. Mr. Speaker, I rise today to congratulate the basketball team of Seaside High School in the 16th Congressional District of California. Seaside is one of the first teams from Monterey County to win the northern California championship in their division, and they came within one win of being State Division III champions.

The Spartans, who finished the season at 29–4, won 24 games in a row before being defeated in the State finals by Morningside of Inglewood, 79–72. Their experienced squad included seniors Tito Addison, Melvin Evans, Eric Inselman, Artemus Johnnicans, Mark Powell, and Tyrone Thomas, juniors Eric Collins, Matt Nohr, Cochise Semedo, and Eric Wilson, sophomore Guy Clendenin and freshmen Travis Goulet and Adisa Vaughn. Special congratulations also goes to head coach Lance Chambers.

Mr. Speaker, I ask my colleagues to join me in once again congratulating Seaside on a fine season and winning the Division III northern California basketball championship. Each of these individuals has worked hard to create a team of fine players, and they should be proud of their exceptional accomplishments.

FRANCES WILLIAMS PRESTON: A LIFETIME OF ACHIEVEMENT

HON. BOB CLEMENT

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 8, 1992

Mr. CLEMENT. Mr. Speaker, I rise today to pay tribute to a woman who has accomplished as much in the music industry as any person in history, Frances Williams Preston.

Frances Preston, president and CEO of Broadcast Music Inc., will receive this year's "Humanitarian of the Year" award on April 25th by the T.J. Martell Foundation for Leukemia, Cancer and AIDS Research. I'd like to congratulate Frances for being named recipient of this prestigious award, and I'd like to take this opportunity to share with my colleagues an outline of her incredible achievements.

Frances Preston joined BMI in 1958 after holding other jobs in the Nashville music industry. Her story is a classic example of how through diligence, hard work, and single-minded purpose, any goal can be achieved.

Her goal was to ensure that songwriters, composers, and music publishers were fairly compensated for their creative works in a timely manner. By recognizing talent and working very hard at signing many previously unknown writers and supporting the creation of new publishing operations, Frances led BMI's southern regional office to a position of power and importance within the music industry. More importantly, she guaranteed that the people she represented would be fairly compensated for their creative efforts.

In 1964, BMI moved into a new building on Music Row in Nashville. Shortly thereafter Frances Preston became a vice-president in the company. In 1985 she became vice-president for performing rights in New York, executive vice-president and CEO in March 1986, and 2 months later, was named BMI's president and CEO.

It would take me hours to outline what Frances Preston has meant to my hometown—Nashville, TN, to the music business throughout the world, and the impact her efforts have had on thousands of writers, composers, publishers, and many, many others. Let me just say that there is no one more respected in the music industry, and no one for whom I have greater respect than Frances Preston.

Every one of my colleagues in the U.S. House of Representatives should note that as a direct result of the work of one Frances Preston, BMI has played an integral role in the continued success and viability of the music industry in America.

The awards accorded Frances Preston are innumerable, including lifetime memberships on the Country Music Association board of directors, the Gospel Music Association and Nashville Songwriters Association. During the 1987 Country Music Awards ceremonies in Nashville, she was presented the Irving Waugh Award of Excellence, presented only twice in CMA's history.

Vanderbilt University, in conjunction with the T.J. Martell Foundation for Leukemia, Cancer and AIDS Research, has announced the creation of a broad-based cancer research laboratory at the University Medical Center to be named the Frances Williams Preston Laboratory at Vanderbilt.

Again, I want to add my congratulations to someone for whom I have immense respect—Frances Williams Preston. She has achieved so much in her lifetime, not just in the music industry, but through her work with civic and charitable organizations—and by becoming a positive influence and role model for many people across our country.

Mr. Speaker, it is my honor to share this tribute with my colleagues today, and it is my even greater honor to call Frances Preston my friend. Congratulations Frances.

ATROCITIES PERPETRATED BY INDIAN GOVERNMENT AND INDIAN POLICE

HON. DAN BURTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 8, 1992

Mr. BURTON of Indiana. Mr. Speaker, on April 3, retired Justice Ajit Singh Bains, chairman of the Punjab Human Rights Organization [PHRO] and Lt. Col. Partap Singh, retired, president of the Khalsa Raj Party, were arrested by the Indian police. Reports indicate that Lieutenant Colonel Singh is now being tortured by Indian police. For those Members of Congress who have yet to realize the type of atrocities being perpetrated daily by the Indian Government and Indian police, I commend the following information:

WEST HILLS, CA,
April 4, 1992.

Hon. GEORGE BUSH,
President of the United States, The White House, Washington, DC.

DEAR MR. PRESIDENT: I am the daughter of Lt. Col. Partap Singh, who recently sent your Honor his book entitled "Khalistan The Only Solution". I was born deaf, and migrated to the United States along with my family in 1981. I became a United States citizen in May, 1991. While my father was here, I filed a petition for his immigration, thinking I may be able to persuade him not to go back to India. He was given the status permanent resident on March 17th, 1992.

Though as a daughter, I pleaded and tried my best for him not to go back, he paid a deaf ear and said that seeing the ongoing violations of human rights and the State repression in Punjab, his conscience would not permit him to stay back. It was in his knowledge that the Indian Government would throw him behind bars. He left for India on 25th of March. He was arrested on 3rd of April at 12:15 P.M. at his residence in Chadigarh and taken to sector 17 police station. The same morning they also abducted Justice Ajit Singh Bains, a retired judge from the Punjab High Court and the Chairman of the Punjab Human Rights Organization who had many times voiced his opinion about the human rights violation. His whereabouts is unknown to his family or friends even after twenty four hours.

Since you are the father of the Nation, and I as a daughter did not know who else to approach for help, I am writing to your Honor. I am not afraid that my father has been thrown in jail, what I am afraid of is that the Indian Government and its police known for its tyranny might torture Justice Ajit Singh Bains and my father or even eliminate them altogether. I am sure your Honor is fully aware of the report submitted by the Amnesty International a couple of weeks ago about the gross human rights violation by the Indian police and security forces.

Your Honor, whatever help you can give a daughter by exerting pressure on the Indian Government through their Counsulate General to ensure no physical harm comes to either Justice Ajit Singh Bains or to my father Lt. Col. Partap Singh, will be greatly appreciated and I shall be ever obliged.

Thanking your Honor in anticipation, yours sincerely.

ROOPINDER K. CHILLON.

AMNESTY INTERNATIONAL
URGENT ACTION,
April 7, 1992.

ILLEGAL DETENTION/FEAR OF ILL-TREATMENT—AJIT SINGH BAINS, HUMAN RIGHTS ACTIVIST AND RETIRED JUDGE

Ajit Singh Bains, a well-known human rights activist in the north Indian state of Punjab and a retired judge of the Punjab and Haryana High Court, was arrested on 3 April 1992 at 10:30 am in Chandigarh. He was reportedly taken to Sector 11 police station, Chandigarh, and from there to Ropar police station. Although his arrest was apparently denied by the Senior Superintendent of Police, Ropar District, he was reportedly produced before the Deputy Commissioner, Ropar, on Saturday 4 April. According to several witnesses, Ajit Singh Bains was brought handcuffed by members of the police and paramilitary forces to his house in Chandigarh on Sunday 5, April, and his house was searched, but he was taken away after the search by the police.

At 12 am the following day, 6 April, Mrs. Rachpal Kaur Bains, the wife of Ajit Singh Bains, was able to see her husband for about 5 minutes in Anandpur Sahib police station, Ropar District. He reportedly complained to her that he had been beaten shortly after his arrest. The police apparently showed her three First Information Reports (FIR) which allegedly referred to his arrest with several others under the Terrorist and Disruptive Activities (Prevention) Act in connection with recent speeches made at a Sikh religious event on 18 March in Anandpur Sahib. His name, however, does not appear in these First Information Reports. A habeas corpus petition was filed by his son on 6 April. The Punjab High Court has reportedly ordered that he be produced before them on Wednesday 8 April.

BACKGROUND INFORMATION

Amnesty International regularly receives reports that officials fail to acknowledge the detention or whereabouts of people arrested on suspicion of being members or sympathizers of one of the Sikh opposition groups advocating a separate Sikh state, "Khalistan". Previously, the Punjab press carried several articles in which Ajit Singh Bains alleged that he had received death threats from the Punjab police warning him to cease his activities with the Punjab Human Rights Organisation, which he chairs. Detainees are often not brought before a magistrate within 24 hours of arrest, as required in all cases under the provisions of section 57 of the Code of Criminal Procedure. Sometimes people are held in illegal detention for weeks and sometimes months under special legislation granting the security forces arbitrary powers to arrest and detain people without ordinary legal safeguards. During the initial period of detention, detainees are often held incommunicado and tortured or ill-treated. In some cases the detainees are eventually found to have died in custody, while others are found to have been deliberately killed in custody although official reports say they died in "encounters" with the police.

Recommended Action: Please send telegrams and airmail letters:

Expressing concern about the reports that Ajit Singh Bains was reportedly taken away on 3 April 1992 by Punjab police for unknown reasons;

Urging that reports of his arrest be investigated and that he be allowed immediate access to lawyers and relatives and be brought before a magistrate forthwith;

Seeking assurances that Ajit Singh Bains is being humanely treated and is granted full legal safeguards while in custody;

Urging that he be immediately released if he is not to be charged with a recognizably criminal offence.

Appeals to: Mr. Surinder Nath, Governor of Punjab, Office of the Governor, Chandigarh, Punjab, India. Telegrams: Punjab State Governor, Chandigarh, Punjab, India.

Salutation: Dear Governor—Mr. K. P. S. Gill, Director General of Police, Police Headquarters, Chandigarh, Punjab, India. Telegrams: Director General Police, Chandigarh, Punjab, India.

Salutation: Dear Director General.

Copies of your appeals to: Punjab Human Rights Organisation (Regd.), Head Office, H. No. 22 Sector 2, Chandigarh (U.T.), Punjab, India, and to diplomatic representatives of India in your country.

Please send appeals immediately. Check with the International Secretariat, or your section office, if sending appeals after 19 May 1992.

COL. PARTAP SINGH ARRESTED AND TORTURED BY INDIAN POLICE—CHARGES UNKNOWN

WASHINGTON, DC, April 7.—Lt. Col. Partap Singh (ret.), President of the Khalsa Raj Party, was arrested Friday morning (April 3) as part of the Indian government's ongoing efforts to suppress the mass movement for Sikh independence. Sources indicate that the 64 year old Colonel is being tortured by Indian police.

Having just returned from an extended stay in the United States where he published the book Khalistan: The Only Solution, a brief history of the Sikh freedom struggle, Col. Partap Singh was arrested in his home at 11:30 AM by seven Indian police officers. While 5 of the officers waited outside, 2 entered the Colonel's home, informed him that a First Investigation Report (FIR) was filed on him and that he was to be brought to the Section 17, Chandigarh police station. Though the police had no arrest warrant, Colonel Partap Singh was arrested and charged under the Terrorist and Disruptive Activities (Prevention) Act (TADA), a law which has been condemned by the United Nations Human Rights Committee as "com-

pletely unacceptable" for falling far short of international standards for the protection of human rights.

On Saturday, Col. Partap Singh was produced before a magistrate where the police obtained a remand allowing them to hold the Colonel in detention until April 8. it is speculated that the additional time will be used by the Indian police to torture a confession out of the Colonel—a tactic recently reported as widespread in Amnesty International's report India: Torture, Rape and Deaths in Custody.

As the founder of the Khalsa Raj Party in Punjab—which advocates Sikh freedom from India—Colonel Partap Singh has been a major target of Indian government repression. In a separate incident, retired Justice Ajit Singh Bains, Chairman of the Punjab Human Rights Organization, was arrested by Indian police near his home in Chandigarh. As with Col. Partap Singh, Justice Bains' arrest appears to be a reaction to the success he has had in exposing the brutality of the Indian government against the Sikhs.

"Every day, the Indian government grows more fearful of the movement for Sikh freedom," said Dr. Aulakh, President of the Council of Khalistan. "In the past, India simply murdered those who dared to stand up for their right of freedom. Today, however, the struggle for an independent Khalistan is growing into a full-fledged mass-movement, the likes of which India simply cannot suppress. Yesterday, India's heavy hand was the rule of law in the Punjab; today the tool of violence is losing its appeal as the tyranny of the Indian government is being exposed on the international level.

"I warn the Indian government not to do anything rash," continued Dr. Aulakh. "The international community is well informed of its misdeeds in the Punjab and it watches with great interest the cases of Col. Partap Singh and Justice Bains. I need not remind India that the recent revelations concerning its abysmal human rights record in Punab have not exactly endeared it to the world community. I need not remind the Indian government that 20 Members of the U.S. Congress sent a letter to Indian Ambassador Abid Hussain as early as October 1, 1991 expressing concern over the safety of Col. Partap Singh. If either Justice Bains or Col. Partap Singh are killed or harmed in any manner, India had better beware. The Sikh nation and the rest of the civilized world simply will not stand for it."

JUSTICE BAINS ABDUCTED BY INDIAN POLICE, SLAPPED AND PUBLICLY HUMILIATED, CHARGES AND WHEREABOUTS UNKNOWN, STRIKE CALLED IN PROTEST

WASHINGTON, DC.—Retired Justice Ajit Singh Bains, Chairman of the Punjab Human Rights Organization (PHRO), was abducted Friday morning (April 3) in what appears to be a stepped up effort on the part of the Indian government to forcibly suppress the growing voice for Sikh independence. Slapped and publicly humiliated by P.S. Malik, Inspector of Police, Haryana Cadre, the 70 year old Justice who suffers from a heart ailment, was made to stand in the 90° Punjab heat for two hours deprived of water or rest. In protest of Justice Bains' abduction and his maltreatment by the police, the Punjab lawyers called a strike yesterday effectively ceasing all court related work.

In a separate incident, Lt. Col. Partap Singh (retd.), President of the Khalsa Raj Party, was arrested at his home in Chandigarh by seven Indian police officers at 11:30 AM, Friday morning (April 3). The police reportedly had no warrant for his arrest. Sources indicate that the 64 year old Colonel is being tortured by Indian police.

It is expected that the arrest of Col. Partap Singh and Justice Bains comes in retaliation for their work in the areas of Sikh independence and human rights. Justice Bains has played a pivotal role with the PHRO in exposing pervasive human rights abuses committed by Indian government police against the Sikhs. Prior to his abduction, Justice Bains was preparing to release a report in which he documents the sighting of 15 dead Sikh bodies laying at the bottom of a five mile stretch of a Punjab canal, the water level of which had been lowered for repairs. These Sikhs were the victims of Indian police torture, their dead bodies dumped into the canal to dispose of the evidence. This and other patterns of human rights violations committed by the Indian government gained worldwide publicity and caused an immense amount of embarrassment for India with the March publication of Amnesty International's report, India: Torture, Rape, and Deaths in Custody. Considering the international stature Justice Bains has earned for his work exposing human rights violations in Punjab, it is expected that—at least in this case—the police will not subject him to torture, as is the case with lesser known victims.

Justice Bains was picked up by a joint force of the Chandigarh and Punjab Police at 10:30 AM en route from a local golf club to his home in Chandigarh. He was reportedly in his exercise dress and driving by himself. His family was not informed by the police of the arrest. Though no details concerning the reason for his arrest or the nature of the charges against him were disclosed by the police, it was eventually discovered by the Bains family through private sources that Justice Bains had been taken to a police station in Ropar.

R.S. Bains, son of Justice Bains, called the Ropar Senior Superintendent of Police (SSP), Sanjay Gupta, at 7:00 AM, Saturday morning. Mr. Gupta confirmed the detention of Justice Bains at the Ropar police station and gave permission for the Bains family to come to the police station at 4:00 PM to deliver the Justice's personal belongings.

Upon arrival at the Ropar police station, however, the family of Justice Bains was informed that he had been taken back to his residence in Chandigarh. Learning this, the family raced back to Chandigarh reaching the house at 6:00 PM where they were confronted by 70 police officers and 200 auxiliary officers occupying their residence and guarding a bus in which Justice Bains sat handcuffed and immobile. Though no search warrant was produced, virtually every crevice of the house was inspected by the police. No list of documents and articles seized was relinquished to the family.

Mr. G.S. Grewal, senior Advocate (former Advocate General, Punjab) witnessed the police search of the residence and communicated with the Justice before the arrival of his family. Justice Bains told Mr. Grewal that his arrest/detention had not been formally registered, that he had not been produced before any authority nor had he been informed of the charges brought against him. Justice Bains is also being prevented from taking his heart medicine and from bathing.

Justice Bains was not allowed to see his family. The police directed Mrs. R. Bains, wife of the human rights activist, to put his personal belongings on the bus, at which point the police boarded and departed. No information was disclosed as to the final destination of Justice Bains. His whereabouts remains unknown.

Dr. Gurmit Singh Aulakh, President of the Council of Khalistan, has issued a warning to the Indian government. "I and the entire Sikh nation demand the immediate release of Justice Bains and Col. Partap Singh. India: do not bring harm to these two men. The new Beant Singh government is just another New Delhi puppet regime. Today oppression and injustice is on the increase; two of our most respected leaders are in police custody and those whom we despise sit in the Legislative Assembly. Over 1,200 Sikh leaders remain in Indian prisons for simply supporting an elections boycott. Over 15,000 Sikhs languish in Indian prisons without even being charged—some for as long as eight years. Is this justice in the so-called 'world's largest democracy?'" The Sikh nation has had enough; we will not rest until outright independence for Khalistan is achieved.

"I appeal to the international community to increase its pressure on the Indian government to cease its oppression of the Sikh nation and honor the declared independence of Khalistan," Dr. Aulakh continued. "I call on the nations of the world to stand up and speak out against Indian tyranny and impose sanctions on the government of India until it acts on par with the civilized nations of the world and respects the freedom of the Sikh nation."

BEST WISHES TO NANCY HRUSCHKA

HON. NANCY L. JOHNSON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 8, 1992

Mrs. JOHNSON of Connecticut. This evening, the citizens of greater New Britain, CT, are gathering to honor a remarkable woman, a good friend to the community, and a leader on many issues affecting the quality of life of our families. Nancy Hruschka came to the New Britain YWCA in 1985 and leaves with our admiration and gratitude.

I came to know Nancy Hruschka through a shared commitment to improving the quality and availability of child day care. We have worked side by side for the last 7 years, and I have always admired her strength, courage, and determination. When Nancy assumed her responsibilities as executive director, she faced a budget deficit. When Nancy resigned, the budget deficit was nothing more than a memory, a successful Capital Campaign had been realized, a new day care facility at the YWCA had been completed and today, the child care center at the New Britain YWCA is the largest in central Connecticut.

Nancy Hruschka will certainly be missed by her friends and by the many citizens whose lives she has touched and brightened. But Nancy will not be forgotten, because her leadership has made a lasting impression on the members of our community, and we will all strive to follow the example of selflessness, compassion, creativity, initiative, and dedication she has set.

I would like to wish Nancy, her husband Ray, and their new daughter, Margaret Marie, the very best in their new home in Tokyo and once again thank Nancy for the many gifts of self that she has shared with our community.

THE ESSIE DEE SILVA AWARD

HON. WILLIAM LEHMAN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 8, 1992

Mr. LEHMAN of Florida. Mr. Speaker, I am pleased to announce to my colleagues that the United Way of Dade County has established a special honor for individuals who have made outstanding contributions to our community.

This award is named after Essie Dee Silva, who exemplified both the forces of strength and stability during these stressful years for Dade County. She was a kind person, a role model. Her awareness and sensitivity to the challenges facing this community and her ability to build coalitions to address them is a legacy none of us will ever forget.

Nominees for the Essie Dee Silva Award will be people of sensitivity, integrity, and vision who have a demonstrated track record of achievement and success in addressing community problems affecting different cultural or ethnic groups. They will be people who have been able to bridge gaps in our community and forge ties among different people by working closely with individuals from cultural groups other than their own.

I applaud the United Way of Dade County for taking the initiative once again in recognizing the excellence and achievements of individuals who are working to make our community a better place in which to live.

INTRODUCTION OF EVERY FIFTH CHILD ACT

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 8, 1992

Mr. KILDEE. Mr. Speaker, today I am introducing the Every Fifth Child Act, a bill designed to achieve full funding and expansion of programs essential to combating the poverty and disadvantage experienced by 20 percent of American children.

Every fifth child in America lives in poverty. Every 35 seconds, on the average, another American infant is born into poverty. In the last decade, childhood poverty increased 21 percent, and children are the fastest growing segment of the homeless population. These figures are startling and painful because they represent lives, hopes, and dreams that are often smothered before they can catch fire.

The legislation I am introducing increases the funding for three Federal programs that alleviate the affects of poverty and hunger on the lives of children. Each program serves a unique purpose in the stages of a child's life: the Special Supplemental Food Program for Women, Infants, and Children [WIC] starts meeting a child's nutritional needs before birth; Head Start ensures excellent preparation to enter the world of learning; and Job Corps helps a child make the transition between school and the world of work.

WIC is an essential weapon in combating malnutrition in pregnant and postpartum women and their infants and children. It is the first line of defense against low birthweight, a major cause of infant mortality, and anemia. Since 80 percent of brain development occurs by the time a child turns 3, WIC is essential in improving cognitive development. It also increases a child's chance of receiving immunizations and regular health care.

WIC is also proven to be very cost effective. Every dollar spent on a pregnant woman under WIC saves between $1.92 and $4.21 in Medicaid costs. The problem with WIC is that it only serves 55 percent of those currently eligible. The funding level in this bill is designed to ensure that WIC is fully funded by 1996.

Head Start is another program that has had considerable successes in its 26-year history, and is hindered only by its inability to reach all eligible children. The program currently serves 31 percent of the children eligible for its comprehensive early education and health services.

Children who participate in Head Start are twice as likely to graduate from high school as children in similar circumstances and are less likely to require remedial education and counseling services. The 1990 reauthorization of this vital program, which I authored, included funding levels designed to enable it to reach all eligible children by 1994. This bill continues to work toward that goal.

Job Corps serves economically disadvantaged youths ages 14 through 21 who have disruptive home environments, by providing intensive remedial education and skill training in a residential setting, or Job Corps Center. Job Corps has helped open the doors of opportunity for 1.5 million youths. Unfortunately, the program only serves 1 in 7 of the Nation's most needy youth. This proposal calls for the establishment of 50 new centers by the year 2000, and an increased participation of 50 percent.

These programs are a sound financial investment for this country in terms of money saved and human potential gained, but much more than that, they are a moral obligation for a government whose role is to promote, protect, defend, and enhance the human dignity of all its citizens. I invite you to join me in saying "yes" to the vision of an America that embraces her most vulnerable charges by answering their crying needs in a substantive way.

THE 25TH ANNIVERSARY OF CONTACT USA

HON. BILL GREEN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 8, 1992

Mr. GREEN of New York. Mr. Speaker, I rise to pay tribute to CONTACT USA, a nonprofit, national network of telephone helpline and crisis intervention centers. This remarkable network is celebrating its 25th anniversary. Over the past 25 years, telephone volunteers have helped millions of people in all walks of life; confidentially and free of charge to the caller.

Help Line Telephone Services is one of the older member centers of CONTACT, USA, having been in existence since 1970. It has over 350 volunteers to respond to distressed callers 24 hours a day, 365 days a year. CONTACT USA has received numerous awards from various organizations and elected officials including awards from the mayor of the city of New York, the Governor of the State of New York and the President of the United States.

At this time I should like to ask my colleagues to join me in congratulating CONTACT USA on its success, and to extend my most sincere wishes for its future endeavors.

SUPPORT FOR NATIONAL MYASTHENIA GRAVIS AWARENESS WEEK

HON. BILL SARPALIUS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 8, 1992

Mr. SARPALIUS. Mr. Speaker, I rise today in support of legislation, House Joint Resolution 455, which I have introduced to designate the week of October 1–7, 1992 as "National Myasthenia Gravis Awareness Week". My legislation works to raise the public awareness level regarding autoimmune diseases, specifically myasthenia gravis. I would like to take a minute to explain the severity of myasthenia gravis, how it affects those afflicted, and how research can lead to improved treatment and, ultimately, a cure.

Myasthenia gravis is a autoimmune chronic neuromuscular disease affecting approximately 100,000 individuals in the United States and thousands of others throughout the world. It is caused by an antibody that damages the muscle receptors in the body. Those afflicted with myasthenia gravis suffer from muscle weakness, especially in muscles used for vision, chewing, speech, swallowing, breathing and those used in the limbs. By increasing research pertaining to myasthenia gravis, researchers believe they will also benefit the search for the cause and cure of other autoimmune diseases including juvenile diabetes, rheumatoid arthritis, Grave's disease and lupus.

Mr. Speaker, the designation of the week of October 1–October 7 of this year as "National Myasthenia Gravis Awareness Week" will help make the public aware of the severity of myasthenia gravis, and the need to learn more about this disease and other related autoimmune diseases.

TRIBUTE TO MRS. MARION E. CASSEL

HON. GEORGE W. GEKAS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 8, 1992

Mr. GEKAS. Mr. Speaker, I rise today to pay tribute to Mrs. Marion E. Cassel, of South Hanover Township, PA, on the occasion of her 80th birthday. Mrs. Cassel is the widow of John H.W. Cassel, a lifelong Republican leader in central Pennsylvania.

Mrs. Cassel, herself a longtime Republican activist, was born April 20, 1912. She is the matriarch of a wonderful family, as she is the mother of 3 sons and 3 daughters, grandmother of 14 children, and the great-grandmother of 13 children. Her remarkable demeanor and loving manner have endeared her to many generations of family, friends and neighbors throughout the region.

Marion has long been involved with charities, the Union Deposit Fire Co., and the Church of God. Her tireless efforts on behalf of these organizations have earned her the appreciation of all who are lucky enough to know her.

Mr. Speaker, I ask of my colleagues to join me in wishing Marion Cassel a happy 80th birthday, with best wishes for many happy birthdays to come.

STATUS REPORT ON THE NATIONAL MUSEUM OF THE AMERICAN INDIAN

HON. ENI F.H. FALEOMAVAEGA

OF AMERICAN SAMOA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 8, 1992

Mr. FALEOMAVAEGA. Mr. Speaker, through Public Law 102–188 (S.J. Res. 217, H.J. Res. 342), Congress and the President designated 1992 as the Year of the American Indian. This law pays tribute to the people who first inhabited the land now known as the continental United States. Although only symbolic, this gesture is important because it shows there is sympathy in the eyes of a majority of both Houses of the Congress for those Indian issues which we as a Congress have been struggling with for over 200 years. In support of the Year of the American Indian, and as part of my ongoing series this year, I am providing for the consideration of my colleagues an article entitled "Creating a Museum for the 21st Century" and published in the Winter 1992 edition of the magazine "Native Peoples".

CREATING A MUSEUM FOR THE 21ST CENTURY

"An Indian child has to come here and be proud. We have nothing here in this capital."

"The Museum is being given birth, not being planned * * * the land where it will sit has a spirit * * * This Museum has to be connected not only to us as the people but to our children—reconnecting the umbilical cord of our children."

"Close to nature, not set apart in the universe."

"If this place does nothing else but a living entity that transmits human respect and sensitivity, then all the work we do and will do will be a success. We cannot compare this to other museums. We should create it."

"Our stories should be told in quiet and strong voices * * * as a mosaic."

These are but a few of the hundreds of voices heard by staff and consultants of the National Museum of the American Indian during the past year. One of the hallmarks of NMAI is the unusual way in which it has gone about this planning process. Typically, when a new museum is going to be built, the staff of the museum decides what it should be, an architect is hired and the building is designed and constructed. Early on, NMAI Director W. Richard West, Jr. insisted, "NMAI is not going to be a traditional museum, so we're taking a non-traditional approach to its design." To West, this meant holding a series of consultations with Indian communities and other constituencies to find out what they think.

To assist with this task, the museum hired the architectural firm Venturi, Scott Brown and Associates, Inc. of Philadelphia to seek advice on developing program guidelines for two of NMAI's facilities—the collections, storage and research facility in Suitland, Md., and the exhibition and public program facility on the National Mall in Washington, D.C.

Since last May, when the first official consultation was held in Washington, additional regional and urban meetings have been held with contemporary artists, researchers, educators, archivists and librarians, and communications and technology experts in New York City, Santa Fe and Anchorage, Alaska. The majority of invited participants from outside the Smithsonian have been Native Americans. Among the dozens of Native Americans who have been involved in the process are co-facilitators George Horse Capture (Gros Ventre), a former curator at the Plains Indian Museum at the Buffalo Bill Historical Society in Cody, Wyoming, who is now developing a tribal museum in Fort Belknap, Montana, and Rena Swentzell (Santa Clara Pueblo), an architect and scholar from Santa Fe. Bill Mehojah (Navajo), special assistant in the Office of Indian Education Programs of the Bureau of Indian Affairs, has also played a role. The consultations have been lively, at times frustrating, affairs, with individuals bluntly expressing their concerns, ideas, fears and visions for the new museum. Every idea was meticulously recorded and transcribed by Smithsonian and Venturi, Scott Brown and Associates staff. Denise Scott Brown is the principal architect; Ann Trowbridge is the project manager.

The consultation process is under the overall direction of Jim Volkert, Acting Deputy Director for Public Programs. Individuals who wish to be kept informed or contribute to the museum's progress in the consultation area should contact Fred Nahwooksy, National Museum of the American Indian, 490 L'Enfant Plaza, Room 3306, Washington, D.C. 20560.

The hopes and aspirations of Native Americans for NMAI have begun to emerge: "Each consultation has had its own flavor," West says, "but they have all reconfirmed our idea of what the building should be—a place for living cultures, where Indians have a direct involvement in the interpretation of those cultures." What has also emerged is the concept of the "Fourth Museum," an abbreviation for outreach efforts that will go beyond traveling exhibits and programs. (The other three museums are the George Gustav Heye Center in the U.S. Custom House in New York City, the Suitland facility and the Mall museum.)

Venturi, Scott Brown and Associates has just completed its draft report titled "The Way of the People, National Museum of the American Indian." The main text of the report is over 100 pages, followed by detailed accounts of each of the consultations along with other supporting appendices. The vision of the museum that emerges from this report will be elaborated on in future phases of program planning.

Some of the ideas emerging from the process are that NMAI is perceived by everyone as a "radically new enterprise for the Smithsonian Institution, which perceives it as its 21st century vanguard, humanistically charged to create policies and programs directed toward an international audience of Native and non-Native scholars, artists, teachers and interested lay people * * *. No other modern museum has so self-consciously sought out focused input of special concerns from a user population. The result is that few decisions or requirements can or must be taken for granted or based on precedent." Stated another way, at one of the consultations, Representative Ben Nighthorse Campbell, an early NMAI supporter, said: "No one ever wanted to build something just of bricks and mortar. We wanted to build a legacy."

Of course, the museum will have bricks and mortar, and the consultation process has focused heavily on program requirements for the Suitland facility and for the Mall museum. NMAI's Suitland facility, dubbed "the brain and soul of a new museum," will be a home, not a storage warehouse for its objects, library and archival collections. As the operations center for the Museum's collaborative programs with Indian communities it will house the curatorial and research activities of the Museum and welcome Native and non-Native collaborators, scholars and interns from tribal, academic and artistic communities.

Among the features of the Suitland facility will be a hospitality area to welcome visitors and private ceremonial spaces with access to the sky and outdoors that will also permit the safe use of fire and smoke. The "Fourth Museum" will also be centered at Suitland, functioning as an information clearinghouse and as a production facility for educational, exhibition and audiovisual materials related to NMAI's collections, programs and the priorities and resources of Native communities.

The Mall museum will be guided by the principles expressed in the preamble to the Venturi, Scott Brown report:" As tribal people of the western hemisphere, we are wonderfully diverse yet essentially similar. We honor the exquisite variety of each other's lifeways yet recognize that we have some common principles which are essential in the presentation and interpretation of our respective ways of being."

"The measure of the Mall museum will be the success with which it communicates with Native voice, Indian stories, values and culture to millions of individual visitors through a multisensory experience that reaches people, not only through visual media, but through smells, sounds, touch and, for some, taste as well," the report states. "Indians and non-Indians alike must sense that they have entered a precinct where 'Indian customs and etiquette govern.' This process begins outside, from where the activities are apparent, and continues into the building, as do elements of the outdoors. The building's relation to its site and the design of all the spaces within it should embody a spirit of connectedness with the land and an attitude of respect for relationships between all life forms."

A full schedule of consultations will be held next year, and West notes in fact, that "consultations will go on indefinitely". Even after the program requirements for the design and the design itself are completed, "this museum is dynamic, so we must constantly get information from the outside."

While it is difficult to say precisely how the consultation process will translate into guidelines for the design of the buildings, it is clear that the Mall museum will be a welcoming place for Indians and non-Indians, with a strong Indian voice, changing exhibi-

tions, performances and demonstrations, dining and shopping areas. One need only listen to the comment of an American Indian who said of the Mall museum: "It should be a natural experience to go there, juxtaposed to the NeoGreek around it. It should touch children and have the blessing of spiritual leaders. One should feel the love of Indian people for who they are. These things are alive and part of today. Test the design with children and elders, then we'll know the power. Smell sweetgrass and sage."

THE AGE DISCRIMINATION PARITY ACT OF 1992

HON. WILLIAM F. GOODLING

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 8, 1992

Mr. GOODLING. Mr. Speaker, today I am introducing the Age Discrimination Parity Act of 1992, which would amend the Age Discrimination in Employment Act [ADEA] to raise the level of damages currently available in age discrimination cases—now limited to backpay and double lost backpay in willful cases—to that currently available under title VII of the 1964 Civil Rights Act and the Americans with Disabilities Act [ADA]. Title VII, of course, prohibits discrimination based on race, color, religion, sex, and national origin while the ADA prohibits discrimination based on disability.

Mr. Speaker, only a few months ago, and after much debate, the Congress passed the Civil Rights Act of 1991 [CRA]. That law provided, for the first time, compensatory and punitive damages, with jury trials, for intentional discrimination cases filed under title VII, in addition to backpay. Relief for so-called disparate impact cases under title VII—cases in which an employment practice has an allegedly significantly greater adverse impact on protected groups—continues to be limited to backpay. The total of compensatory and punitive damages which may be recovered was capped as follows: $50,000, employers with 15 to 100 employees; $100,000, employers with 101 to 200 employees; $200,000, employers with 201 to 500 employees; and $300,000, employers with more than 500 employees.

Punitive damages can be awarded only when malice or reckless indifference is shown but cannot be awarded, in any case, against State or local governments or the Federal Government. There is no cap on the amount of backpay that may be recovered in disparate impact cases or intentional discrimination cases. The CRA also extended the same damage levels to the ADA.

My proposal would adopt this remedial scheme for age discrimination cases because no rational reason exists for providing higher levels of remedies under title VII and the ADA than under the ADEA. Discrimination is discrimination. Moreover, I believe that, although not with problems, the level of remedies now provided under title VII and the ADA, are both adequate and fair.

As importantly, this legislation would also create parity for employees of the House of Representatives who are victims of age discrimination. We are long past the time when Congress may exempt itself from the laws it applies to the private sector, just as we are past the time when Congress may cover itself but—through clever draftsmanship, as we are seeing more frequently—impose watered-down enforcement and damage provisions.

Hence, with one exception, this bill would apply to the House of Representatives basically the same rights and remedies as are applicable to the private sector under the ADEA; I hope the Senate would eventually do the same with respect to its employees. Thus, the bill extends the ADEA to the House and provides for punitive and compensatory damages, with backpay, and jury trials in Federal district court. While recovery of backpay is not limited, a cap of $130,000 has been placed on the total sum awardable for punitive and compensatory damages. This cap is not exactly the same as the caps applicable to the private sector under this bill, but as the latter are keyed to the size of the employer based upon the number of employees, it appears that one across-the-board cap would be more workable in the House context. Indeed, if the private sector caps were to be simply carried over to the House coverage, it is likely that damages would be routinely limited to the lowest level, $50,000. The $130,000 figure was selected because it seemed reasonable to base the amount on the approximate annual salary of a Member of Congress—$129,500. Lost backpay, of course, would be in addition to this amount.

I should emphasize that the bill also provides for personal liability on the part of a Member in that a Member would be required to reimburse the Government for any payments for damage awards. I recognize that some Members may be concerned with this liability exposure, but without this provision the taxpayer would ultimately be stuck with the tab.This hardly seems fair.

As noted, there is one major exception in this bill in terms of coverage equal to that of the private sector—that of enforcement by the Equal Employment Opportunity Commission [EEOC]. For constitutional reasons, based on the separation of powers doctrine, the EEOC would have no powers of enforcement under this proposal. Indeed, to include EEOC enforcement would simply kill this legislation. However, the House Office of Fair Employment Practices would be empowered to hear cases, and employees would be required first to file a charge with the Office for consideration before proceeding to court. This process is similar to the EEOC process under the ADEA.

Mr. Speaker, the extension of the ADEA, with effective remedies and enforcement procedures, to the House will mark but one milestone in the long process of bringing Congress under the workplace laws of this country, but passage of this legislation will establish an important precedent, and with it Congress will be one step closer to transforming rhetoric into substance. I look forward to working toward passage of this legislation.

TRIBUTE TO MARGARET JACKSON WESTON

HON. BUTLER DERRICK

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 8, 1992

Mr. DERRICK. Mr. Speaker, it is a great honor for me to recognize the late Margaret Jackson Weston. Today Mrs. Weston would have celebrated her 63d birthday. As a health care professional, she was a good friend of mine and more importantly, a good friend to people in need of health care in the Aiken, SC area.

Hard work and long hours of dedicated service were the trademark of her illustrious career. While working as a nurse for the office of equal opportunity, she saw firsthand the horrors of being poor and being sick. This experience inspired her to do something about the problem that poor people who had no insurance faced when they fell ill and had no money. Mrs. Weston organized a group of volunteer doctors that provided medical services and traveled throughout Aiken and Edgefield counties for 10 years in a van providing health care to the disadvantaged.

Disturbed by the notion that quality health care belonged only to the privileged who could afford it, Mrs. Weston persuaded the office of equal opportunity to enlarge its mission. The result of this enlarged scope would eventually become the Rural Health Services, Inc. The board of directors of Rural Health Services, Inc., later surprised Mrs. Weston when the center was renamed in her honor.

Today, the fruits of Mrs. Weston's idea of affordable health care are thriving in the form of a comprehensive health care facility. The Margaret J. Weston Health Center provides quality medical and dental care to approximately 12,000 patients a year who pay what they can afford.

Margaret Weston's legacy, however, is far greater than the health care center that bears her name. It is the service that she rendered to the people of South Carolina that truly warrants such merit. Thanks to the dedicated hard work of Margaret Weston, this service will continue for many years to come.

WILLIAM F. MORENO, OUTSTANDING JUDGE AND CITIZEN

HON. LEON E. PANETTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 8, 1992

Mr. PANETTA. Mr. Speaker, I rise today to express my admiration, respect and regards for an extraordinary public servant and a good friend, the Hon. William F. Moreno of the Monterey County Municipal Court, who is retiring this spring after 20 years of outstanding service to the citizens of Monterey County.

In his distinguished law career, Judge Moreno has served Monterey County since his appointment in 1972, worked extensively in criminal and civil law, in his own practice; Moreno, Branner and Carnazzo from 1957 to 1972, and continues to maintain his associa-

tion with many outstanding professional and community organizations including: the American Trial Lawyer Association, California Trial Lawyers Association, Monterey County Bar Association, the Kiwanis Club and Christians in Commerce. In addition, from 1950 to 1953 he served in the Korean war in the Army Signal Corps.

Judge Moreno is also a member of the California Judges Association, recently serving as chairman of the facilities committee in 1990 and contributes his time regularly to educational programs sponsored by this outstanding organization. He has served as a faculty member of the 1989 California Judicial Education and Research, Judges College, and continues to make time for several worthy community organizations such as the Salvation Army, St. Vincent DePaul's, Sons of Italy, Sun Street Center and Door to Hope.

He earned his bachelor of arts and juris doctorum degrees at De Paul University, completing his law study in 1956. He married the former Bette Miller of Fresno, in 1953, and has 6 children ranging in age from 27 to 40, and 13 grandchildren.

Mr. Speaker and colleagues, Bill Moreno is a man of unbounding faith in God and his fellow human beings. In Italian, there is a phrase to describe people like him—"buon uomo"—a good man. Judge William F. Moreno is a "good man" and I ask the House to join me today in honoring him for his tremendous contributions to the cities of Monterey County, the State of California and the Nation.

1991–92 INDIANA UNIVERSITY MEN'S BASKETBALL TEAM

HON. FRANK McCLOSKEY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 8, 1992

Mr. McCLOSKEY. Mr. Speaker, I would like to take a few moments to commend the tremendous efforts of the 1991–92 Indiana University men's basketball team, who finished 27 and 7, and advanced to the final four of the 1992 NCAA Men's Basketball Tournament. The exciting play of the Hoosiers kept us on the edge of our seats all season, and gave all I.U. fans a year to remember.

Ranked No. 2 in the preseason national poll, this Indiana squad started slowly, losing two of its first four games, including its season opener to UCLA, and an overtime loss to arch-rival Kentucky. The Hoosiers then proceeded to rattle off 13 straight victories during December and January, including convincing wins over nationally ranked teams like St. John's and Cincinnati, and Big Ten Conference powers, Ohio State and Michigan.

This play enabled the Hoosiers to regain their No. 2 national ranking, and remain at the top of the conference standings throughout the season. Although the Hoosiers would go on to sweep Ohio State with an 86 to 80 victory in Columbus, setbacks against Michigan and Purdue in 2 of the final 3 weeks of the season knocked them out of conference title contention and the No. 1 seed in the NCAA Tournament.

The Hoosiers caught fire in the NCAA's, winning games against Eastern Illinois, Louisiana State, and Florida State by an average of 20 points, and culminating with a 106 to 79 victory over UCLA, the erstwhile No. 1 seed, in the west regional championship.

This postseason turnaround again indicated the great tradition of Indiana University basketball teams to confront and overcome adversity. To this aim, I would like to commend the leadership of head coach Bob Knight, who made his fifth trip to the final four, and is third on the all time list for final four victories.

However, coaches cannot win games by themselves. Therefore, I would also like to commend the contributions of seniors Jamal Meeks and Eric Anderson, who both provided leadership in starting and supporting roles in the tournament.

I would also like to recognize the efforts of cocaptains Calbert Cheaney and Chris Reynolds, who led by example during the 1991–92 season, and will be counted on to do the same next year; and returning regulars Damon Bailey, Alan Henderson, Greg Graham, Matt Nover, and Todd Leary, who hit three 3-point shots in a row to rally the Hoosiers in the national semifinal against Duke.

With these proven performers returning next season, I am confident that the Hoosiers will be in position to make another run at the national title next March.

WE CAN HELP ISRAEL TO HELP THEMSELVES

HON. TED WEISS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 8, 1992

Mr. WEISS. Mr. Speaker, yesterday evening several of my colleagues engaged in a special order on the Israeli loan guarantees. Regretfully, because of a prior commitment I was unable to participate in this important dialog. I would like to share my thoughts on this critical issue.

For more than two decades, securing free emigration for Soviet Jews was one of the central objectives of United States-Soviet relations. Among the revolutionary changes that we have witnessed over the past several years has been the fulfillment of this objective. Hundreds of thousands of Jews have left the former Soviet Union to settle in Israel; hundreds of thousands more are expected in the coming years.

One would believe that this historic achievement would be cause for celebration in the States of the former Soviet Union, in Israel, and here in the United States. Instead, the Bush administration has embarked on a path that has not only ended hopes of providing humanitarian assistance in the short term, but has damaged a relationship that has been special and strong for more than 40 years.

From the moment Israel requested assistance in the form of loan guarantees, the President and his administration's response can be termed confrontational at best. When the President declared himself to be alone in standing up to a thousand lobbyists pushing for loan guarantees, he instigated a long and acrimonious debate that continues still. What started as a debate on how best to help Israel absorb an estimated 1 million immigrants, has degenerated into a squabble that threatens the very foundation of United States-Israeli relations.

It is difficult to understand how we have come to this point. Israel has not asked for further financial assistance, but rather, the means to help themselves. The cost of absorbing the Soviet Olim has been estimated at many tens of billions of dollars. The vast majority of this money is to be raised in Israel. Only a portion is to be raised in the international financial markets. What Israel requested from the United States was support so that they themselves could obtain these desperately needed loans.

Claims that the loan guarantees would ultimately cost the United States $10 billion are unfounded. Israel has a perfect record of repayment on loans and there is little risk that they will default now. In fact, a recent GAO study determined that there was little risk of Israel being unable to repay loans obtained with the assistance of American guarantees.

Furthermore, a substantial proportion of the money Israel intends to borrow will provide economic benefit to the United States. Much of the money will be spent purchasing prefabricated homes, construction materials, and other products made here in the United States.

In addition, if Israel is able to absorb these immigrants successfully, its potential for economic growth is substantial. The immigrants arriving into Israel are unique in the extraordinary level of skills that they bring. Many are doctors, engineers, and scientists. These are the kinds of skilled professionals that enable any economy to grow.

The United States has been presented with an opportunity to provide humanitarian assistance to one of its strongest and most important allies. Instead, Bush has allowed this situation to degenerate into a contentious and often bitter debate. The United States must reverse this and seize the opportunity to provide humanitarian assistance to this close ally. We can help Israel to help themselves. This we must do.

SPECIAL TRIBUTE TO GAIL MEIER

HON. DENNIS M. HERTEL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 8, 1992

Mr. HERTEL. Mr. Speaker, I rise today to pay special tribute to Gail Meier for her outstanding dedication and service to her friends and family, the community and the Girl Scout organization throughout the years.

Gail has dedicated over 26 years to Girl Scouting, and has earned our respect and recognition. Her devotion to Girl Scouting is indicative of her drive to help others. On April 7, Gail's colleagues in the Peninsula Waters Girl Scout Council demonstrated their respect by awarding her the thanks badge. This national award is given only to those who display outstanding dedication and contribute significantly to the Girl Scout organization. She has been a leader of several age level troops, member of her area service team, a director of area

events, staff member at day camp, member of the board of directors, staff member at several council-wide events, and a member of the committee for "From the Ranger to the Ridges". Currently, Gail is a field director, the editor of PenLines, director of publicity and public relations, director of the annual adult get-aways, organizer of "Run in the Sun", and coordinator of Blueberry Knoll and Wi He Tonga camp committees.

Her outstanding commitment to the community and young women of all ages is demonstrated in the tremendous number of hours she has volunteered through the years. Before joining the staff of Peninsula Waters, she was a member of the council executive board, the program committee, the bylaws revision committee, a council delegate to the GSUSA National Convention, chair of the nominating committee, the council self-evaluation committee, the council membership task force, and the council deca-bration.

To her friends, Gail is an inspiration. Her enthusiasm and willingness to lend a hand when needed inspires others to work together as a team. With the growing problems and pressures confronting youth today such as teen pregnancy, sexual abuse, and youth suicide, it is more important than ever to have role models like Gail working with our Nation's young women.

Mr. Speaker, it is with great pride that I ask you and my colleagues in the U.S. House of Representatives to join me in paying tribute to Gail Meier. She is truly an outstanding citizen who has, and will continue to enhance the lives of others with her hard work and dedication.

CLOSING LOOPHOLES IN "M" ACCOUNT LEGISLATION

HON. ANDY IRELAND

OF FLORDIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 8, 1992

Mr. IRELAND. Mr. Speaker, I rise to introduce legislation designed to bring the Department of Defense [DOD] into compliance with the new law governing the "M" accounts—sections 1405 and 1406 of Public Law 101–510.

The proposed legislation, if adopted, would bring DOD into compliance with section 1406 of Public Law 101–510.

LEGAL REQUIREMENT FOR AUDIT

Section 1406 had four main requirements:

Audit each DOD "M" account;

Determine the balances in "M" accounts;

Determine which balances are valid, that is, supported by documentary evidence as required by 31 U.S.C. 1501 and which balances are invalid; and

Deobligate and cancel invalid balances.

DOD is not complying with section 1406. DOD has audited the accounts but has failed to deobligate and cancel invalid balances as required by section 1406(b).

AUDIT BY INSPECTOR GENERAL

The audit required by section 1406 was completed on December 30, 1991. It was conducted by the DOD Inspector General in accordance with auditing standards issued by the Comptroller General of the United States. The results of the audit are presented in audit report No. 92–028 entitled "Merged Accounts of the Department of Defense."

It is an excellent piece of work. It was also a massive audit job, involving 260 auditors and 12,850 man-days. DOD and the various service audit agencies visited 211 different locations and issued some 50 separate audit reports.

AUDIT RESULTS

Quite frankly, Mr. Speaker, I was appalled by what I found in the audit report—overdisbursed accounts, $1 billion in negative balances, disbursements not matched with obligations, a $650 million Air Force accounting error, and possible violations of the Antideficiency Act. It's not a very pretty picture.

The IG concludes that DOD's "M" account balances "were materially misstated, inadequately managed, and vulnerable to abuse."

Clearly, the audit justifies the need for more "M" account legislation—the need to clean up these accounts—and close them down once and for all. DOD is marching in that direction. But between now and September 1993, when the "M" accounts will be wiped out in their entirety, we in the Congress must make certain that the DOD complies with the law governing the closure of those accounts.

That is the focus of my legislation.

The audit identified $8 billion of invalid obligations as follows: Army—$901 million; Navy—$3.656 billion; Air Force—$3.335 billion; and Defense agencies—$116 million.

Under the law—section 1406(b), obligations determined to be invalid by the audit "shall be deobligated and canceled."

The legislative language is clear and unambiguous. Invalid sums must be deobligated and canceled.

DOD NONCOMPLIANCE

Herein lies the problem.

DOD is not complying with section 1406(b). DOD is deobligating invalid balances all right. But that's where compliance ends. Instead of canceling invalid balances as required by law, DOD is deobligating those sums and then reobligating them—a slick maneuver indeed. DOD is reobligating invalid sums to cover cost overruns and other unauthorized projects. That's exactly the kind of backdoor financial operations that the "M" account legislation is designed to stop.

IRELAND AMENDMENT

My amendment would reduce DOD's "M" account balances by $8 billion—the amount identified in the IG's audit report as invalid obligations consistent with section 1406(b). Under my amendment, the $8 billion could not be restored, reobligated, uncanceled, or in any other way used by DOD.

DOD POSITION

Now, DOD will be opposed to this legislation. I am sure of that.

DOD will argue that an $8 billion reduction in the "M" account balances now without making line-item deobligations at the base level would be inappropriate. DOD will argue that only 3,183 obligations valued at $5.2 billion were actually audited and that the $8 billion figure was derived with statistical sampling techniques. DOD will say that the only acceptable way to deobligate $8 billion of invalid obligations would be to conduct a line-item review of all unliquidated obligations and to deobligate the invalid ones.

I am in complete agreement with the DOD appraisal of my proposal. The DOD position is fully consistent with the law. If further audit work is needed, then so be it. It must be done. The law requires that each account be audited, and that those found to contain invalid sums must be deobligated and canceled.

DOD DRAINING "M" ACCOUNTS

There is one major concern. As we in Congress attempt to grapple with noncompliance, DOD is draining the "M" accounts.

According to the audit, DOD "M" accounts had a reported balance of $18.8 billion on November 30, 1990. Barely 1 year later—as of January 31, 1992, those balances had fallen to $8.5 billion—a reduction of $10.3 billion. I assume DOD is continuing to draw down those balances and am certain DOD intends to spend every cent until the balance reaches zero.

If we accept the accuracy of the audit report—and the IG is 95 percent confident in the results—DOD is starting to eat into the invalid balances. This means that DOD is already conducting an informal line-by-line review of invalid obligations. How else could it deobligate and reobligate those sums? There is no other way to do it. DOD must first determine which obligations are invalid before launching the deobligation/reobligation maneuver. That necessitates some kind of line item review procedure.

The deobligation/reobligation maneuver is illegal and must be stopped.

My legislation, if adopted, will bring DOD into compliance with section 1406 of Public Law 101–510.

PROPOSAL ON NO-YEAR ACCOUNTS

I am also introducing a second piece of legislation that would close another loophole in the "M" law. This one pertains to the provision on the Closing of Appropriation Accounts Available for Indefinite Periods—otherwise known as no-year appropriations.

"M" account balances—originally derived from no-year appropriations—must be canceled but only if two specific conditions are met: (1) The President or agency head decides that the money is no longer needed, and (2) no disbursements are made from the account for 2 consecutive fiscal years. This language provides too much discretionary authority in closing those accounts. My amendment would tighten it up, closing a loophole.

This proposal would apply to DOD and all other agencies but most particularly the Agency for International Development [AID]. In fiscal year 1991, about 95 percent of AID's appropriations were no-year moneys. Moreover, through a Presidential determination [No. 91–31] and other devices, AID has managed to make itself essentially immune from the effects of the "M" account legislation—despite assurances to the contrary. Some of the worst abuses of the "M" accounts have occurred at AID. The idea that the "M" account legislation was never meant to apply to AID has no factual basis whatsoever in the legislative history of the measure.

Mr. Speaker, I urge all my colleagues to support this legislation.

H.R. 4836

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. REDUCTION IN DOD "M" ACCOUNT BALANCES.

(a) REDUCTION.—Department of Defense balances in merged (so-called "M") accounts that have been determined by the Inspector General of the Department of Defense (in Report No. 92-028, dated December 30, 1991) to be invalid obligations are hereby reduced in a total amount of $8,008,000,000, as follows:

(1) Department of the Army, $901,000,000.

(2) Department of the Navy, $3,656,000,000.

(3) Department of the Air Force, $3,335,000,000.

(4) Defense Agencies, $116,000,000.

(b) LIMITATION.—Amounts by which balances are reduced under subsection (a) may not be restored, reobligated, uncanceled, or in any other way used by the Department of Defense.

ST. MARY'S SESQUICENTENNIAL ANNIVERSARY

HON. JERRY F. COSTELLO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 8, 1992

Mr. COSTELLO. Mr. Speaker, I rise today in recognition of St. Mary's Catholic Church in Edwardsville, IL. St. Mary's celebrates its sesquicentennial anniversary this year. Throughout the year, a series of special events are being held to commemorate this milestone.

St. Mary's officially became a parish in 1842. At that time, a parcel of land on North Main St. in Edwardsville was deeded to Bishop Joseph Rosati of the Diocese of St. Louis to build the first church building. When the congregation outgrew this original building, a new building was built, opening in 1889. And by 1965, the congregation had outgrown this second structure, and the present church, which stands at Madison and Notre Dame Sts. in Edwardsville, was constructed. In addition to building this new church, St. Mary's opened a parochial elementary school a year later in 1966.

St. Mary's was one of the first Catholic parishes to be established in southwestern Illinois. Today, the congregation has grown to over 1,500 members. Several of its current members have ancestors who attended the church over a century ago. This sesquicentennial celebration is a time to reflect on the fellowship and warm memories shared within the church over the years.

I want to wish the congregation of St. Mary's a happy and blessed sesquicentennial, and I ask my colleagues to join me in saluting St. Mary's Catholic Church on this special anniversary.

THE AGE DISCRIMINATION PARITY ACT OF 1992 AND THE SOCIAL SECURITY SURVIVOR'S ASSISTANCE ACT

HON. STEVE GUNDERSON

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 8, 1992

Mr. GUNDERSON. Mr. Speaker, today I am introducing two bills to assist older Americans—both in the workplace and in retirement.

THE AGE DISCRIMINATION PARITY ACT OF 1992

First, a recent report shows that, because of layoffs and corporate restructuring, America's older workers are getting hit the hardest in this recession. As businesses struggle to remain competitive, they are laying off workers and forcing early retirements. Today, 23 percent of charges filed with the EEOC are for age bias. Many predict complaints of age discrimination in the workplace will escalate from defense industry cutbacks.

To address the problem of age discrimination, I and Representative GOODLING are introducing the "Age Discrimination Parity Act of 1992." Our bill will amend the Age Discrimination in Employment Act [ADEA] to raise the cap on damages available in the case of age discrimination. Currently, older workers filing discrimination cases are limited in the awards they may seek to backpay, and to double backpay in cases of "willful" discrimination.

Last year we passed the Civil Rights Act of 1991. That law provided compensatory and punitive damages—in addition to backpay—for "intentional" discrimination cases filed under title VII. Our bill will adopt the new remedial scheme used for title VII cases. Total compensatory and punitive damages may be sought to total: $50,000 from employers with 15–100 employees; $100,000 from employers with 101–200 employees; $200,000 from employers with 201–500 employees; and $300,000 from employers with more than 500 employees.

I have been arguing for some time that our laws protecting workers from discrimination are inconsistent and need to be changed. Because the ADEA was modeled after the Fair Labor Standards Act, but is enforced by the Equal Employment Opportunity Commission, it incorporates some enforcement procedures and remedies from each.

No rational reason exists today for treating victims of age discrimination differently from victims covered under title VII and the Age Discrimination Act [ADA]. In fact, this reasoning led Congress to apply the title VII remedy schedule to the Americans with Disabilities Act last year as part of the 1991 Civil Rights Act.

As the ranking Republican on the Employment Opportunities Subcommittee, which has jurisdiction over issues of workplace discrimination, I intend to offer further changes this year to improve processes which protect all workers.

THE SOCIAL SECURITY SURVIVOR'S ASSISTANCE ACT

Second, I have been contacted on two occasions by constituents who, just days after losing their spouses, received demands by the Social Security Administration [SSA] to return the benefit checks issued to the spouse. Their stories brought to light the poor and insensitive policy in place by the SSA of cutting off benefits for deceased beneficiaries, retroactive to the first day of the month of death!

Imagine the case of a husband and wife living on a fixed pension income where one of the spouses dies. The other is left with monthly living expenses—rent or a mortgage, insurance, utilities—in addition to funeral expenses. The surviving spouse would likely count on the other spouse's Social Security check to meet some or all of these fixed expenses.

However, the surviving spouse will be notified—often not until weeks later—that the final Social Security check issued in the name of the deceased spouse must be returned. This is insensitive at best. At worst, it indicates a policy by the SSA to save money at the expense of those who likely need it the most. The SSA even withdraws checks issued to beneficiaries if they die on the last day of the month. One of my constituents related her frustration with the fact that the SSA demanded she pay back her deceased husband's check, even though he died 6 hours short of the first day of the next month—an additional 6 hours would have allowed his wife to keep the check.

Twenty-seven million Americans either already have been, or will be affected by this policy. The Social Security Administration estimates 500,000 will be affected this year.

On the other hand, under the present policy, beneficiaries receive an entire month's benefit for the month in which they become eligible for Social Security retirement payments. Even if a beneficiary becomes eligible on the last day of a month, he or she will receive a "windfall" check as if they had been eligible for the entire month.

I have introduced a bill, the "Social Security Survivor's Assistance Act" to address this issue. Under the bill, this windfall payment will be withheld from all future beneficiaries in order to pay for the expense of allowing surviving spouses to receive a final full month's check after their spouses die. All newly qualified beneficiaries will have their benefits prorated for the month in which they become eligible. If there is money to give away in the Social Security Fund, it should not go to those who are not yet eligible, especially when they are receiving a final paycheck.

The SSA estimates the remaining cost of making this change to protect all present beneficiaries will be $730 million over 5 years. Since this amounts to $6 per year for each beneficiary now on the rolls, my bill proposes to subtract that amount from benefit checks for the phase-in period. This adjustment will prevent diminishing the fiscal integrity of the Social Security Program.

These proposals bring a greater degree of fairness for Federal policies affecting older Americans.

HONORING MR. LARRY WONG: A MASTER EDUCATOR

HON. ESTEBAN EDWARD TORRES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 8, 1992

Mr. TORRES. Mr. Speaker, I rise today to recognize a unique individual who has de-

voted his professional life to teaching young people how to be participating citizens in our democratic Republic. I speak of Mr. Larry Wong, who for 30 years has been a teacher in the Norwalk-LaMirada Unified School District. He has taught at Norwalk High School, Neff High School and LaMirada High School.

My colleagues will understand when I say that we all admire the many teachers and parents who give of their time to bring students here to the Nation's Capital. It is not easy to shepherd a group of touring high school students through airports, hotels, restaurants, and numerous landmarks. Even before a trip commences, there is money to be raised and arrangements to be made. When taking teenagers on a cross country trip, many of whom have never been on an airplane, the general rule is: If anything can go wrong, it will, and it usually does.

Mr. Speaker, Larry Wong has conducted not 1, 2, but 12 trips to Washington, DC. He has personally brought about 1,000 high school students to see for themselves the Capital of the United States. During most of his tours, he takes his students to additional cities like Philadelphia, New York, and Boston, all of which figured prominently in the founding of our Republic. This year is Larry Wong's last trip. Just to further understand the measure of this man, I will tell you, Mr. Speaker, that accompanying Larry Wong on this year's trip are some 25 adults who signed up just so they could be with Larry on his last tour.

Larry Wong has been the faculty sponsor of the American Heritage Club for 13 years. It is in that capacity that he organizes trips to Washington, DC. But his activities do not stop there. He has provided 350 scholarships for students in the school district. He has coached football for 8 years, coached baseball for 5 years and sponsored the California Scholarship Federation for 10 years. In 1975, Larry Wong was honored as the city of Norwalk Citizen of the Year. In 1977 he was selected as Teacher of the Year for Los Angeles County and made the final five for National Teacher of the Year. In addition, Larry was the 1978 recipient of the Who's Who Award from the Teachers Association of the Norwalk-LaMirada School District.

Mr. Speaker, I am sure all of the Members of the House of Representatives will join with me in welcoming Larry Wong to the Capital and wish him the best in his future endeavors.

ESTABLISHING THE DEPARTMENT OF ENERGY NUCLEAR WEAPONS COMPLEX RECONFIGURATION COMMISSION

HON. TONY P. HALL

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 8, 1992

Mr. HALL of Ohio. Mr. Speaker, I rise today to introduce a bill establishing the Department of Energy Nuclear Weapons Complex Reconfiguration Commission. I believe such a commission is necessary to promote openness and fairness at the Department of Energy [DOE] as the Department proceeds with its plan to reconfigure and reduce the size of our nuclear weapons complex.

I have serious concerns over the way DOE is approaching the reconfiguration process. These concerns are so strong that I believe that DOE is not capable of making the technical and economic judgments to get the best deal for the taxpayers. I did not arrive at this decision lightly. During the last 6 months, I and my constituents have experienced increasing frustration at DOE's refusal to make available key planning documents and its failure to fully examine reconfiguration alternatives. Therefore, I am proposing the creation of a commission, loosely modeled after the Defense Base Closure and Realignment Commission, to remove DOE from making the final decision on reconfiguration. Based on my experience, I believe the creation of such a commission is the only way of assuring Congress and the public a role in the reconfiguration process.

On December 16, 1991, DOE Secretary Watkins announced the first step in the reconfiguration process by proposing to consolidate nonnuclear manufacturing operations at one site. According to the plan, the Mound plant in Miamisburg, OH, which is in my district, and the Pinellas Plant in Clearwater, FL, would close. This would result in the loss of about 4,000 jobs.

Last week, the General Accounting Office [GAO] testified before the House Armed Services Committee Department of Energy Defense Nuclear Facilities panel, raising a number of troubling questions that DOE needs to answer. Victor S. Rezendes, Director of Energy Issues for GAO, told the panel:

> The selection of the complex's size and capabilities is a critical baseline for nearly all reconfiguration planning. . . . Before a modernized, reconfigured nuclear weapons complex can be seriously considered, a consensus must be reached on what capability the complex must have to produce and maintain nuclear weapons.

GAO expressed concern that DOE is moving forward with reconfiguration without first determining the appropriate size of the complex.

GAO also testified that the reconfiguration would actually cost billions of dollars more than DOE's preliminary estimate of $6.7 billion to $15.2 billion because DOE did not take into consideration key factors. For example, that estimate does not include the $4.9 to $7.4 billion in cleanup costs for three facilities. Also, the DOE estimate does not include costs associated with needed upgrades in safety, health and environmental programs throughout the complex; and the cost of a wide variety of upgrades and modernization projects, including billions of dollars for new facilities to produce tritium.

Moreover, according to GAO, DOE based its cost estimates on reconfiguring only three of its 16 major sites around the Nation. GAO concludes, "In our view, the total costs for rebuilding the complex will be substantially higher" than DOE estimates.

Despite this critical lack of information, DOE has already embarked on the costly and uncertain reconfiguration process and is proceeding to close the Mound plant. It is my understanding that DOE has withheld funds for the modernization of Mound's tritium facilities and is moving to turn over Mound's operations to the Office of Environmental Restoration and Waste Management. In short, DOE is proceeding to make an irreversible decision that will cost the taxpayers billions of dollars and affect our national security, yet DOE does not yet know what it wants and how much it will cost.

What has been especially frustrating to me during the last 6 months has been the extraordinary secrecy and bureaucratic stubbornness of DOE in making information available to the public and Congress. Since last August, I have been trying to get a copy of the original data submitted by EG&G Mound applied technologies to DOE as part of the reconfiguration process. Despite repeated promises to me, to Ohio elected officials, and to congressional committees, DOE officials dragged their feet. In the last 7 months, I and other Members of Congress or our staffs—in person, or on the phone—made at least 20 unsuccessful requests to DOE for essentially the same information. I am still waiting for the full set of documents to substantiate the DOE reconfiguration decision. Throughout the nonnuclear consolidation process, DOE has refused to allow a free flow of information. I think my colleagues will agree that this is a pathetic performance by any standard, let alone the standards that should be met by an executive agency.

For the benefit of my colleagues, I present a chronology of the actions necessary to get the Mound report from the Energy Department:

A CHRONOLOGY OF REPRESENTATIVE TONY P. HALL'S ATTEMPTS TO GET MOUND RECONFIGURATION REPORT

July 24, 1991: EG&G Mound Applied Technologies presents to the Department of Energy (DOE), "Nonnuclear Consolidation Planning Report: Mound Plant." The report is presented in response to a request by DOE.

August 6, 1991: Hall writes EG&G Mound President and General Manager Donald E. Michel requesting studies on the reconfiguration of the nuclear weapons complex.

September 6, 1991: Michel writes Hall saying he is unable to release the information Hall requested and he refers Hall to DOE.

November 4, 1991: Hall writes Under Secretary of Energy John C. Tuck requesting a meeting to discuss Hall's request for the Mound report and for information on the reconfiguration.

December 1991: Tuck's office apparently loses Hall letter.

December 16, 1991: Energy Secretary James D. Watkins announces plan to consolidate nonnuclear manufacturing operations of the weapons complex.

December 16, 1991: At a DOE briefing for staff members, DOE officials refuse requests for the Mound report by staff members of Hall and Sen. John Glenn (D-Ohio).

December 23, 1991: Letter sent to Watkins requesting information about the consolidation decision. The letter is signed by Hall, Senators Glenn and Howard M. Metzenbaum (D-Ohio), and Reps. Bob McEwen (R-Ohio), David L. Hobson (R-Ohio), and John A. Boehner (R-Ohio).

January 1992: Meeting scheduled between Hall and Tuck for January 10.

January 9, 1992: Tuck cancels January 10 meeting. No meeting rescheduled.

January 1992: Hall informed by DOE Office of Congressional Affairs that DOE will not answer the December 23, 1991 letter.

January 1992: Hall informed by DOE Office of Congressional Affairs that the Mound re-

port will not be sent to him but that it will be made available for examining at the DOE office next summer.

January 27, 1992: At Glenn's request, DOE holds meeting at the Miamisburg Mound Plant. The meeting is attended by Hall, Glenn, Hobson, Ohio Lt. Governor Mike DeWine, and local community leaders. Tuck promises he will release information on reconfiguration decision-making process.

January 29, 1992: Deputy Energy Secretary W. Henson Moore and Tuck meet with Hall, Glenn, Hobson, Boehner, and others in Washington. Tuck promises that within one month he will release information on reconfiguration decision-making process. He specifically promises to release the Mound report "with an addendum."

January 31, 1992: Tuck writes Hall, DeWine, Miamisburg Mayor Frank Church and others, promises that within one month he will release information on reconfiguration decision-making process.

February 12, 1992: Assistant Secretary of Energy for Defense Programs Richard A. Claytor writes Hall, promises that he will release information on reconfiguration decision-making process about the first week in March.

February 25, 1992: Claytor testifies before the Senate Governmental Affairs Committee, promises that soon he will release information on reconfiguration decision-making process.

March 11, 1992: Office of Congressional Affairs informs Hall that the Mound report would not be released for at least two weeks and there is a possibility it will never be released.

March 11, 1992: Hall writes Watkins requesting the Mound report within 24 hours.

March 12, 1992: Hall files Freedom of Information Request seeking Mound report and other information on reconfiguration decision-making process. (Note: letter faxed to DOE March 12, hand-delivered the morning of March 13)

March 19, 1992: Freedom of Information Office logs in Hall's request.

March 23, 1992: DOE releases "Nonnuclear Consolidation Plan—September 1991" without the Mound report.

March 26, 1992: Watkins testifies before the House Appropriations Subcommittee on Interior; promises that the Mound report is available.

March 27, 1992: DOE staff offer a variety of excuses why they can't provide the report.

March 30, 1992: DOE provides copy of Mound report to Rep. Ralph Regula (R-Ohio), ranking minority member of the House Appropriations Subcommittee on Interior.

March 30, 1992: Regula gives Hall copy of the report. Though the report is complete, it does not contain a follow-up document submitted by EG&G Mound to DOE.

The Mound report, which I finally received, documents that consolidation at the Mound plant is more cost-effective and quicker than DOE's proposal. The report raises serious questions about the methodology used to determine requirements for floor space, number of employees, cost, and time required for the consolidation. The report also offers an alternative—consolidation at both Mound and Pinellas—which could be more cost-effective, quicker, and less risky than DOE's preferred option. The Mound report asserts that Mound has the capacity to do all the tritium handling necessary to maintain the reduced weapons stockpile proposed by the President.

My bill establishes a 10-member commission appointed by the President in consultation with House and Senate leaders, the Environmental Protection Agency, and the Department of Energy. The commission members and staff will have access to all DOE documents and will review questions associated with the programmatic environmental impact statements [PEIS], the removal of certain decisions from the PEIS, the environmental assessments and findings of no significant impact, any supplemental environmental impact statements, the worker adjustment plans, and all cost analyses.

The commission will submit to the President recommendations based on DOE proposals. These recommendations will be available to the public. The President then has 30 days to approve the recommendations and forward them to Congress, disapprove the recommendations and send them back to the commission, or take no action whereby the recommendations are automatically sent to Congress. Congress will have the option of passing a joint resolution of disapproval.

This process will take place twice every year, which is necessary because of the ongoing nature of the reconfiguration process and the uncertainty of our security needs.

The bill blocks DOE from proceeding with the nonnuclear consolidation until the Commission has been established and a recommendation is approved under this process.

My bill safeguards the public against unilateral and potentially harmful decisions coming from DOE. I hope my colleagues will support it.

The text of the bill follows:

H.R. 4818

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 "Department of Energy Nuclear Weapons Complex Reconfiguration Commission Act".

SEC. 2. ESTABLISHMENT.

There is established a commission to be known as the "Department of Energy Nuclear Weapons Complex Reconfiguration" Commission (in this Act referred to as the "Commission").

SEC. 3. DUTIES.

It shall be the duty of the Commission—

(1) to review segmentation decisions by the Department of Energy with respect to programmatic environmental impact statements (PEIS) prepared under the National Environmental Policy Act of 1969, including proposals by the Department of Energy to segment the issue of nonnuclear consolidation for the PEIS process;

(2) to review environmental assessments and any findings of no significant impact made by the Department of Energy as a result of a PEIS or segmentation of a PEIS prepared by the Department of Energy;

(3) to review the Department of Energy record of decision with respect to any PEIS prepared by the Department of Energy on the structural reconfiguration of the nuclear weapons complex;

(4) to review the need, if any, for supplemental environmental impact statements (SEIS) to be prepared by the Department of Energy, and to review any such SEIS;

(5) to review the adjustment assistance plan for nuclear weapons facility workers proposed by the Department of Energy;

(6) to review the Department of Energy analyses on the cost of the structural reconfiguration of the nuclear weapons complex; and

(7) to submit recommendations to the Congress with respect to the review conducted under paragraph (6) and to make such recommendations available to the public.

SEC. 4. MEMBERSHIP.

(a) NUMBER AND APPOINTMENT.—The Commission shall be composed of 10 members appointed by the President as follows:

(1) 2 members appointed in consultation with the Speaker of the House of Representatives.

(2) 2 members appointed in consultation with majority leader of the Senate.

(3) 2 members appointed in consultation with the minority leader of the House of Representatives and the minority leader of the Senate.

(4) 2 members appointed in consultation with the Administrator of the Environmental Protection Agency.

(5) 2 members appointed in consultation with the Secretary of Energy.

(b) TERMS.—

(1) IN GENERAL.—Each member of the Commission shall be appointed for a term of 2 years, except as provided in paragraph (2).

(2) VACANCIES.—Any member of the Commission appointed to fill a vacancy occurring before the expiration of the term for which the member's predecessor was appointed shall be appointed only for the remainder of that term. A member may serve after the expiration of that member's term until a successor has taken office. A vacancy in the Commission shall be filled in the manner in which the original appointment was made.

(c) BASIC PAY.—

(1) RATES OF PAY.—Except as provided in paragraph (2), members shall each be paid at a rate equal to the daily equivalent of he minimum annual rate of basic pay payable for level IV of the Executive Schedule for each day (including travel time) during which they are engaged in the actual performance of duties vested in the Commission.

(2) PROHIBITION OF COMPENSATION OF FEDERAL EMPLOYEES.—Members of the Commission who are full-time officers or employees of the United States or Members of Congress may not receive additional pay, allowances, or benefits by reason of their service on the Commission.

(3) TRAVEL EXPENSES.—Each member of the commission shall receive travel expenses, including per diem in lie of subsistence, in accordance with sections 5702 and 5703 of title 5, United States Code.

(d) QUORUM.—6 members of the Commission shall constitute a quorum but a lesser number may hold hearings.

(e) CHAIRPERSON.—The Chairperson of the Commission shall be elected by the members. The term of office of the Chairperson shall be 2 years.

(f) MEETINGS.—The Commission shall meet at the call of the Chairperson or a majority of its members.

SEC. 5. STAFF AND SUPPORT SERVICES.

(a) DIRECTOR.—The Commission shall have a Director who shall be appointed by the Commission. The Director shall be paid at the rate of basic pay payable for level IV of the Executive Schedule.

(b) STAFF.—

(1) IN GENERAL.—With the approval of the Commission, the Director may appoint and fix the pay of additional personnel as the Director considers appropriate.

(2) LIMITATION ON NUMBER OF DEPARTMENT OF ENERGY PERSONNEL.—Not more than one-third of the total number of personnel em-

ployed by or detailed to the Commission may be on detail from the Environmental Protection Agency and the Department of Energy.

(3) CONSULTATION WITH CONGRESS.—Personnel employed by or detailed to the Commission under paragraph (2), shall be appointed in consultation with the Armed Services Committees of the House of Representatives and the Senate.

(c) APPLICABILITY OF CERTAIN CIVIL SERVICE LAWS.—The Director and staff of the Commission may be appointed without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and may be paid without regard to the provisions of chapter 51 and subchapter III of chapter 53 of that title relating to classification and General Schedule pay rates, except that an individual so appointed may not receive pay in excess of the maximum annual rate of basic pay payable for positions above GS-15 of the General Schedule.

(d) EXPERTS AND CONSULTANTS.—The Commission may procure temporary and intermittent services under section 3109(b) of title 5, United States Code.

(e) STAFF OF FEDERAL AGENCIES.—Except as provided in paragraphs (2) and (3) of subsection (b), and upon request of the Director, the head of any Federal agency may detail, on a reimbursable basis, any of the personnel of the agency to the Commission to assist the Commission in carrying out its duties under this Act.

SEC. 6. POWERS.

(a) HEARINGS AND SESSIONS.—The Commission may, for the purpose of carrying out this Act, hold hearings, sit and act at times and places, take testimony, and receive evidence as the Commission considers appropriate.

(b) POWERS OF MEMBERS AND AGENTS.—Any member or agent of the Commission may, if authorized by the Commission, take any action which the Commission is authorized to take by this Act.

(c) OBTAINING OFFICIAL DATA.—

(1) IN GENERAL.—Except as provided under paragraph (2), the Commission may secure directly from any Federal agency information necessary to enable it to carry out this Act. Upon request of the Chairperson of the Commission, the head of the agency shall furnish that information to the Commission.

(2) EXCEPTION.—The Secretary of Energy may deny access to information provided to the Commission to any person who—

(A) has not been granted an appropriate security clearance or access authorization by the Secretary of Energy; or

(B) does not need such access in connection with the duties of such person.

(d) MAILS.—The Commission may use the United States mails in the same manner and under the same conditions as other Federal agencies.

(e) ADMINISTRATIVE SUPPORT SERVICES.—Upon the request of the Commission, the Administrator of General Services shall provide to the Commission, on a reimbursable basis, the administrative support services necessary for the Commission to carry out its responsibilities under this Act.

SEC. 7. REPORTS AND CONSIDERATION OF COMMISSION RECOMMENDATIONS.

(a) REPORT BY SECRETARY OF ENERGY.—The Secretary of Energy shall biannually transmit to the Commission, not later than June 30 and December 30 of any year, a report detailing the actions, assessments, and decisions of the Department of Energy that are described in paragraphs (1) through (5) of section 3. Except as provided in section 6(c)(2), the Secretary of Energy shall make available to the Commission all information used by the Department of Energy with respect to such actions and decisions.

(b) INITIAL REPORT OF COMMISSION.—Not later than 30 days after the Commission receives a report submitted by the Secretary of Energy under subsection (a), the Commission shall submit to the President a report containing—

(1) the findings, conclusions, and recommendations of the Commission based upon the reviews conducted by the Commission under paragraphs (1) through (5) of section 3; and

(2) an explanation and justification of any recommendation of the Commission that proposes an action or decision that is different from an action or decision proposed by the Department of Energy.

(c) REVIEW BY THE PRESIDENT.—

(1) IN GENERAL.—Not later than 30 days after the President receives a report submitted by the Commission under subsection (b), the President shall transmit to the Commission and the Congress a report containing the President's approval or disapproval of the recommendations of the Commission.

(2) APPROVAL BY THE PRESIDENT.—If the President approves the recommendations of the Commission, the President shall transmit a copy of such recommendations to the Congress, together with a certification of such approval.

(3) DISAPPROVAL BY THE PRESIDENT.—If the President disapproves the recommendations of the Commission, in whole or in part, the President shall transmit to the Commission and the Congress the reasons for the disapproval. Not later than 30 days after the Commission receives such reasons from the President, the Commission shall submit to the President a report containing the revised recommendations of the Commission.

(4) APPROVAL OF REVISED REPORT.—If the President approves all of the revised recommendations of the Commission submitted under paragraph (3), the President shall transmit a copy of such revised recommendations to the Congress, together with a certification of such approval.

(5) FAILURE OF PRESIDENT TO APPROVE REPORT.—If the President does not transmit to the Congress an approval and certification under paragraph (2) or (4) within 90 days after the President receives a report submitted by the Commission under subsection (b), the Commission shall transmit such report to the Congress.

(d) CONGRESSIONAL DISAPPROVAL.—

(1) IN GENERAL.—The Secretary of Energy may not carry out any recommendation of the Commission that is approved by the President under paragraph (2) or (4) of subsection (c) (or that is contained in a report transmitted to the Congress under paragraph (5) of such subsection) if a joint resolution is enacted disapproving such recommendation before the earlier of—

(A) the end of the 45-day period beginning—

(i) in case of an approval under paragraph (2) or (4) of subsection (c), on the date on which the President transmits such approval to the Congress; or

(ii) in the case of a transmission under paragraph (5) of such subsection, on the date on which the Commission transmits the report to the Congress; or

(B) the adjournment of the Congress sine die for the session during which such approval or transmission is transmitted.

(2) COMPUTATION OF PERIOD.—For purposes of paragraph (1), the days on which either House of Congress is not in session because of an adjournment of more than 3 days to a day certain shall be excluded in the computation of a period.

(e) DUTY OF SECRETARY OF ENERGY.—The Secretary of Energy shall carry out any recommendation of the Commission—

(1) that is approved by the President under paragraph (2) or (4) of subsection (c) (or that is contained in a report transmitted to the Congress under paragraph (5) of such subsection); and

(2) that is not disapproved under subsection (d).

SEC. 8. TERMINATION.

Section 14(a)(2)(B) of the Federal Advisory Committee Act (5 U.S.C. App.; relating to the termination of advisory committees) shall not apply to the Commission.

SEC. 9. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated for each of fiscal years 1993 and 1994 such sums as may be necessary to carry out this Act.

SEC. 10. POSTPONEMENT OF ACTION BY DEPARTMENT OF ENERGY.

The Secretary of Energy shall postpone the implementation of any proposal by the Department of Energy to segment the issue of nonnuclear consolidation from the PEIS process until the Commission makes a recommendation in favor of such proposal and such recommendation—

(1) is approved under paragraph (2) or (4) of section 7(c) (or is contained in a report transmitted under paragraph (5) of section 7(c)); and

(2) is not disapproved under section 7(d).

A QUARTER OF A CENTURY—AND STILL GROWING STRONG

HON. GUY VANDER JAGT

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 8, 1992

Mr. VANDER JAGT. Mr. Speaker, in the Ludington Daily News of March 6, 1992, the anniversary of a great event in the community's history was noted: The approval, by plebiscite, of the college district and founding of West Shore Community College in that town 25 years ago.

Founded to serve the county of Mason, which includes the city of Ludington, and Manistee, the faith of the voters has been transformed into a reality of education and service which is the hallmark of the community college concept.

I am proud that, as we look forward in a few weeks to the beginning of the graduation season, that the college has invited me to share in this great anniversary by offering a few thoughts to this year's graduating class. It is an honor, certainly, but it is also a challenge.

It will be a challenge to my oratorical skills to offer the graduates, their friends and neighbors, and the community and institutional administration any greater inspiration than that which is represented by the very experience they reflect.

I offer, for my colleague's review, the Daily News editorial:

[From the Ludington Daily News, Mar. 6, 1992]

WE'RE PROUD OF OUR WSCC ON ITS 25TH

Today is West Shore Community College's 25th birthday, and besides saying "Happy

Birthday," we join with the community in saying, "Well done!"

It was on this date in 1967 that voters of Mason and Manistee counties approved the formation of the college district, but it was Mason County that carried the day by overwhelmingly approving the operational millage levy after Manistee had voted it down. Without that affirmative vote, the college would have died a dream.

But the favorable vote a quarter of a century ago hardly guaranteed that the still nameless college would be successful. It had no campus, no staff, not even an office from which to conduct business. From the first office above what is now Erwin's Custom Sports to a picturesque 360-acre site that now includes five major buildings.

The college's mission, however, has not been simply to build buildings and add staff. It has been to provide a rural area of Michigan with educational programs for young and old, for undergraduate students, as well as adults wanting to improve their job skills and learn new ones. And the college, being an institution designed to serve all segments of the community, has not neglected those who just wish to learn something on the lighter side.

West Shore Community College has not confined its mission to teaching, however. It has been an integral part of this area's effort to strengthen its economic base by offering programs designed to meet the needs of local business and industry.

The college has also been a center of the area's cultural activities by offering plays, concerts, lectures and special seminars.

In the past 25 years, West Shore has been an important part of just about every facet of the Mason-Manistee-Oceana-Lake county area. It has provided leadership for our area, and been responsible for many of the areas of growth that the college's district has experienced.

Yes, we do wish the college a happy birthday, but even more importantly, we wish it continued success in all of its endeavors because its success quickly translates into success for our area.

"Success for our area." A powerful stamp of approval, and, for the college, a statement of mission. The biannual catalog of the college offers its own history; but it also offers us a strong indication of the reason for its community success: Its statement of philosophy, mission, and purpose and its observations on community service.

We so often forget what school is all about—that is is not just book learning but an experience. Big colleges emphasize the college life aspect, but students lose that sense often in the focus on academic achievement. The community college integrates, in a special way, that learning is an experience because of the unique interaction of academia, vocational focus, and community service. The selections from the catalog, mentioned above, illustrate that point:

[From the West Shore Community College, 1990–1992 Catalog]

HISTORY AND ORGANIZATION

The people of the area voted to establish West Shore Community College in 1967 and in 1968 the college began serving the needs of students. The college district includes all of Mason County, most of Manistee County, and parts of Lake, Newaygo, and Oceana counties. A specific description of the college district can be found on page 21. In the true spirit of a community college, West Shore's instructional programs prepare students for immediate employment and/or provide a sound two-year base from which they can continue work toward a bachelor's degree. A seven member board of trustees, elected at-large from the college district, provides leadership and direction for the college's overall operation.

ACCREDITATION

West Shore Community College is accredited by the North Central Association of Secondary Schools and Colleges. The college will accept credit from institutions which are accredited by any of the following organizations: American Association of Bible Colleges, Association of Independent Colleges and Schools, Middle States Association of Colleges and Schools, National Association of Trade and Technical Schools, National Home Study Council, New England Association of Colleges and Schools, North Central Association of Secondary Schools and Colleges, Northwest Associations of Colleges and Schools, Southern Association of Colleges and Schools and Western Association of Colleges and Schools.

STATEMENT OF PHILOSOPHY, MISSION AND PURPOSE

The Philosophy Statement of West Shore Community College expresses the beliefs which guide the college in providing service to its unique community. We believe:

1. In the dignity and worth of all individuals and that equal opportunity is essential in all educational and employment practices.
2. Our community is best served by maintaining an open door admissions policy.
3. That learning is a lifelong process and that encouragement and opportunity for continued learning should be accorded to all individuals.
4. Education should help individuals in their chosen field as well as provide opportunities for personal enrichment.
5. Individuals should learn to think independently, value logical and tested conclusions, develop problem solving abilities, appreciate and express creativity, and practice sound interpersonal skills in order to contribute effectively in a complex and changing society.
6. That West Shore Community College is in a position to affect the quality of life in the community by acting as a catalyst for growth and raising the level of personal aspiration.
7. The college is an integral part of the community it serves and must assist identifying and responding to needs and interests.
8. There is no substitute for the pursuit of excellence in delivering educational services.

The Mission Statements of West Shore Community College describe the unique role the college plays and the responsibilities it accepts for its community. We perceive our mission to be:

1. As a public comprehensive college, West Shore Community College serves a large and primarily rural area in west central Michigan and provides one- and two-year occupational programs and two-year baccalaureate-oriented programs.
2. As the only postsecondary institution in the community, the college has an especially strong commitment to meeting the wide range of needs of groups and individuals of all ages.
3. Continual effort is made to serve the community in meeting its various educational, social, cultural, and economic needs by providing facilities, resources, coordination and leadership.

West Shore Community College focuses institutional action through Purpose Statements which reflect the philosophy and mission of the college. We implement our mission by providing:

1. One- and two-year occupational and two-year baccalaureate- oriented programs for all postsecondary students who can benefit.
2. Encouragement and opportunity for all age groups to participate in programs which contribute to individual and community growth.
3. Cooperative occupational program opportunities for area secondary students.
4. A range of accessible and economical educational services through varied formats, schedules, geographic locations, and financial assistance.
5. A community center for recreation, meetings, workshops, and other activities.
6. Educational programming related to economic and employment realities of the area served.
7. Expanded career option through cooperation with are business and industry.
8. Technical assistance to area business and industry to enhance employment opportunities in the college service area.
9. Comprehensive programs which integrate communications, math, science, and humanities which collectively foster development of interpersonal skills, logical reasoning ability, creativity, and problem solving skills.
10. An opportunity to develop skills needed to enter and succeed in programs.
11. Assistance in developing job search skills and placement.
12. Support for making informed decisions regarding abilities, achievements, and behavior through testing, evaluation, and counseling.
13. Various opportunities to promote development of cultural appreciation, leadership skills, and social awareness.

COMMUNITY SERVICE

The college serves the area in a number of ways in addition to offering instructional programs. West Shore is involved in activities to promote the economic development of the area, most of which are coordinated by the WSCC Business and Industrial Development Institute; the college's library and audio visual services are available for use by the public; the college regularly offers open-to-the-public enrichment opportunities, such as a series of cultural arts programs, theatre productions, choir concerts, and art exhibits; career counseling services are available to the public; for area employers the Placement Center is a source of full- and part-time employees; college facilities, including meeting rooms and dining services, are available to the public; and the general public is welcome to use the Recreation Center's swimming pool, racquetball and tennis courts, basketball arena, weight room, and other facilities for only a minimum charge. The college also offers non-credit community service classes designed to meet the general interest needs of area residents.

Too often the local community college is seen as the school that you go to when you can't make it anyplace else. That is, of course, a perversion of the truth that it is the place you go so you can make it everyplace else.

And West Shore Community College continues to strive to make itself the best possible example of that truth. I am proud to have been able, over the years, to support this growth and development.

Indeed, I believe that the type of interdependent and matching support which characterizes community colleges is an outstand-

ing example of how Federal assistance is best used: To energize local interest and participation.

As we celebrate the present, I want to congratulate Dr. William Anderson, president of West Shore Community College, his colleagues, and his charges—the teachers and students who show that the concept works. I also want to demonstrate the continuing growth and involvement of the college in the community by two last articles, one from the Manistee News Advocate, and another from the Ludington Daily News on expansion plans and continued community participation. Included is a pat on the back that I share with my colleagues for our small contribution to the next 25 years—and to a community glowing rich from the light of knowledge and service.

[From the Manistee News Advocate, Jan. 29, 1992]

WSCC GEARS UP FOR THE FUTURE

We were pleased to learn that West Shore Community College is moving ahead with plans to expand its tech center. Just last week the board approved the three-phase construction timetable for the $3.6 million facility with some ambitious goals in mind:

Deliver high tech training for workers in the manufacturing sector.

Forge a partnership with intermediate school districts to offer math and science programs to high school students.

Offer continuing education to members of the business world.

The college also wants to add classroom space and shuffle around existing programs.

Who is going to pay for this ambitious project? Don't worry, there are no plans to fund it by asking taxpayers for a millage hike. Instead, the college has secured funding from various sources including state and federal grants.

Funding has already been secured for Phase I and will come from a vocational educational grant, technical preparation grant, private contributions and the college itself. Construction bids will be received by the end of February for the first phase which is estimated to cost $1.7 million.

The college will learn in late February if it will receive an $800,000 grant from the U.S. Economic Development Administration to pay for Phase II. Phase III funding will hopefully come from the state's capital improvement funds when that program is revived.

West Shore should be applauded for its continual push for retraining of the local workforce to help business become more competitive in what is now an international workplace. And for the willingness to not only prepare college students for an ever increasing technological world but high schoolers as well. The Mason-Lake Intermediate School District has already forged a partnership with WSCC when the two jointly applied for the $300,000 Technical Preparation Partnership grant for Phase I.

The match and science center will serve intermediate school districts from Lake, Mason and Oceana counties, and possibly Manistee.

We are fortunate to have a visionary community college, one that knows and understands what it takes to invest and prepare our youth for the working world tomorrow. The college should also be commended for realizing, that the only way to compete in today's marketplace is to offer retraining and more opportunities to today's workforce.

Governor Engler, in his state of the state address last week, praised the role the community college plays today. WSCC could be his shining example and we hope it receives the rewards it deserves such as some the new programs to come out of the Engler administration.

Keeps up the good work, WSCC.

[From the Ludington Daily News, Feb. 11, 1992]

CONGRATULATIONS, WSCC

Congratulations to West Shore Community College for its award of an $800,000 grant for its proposed technical center. Federal government grants are not easily obtained during times of budgetary constraints. WSCC received not only some funding, but the full amount of its request. That says a lot for the college and the program.

The WSCC technical center will be built in three phases, beginning March 6. Phase one will include facilities for training in machine tooling; computer-aided design and manufacturing electronics. Phase two includes business, math and science class areas. Phase three will include space for nursing and other program expansions.

Also to be congratulated are the Mason-Lake Intermediate School District and its six member school districts—Baldwin, Pentwater, Free Soil, Mason County Eastern and Central and Ludington. These school units formed, with the college, the Technical Preparation Partnership to improve technical training for area high school students.

The partnership originally was formed to address the needs of students who do not plan to further their education beyond high school. The coordinated technical training efforts will accomplish that objective.

But the same programs, the same facilities can also help college-bound students receive more highly-technical training than previously had been available. These programs with more modern equipment, also can help adults improve their job skills in technical areas.

These benefits would not be available in this area were it not for the cooperation of our local schools and college. Instead of half of the programs being offered in a couple of districts, and few or none in other districts, all programs are offered to residents of all districts—and without costly duplication of offerings.

We ask our public servants to be innovative, efficient and fiscally prudent. Sometimes we ask for miracles. This time we got one. Congratulations!

HEAL THE BAY'S FIRST ANNUAL BRING BACK THE BEACH BENEFIT HONORS FELICIA MARCUS AND CINDY HARRELL-HORN

HON. MEL LEVINE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 8, 1992

Mr. LEVINE of California. Mr. Speaker, today I rise in order to congratulate both Heal the Bay on the occasion of its first annual Bring Back the Beach Benefit, Saturday, April 11, 1992, and its honorees and long time supporters, Felicia Marcus and Cindy Harrell-Horn.

Felicia and Cindy have both been with Heal the Bay from its small beginnings in 1985, through the long struggle to establishing itself as a premier environmental organization. Felicia Marcus is one of the original six founders, who met one evening to discuss their willingness to protest a request by the city of Los Angeles to continue dumping partially treated sewage into the Santa Monica Bay. With Felicia leading the way as counsel, Heal the Bay joined in an EPA lawsuit against the city of Los Angeles, citing gross violations of the Clean Water Act. Felicia was instrumental in gaining for Heal the Bay "Friend of the Court" status, carrying the obligation of overseeing the terms of the consent decree which settled the EPA lawsuit. Her work has resulted in visible improvement in the city of Los Angeles's environmental efforts, including the creation of a stormwater management division.

Felicia's political savvy has been a great help in gaining respect for Heal the Bay and creating the cooperative working relationship it now has with local and Federal governments. She also works closely with local businesses, helping them install source reduction programs in order to improve waste minimalization. Felicia has worked with many other organizations as well: as director of Litigation for Public Counsel, the largest public interest law firm in the country, working on the Los Angeles City Attorney's Environmental Protection Section, and serving as commissioner for the Los Angeles Environmental Quality Board. She is currently serving as commissioner for the city of Los Angeles Board of Public Works.

Cindy Harrell-Horn has been an instrumental part of Heal the Bay since its first annual meeting. She was one of only 100 people attending an all-day meeting in a cold, dirty office building awaiting demolition. Without announcing any of her remarkable talents or connections, she quietly volunteered to help out on the newly formed fundraising committee. The first result of Cindy's offer to help out resulted in an amazingly successful house party fundraiser that same summer which raised $50,000 for Heal the Bay programs, office space, and staff.

As a board member, Cindy has raised Heal the Bay to a new level of strength and effectiveness, single-handedly raising or giving $250,000 to the organization within a 5-year period. Cindy's openness, honesty, and willingness to take on any task despite the pressure of formidable odds or deadlines has set the tone for the group.

Heal the Bay is not the only organization to benefit from Cindy's commitment to the environment. She has been a board member of the Environmental Media Association, a cofounding board member of the Coalition for Clean Air, and a board member of Tree People. In 1991, Cindy was appointed to the Environmental Education Advisory Council of the U.S. Environmental Protection Agency National Environmental Education Act. Along with the admiration of the environmental community, Cindy shares the love and support of her husband, Alan, and their two daughters, Cassidy and Cody, all of whom share her dedication to bringing life back to our bay.

In view of their immense efforts on behalf of the struggling life of the Santa Monica Bay, it is my extreme pleasure to ask my colleagues in the House of Representatives to join me in thanking and congratulating Felicia Marcus, Cindy Harrell-Horn, and Heal the Bay on this great occasion. We wish all of you years of continued success.

SKELTON SPEAKS AT DECOMMISSIONING CEREMONY OF THE U.S.S. "MISSOURI"

HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 8, 1992

Mr. SKELTON. Mr. Speaker, on March 31, I had the honor of being the principal speaker at the decommissioning ceremony of the U.S.S. *Missouri* in Long Beach, CA. It was a bittersweet occasion. The *Missouri* is the last of the battleships to be in active service, but she also distinguished herself in the war with Iraq a little over 1 year ago.

The occasion also marked the retirement of the ship's commanding officer, Capt. Albert Kaiss, who served the Navy with great distinction for 30 years. My address on the occasion of the decommissioning is set forth as follows:

SPEECH BY HON. IKE SKELTON

INTRODUCTION

This is a sad day, and yet it is also a day of celebration: Sad, because this grand battleship named after our State of Missouri is being decommissioned; a celebration, because we honor the ship after having once again participated in the defeat of tyranny.

Almost 6 years ago, on May 10, 1986, I had the great pleasure and honor to speak at the recommissioning ceremony of this historic ship in San Francisco Bay. Present on that occasion was our own Capt. Lee Kaiss and the ship's sponsor, Margaret Truman Daniel. While not that long ago nor that far away, that event took place in a completely different era. Then we were in the final stages of the cold war, though we did not know it at the time. Little did we suspect that within a few years the cold war would come to an end and that the Soviet Union would disappear soon thereafter.

THREE VICTORIES

Today, we can look back and celebrate three American victories. While the near-term future is marked by turbulence and uncertainty in the world, we need to remind ourselves of the great achievements of our country. We led and played the key role on the winning side in the two epic struggles of this century—the fight against fascism and the less costly but more complex struggle against Soviet communism. The third and most recent struggle was the war that took place in the Persian Gulf just a little over 1 year ago.

That first struggle, the fight against fascism, ended with a brief 23-minute ceremony that took place on board this ship—on these very decks. Representatives of Imperial Japan signed the document of surrender here in the presence of Adm. Chester Nimitz, Gen. Douglas MacArthur, and other American military leaders of the day. This event followed this ship's extensive combat in the Pacific theater.

That second struggle, the fight against communism, began almost immediately after the conclusion of the first. The cold war—described by President John F. Kennedy as the long twilight struggle—was violent at times, as evidenced by the North Korean invasion into the south in 1950. The U.S.S. *Missouri* was the first American ship to reach Korean waters and bombard the enemy. Her role was significant, helping create a diversion for the famed marine landing at Inchon.

The third struggle took place last year. The Persian Gulf war was a stunning victory. The flower of America's youth sailed the ships, attacked across the desert, and flew in combat to defeat a brutal foe. The "Mighty Mo" again participated in a historic American victory. This ship and her sister ship, the *Wisconsin*, were among the first ships to fire Tomahawk cruise missiles in combat, at the beginning of operation Desert Storm. The *Missouri* also provided naval gunfire support with her mighty 16-inch guns against Iraqi targets in Kuwait. She fired nearly 800 rounds, more than 1,000,000 pounds of ordinance on target. What a perfect blend of new and old weapons technology. This ship proved faithful to her motto: "Ready for sea and always ready to answer the call of battle."

The *Missouri* received three battle stars for World War II service and five for Korean service. She also received two campaign ribbons for action in the Persian Gulf.

A NOTE OF WARNING

But in the midst of this celebration of our success, let me sound a note of warning to my fellow countrymen. In 1935 we were engaged in the fourth naval disarmament conference with the leading naval powers of the world. This was 3 years after the advent of Hitler to power in Germany. The seeds of the second World War had already been sown, but we ignored the gathering storm and were caught unprepared when it came.

Years earlier in 1923, Maj. George C. Marshall, the future World War II Army Chief of Staff, noted "the regular cycle in the doing and undoing of measures for the national defense." He observed that, "We start in the making of adequate provisions and then turn abruptly in the opposite direction and abolish what has just been done." Today, we are in the midst of making one of those changes in direction. This is now the eighth year of real defense budget cuts, and we know that more dramatic reductions are in store.

Secretary Cheney and General Powell crafted a plan 1½ years ago that will result in a 25-percent reduction in the size of our forces and the size of the defense budget. A further cut of $50 billion over the next 5 years has been recommended by the President as a result of events last August in Moscow when the old Communist order finally collapsed. I believe the Secretary and his military advisers have put together a pretty good plan, not perfect, but pretty good. But to readjust the plan every year in a dramatic fashion as some would have them do, is simply more than we should do in light of the uncertainty of the world around us.

As many of you know so well, there are more than a few self-styled defense experts, who would increase the pace and extent of the planned cuts. My warning is against our Nation engaging in a military disarmament binge. In 1997, our Nation's military forces would be at the breaking point in responding to a Desert Storm contingency and a conflict in Korea at the same time. General Powell acknowledged this troubling possibility in testimony before the Congress a few weeks ago.

Those who would slash our military even further than the planned 25 percent reduction, while sincere and well-meaning, lack an understanding of history's lessons. Time and time again, in this century we have followed the dangerous and costly path of demobilization, disarmament, and unpreparedness, only to regret that course of action a few short years later.

After the first World War we withdrew from world affairs and allowed our military to whither away. After our tremendous victory over Germany and Japan in 1945 we once again cut our military. And once again, we were caught unprepared when war broke out in Korea less than 5 years later.

Each of the Services will experience substantial reductions. The Navy, for example, reached a high water mark of 570 ships in its effort to build to 600 ships. This past December there were 499 ships in the Fleet and current plans will have the Navy at the 450-ship level by 1997.

If we go much more beyond these cuts in force structure, we will end up in the same situation in which we have found ourselves after almost every other war we have fought in our history—with a military force ill-prepared to fight. We should remember the high cost of unpreparedness: Bataan in 1941, the Kasserine Pass in 1942, Pusan in 1950, and Desert One in 1980. This cost was paid by the blood of young Americans in uniform. Never again should we allow this to happen. Let us learn from history rather than repeat it.

We still live in a dangerous and uncertain world. The kaleidoscope of the future is unpredictable. Few foresaw the bombing of Pearl Harbor, the North Korean invasion into the south, or Saddam Hussein's invasion of Kuwait. The American people understand George Washington's wise counsel that "To be prepared for war is one of the most effectual means of preserving peace." I am convinced they will support measures needed to maintain an adequate and credible national defense.

A BITTERSWEET OCCASION

In many ways today's ceremony is a bittersweet occasion. Those men who helped bring this ship back to life almost 6 years ago and those who followed in their footsteps can take great comfort and pride in having contributed to victory in the cold war against the Soviet Union and an impressive victory in the Persian Gulf against Iraq.

As many of you know, this is the fourth navy ship to bear the name Missouri. The third U.S.C. *Missouri* was part of the "Great White Fleet" that sailed round the world in the first decade of this century. That cruise made the point that American naval might could penetrate any waters. My father served aboard her during World War I, the Great War. That explains the special affection I have for this successor ship *Missouri*.

Those who have served on this ship before you, since its original commissioning in June 1944, know of its contributions in both war and peace. First Class Machinist's Mate Chester R. Gray, from Houstonia, MI, served on this ship from its original commissioning until he was discharged in July 1946. He witnessed the surrender ceremony only a few feet away from where it took place.

In March 1946, the *Missouri* transported the remains of the Turkish Ambassador to the United States, Melmet Munir Ertegun, back to Turkey. She rendered full honors, firing a 19-gun salute during both the transfer of the remains and the funeral ashore of the late Ambassador. On the return trip she pulled into the port of Piraeus, Greece. By these visits she gave visible proof of America's interest in maintaining the independence of both Greece and Turkey. Both countries had come under pressure from Joseph Stalin.

She signaled America's determination to remain involved in the world in September 1947. The *Missouri* arrived in Rio De Janeiro on August 30 for the Inter-American Conference for the Maintenance of Hemisphere Peace and Security. President Truman boarded the ship on September 2, 1947, to celebrate the signing of the Rio Treaty, which

broadened the Monroe Doctrine. The treaty stipulated that an attack on one of the signatory American states would be considered an attack on all.

FROM BLUE WATER TO BROWN WATER

If these are events that we can look back on with pride, let me state my regret that the Navy did not ask Congress to preserve this wonderful ship for use in possible future actions. Trafalgar, Jutland, the Coral Sea, and the battle of the Atlantic are just some of the naval engagements that continue to stir the imagination of today's naval officers. But I fear that much the way an earlier generation of Army officers proved reluctant to move beyond the horse cavalry, today's generation of naval officers may be unwilling to face the challenge that fighting close to shore entails.

The Navy must move from a blue water orientation—from fighting on the high seas—to a brown water one—to fighting coastal engagements. This ship and its three Iowa-class sister ships would be quite suitable for this new mission.

A few years ago the Navy considered keeping one of the activated battleships in the Ready Reserve fleet, oriented towards the Caribbean. One of the four ships should be kept in the Ready Reserve fleet if only to fill the naval gunfire support role for Marines that we saw in the Persian Gulf early last year. We may yet be forced by events in the future to reconsider such an idea.

FINAL WORDS

And, now, some final words—to the ship's skipper, Capt. Albert Lee Kaiss, and the ship's crew. Yours has been a task to which you have brought professionalism, intelligence, and steadiness of purpose. This Nation of ours put a sacred trust in your hands and you guarded it well. Your countrymen saw this in a war fought a little more than 1 year ago. I had the personal privilege to see how you conducted yourselves during the 50th anniversary ceremony recalling the Japanese attack on Pearl Harbor. Over these past six years you have done your duty much the way former generations of sailors did theirs on this same ship and its three namesakes.

Captain Kaiss, you are truly a role model for future officers who will wear the Navy blue. You have the distinction of being the only commanding officer in American naval history who ever put a ship in commission and took it out. You are the last battleship Captain. The officers and men of the *Missouri* are grateful that you brought them back from war without a casualty.

I know that this is also a retirement ceremony for you. You have served our Nation for 30 years on active duty. This is a day of mixed emotions for you and your men. There are in this audience today men who served with you on other ships. It is a tribute to you and your leadership that they have come to wish "their" captain a fond farewell. Let me thank you also, on behalf of the people of Missouri and America too, for a job well done. You have made us proud.

The mission of the U.S.S. *Missouri* is over, at least for now. She was the last battleship built by this Nation and it is only fitting that she is the last battleship to leave service. But the mission goes on. The Navy has been called upon on many occasions in our nation's short history, especially in this century, to give service in the cause of freedom. The Navy will continue to be a calling for you and your comrades who have the privilege of wearing the uniform of one of our country's Armed Forces. You more than most understand that ours is a seafaring nation. We depend upon seaborne commerce. The only way to secure our interests throughout the world is to maintain a strong Navy.

The spirit of this ship will live on in those men who retire her today and who move on to man ships elsewhere in the fleet. You will always be able to call yourselves battleship sailors.

The men of this ship know better than most that the Iowa-class battleships still have 10 to 20 years of useful, active functioning life. The day may come when they will be recalled to our Nation's service yet once again. I ask you, Captain Kaiss, and the men of this ship to record the lessons, to keep the faith with the future so that if that time ever comes, future sailors will benefit from your experience the way you benefited from the experience of your battleship predecessors.

Thank you for all you have done. May God bless all of you who have sailed with this ship over the years. As Henry Wadsworth Longfellow wrote:

Our hearts, our hopes, are all with thee,
Our hearts, our hopes, our prayers, our tears,
Our faith triumphant O'er our fears,
Are all with thee, —are all with thee!

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, April 9, 1992, may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

APRIL 10

9:30 a.m.

Environment and Public Works

Environmental Protection Subcommittee

To hold hearings on proposed legislation authorizing funds for the Endangered Species Act.

SD-406

Finance

Health for Families and the Uninsured Subcommittee

To hold hearings on S. 2077, to provide for optional State coverage of coordinated care, and to improve Federal requirements with respect to the provision of coordinated care by health maintenance organizations in order to allow States to reduce costs and improve quality care in contracting for managed care services under the Medicaid program.

SD-215

Select on Indian Affairs

Business meeting, to mark up S. 1607, to provide for the settlement of the water rights claims of the Northern Cheyenne Tribe.

SR-485

10:00 a.m.

Commerce, Science, and Transportation

To hold hearings to examine the effects of changing Federal technology policies on economic development.

SR-253

Judiciary

Immigration and Refugee Affairs Subcommittee

To continue hearings on the implementation of immigration sanctions against employers.

SD-226

APRIL 28

9:00 a.m.

Office of Technology Assesment Board meeting, to consider pending business.

Room to be announced

10:00 a.m.

Appropriations

Interior Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1993 for the Smithsonian Institution.

SD-116

Veterans' Affairs

To hold hearings on proposed legislation relating to the education and employment of veterans.

SR-418

APRIL 29

9:00 a.m.

Environment and Public Works

Business meeting, to mark up S. 976, authorizing funds through fiscal year 1996 for programs of the Solid Waste Disposal Act.

SD-406

10:00 a.m.

Appropriations

Commerce, Justice, State, and Judiciary Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1993 for the U.S. Information Agency, and the Board for International Broadcasting.

S-146, Capitol

Judiciary

Patents, Copyrights and Trademarks Subcommittee

To continue hearings on policy issues concerning cable compulsory license and the satellite carrier compulsory license provisions of the Copyright Act of 1976.

SD-226

2:00 p.m.

Energy and Natural Resources

Public Lands, National Parks and Forests Subcommittee

To hold hearings on S. 21, to provide for the protection of public lands in the California desert, H.R. 2929, to designate certain lands in the California desert as wilderness, and to establish the Death Valley, Joshua Tree, and Mojave National Parks, and S. 2393, to designate certain lands in the State of California as wilderness.

SD-366

APRIL 30

9:30 a.m.
Appropriations
VA, HUD, and Independent Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1993 for the Department of Housing and Urban Development.
SD-G50

10:00 a.m.
Appropriations
Transportation Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1993 for the Federal Transit Agency, and the Washington Metropolitan Area Transit Authority.
SD-138

2:00 p.m.
Energy and Natural Resources
Public Lands, National Parks and Forests Subcommittee
To continue hearings on S. 21, to provide for the protection of public lands in the California desert, H.R. 2929, to designate certain lands in the California desert as wilderness, and to establish the Death Valley, Joshua Tree, and Mojave National Parks, and S. 2393, to designate certain lands in the State of California as wilderness.
SD-366

MAY 5

2:00 p.m.
Appropriations
Interior Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1993 for the National Park Service, Department of the Interior.
S-128, Capitol

MAY 6

9:30 a.m.
Commerce, Science, and Transportation
Science, Technology, and Space Subcommittee
To hold hearings on S. 2297, to enable the United States to maintain its leadership in land remote sensing by providing data continuity for the Landsat program, by establishing a new national land remote sensing policy.
SR-253

Energy and Natural Resources
To hold hearings on the science concerning global climate change.
SD-366

Rules and Administration
To hold hearings on S.J.Res. 221, providing for the appointment of Hanna Holborn Gray, of Illinois, as a citizen regent of the Smithsonian Institution, S.J.Res. 275, providing for the appointment of Wesley Samuel Williams, Jr., as a citizen regent of the Board of Regents of the Smithsonian Institution, and other pending regent appointments.
SR-301

Select on Indian Affairs
To resume oversight hearings on the implementation of the Indian Gaming Regulatory Act (IGRA).
SR-485

10:00 a.m.
Rules and Administration
To hold oversight hearings on the Smithsonian Institution.
SR-301

MAY 7

9:30 a.m.
Appropriations
VA, HUD, and Independent Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1993 for the Department of Veterans Affairs, and the Court of Veterans Affairs.
SD-124

10:00 a.m.
Appropriations
Transportation Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1993 for the U.S. Coast Guard, Department of Transportation.
SD-138

MAY 8

9:30 a.m.
Environment and Public Works
Environmental Protection Subcommittee
To hold hearings to examine the conservation of the northern spotted owl and the ecosystem upon which it depends under the Endangered Species Act and other Federal laws.
SD-406

MAY 12

9:00 a.m.
Energy and Natural Resources
To hold hearings on energy policy implications of global climate change and international agreements regarding carbon dioxide emissions.
SD-366

9:30 a.m.
Appropriations
Interior Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1993 for the Department of Energy.
SD-116

MAY 13

9:30 a.m.
Rules and Administration
Business meeting, to consider pending calendar and administrative business.
SR-301

MAY 14

9:30 a.m.
Appropriations
VA, HUD, and Independent Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1993 for the Federal Emergency Management Agency.
SD-124

10:00 a.m.
Appropriations
Transportation Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1993 for the Federal Aviation Administration, Department of Transportation.
SD-138

MAY 19

10:00 a.m.
Appropriations
Interior Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1993 for the Bureau of Indian Affairs, Department of the Interior.
SD-116

MAY 20

2:00 p.m.
Appropriations
Interior Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1993 for the U.S. Fish and Wildlife Service, Department of the Interior.
S-128, Capitol

MAY 21

9:30 a.m.
Appropriations
VA, HUD, and Independent Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1993 for the National Community Service, and the Points of Light Foundation.
SD-116

10:00 a.m.
Appropriations
Transportation Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1993 for the General Accounting Office.
SD-138

MAY 22

9:30 a.m.
Appropriations
VA, HUD, and Independent Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1993 for the Department of Housing and Urban Development and certain related agencies.
SD-138

JUNE 4

10:00 a.m.
Commerce, Science, and Transportation
Merchant Marine Subcommittee
To hold hearings to examine issues relating to maritime reform.
SR-253

JUNE 9

10:00 a.m.
Appropriations
Interior Subcommittee
To hold hearings on proposed budget estimates for the Department of the Interior.
S-128, Capitol

2:30 p.m.
Appropriations
Interior Subcommittee
To continue hearings on proposed budget estimates for fiscal year 1993 for the Department of the Interior.
S-128, Capitol

CANCELLATIONS

APRIL 9

10:00 a.m.
Environment and Public Works
Business meeting, to mark up proposed legislation authorizing funds for water resources development programs.
SD-406