SENATE—*Wednesday, May 13, 1992*

(Legislative day of Thursday, March 26, 1992)

The Senate met at 10:30 a.m., on the expiration of the recess, and was called to order by the Honorable ALBERT GORE, Jr., a Senator from the State of Tennessee.

The PRESIDING OFFICER. Today's prayer will be offered by guest chaplain, the Reverend Hoyt Winslett, Jr., Episcopal Diocese of Alabama, Tuscaloosa, AL.

PRAYER

The Reverend Hoyt Winslett, Jr., Episcopal Diocese of Alabama, Tuscaloosa, AL, offered the following prayer:

Let us pray:

Father in heaven, as we face our Nation's problems and the pain of people everywhere, we could wish that we were better, wiser, and stronger folk. But we are who we are, and on this day, in this place, it is our job to do the best we can.

Open our hearts to the guidance of Your Spirit, and to one another, that our common decisions may transcend our individual limitations. Help us to be driven not by lust for winning or by fear of losing, but by the strong desire for that which is best in Your sight for our people, our Nation, and Your children everywhere.

Father, bless the men and women of the Senate. Keep them in Your love, strengthen them by Your grace, and give them Your peace.

Through Christ our Lord. 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, May 13, 1992.

To the Senate:

Under the provisions of rule I, section 3, of the Standing Rules of the Senate, I hereby appoint the Honorable ALBERT GORE, Jr., a Senator from the State of Tennessee, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

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

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. Under the previous order, leadership time is reserved.

The majority leader is recognized.

THE JOURNAL

Mr. MITCHELL. Mr. President, it is my understanding that the Journal of the proceedings has been approved to date; is that correct?

The ACTING PRESIDENT pro tempore. The majority leader is correct.

Mr. MITCHELL. Mr. President, I yield to the Senator from Alabama.

HONORING REV. HOYT WINSLETT, JR.

Mr. SHELBY. Mr. President, I just want to acknowledge what we just heard, the words of a distinguished constituent and friend of mine, the guest minister, the Reverend Hoyt Winslett, Episcopal minister from my hometown of Tuscaloosa, AL.

I am honored to have the opportunity to serve as one of his U.S. Senators. I think you have seen the caliber of man he is. He has a distinguished academic record. His family has been personal friends of my family for many, many years. We are all honored to have him here in the Senate, especially this Senator from his hometown. Thank you.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be a period for the transaction of morning business not to extend beyond the hour of 1:30 p.m., with Senators permitted to speak therein for not to exceed 5 minutes each. The first hour shall be under the control of the majority leader or his designee.

Mr. MITCHELL. Mr. President, I designate Senator RIEGLE to control the first hour.

SCHEDULE

Mr. MITCHELL. For the information of Senators, with respect to the schedule for the remainder of the day, the period for morning business will continue until 1:30 p.m., following which debate will begin on the veto message on S. 3, the campaign finance reform bill. There will be a maximum of 4 hours for debate on that message, and a vote on reconsideration of passage of the bill—that is the override of the veto—will occur when all time is used or yielded back.

I expect that vote to occur around 5 p.m., although Senators should be alert to the fact that it could occur at any time prior to 5:30 p.m.

Mr. President, I yield the floor.

The ACTING PRESIDENT pro tempore. The senior Senator from Michigan is recognized for up to 1 hour.

Mr. RIEGLE. Mr. President, I thank the majority leader and the Presiding Officer. I yield the first 15 minutes of the time to myself for the remarks that I will now be making.

TERRIBLE PROBLEMS IN MAJOR URBAN CENTERS

Mr. RIEGLE. Mr. President, the purpose this morning in taking this time is to focus upon the terrible problems that we are seeing in our major urban centers across America.

The violence and rioting that we saw in Los Angeles is a very powerful indication of what is out there happening in the communities across America in one form or another. The violence, whether it is the kind that we saw in the beating of Rodney King when he was being subdued by police officers, or whether it is the violence that we saw later in Los Angeles after the verdict in the King trial, the manifestations of this problem are really everywhere.

There was a story the other day here in Washington, DC, about a young child, about 12 years old, a lovely young boy in school here, who was coming home from church with his mother one day and was the victim of a random drive-by shooting in which he was killed. And virtually every night in cities across this country, the manifestations of violence and a deteriorating social order are there for everyone to see. Something has to be done about it.

There is a responsibility for our Federal Government to understand what is taking place in terms of the deprivation, absence of jobs, absence of medical care, absence of adequate education and opportunity, the breakdown of family structure, the fact that our Government itself has turned its attention away from problems here in America, particularly the problems in our urban centers over the last decade or so.

I rise today in two capacities to start this discussion. One is as chairman of the Senate Committee on Banking, Housing and Urban Affairs, where we have a responsibility to try to respond as best we can to the urban needs of this country; and also I rise as chairman of the Democratic task force on community and urban revitalization.

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

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

Our group of Senators has been meeting now for some time and generating recommendations as to what might be done and have forwarded those recommendations to the majority leader, GEORGE MITCHELL. He took those ideas and added others in conjunction with Speaker FOLEY and majority leader GEPHARDT and wrote a letter to President Bush dated May 11, 1992.

I ask unanimous consent that that letter be printed at the end of my remarks.

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

(See exhibit 1.)

Mr. RIEGLE. The letter sets forth not only a desire to work together and cooperate with the executive branch to deal with the problems of our urban centers, but also to lay out a series of urgent requirements in areas where attention has to be given, and resources have to be focused. There needs to be a major national strategy applied in this area, with a number of component parts to that strategy, which are laid out in this letter, some of which I will talk about later.

The reason this is most urgent is not just that we have seen the conditions manifesting themselves in Los Angeles—and it may well happen in any other American city at any time—but the fact that our Federal Government has been withdrawing support, and help, and attention from the cities certainly over the decade of the 1980's and now into the 1990's.

During that period of time the focus of our Government increasingly was outside America. It was to help other countries, other places. And in fact today in terms of economic strategy the American Government and the administration has an economic program for virtually every country in the world except our own. There is a plan for Mexico called the free-trade agreement with Mexico. There is a plan for Kuwait. There is a plan for Communist China called the most-favored-nation trading status strategy. There is a plan to help all the parts of the old Soviet Union. There is virtually a plan for every other country in the world except our own.

During the 1980's the help that would have gone to our society and our own people was withdrawn.

Let me give you example of cuts during that period of time. Probably the most basic is job training and employment programs. We all know people should work. If people do not have the skills to be able to survive in the job market they are not going to have jobs or lead decent lives to support their families.

During the 1980's Federal job employment programs were cut by 63 percent. Housing programs—you have to be able to get off the streets or get out of a homeless shelter for any kind of semblance of family structure or order to have a chance to live productive lives. Housing programs at the Federal level during the 1980's were cut over 82 percent.

On community development block grants, we are going to have hearings this afternoon in the Banking, Housing, and Urban Affairs Committee, having a meeting of mayors from across the country coming in to testify. I expect they will say, as they have before, that the deep cuts in the development block grants were hurtful to the cities and held back their ability to rebuild themselves and provide a better environment and more job opportunity.

Community development block grants in the eighties were cut about 45 percent. Community services block grants to try to just get the basic services in place out in the communities in the eighties were cut 45 percent, and social services block grants were cut over 38 percent. That is not the worst of it.

General revenue sharing, which was an effort to try to give communities that were in trouble and struggling some financial muscle to try to deal with problems and try to stimulate economic revitalization, job creation, attract businesses, and so forth, was eliminated altogether, just eliminated, completely taken out; cities no longer got that help.

Urban development action grants to try to stimulate targeted major investment opportunities in cities to bring jobs with them and job creation, that was eliminated.

Health planning grants to try to figure how we break this tide of very high, in fact among the highest in the world, infant mortality rates and death rates among youth in our inner city and break that problem were eliminated altogether in the 1980's.

What happened was during that period of time America changed its focus, it turned its back on its own people in the United States, and put the focus overseas in terms of needs of other countries. And that is where the attention has gone and strategy has gone. We have even gone over to fight wars to restore the Emir of Kuwait, for example, to put him back on the throne over there and yet we have been, at the same time during that same decade over the last 10 years or so, withdrawing the support and help for our own people.

Let me give you an example out of today's Washington Post, about as stunning as you would hope to see. We know in order to try to meet the problems of the inner cities today it is going to take a massive application of resources, talent, money, focused investment, health programs, better education, better infrastructure, better crime control, better fight against drugs, all the things it is going to take to really lift our cities up and provide ladders of opportunity so people have a chance to get ahead.

Today on the Washington Post front page it says: "Among L.A.'s Biggest Losses: Jobs, Thousands More Out of Work in City Already Reeling From Recession." It talks about one man here, 34 years old, Danny Jackson, who lost his job where he was being paid $5.25 an hour as janitor. The place where he worked was burned to the ground. He lost that job. So he is out in the unemployment lines and cannot find other work. He is desperate.

There are millions like him who lost jobs in the country—not lost jobs for the same reason, but who cannot find jobs. Even in his case with his job, it does not say here whether he has a family or not but if he does that is a below-poverty wage, even the job he did have before it was just lost.

We need enough jobs to go around in America for all of our people. We need enough jobs. We need an aggressive job strategy for America. That will do more to solve all the other problems than any other single thing we can do.

But as you read through these articles, and you read through the comments that are coming back from the executive branch, they say there is no money. They say there is no resource. Oh, yes, there are a few dribs and drabs here and there. Scrape together a little bit of this and put some clever phraseology on it, weed and seed, enterprise zones, so forth and so on. If there are just words and phrases, not backed up by major muscle programs, it is not going to mean anything. It might sort of help carry the debate down through the next few months and maybe past the election, but it is not going to make any material difference in these communities unless these programs are substantial, are real, the country locks together, business, Government, and citizens to make it all happen.

But so far at least when you look at the resource side of the equation as to whether there is going to be an effort to take and really put the muscle into it, there is no real sign of that. That is what is on page 1.

This relates to what is going on here in America—how do we help our own. If you turn to page 11 of today's Washington Post, and I want to just do that right now because it really makes the point, turn over to page 11. And you look down here at this one article, not very large in relationship to the articles on the front page, and here is what it says. It says "House Panel Approves 20 B-2 Bombers." And then it says this. This is the third paragraph down. "Seeking assurances that $44.4 billion"—$44.4 billion—"will complete the program, the Armed Services Committee is asking defense Secretary Cheney to meet with the committee before the House takes up the defense budget in June."

This is to buy 20 airplanes. These airplanes, these B-2's, by the way, we do

not use them here in the United States. We have a war going on in our own cities but this money is not being spent to deal with the war in America, it is being spent on imaginary problems around the world where the Berlin Wall has come down and the Soviet Union has fallen apart.

Our biggest problem around the world today is economic competition from Japan and Europe and other countries. That is our main threat.

And by the way, B-2 bombers do not do anything to help us combat that economic threat. But the cost of these planes has gone from $434 million apiece, imagine airplanes that cost $434 million. That is a lot of airplane. The price has gone up, up, up. You know what it now costs to build one of these B-2 bombers, $2.3 billion. That is for one plane. They want to build 20 more, $2.3 billion for each one.

As I have added up what the administration has said it is willing to commit in the way of resources to deal with the urban crisis in America, it is less money than to build just one of these B-2 bombers. And yet they say they have got the money not just to build 1 more but to build 20 more.

What are people across America going to say? I do not just mean the people in the inner cities living there with hopelessness and deprivation and no jobs, poor health care and poor education and no prospects for their children, and they pick up this same paper and they read there is no real help for them. But we can pour another $44.4 billion into 20 B-2 bombers against a nonexistent threat to feed the military industrial complex a few more tens of billions of dollars.

What about all the rest of the human needs in this country? What about the senior citizens? What about the urban poor, or what about the rural poor? This is just not a black issue or minority issue, a lot of it is concentrated in the black and Afro-American communities and Latino communities, but there are a vast number of poor whites and other people of other ethnic backgrounds that are caught in this same dilemma. They need help from their Government.

They need their Government to care about them and come down off cloud 9 and look at the real problems facing people every single day where a mother or father is afraid even to send the child out the front door of an inner city residence to go to the school because of violence up and down the streets, and children are being gunned down one after another. I am talking about innocent victims of crime that has nothing to do with them. They just happen to be in the wrong place at the wrong time. Schoolchildren, elementary school-age children. And it is happening every single day in cities across this country and we are doing about this much to deal with it.

What are we doing to deal with this big problem of the need for the B-2 bombers? We are doing this much for the B-2 bombers, we just found $44.4 billion for that. That is not pocket change—$44.4 billion is not pocket change. At a minimum we ought to be prepared to spend, say let us be conservative about it, suppose we just spent 10 percent as much on rebuilding our cities and providing hope for inner city people as we spend on these 20 B-2 bombers.

You might look at that and think about it and say, "Well, let's see. If we did that, that would be $4.4 billion. That would sure help." But why should we be squandering all of this money on things that really do not matter and that we do not need when we are turning our backs on the things that do matter and that we do need.

We need civil order in this country, and that is not going to happen if our communities are falling apart and flying apart because of all of the deprivation. You deprive people of a decent way of life and you are going to get chaos. And we are getting chaos. We are getting more and more of the manifestations of a Clockwork Orange Society. That does not have to be our future.

Yesterday, there was a story, however, in the New York Times, written by Johnny Apple, Jr., one of their noted reporters over many years, on page A-18. I want to read you one paragraph. He was talking with some people around President Bush as to what to do about this problem, the urban problem, the problem of the violence, the problem of lack of jobs, and so forth and so on. Now listen to this paragraph.

"What I want," said one of Mr. Bush's top strategists, "is a few more days of this—a simple, clear program with three or [four] points, then get off it. The longer the President seems preoccupied with Los Angeles, the more he and his urban policies become the issue, and that's not good for us."

Now, what did this top strategist for President Bush mean by that? When you read the whole article it means what they want to do is come in with a few attractive sounding buzz words, sort of make it look as if they are going to do something about the problem, maybe sprinkle a few dollars out on the problem, and then basically push that problem off the stage and take the focus somewhere else.

We are talking about the lives of American people. Our inner-city youth are part of our country. They are America's children. They have to matter to us. And if they survive, they are part of our future.

And as Rodney King himself said, "We have to live together. We are here for a period of time together on this planet. We have to learn to live together." I think we can do better than that. I think we ought to care about each other, and we ought to learn to love each other. I think that is what we ought to do.

And, by the way, our founding documents are written around that concept about life and liberty and the pursuit of happiness and of banding together for the good of all, not just for the good of some, not just for people at very high income levels or people with vast family fortunes.

No, the founding documents are written exactly the other way—to try to envision a nation where everybody stands on an equal footing in terms of their importance under our system of law and our system of justice.

I will tell you this. There is very little economic justice today. We cannot have a situation where there is so little economic opportunity and not expect that we are going to have terrible consequences as a result of it.

The ACTING PRESIDENT pro tempore. The time initially yielded by the Senator to himself has expired.

Mr. RIEGLE. I yield myself 5 additional minutes.

The ACTING PRESIDENT pro tempore. The Senator is recognized for 5 additional minutes.

Mr. RIEGLE. We have today in America about 16 million people that we know about who are unemployed and need work. That includes what are called discouraged workers who are so disappointed they have just given up looking, and it includes some people who are working part-time because they cannot find full-time work.

There were some striking examples in the news just recently. There was a situation where they opened a hotel in the city of Chicago and they had about 100 jobs to offer, not terribly high-paying jobs. They had some 15,000 people come out and stand in a raging blizzard, a line stretching for blocks, to try to apply and get one of those handful of jobs.

Or one that was even worse the other night. They interviewed two young men who a year ago were wearing the uniform of this country, fighting in Desert Storm, young men that had been asked to go and serve their country, and did so with distinction. They came back, received parades, which they justly deserved, and now a year later are unemployed, cannot find a job, and are homeless, living in cardboard boxes.

Now how can we let that be America's story? I want those young men to have a chance to work. They are every bit as important as the sons and daughters of the President, the Vice President, every Senator, every House Member, every Cabinet member or anybody else in this country. They deserve a decent chance for economic opportunity. And it happens that the two I speak about are Afro-Americans. They are black. That makes their situation even tougher in America as we all know, be-

cause there is too much racism in our society.

The other day they asked a group of high school students, white students, a hypothetical question: what if they went to bed one night and woke up the next morning and found out they were black in American society, how much money do they think they would have to have to compensate for the fact that they have been changed from white to black.

And the answer was, they would need at least a million dollars.

What are the children saying to us? They understand what is going on. They understand what is going on, and we have to get past that problem. We have to reach out to all of our people. White people particularly have a special obligation and an opportunity and a responsibility of leadership to reach out to people in our society of color. That is part of what it means to be an American, and that is to reach out to every other fellow American.

And that has been part of our problem, and it is part of our problem today. We had a young Afro-American man, quite well known—Blair Underwood—on television in the TV series "L.A. Law," who came up to testify before the Senate Banking, Housing, and Urban Affairs Committee. He told us a chilling personal story, not unlike Rodney King.

One day, after filming for his TV program, he was driving back to his very lovely home in the Hollywood Hills area of Los Angeles. And as he was pulling up in front of his own home in a very nice automobile that he owns, a police car came in behind him and a police officer got out and came up and asked him who he was, and what he was doing in that neighborhood. And before he could explain that he was parking his car in front of his own house, the police officer ordered him out of the car, pulled out a gun, made him get on the ground, and threatened him with being shot right on the spot.

Why? There is no question as to why; it was because he was black. And there is no question in my mind as I stand here today and as I have seen, as many others have, so many times the videotape of the beating of Rodney King, there is no doubt in my mind that the reason that he was hit 59 times in 81 seconds was in large part because he was black.

We have got to get past that in America. And it is not just the case of those who otherwise would commit violent acts, whether it is those in uniform or in civilian capacities. You can do violent things without engaging in a violent act. Indifference can be violent, have a violent effect. Drawing a line through somebody's name, a bank not giving equal credit access to a black, potential borrower is a violent act and it starts to wreck their economic prospects and wreck their economic future, and eventually wreck their faith in this country. So those things have to change, and those of us in positions of leadership have a special obligation to speak to it and to speak out about it and to bring about the change.

We have got a program here that we can carry out. I am for enterprise zones.

We are going to have Jack Kemp in tomorrow before the Senate Banking, Housing, and Urban Affairs Committee to talk about that issue. And we will have Arthur Fletcher and Jesse Jackson and Jim Rouse as well, all who can bring important perspectives to us after we hear from the mayors in the hearing this afternoon.

But if the enterprise zone is an inner city area does not employ inner-city people, then it does not mean very much. If it is just a building with a certain tax advantage that allows somebody to make money in the name of a self-help program that does not really provide jobs in the inner-city, then it does not mean much. We need a tax base and we need jobs in the inner cities.

In order to have that, as I am sure the Senator from New York will talk about, you have to have family structure.

And in order to have that you have to have the things that allow it to take place. You have to have access to health care. You have to have access to education. And you cannot be shot to death just walking from your house to church or to a store on the corner, as a victim of random violence. But if we can afford $44 billion to build 20 more of these B-2 bombers that we do not need, and which is corporate socialism of the worst kind, then we have the resources that it takes in a material sense to address the problems of our cities.

I do not want one youngster in America, black, brown, yellow, red, or white, to lose the chance for a future because this country is indifferent or looking the other way or too busy helping some other country or some defense contractor, or sending too much money up to the top of the income scale with the outlandish and outrageous tax cuts of the 1980's that favored the wealthiest people of this country. We can do better than that and we have to do better than that.

Our cities are not going to survive. Every city in America today is a powder keg; make no mistake about it. You could have events tonight in any major city in America, and if the rumors start that somehow there was police violence or there was something else that happened in that situation, we can have a replay of what happened in Los Angeles.

We cannot afford to have that happen. We cannot afford to have that happen. And we are smarter than that and, God, I hope we are better than that and more decent than that and that we care about each other, still, in the spirit of our founding documents to want to reach out and help where help is needed.

We have to continue to move. We have to move the health care plan through the Finance Committee. We have to move, again, to end mortgage lending discrimination through the Banking Committee, which we have been doing. We have to renew these programs in job training. They are absolutely vital. If there is not a way to get routed into the job sector of our economy then there is not going to be any real help.

When this country turns its back on a large part of its citizens why is it surprising that the citizens turn around and say the country does not matter to me because the country does not care about me? Who is setting that example in the first instance? Our Government cannot walk away from these problems.

If I may, I am going to yield myself 3 additional minutes and then I am going to yield the floor.

I want to talk for a minute about the racial problem in America. I want to talk about how it started. It started with slave ships over 400 years ago. African families that were doing quite nicely where they lived were taken captive, put in human bondage, locked in the holds of ships, and brought by the hundreds of thousands over to the United States to serve as slaves.

If you have ever seen the drawing of a slave ship, in the hold of the ship they would actually draw an outline on the floorboards of the ship as to where each slave was to go, laying down on the floorboards of the ship so they could get the maximum number of slaves into the ship. In fact, up in the bow of the ship where there is a bend there would actually be a drawing of someone who had to be in that curled-up position so they could get one more slave in the hold of that ship.

When the slave ships came across the ocean—and they normally came into the Caribbean first—if there were children on board the children were the first ones off because they were the ones that most often died on these trips. And any children that survived they took out of the arms of their mothers and their fathers and they dropped them off down in the Caribbean. Then they would come up the southern coast of the United States and next, most often, they would unload the men and they were sold off as slaves at that point. And then finally further up the coast the mothers were dropped off.

Imagine anything as savage and as inhumane as that, to take people into human bondage and to pull children right out of the arms of their mothers in that fashion. That has been the history in this country. And that is what

it is like to have been black in America, to come from that history and not even be seen as being a human being.

We have made some progress since that time, but not enough—not enough. We have to address where this comes from.

Those of us in this country who are white, in positions of leadership—not just in Government but in business and communities, in our churches and wherever—we have to help break down what is left of this racial division, the racial stereotyping. We have to help rescue our cities that are falling apart. There is no investment in infrastructure, no investment in our people, and there is very little hope. That has to change.

People will do something with their lives if they have a chance. It is the job of Government to see that people in America have a chance. The people I talk to, that is all they are asking for, is a chance. They are not asking for a guaranteed outcome. When somebody asks for a job, it is for a chance to work. When we turn our backs on somebody who is asking for a job, and desperately needs a job, we fail them and we fail America. That is the issue here.

So I do not want to just see a few code words for a few days. I want to see the President invested in this in a serious way. He has the capacity to do that. I know this man. If he decides to focus on this issue and put his energy into it, things will happen. I ask him to do that. I will help him do it. I will help him do it as chairman of the Senate Banking, Housing and Urban Affairs Committee. But it has to be done and we cannot wait any longer because we are losing part of America every single day.

It is not right. It is just not right. We do not have to settle for that. Other nations are not settling for that. They are investing in their people. They are putting together strategies to help people lift themselves up to a higher and higher level. We have to do that here in America. That is the task that is before us. We cannot wait any longer.

I do not want to lose one more black child and white child in America to a violent act. Let us protect our children. Let us help them have a decent chance to live, and not in a cardboard box after they come back from fighting in Desert Storm and cannot find a job. We can do better than that in America.

So I ask the administration to make the commitment to do something that is serious about it and repudiate whoever this spokesman was that John Apple was talking about yesterday.

By the way, the writer of this article would do us a favor if he identified who this person is. I would like to know who it is so they can be run out of the Government, or run out of that campaign. Because it is shameful thinking.

Mr. President, I ask unanimous consent the articles to which I referred be printed in the RECORD, and I reserve the remainder of my time.

The PRESIDING OFFICER (Mr. HARKIN). There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the New York Times, May 12, 1992]

BUSH CAMPAIGN PLANS

(By R.W. Apple, Jr.)

WASHINGTON, May 11—It has been a turbulent year for the people whose job it is to get George Bush reelected, not at all the kind of stately progress toward an emphatic November victory many of them had expected.

In late January and February, Patrick J. Buchanan was the nemesis. Then, gradually, Mr. Bush rallied and the troubles of Gov. Bill Clinton of Arkansas, the presumptive Democratic nominee, accumulated on several fronts. Polls and politicians concluded that the President, for all his troubles, was a likely winner after all.

Now a third phase has begun, with twin threats to Mr. Bush's ambition to become only the third President since World War II to serve two full terms. With the primary elections coming to a close, quite successfully from his standpoint, Mr. Bush's managers are struggling to come to grips with the putative third-party candidacy of Ross Perot and with the new political agenda generated by the arson and looting that swept Los Angeles 12 days ago.

While some people in the White House debate how sweeping a program Mr. Bush should offer to help cure the problems that underlay the rioting in California, some at campaign headquarters worry that the President may focus too closely on the question.

"What I want," said one of Mr. Bush's top strategists, "is a few more days of this—a simple, clear program with three or points, then get off it. The longer the President seems preoccupied with Los Angeles, the more he and his urban policies become the issue, and that's not good for us."

But others involved in the campaign think it would be a major mistake for the President not to seem deeply involved in trying to alleviate the anxieties that have been stirred by the vivid events in Los Angeles.

To move on to other themes too quickly, a senior Republican operative insisted, "will make it look like we don't understand how deep all this runs—not only the frustration of the blacks, which a lot of yuppies who voted for Bush sympathize with, but also the fears of the law-and-order voters, who also helped elect him four years ago." The problem, as he outlined it, is how to avoid letting the riots drive a wedge into the Bush constituency.

That may already have happened to some extent; private polls taken for both parties, as well as a few public polls, show Mr. Bush falling back in the wake of the riots.

But the Perot problems is no less severe, as seen from the Bush camp.

According to one campaign planner, the original intention had been to aim the Republican campaign mainly at the South, where Mr. Clinton was considered a threat in only two or three states on the periphery of the region, at the West, and at the industrial states of the Midwest, which were thought likely to be the main battleground. In the Northeast, only New York seemed likely to the Bush strategists to provide useful hunting grounds.

Now, the planner said, all that has been swept aside and "we're all looking for a new strategic concept that accounts for Perot's strength."

While Bush strategists, especially those from Texas, readily tell stories intended to point up Mr. Perot's alleged authoritarianism and shortness of temper, one who has known him for years said the only day, "He's a master salesman, remember, and he may cause us real trouble."

In an attempt to stop the erosion in Mr. Bush's support, the campaign is studying the possibility of running television commercials created by a new media team, which includes several Madison Avenue experts, well before the fall campaign. One plan would involve a heavy media expenditure before the California primary on June 2, even though Mr. Buchanan is considered more a bother than a threat there; another would schedule Bush ads before, during and after the Democratic National Convention in New York this summer, in an effort to deny most of the usual convention-week lift to Mr. Clinton.

All of these discussions are taking place against a backdrop of considerable personal animosity and organizational confusion. Tensions among some of the principal figures around Mr. Bush are one of the main reasons there is still no detailed set of goals for a second Bush Administration, which many Republican politicians consider a key to victory in November.

For example, it is difficult to overstate the degree of animosity some of the senior campaign personnel feel toward Richard Darman, the tough political infighter who heads the Office of Management and Budget. Many members of the campaign staff are convinced, they say, that he is making it impossible for Sam Skinner, the new White House chief of staff, to pull operations there together as they had counted upon Mr. Skinner to do.

In addition, Mr. Darman is seen as the principal author of the White House compromise with Congress that led to the tax increases that have eaten into the President's popularity. One of Mr. Bush's senior campaign aides said of Mr. Darman last week, "He's hurt the President more than any Democrat."

HOUSE PANEL APPROVES 20 B-2 BOMBERS

President Bush's request to complete the B-2 "stealth" bomber program at 20 planes was approved by the House Armed Services procurement subcommittee yesterday.

Meeting in closed session, the subcommittee agreed that the Air Force cannot spend the money until it proves that the aircraft meets its radar-evading standards and the program will not exceed $44.4 billion.

Seeking assurances that $44.4 billion will complete the program, the Armed Services Committee is asking Defense Secretary Richard B. Cheney to meet with the committee before the House takes up the defense budget in June.

"Not one more dime beyond that," Rep. John R. Kasich (R-Ohio), a B-2 opponent, said of the Air Force's estimate of the total cost.

Lawmakers have expressed concern over increases in the cost of the B-2, from $430 million per plane in January 1987 to $2.3 billion last January.

"This program makes me sick," Kasich said. "It's been a disaster from Day One. . . . Shame on the Air Force for playing these games with us."

In a separate closed-door session the Armed Services research and development subcommittee approved $4.3 billion for the Strategic Defense Initiative, a cut of $1.1 billion from Bush's proposal for fiscal year 1993 but one of the highest overall amounts the panel has ever adopted.

Last year, the panel approved $3.6 billion for SDI, commonly known as "Star Wars."

The subcommittee provided no money for the concept of "Brilliant Pebbles," in which space-based interceptors would search out and destroy enemy missiles.

The Armed Services Committee is expected to adopt the subcommittees' actions today when it finishes writing its version of a post-Cold War defense budget.

The total package is $274 billion, about $7 billion less than Bush proposed in January for fiscal 1993.

The subcommittees also approved:

A reduction in the Air Force's request for the C-17 transport plane. The Pentagon was seeking $2.7 billion for eight planes. The procurement subcommittee approved $1.9 billion for six aircraft. Congressional investigators have said the C-17 is two years behind schedule and $1.5 billion over budget.

A measure forcing the Pentagon to spend about $2 billion from previous budgets for the V-22 Osprey tilt-rotor aircraft. If the department refuses, the budget and staff of the Pentagon's comptroller would be cut by 5 percent for every month the Osprey money is not used. Cheney has tried to cancel the V-22 for the past two years.

[From the Washington Post, May 13, 1992]

AMONG L.A.'S BIGGEST LOSSES: JOBS

(By Michele L. Norris)

LOS ANGELES, May 12.—Danny Jackson sat outside a downtown Los Angeles employment office Monday morning clutching the want ads with one hand and a Bible with the other, unsure which to peruse first as he began his daily search for a new job.

"I figure it's going to take one of those loaves-and-fishes kind of miracles to find work in a city where thousands of people have seen their jobs disappear," said Jackson, 34, who lost his $5.25-an-hour janitorial position when the market where he worked was reduced to ash and rubble.

"Times were tough before the city burnt down. There is no way everyone is going to get a new job."

Economic analysts agree. Possibly as many as 40,000 people were left jobless by the three days of fires and looting that damaged or destroyed more than 5,000 businesses following the Rodney G. King beating case verdict, according to labor analysts. Many of the newly unemployed are expected to return to work quickly as businesses restock, and replace windows. And many employees who work for large drug stores, supermarkets or fast food chains likely will be transferred to other locations while companies rebuild.

But at least 15,000 jobs may be long-term losses, said Art Shaw, chief economist with the Los Angeles Area Chamber of Commerce—a massive burden for a part of town that already had one of the highest unemployment rates in the country.

"Thousands of those jobs are not coming back, at least not quickly. And this is happening at a time when the city is already reeling from the effects of the recession," he said. "I don't see how this city's labor force is going to be able to absorb this many unemployed people, particularly since so many people out of work are unskilled workers who lack adequate transportation."

"I am not sure that Los Angeles—or any other city for that matter—has seen so many people displaced in such a short period of time," said Goetz Wolff, a labor market analyst who was formerly the chief economist for Los Angeles County.

"In just one weekend a large percentage of that area's labor force [between 10 or 20 percent of south-central's work force] was wiped out. We have seen large layoffs in the aerospace industry but there was always some advance warning and the job loss was spread out over time. We haven't seen anything like this, not even with natural disasters," Wolff said.

South-central Los Angeles and surrounding communities were hardest hit by the fires and looting that gutted the area's principal source of employment—retail stores and fast-food chains that provided low pay but steady work.

Entire business districts that once bustled with activity now are fire-gutted ghost towns, cordoned off by wire fences and yellow police tape. In some cases the newly burned-out stores are next to empty lots or graffiti-covered buildings that once housed businesses that never recovered from the 1965 Watts riot.

"These are people who are least able to cope with something like this because any loss in income tends to be devastating," said Jack Kyser, chief economist with the Economic Development Corp. of Los Angeles County. "Where are they going to go?"

A study conducted by the University of Southern California earlier this year found that the unemployment rate for the predominantly black and Latino south-central corridor hovered around 13 percent—well above the 7.1 percent level recorded for all of Los Angeles County in April.

While everyone is waiting for officials to develop a recipe for economic recovery, some individuals have embarked on small-scale programs to help put people back to work. Several Asian restaurateurs are hiring extra cooks, cashiers and waiters, even if they don't need the extra staff, to help Koreans who are suddenly without work. Likewise, several south-central churches have established impromptu job banks for babysitters, auto mechanics and hairdressers who were left jobless after the civil unrest.

The devastation in south-central will likely ripple outward, affecting areas throughout Southern California if tourists decide to steer clear of a region that is traditionally associated with sunshine and glamour. The tourist industry suffered immediately following the civil unrest, with hotels, tour operators and other travel-related services showing a 75 percent loss, according to officials with the Los Angeles Convention and Visitors Bureau.

Tourism is the second highest industry in Southern California, generating more than $7 billion annually. The city's tattered image could undercut travel industry revenue by as much as $2 billion this year, said Gary Sherwin, a spokesman for the bureau.

The riots could have a particularly large impact on the international travel market, where tourists tend to have greater concerns about safety when visiting urban America.

Korea has issued a travel advisory warning its citizens to postpone visits to Los Angeles. Three of Japan's largest travel companies have canceled more than 400 tours to Southern California.

"We are and have been for several years struggling with the question of personal safety," Sherwin said. "This does not help our case . . . especially with CNN broadcasting pictures of a truck driver being pulled from his car and beaten senseless all over the world. We are going to have to try and prevent turning a social disaster into a widescale economic disaster."

For now, the workers left unemployed have overwhelmed unemployment offices and county-run disaster centers, where people are lining up at 6 a.m. looking for relief—financial and sometimes emotional.

Soon Hae left a Mother's Day celebration held in her honor Sunday to visit the disaster relief center in Koreatown, seeking counseling for a husband who had been jabbering incoherently for several days since his gift store was looted and damaged by fire.

On the other side of town, Joyce Washington marched into another disaster center with grocery receipts in hand to seek reimbursement for the food she lost in a three-day power outage during the unrest. "It's bad enough that I lost my job in all this mess, I lost a week's worth of groceries too, and sure as I am standing here someone is going to pay me back," Washington said as she waited in line.

EXHIBIT 1

OFFICE OF THE MAJORITY LEADER,
Washington, DC, May 11, 1992.

The PRESIDENT,
The White House,
Washington, DC.

DEAR MR. PRESIDENT: We commend you for visiting Los Angeles last week. The presence and concern of the President are important to Americans in a time of crisis.

The events in Los Angeles have focused national attention on the serious economic and social problems in urban areas.

The conditions present in Los Angeles exist in most of our nation's urban areas. They present a challenge to our society. That requires an immediate response to the situation in Los Angeles and a longer term strategy that addresses the fundamental problems in many of our cities.

The creation of jobs, and the opportunity and hope that come with a job, are vital to the recovery of Los Angeles and the renewal of our urban areas. The personal safety of residents of urban areas is crucial to the rejuvenation and vibrancy of neighborhoods.

We know that we and you disagree on some aspects of this matter.

Americans undoubtedly also have different perspectives on the best approaches to these problems. but on one thing we can all agree: No one benefits if differences of opinion paralyze our society's response.

We therefore propose the following actions and invite you to join with us in gaining their enactment.

You have publicly committed $600 million in assistance to those hurt by this disaster, through the Small Business Administration (SBA) and the Federal Emergency Management Agency (FEMA). We support your proposal. But, as you know, without supplemental funding, neither the SBA nor FEMA will have enough money to pay for disasters already declared and also help the people of Los Angeles. We ask that you join us in supporting greatly needed funding for SBA and FEMA, as well as for a summer youth jobs program under the Job Training Partnership Act.

We agree that arson, looting and destruction damage the community as surely as any of the underlying causes of urban unrest. The conference report on the crime control bill has been approved in the House and awaits only Senate passage and your signature to become law.

It includes valuable provisions for community-based policing, state and local law enforcement assistance, a provision that will begin to control the proliferating urban arms race that threatens our police, and a range of higher federal penalties for drug-related offenses as well as for capital offenses, including the death penalty. It has the endorse-

ment of every major police organization in the country. Its enactment can send a valuable and immediate signal to all the people of our cities and suburbs that the personal security of law-abiding citizens and the protection of private property are a central element of economic revival in urban areas.

We propose that several provisions of the tax measure which Congress passed and you vetoed in March, be considered again and enacted. These are (1) the creation of urban enterprise zones; and (2) the extension of several expiring tax programs which utilize the private sector to help create jobs, provide better housing, and encourage investments in economically disadvantaged areas.

The bill providing 13 additional weeks of unemployment insurance that we worked out together in February expires on June 13th. We should ensure that unemployment compensation is available for those who are unemployed. Only 40 percent of the jobless qualify for compensation today. When less than 50 percent of jobless workers in a recession qualify for unemployment benefits, the system is not working as intended. We ask you to join us in extending and fixing the unemployment compensation system.

People need jobs. The Surface Transportation Act of 1991 provided the largest public works authorization in our history. Nearly all of the required money is in a Trust Fund. States have indicated that they could use another $1 billion on approved projects this year. States will be able to spend the full $25.7 billion authorized for the next fiscal year. We urge you to revise your FY 1993 budget request to provide for the full authorization. This would increase available funds by $3.6 billion.

In addition, the Housing Reauthorization bill now pending in Congress, including the Community Development Block Grant, and the Head Start Summer Program, will create jobs and empower urban residents by providing increased affordable housing and expanding local community development activities.

We can improve on this beginning, first, with consultation, among Members of the Congressional Black Caucus, community leaders in Los Angeles and other affected urban areas; and, second, by recognizing that other long-term measures, now stalled because of politics or paralysis, must be broken free and moved to the front of the nation's agenda. Specifically, we refer to the need for cooperation between the Executive Branch and Congress on behalf of broad-based economic growth that will provide jobs, opportunity and justice for all Americans. It has often been said, and we would do well to remember today, that a good job is the best social program for everyone in our society.

These measures, by themselves, will not solve all the problems. Much more will be needed. But we believe they represent an important start.

Without order, there cannot be the stable communities that nurture stable families. The foundation for personal responsibility is formed only within a stable family structure. There is a broad core of agreement between us on which we can build, and we write you in the same spirit you expressed in a news conference before leaving to visit Los Angeles.

You told Americans then that the challenge is not one of assigning blame, but whether we, as a country, have done enough for those left behind. You said you were not satisfied that we had. We share these sentiments.

Americans need to know that their President and Congress, whatever their differences, can work together to meet urgent national needs. We want to do so. We believe we can. We believe incentives for economic growth and restoration; the urgent need to combat crime and random violence; and a deeper commitment by government, business, and individuals to constructive, supportive family policy; all these constitute a common ground.

We invite you to join us in moving expeditiously in a bipartisan fashion on these important initiatives.

Sincerely,

GEORGE J. MITCHELL.
THOMAS S. FOLEY.
RICHARD A. GEPHARDT.

The PRESIDING OFFICER (Mr. HARKIN). The Senator reserves the remainder of his time. The Senator from New York is recognized.

Mr. MOYNIHAN. Mr. President, I believe I have been asked by the distinguished chairman to speak for 10 minutes in a sequence he has organized this morning on urban affairs.

Mr. RIEGLE. I yield 10 minutes to the Senator from New York.

The PRESIDING OFFICER. The Senator is recognized for 10 minutes.

HELP FOR OUR CITIES

Mr. MOYNIHAN. Twenty-seven years ago in the Journal America, which is published by the Jesuits in New York—this was 1965—I wrote that—

From the wild Irish slums of the 19th-century Eastern seaboard to the riot-torn suburbs of Los Angeles, there is one unmistakable lesson in American history: a community that allows a large number of young men to grow up in broken families, dominated by women, never acquiring any stable relationship to male authority, never acquiring any set of rational expectations about the future—that community asks for and gets chaos. Crime, violence, unrest, disorder—most particularly the furious, unrestrained lashing out at the whole social structure—that is not only to be expected; it is very near to inevitable. And it is richly deserved.

There is no great purpose in simply restating that observation, save to say that it was true in 1965 in the aftermath of the Watts riots and it is true today in the aftermath of the Los Angeles riots. What I find a little difficult to understand—or to welcome, perhaps, is the term—is our sudden rediscovery of a problem, a situation that has been there for 30 years and has steadily gotten worse.

Those of us who have tried to make that argument are only very intermittently heard. The Washington Post only this morning finds room on the Metro page to tell us that five teenagers were shot in a drive-by shooting yesterday afternoon near the District's Eastern High School about 30 minutes after school let out. Eastern High School, Mr. President, is about 20 blocks from here. Five young black males were shot by other, we cannot doubt, classmates. One young lady who was standing by was shot, incidentally. The other four were in a car. They drove away. The police and the medical workers finally found them sitting on a step. I quote this passage:

"You don't need to know anything else from me—I'm gonna take care of this myself," the rescue worker quoted an 18-year-old with a bullet lodged in his head as saying when police tried to question him about the gunmen.

This riot has been going on most every night and every weekend for 30 years. It is not a racial issue; it is a class issue. I tried to make that point in the journal America 27 years ago. For what it is worth, in 1809 an editor in Pittsburgh suggested that a charitable fund be organized to buy 12 houses in Pittsburgh, such that one could be burned down each month by the local rioting community and a civic festival could be made out of it instead of the random violence that these slums have always had. We discover them intermittently. We do nothing about them partly because we do not know a great deal.

The other day, the head of the Congressional Budget Office was quoted in an article by Mr. Rosenbaum saying that the dynamics of demography, economics, and other matters are such that we have no idea what to do about this situation; none. Mr. President, I will ask unanimous consent that this article be printed in the RECORD at the conclusion of my remarks. Our head of CBO, to whom we have delegated all the other mysteries of our age and our work, tells us, "Senators, you do not know what you are doing; you do not know what you are doing."

I do not know that I disagree. Why do we not ask Mr. Reischauer to come and explain to us what he meant when he said, "I have no idea what to do."

At the same time, the most important thing to observe at this moment is that we have no resources. If resources are an issue, we do not have any. And it is no accident, Mr. President, that we do not have any, but a deliberate act of Government, in which this body acquiesced, which this body to this day seemingly cannot understand.

Let me give you, if I may, a brief account of a time when I was, for a brief period, staff director of the Urban Affairs Council of the White House of President Nixon. His first action when he came to office was to establish an Urban Affairs Council. In 8 month's time, with the help of George Shultz, then Secretary of Labor; Robert Finch, Secretary of Health, Education, and Welfare; George Romney, Secretary of Housing and Urban Development—great, great men in office—the President put together a set of proposals to deal with the urban problems.

May I tell you what those proposals were, Mr. President? The first was guaranteed income. A guaranteed income, I say to the Senator from Michigan. We first have a guaranteed income for everybody. Then we would have revenue sharing with the Federal Government and the cities. Then we would completely revise our job training.

Such was the hubris of this body, this Senate, and the wild miscalculations of

the so-called advocacy groups, that we turned down the guaranteed income as not big enough. The idea will not be touched upon in this debate. Revenue sharing did pass, but then we lost in the 1980's.

There was an interesting thing. I wrote a book about the debate in the White House and in the administration over a guaranteed income called "The Politics of a Guaranteed Income," a 559-page book describing Arthur Burns' principal opposition to this idea. He was counsel to the President. In 559 pages—I would like my friend from Michigan to hear this—in 559 pages, there turned out to be 34 lines having to do with the cost of guaranteed income. The question was whether you wanted to spend money. The money was a given if you thought the idea was a good one.

In 1981. people came to this city and deliberately set about destroying the capacity of the Federal Government to respond to these issues with anything like the resources that might be needed. David Stockman was part of that effort. Starve the beast it was called. But then he realized what was happening and he said: The Reagan administration's refusal to accept the need for new revenues when the need became obvious "was a willful act of ignorance and grotesque irresponsibility." He said: "In the entire 20th century history of the Nation, there has been nothing to rival it.

At that time, Mr. President, I would come to this floor and talk about that measure. Unrivaled in the entire 20th century history as Mr. Stockman says, an act of ignorance and grotesque irresponsibility. I would come to this floor and talk about it and say it was willful. They had an idea, starve the beast. And no one understood a word we were saying. It was beyond the reach of our imaginations. In his absolutely magnificent book, "Sleepwalking Through History," Haynes Johnson has a footnote about Stockman. He says:

Moynihan was the first to charge that the Reagan administration "consciously and deliberately brought about" higher deficits to force congressional domestic cuts. Moynihan was denounced and then proven correct—except that the cuts to achieve balanced budgets were never made, and deficits ballooned ever higher.

Mr. RIEGLE. Will the Senator yield at that point? If the Senator will yield, I recall another part to that story. My understanding is that when they did the first economic models of the supply-side economic approach that the Senator just described, the huge tax cuts, the notion that we would have this massive increase in revenues to Government, and so forth, that the numbers went into the computer, the computer ran, came back out and said, no, we would have a disaster, we would have huge deficits, that the Government could not meet its basic needs. Because it did not work, they went back in and basically jimmied the computer; in other words, they changed the program in such a way that the computer was told to come out with a favorable answer to make the numbers look good even though they knew, in fact, this would not set off the kind of economic miracle they were advertising.

Mr. MOYNIHAN. It is very important. This is a very important subject. If we do not get this straight, all the rest is flawed. Ask Mr. Darman. He was there. Mr. Stockman, in his book says he realized and he said, "Oh, my God, it is a disaster." That if all of the Reagan plan was implemented you might get more real economic growth but no gain in Federal revenues.

Then he said inspiration came. If we have that disaster, it will force the craven politicians of the "Second Republic," a phrase they used, to cut the welfare state to the bone, to get rid of it. And they will have to cut.

Then a third stage, he said. They did not cut. Reagan would not cut. He describes those scenes where he would give Mr. Reagan a quiz on a program. He would say this is a program, this is what it does, this is what it costs, should we get rid of it, keep it as it is, cut a little. The President would say cut a little bit. And then he would say oh, my God, we are going into this deficit $50 billion, $100 billion, $200 billion, as far as the eye could see. He was wrong; $400 billion, as far as the eye could see.

Ask Mr. Darman. He was there. He said when they decided they would not get new revenues and they would not cut old programs, that it was a willful act of ignorance and grotesque irresponsibility. I quote Mr. Stockman, a member of the Cabinet: "In the entire 20th century history of the Nation there has been nothing to rival it."

Why not ask Mr. Darman?

I thank the Senator.

Mr. RIEGLE. I thank the Senator.

Mr. MOYNIHAN. Mr. President, I ask unanimous consent that the aforementioned article be printed in the RECORD at this point.

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

[From the New York Times, May 10, 1992]

CONCERN, CASH, BUT NO ACCORD ON URBAN WOES

(By David E. Rosenbaum)

WASHINGTON, May 9.—Despite trillions of dollars spent over the years on thousands of different Government social programs, politicians and scholars are no closer to agreement today than they were a generation ago about the best ways to lift people out of poverty and make the cities better places to live

Experts at universities and research institutes and in Government agree that if a consensus could be reached about which programs have worked, the country would embrace those solutions, regardless of cost. But enormous ideological and political differences inhibit such a consensus, and the gulf has widened in the aftermath of the riots in Los Angeles.

"The position all along," said Donald F. Kettl, a political scientist at the University of Wisconsin, "is that we cannot agree on what it means that something works or doesn't work. The goals are always multiple and confused and vague. Conservatives look at it from one perspective, liberals from another. What people at the national level thought were mistakes, people at the local level often liked. Everything is just much more complicated than we ever thought."

In a few instances over the years a consensus emerged about what needed to be done, and in those cases the country responded. Take the elderly.

Thirty years ago, half of all Americans over 65 had no medical insurance, a third of the aged lived in poverty and millions avoided destitution only by living with their children.

Since then, with little complaint or political controversy, people's taxes have been repeatedly raised and the money has been spent on the elderly to the point where Social Security retirement benefits, health insurance under Medicare, nursing home payments under Medical and additional income supplements to the aged poor amount to well over one-third of the entire Federal budget.

Today, nearly everyone over 65 has medical insurance, the poverty rate among the elderly is substantially lower than it is for Americans as a whole and a vast majority of older people are financially self-sufficient.

The attacks from the Bush Administration in the last week to the contrary, the programs of the 1960's and 1970's have had other distinct successes.

Before the civil rights laws of 1964 and 1965, no major American city had ever had a black mayor, and there were only a couple of hundred black elected officials nationwide at all levels of government. More than 90 percent of the black adults in some cities were not registered to vote.

Now, blacks vote in about the same proportion as whites, and New York, Los Angeles, Chicago, Philadelphia, Detroit, Atlanta and Cleveland are among the many cities that have or have had black mayors.

In the early 60's, only one-third of the children 3 to 5 years old attended nursery school of kindergarten. Now, preschool programs are available to almost all children those ages.

Still, few people would argue that the nation's cities are better off. Old problems like poverty, crime, illegitimacy and violence seem to have worsened. New plagues like AIDS, crack and homelessness are pervasive.

So if the social programs succeeded in some respects, they failed in many others. More important, central questions increasingly seem to become irreconcilable the longer they are debated: how to strike a balance between work and welfare, to insure poor children a solid education, to put the jobless to work, to provide adequate housing for all, to fight crime while preserving civil liberties.

LEADERS ARE AT A LOSS

Americans and the politicians they elect would love to have the inner cities flourish and to allow the people who live there to enjoy the fruits that nourish most Americans, said Robert D. Reischauer, director of the Congressional Budget Office and Congress' chief staff economist.

The difficulty, said Mr. Reischauer, whose academic specialty is social policy, is that no one knows how to do it. "The economic and demographic and political forces that

have been undermining the vitality of our inner cities are so overwhelming," he said, "that policies of the sort we've engaged in really can't stem the tide."

Nearly all politicians and scholars agree that the main Federal welfare program, Aid to Families with Dependent Children, has been at best seriously flawed and at worst disastrous. Almost no one defends rules that force families to split to qualify for welfare before they are eligible for Medicaid, the health care program for the poor.

But conservatives and liberals disagree so fundamentally on what a welfare program should be that many attempts to reform A.F.D.C. have failed for lack of consensus.

WELFARE'S CENTRAL CONFLICT

Conservatives worry most about poor people's becoming dependent on welfare generation after generation and never bothering to fend for themselves. Liberals are most concerned that benefits are not high enough to enable the poor to live in dignity.

Almost everyone agrees that those who can work should work. but jobs in the inner cities are scarce, and a basic conflict has never been resolved: On one hand, if welfare benefits are withdrawn when poor people take jobs, then there is little incentive to work, because the difference between what they can earn and their welfare payments is small. On the other hand, if they are allowed to keep a good part of their welfare checks when they go to work, then they have considerably more income than people they are working with side by side who have never been on welfare.

One reason Federal aid to the elderly has been so universally accepted is that the aged are not expected to work, so the trade-off between work and benefits does not arise.

Like many other conservatives, Stuart M. Butler, director of domestic policy studies at the Heritage Foundation, a Washington research institute, believes that the Aid to Families program is so fraught with misguided incentives that it has poisoned almost all Government social programs.

BRIGHT SPOTS

"Walk around the inner cities if you dare to, and all you see are people on the street corners not expected to do anything," Mr. Butler said. "The men would be crazy to look after their families and the women would be foolish to take a job because the welfare benefits would run out."

But even most ardent conservatives concede that some Government programs have basically been successes, like Head Start for poor preschool children and the Job Corps, the residential work-training program for the most seriously disadvantaged youth.

And other scholars have found small but valuable programs around the country. One, in Chicago, has helped thousands of poor black families move from the inner cities to better lives in federally subsidized housing in the suburbs. Another, called Youth Build, now in eight cities, has poor young men learn construction skills by restoring buildings. These programs rely on at least some Federal money, but they are locally organized and might not be applicable nationwide.

Some Government programs have distinctly failed. No one today defends the high-rise public housing projects that were built in the 1950's.

WHEN GOOD YIELDED BAD

Other programs had unintended adverse consequences. The urban renewal grants of the 1950's and 60's placed modern buildings in the downtowns of cities, but in the process neighborhoods were destroyed and families were displaced. In the end, much more housing was lost than gained.

And the interstate highway program, the most important public works project in American history, facilitated the abandonment of the cities.

Many people now live in better housing because of Federal aid like rent subsidies, but the money has always been so short that only a small portion of poor people could benefit. On balance, developers and landlords have probably been the real winners from Federal housing programs.

Employment training programs have also had mixed results. They have been especially beneficial for many women but have failed most young black men. Most of the jobs programs have been guilty of "creaming," giving training to the best-qualified applicants, who would probably have succeeded without the special training.

"The problems are just so intractable," said Tom Joe, director of the nonprofit Center for the Study of Social Policy in Washington." "I hate to say it, but the programs that work, the ones that really work, are those that get people out of the inner city."

Mr. HOLLINGS addressed the Chair.

The PRESIDING OFFICER. The Senator from Michigan has 13 minutes remaining.

Mr. RIEGLE. I yield 3 minutes to the Senator from South Carolina.

The PRESIDING OFFICER. The Senator from South Carolina is recognized for 3 minutes.

(The remarks of Mr. HOLLINGS pertaining to the introduction of S. 2702 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

The PRESIDING OFFICER. The Senator from Michigan has 9 minutes and 30 seconds remaining.

Mr. RIEGLE. I yield that to the Senator from Maine, the majority leader.

The PRESIDING OFFICER. The distinguished majority leader is recognized.

BICENTENNIAL OF THE DEMOCRATIC PARTY

Mr. MITCHELL. I am pleased to join my colleagues today in marking the 200th anniversary of the formation of the Democratic Party of the United States. I commend Senator SANFORD, the distinguished Senator from North Carolina, who has organized this commemorative occasion. He has come to symbolize, in his personal integrity and commitment to the ideal of equal justice and equal opportunity for all Americans, what I believe is best about the Democratic Party and the democratic process in our society.

The Democratic Party is the world's oldest political party. There is good reason for that. The reason is that the Democratic Party is an inclusive, diverse party whose principles are drawn from the same roots that guided the men who wrote our Constitution.

Our Nation has seen enormous change in the two centuries since its founding. The vision of the Founders was profound as to the structure of Government. The vision of the Founders about the nature of our society was limited by their times. As a result, we have a founding document, a Constitution, which is clear as to guiding principles, silent on specific policies.

The Democratic Party, born in the same years as the Constitution itself, created by the very same men—James Madison was the principal author of the Constitution and a founder of the Democratic Party—was endowed from its origins with the moral clarity and democratic principles which underlie the Constitution.

Our Constitution does not directly dictate specific social or economic policies. That is a task of the political parties. And that is the task the Democratic Party has performed for the Nation since its beginnings.

The principles of political liberty, democratic inclusion, the principles of diversity, of the greatest good for the greatest number, are the principles that have shaped the Democratic Party at its best.

Our party's diversity has sometimes been the source of dissension inside the party and out. Some claim that only a firmly fixed, inflexible set of goals can provide a guideline for a political party. Others have suggested that diversity of opinion reflects a lack of philosophy and absence of clarity and purpose.

Those criticisms sound plausible. Will Rogers got a good laugh when he said, "I am not a Member of an organized political party—I'm a Democrat." But they are mistaken, because our diversity and differences are one of our strengths as a party. Our principles depend on no fashionable temporary philosophy of economics or Government, no litmus test to satisfy one or another faction within or without.

Our guiding principles are derived from the enduring strengths and traditions of the American nation.

Democratic principles are the principles of an equal voice for all participants.

Democratic principles respect the liberty of individual conscience and tolerance for the liberties of others. The Democratic principles guide us to seek a common ground with all Americans, not to exclude those who are different.

Democratic principles guide us in seeking to extend a helping hand to the vulnerable in our society, for we know what injures any one American injures the Nation.

The Democratic Party throughout its history and our Nation's history has been the party of expanded opportunity.

It is the Democratic Party which champions a broader franchise which encourages every American to vote, including those who have never before voted.

It is the Democratic Party which has worked to vindicate the civil rights of black Americans, Asian Americans, and all others excluded from the full privileges of citizenship.

Today it's fashionable for many to talk about opportunity. But Democrats have been expanding real opportunities for more than 50 years.

Within the lifetimes of Members of the Senate, 9-year-old American boys worked in coal mines and 10-year-old girls worked in textile mills. Democrats changed that. We passed child labor laws and now American boys and girls are in school, where they belong.

Within the lifetimes of many in the Senate, most Americans who reached the age of 65 could look forward only to a few years of poverty and misery, and the loss of self-respect.

Democrats changed that. We passed Social Security and Medicare to help elderly Americans keep their dignity and self-respect.

Within the lifetimes of most of the Members of the Senate, American rivers were open sewers and the sky in some cities was dark with pollution. We Democrats changed that. We passed environmental laws that cleaned up our rivers and began the cleanup of our air.

Less than five decades ago, within the lifetime of almost every Member of the Senate, American Armed Forces, the men and women who braved the battles and fought for our Nation, often at the risk of their lives, served in regiments that were segregated. A Democratic President changed that.

Like any human organization, the Democratic Party has sometimes betrayed its principles, sometimes strayed from its central beliefs, sometimes made mistakes at times. But in the longer span of American history, no institution, no organization has done as much, as consistently and as effectively to preserve the principles of democratic representative government on which our Nation is founded; none has done more to promote the grand instruction in the Preamble of the Constitution: "* * * to establish justice, insure domestic tranquillity, provide for the common defence, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity.* * *"

It is the Democratic Party which seeks today to establish the recognition that the rights of women are as securely protected by the Constitution as the rights of men.

It has been the Democratic Party which fought to empower the workers of America, to ensure that they share in the material prosperity of America.

It was the Democratic Party which has fought for the opportunity for the children of plumbers and bricklayers to go to college with the sons and daughters of industrialists and Governors.

We are not perfect. Challenges face us in the next century that we cannot even envision today. The needs of Americans in the next decade will not be the same as their needs in the last. Change in the larger world will be reflected by change at home.

But the enduring principles of political liberty, inclusion, respect for diversity, the fidelity to our founding document are an assurance that the Democratic Party of the future will respond to those unknown challenges as it has to those in our past.

Mr. President, I yield the floor. I again commend the Senator from North Carolina.

Mr. FOWLER addressed the Chair.

The PRESIDING OFFICER. The Senator from Georgia is recognized under his own for up to 5 minutes.

Mr. FOWLER. Mr. President, I ask unanimous consent to speak as if in morning business for 10 minutes, under the time of the Senator from North Carolina, if necessary.

The PRESIDING OFFICER. The Senator from North Carolina has 1 hour of time reserved.

Mr. SANFORD. The Senator from Georgia certainly has as much time as the Senator from Georgia needs, approximately 10 minutes.

The PRESIDING OFFICER. The Senator from Georgia is recognized for 10 minutes on the time reserved for the Senator from North Carolina.

Mr. FOWLER. I thank the Chair. I thank the Senator from North Carolina, and join the majority leader in commending his leadership in arranging his tribute to the 200th anniversary of the Democratic Party.

Our party, Mr. President, is one of our country's oldest institutions. Founded 200 years ago by Thomas Jefferson and James Madison, it is the oldest political party on our planet.

It seems to me this would be reason enough to pause and reflect, but I do submit that the principles on which this party was founded are more important, more relevant, more crucial than ever to our country, and indeed to the world in which we live.

I do not think we have to look far back in the history to see this. The people, the countries of the world, from Central America to the former Soviet Union, are embracing greater citizen participation in government. They are rejecting those who would covet crowns and mitres—as in the words of Jefferson—when they covet those titles and privileges under the cover of communism or in some other guise.

We also know that the first Republicans in this country where what we now call Democrats. Our party adopted the name used as an epithet, applied with contempt to the Jeffersonians, by the more aloof Federalists. Our party adopted the name of Democrat as a sign of pride that we stand on principle with the people, that we are the party created 200 years ago to give the people greater voice and greater control of their representative government.

It is more important than ever that the party of Jefferson and Jackson hold to its traditions. It is a tradition we can be proud to be part of. It is unfortunately a tradition which was recently attacked by the President of the United States, and we should not hesitate to defend it.

The President blamed the problems of America today on many Democratic programs of 30 years ago. There is no doubt that plans and programs must change with the times as our people change and our world changes. But I prefer to stand by Lyndon Johnson's principles, the use of a period of prosperity in our country to wage a war on poverty, to try to do something for the less fortunate of those, our brethren. I think those efforts compare favorably with what we saw in the 1980's, where our potential prosperity as Americans was applied to no purpose.

I would stand by the Democratic Presidents of our century: Woodrow Wilson, the first American President with a true world vision; Franklin Roosevelt, who applied the power of public office and public institutions to bring our country out of economic decline; John F. Kennedy, champion of public spirit, and public service; Jimmy Carter, from my State, a model of citizenship—in or out of the Presidency.

I think this kind of purpose and principle is a far cry from the cause of some of our country's problems. I think if we take this time to look at the roots of the Democratic Party, it will tell us much about the problems we face in Government today. I know it will show us that the history of our party is interwoven with the history of our country, that we have risen and fallen with its fortunes and shared its vitality.

The Democratic Party was founded to increase direct popular control over the Government, to widen the right of suffrage, and to limit the power of the Federal Government.

Any Senator who holds a town meeting in his or her State today will tell you these issues are very much alive with the people of our country, who think Government is too far away. They want to bring their representatives back to the communities they represent.

It is very much alive on the floor of this institution, as we seek to limit the influence of big money campaign contributions on the conduct of Government.

It is very much alive as we look for ways to bring people back into the voting booths, those people who believe in self-government, but who are disenchanted with the system as it stands. These are the important issues for our Republic, just as they were 200 years ago.

When we look at the sources of popular discontent—which none of us in this body would deny, and that we all

must answer to the people back home, the people of our country—we may indeed see social programs that need to be revamped and revitalized. That does not mean it is time to ignore our social conscience. It means we have to invest our public resources more wisely to better our country and, yes, that is the tradition of the Democratic Party.

For the last decade or more, unfortunately, we have seen a society where the rich grew richer, the poor grew poorer, where citizens drifted further from their Government, which, as I noted, they believed was run too much by campaign contributions.

I know that we can profit from what Andrew Jackson said about the role of Government in bringing about a better society, and one that will not breed disgruntlement or erupt in unrest.

Here are Andrew Jackson's words:

> Distinctions in society will always exist under every just government. Equality of talents, of education, of wealth, cannot be produced by human institutions. For the full enjoyment of the gifts of heaven and the fruits of superior industry, economy and virtue, every man is equally entitled to protection by law. But when the laws undertake to add to those natural advantages artificial distinctions—to grant titles, gratuities and exclusive privileges to make the rich richer and the potent more powerful—the humbler members of society * * * who have neither the time nor the means of seeking favor for themselves, have a right to complain of the injustice of government.

I do not think I need to add anything to prove what a vital force the Democratic Party has been in the development of the values of our country, or what a model it has been for other countries striving to bring about just representation in their Government.

This is a great tradition, a great heritage, one that all Americans can be proud to be part of and one which those of us who serve today must strive to be worthy.

I thank my friend from North Carolina.

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

The PRESIDING OFFICER. The clerk will call the roll.

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

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

A DAY WORTH REMEMBERING

Mr. SANFORD. Mr. President, I thank the distinguished Senator from Georgia for his very wise comments and his observations on what the Democratic Party has meant to this Nation. I certainly thank the majority leader for the comments that he has brought to this Chamber.

Mr. President, it was 200 years ago today that the wheels of our two-party system were set into motion. On May 13, 1792, under the leadership of Thomas Jefferson, the author of the Declaration of Independence, and James Madison, who was central in the writing of the Constitution and the Bill of Rights, the oldest popular party in the history of the United States, and indeed in the history of the world, was created, and with it, the foundation of the two-party concept in America.

In this day of disenchantment with political parties, political outrage with congressional Members, both Republican and Democratic alike, I believe there is a more urgent need than ever to examine the history of both parties, to come to a clearer understanding as to why our country has chosen to govern largely through the two-party system since the birth of these parties hundreds of years ago.

We have stuck with it, and why? Because the concept evolved into the best system available to ensure free government, government "by the people and for the people." To be certain it is not flawless, as is witnessed by the recent scandals spread throughout the newspapers and the public outcries of voters to throw the rascals out.

We have political newcomers and virtual unknowns joining in the Presidential and congressional races, declaring no party allegiance as proof of their virtue, and being touted as heroes by those who know little about their actual ideas and proposals for change or governing.

So why has the Democratic Party held on for 200 years, and the Republican Party for nearly that long? I believe it is due to a commonness of goals. Thomas Jefferson described the goals of his new Democratic Party as focusing on "the increase in direct popular control over the government, the widening of the right of suffrage, the limitation of the power of the Federal Government, and the conservation of the powers reserved for the States by the Constitution."

That is what he wrote as he established why he thought we needed this concept of political parties, groupings of people with differing ideas about how government should be run.

Today, we still strive to find the best balance between the States and the Federal Government, between the leaders and the public.

Another powerful reason for the staying power of our two-party system is an obvious one: Government benefits from having a good argument. This system has worked quite successfully to ensure that there is some give and take in our Government, that the minority cannot simply be steamrollered by the majority opinion. The governments that have 10 or 15 parties have not worked as well. The two-party system also ensures a degree of consensus, assures that a wide array of views are sure to be heard, instead of lost in the din.

In his book, "A Democrat Looks at His Party," Dean Acheson wrote the following about the Democratic Party, which I believe applies to the Republican Party as well:

> If all of the interests which are comprised in the Democratic party were fragmented into separate parties and spent their impact directly on the legislative body, the result might well be either the irresolution and narrowness of electoral will * * * or the submersion of these many interests by a dominant one. * * * But the Democratic party performs through its own processes a preliminary accommodation and regulation of various and different interests before the legislative process begins, or as part of it, and by this develops policies and programs national in their scope and base. There is another highly relevant characteristic of this diverse association covering so many different areas, interests, types of supporters, and points of view. A personality which can gain acceptance of his leadership in this party is apt to be a strong one, one calculated to win national acceptance and one equipped to exercise national leadership.

Therefore, we must conclude that a party must not be so exclusive or represent interests so isolated that it excludes all others; it must be large enough to incorporate many different viewpoints if it can hope to wage any influence or garner wide acceptance for the governing process.

These ideas are hardly new, Mr. President. They are the same thoughts that provoked Thomas Jefferson and James Madison to become leaders in the movement to develop a party dedicated to the betterment of and the fair and equitable treatment of the general populace, as opposed to a government concerned only with the rights of those who could afford to get involved. The principles that began the Democratic Party are the same principles of freedom and democracy that are at the very heart of our country as a democratic nation.

It is for this reason that I believe it is truly worthwhile to recognize and appreciate the full value of the 200th anniversary of the Democratic Party. The birth of the Jeffersonian Democratic Party should not be looked upon as a historical event to be celebrated exclusively by today's Democrats. This is not simply a chance for the Democrats to slap each other on the back and congratulate ourselves on what a fine party we are. This is a chance for Democrats and Republicans alike to reflect on the history of our political party system, to trace its roots and origins, and to pay tribute to our forefathers who had the foresight to create a political system in which all voices, no matter how large or small, could be heard.

The evolution of the Democratic Party can be traced back to the early 1790's. In a letter to President George Washington, then-Secretary of State Thomas Jefferson first acknowledged the emergence of his new political party, writing:

> I have determined to make the subject of a letter what for some time past has been a

subject of inquietude to my mind, without having found a good occasion of disburthening itself to you in conversation, during the busy scenes which occupied you here. Perhaps, too, you may be able in your present situation, or on the road, to give it more time and reflection than you could do here at any moment. * * * The republican party, who wish to preserve the government in its present form, are fewer in number; they are fewer even when joined by the two, three, or half dozen anti-federalists, who, though they dare not avow it, are still opposed to any General Government; but, being less so to a republican than a monarchial one, they naturally join those whom they think pursuing the lesser evil.

By referring to the Republican Party—now known as the Democratic Party—in his letter, Jefferson confirmed any suspicions that the growing number of opponents of the Federalist Party were indeed forming their own party. The Jeffersonian Republicans, led by Thomas Jefferson and James Madison, while staunch opponents of the Federalist Party, did not adhere to the views of the anti-Federalists, whose members were opposed to any general government. Jefferson and Madison desired an organized form of government, but one which balanced power between the leaders and the general public, allowing the States to exercise as much authority as possible without the interference of the Federal Government.

The seeds for discontent had been sown when newly elected President Washington appointed Alexander Hamilton as his Secretary of the Treasury and Thomas Jefferson as his Secretary of State. The two Cabinet members experienced fundamental differences of opinion in their interpretations of the Constitution and their ideas of how the Federal Government should be run. Hamilton was a strong advocate of an aristocratic Federal Government, while Jefferson believed that such a government would only serve to make the elite prosper, while keeping down the general citizen and the general hardworking new citizen of a new nation.

Jefferson's courage in moving away from Hamilton's ideas of governing is significant not only because of its link to the beginnings of the Democratic Party; it is also important for the reason that before President Washington's first term, there had been no real political parties. Washington had not run for the Presidency on a party platform, nor had he adopted any political party to which he pledged allegiance. The formation of political parties had been discouraged as divisive and as vehicles for corruption.

In fact, President Washington had spoken out on this very issue. Party spirit, he feared, "serves to distract the Public Councils and enfeeble the Public administration. It agitates the Community with ill-founded jealousies and false alarms, kindles the animosity of one party against another, forments occasionally riots and insurrection. It opens the door to foreign influence and corruption, which finds a facilitated access to the government itself through the channels of party passions." He did note, however, that there was "an opinion that parties in free countries are useful checks upon the Administration of the Government and serve to keep alive the spirit of Liberty. This within certain limits is probably true. * * * But in those of the popular character, in Governments purely elective, it is a spirit not to be encouraged. * * * A fire not to be quenched; it demands a uniform vigilance to prevent its bursting into a flame, lest instead of warming it should consume."

Now we can look back in the history and see that the irony in Washington's speech, of course, is that it was considered by many to be a partisan and Federalist-inspired speech in itself—it was indeed one emerging party speaking of and to another emerging party—because it served as yet another marker of the growing strength of the now Democratic Party, the Republicans, as a power to be reckoned with. Indeed, we needed this kind of exchange between groups favoring different points of view.

Party lines were being clearly drawn and defined around this time, and the beginnings of a workable political party system, one which challenged and debated all sides to an issue, were falling firmly into place.

Thus, 200 years of the Democratic Party began, and shortly thereafter, our Nation was well into a two-party system that continues to this day.

What then, of our political system today, and all of the anger, frustration, and discouragement being vented in the papers and in the polls? Is this two-party system on its last leg? Is it sick beyond repair? On the contrary—all indications, in my opinion, seem to be that this system is alive and well and kicking and all right.

We cannot imagine the kind of disorder that would come if it were not for the concept of political parties and, although a great many writers are suggesting that the party is over, that no longer are parties needed, more than ever a nation that gets so much information from an ever-broadening system of media, needs to have the kind of discipline for organizing different opinions that the party system provides.

Because we do hear the voices of our citizens, saying "We won't take any more of your astronomical campaign budgets." "We won't stand for congressional perks." We are forced to look in the mirror, check our behavior and stay in line with the will of the people. If we do not, then these same voices can and will mobilize their votes and send us packing—and that, Mr. President, is as it should be.

"What about modern day partisan bickering?" you may ask, and you would be right to ask. It is true that perfectly good bills have lived and died at the hands of petty partisan politicking on both sides of the two-party system. I have no remedy to cure this problem. But I would be inclined to argue that the benefits of debating out an issue—being forced to view a piece of legislation with new eyes, from a new point-of-view, and perhaps even hammering out a deal between the two parties—outweigh the disadvantages of such a system. I am also convinced that the majority of Senators and Congressmen are committed to working toward amicable solutions of legislative disputes, and are as frustrated by political stalemates as is the rest of the American public.

So my message to those concerned about the direction of our two-party system is this—examine the history of our political system in America and you will come away, I believe, with hope, not discouragement. It may not be perfect, but it is working, and it has worked throughout our history.

The celebration of this bicentennial is not about partisan politics—it is about the political party system as a whole in America, and it is about the debt that our current national political system owes to Thomas Jefferson, owes to James Madison, owes to the emerging party in 1792, first called Republican and then called Democratic, but always looking to expand Government to serve all of the people. This is a day, Mr. President, well worth remembering for all Americans.

Mr. President, there are several other Senators who have indicated a desire to speak during this period. I simply will say a few words extemporaneously awaiting their arrival. I will be ready to relinquish the floor immediately if there is someone else who cares to speak on this subject.

Mr. President, I have brought us up to the Great Depression and the beginning of Franklin Roosevelt. I would like to, now, yield to the distinguished Senator from Tennessee, whatever time he cares to use.

The PRESIDING OFFICER (Mr. AKAKA). The Senator from North Carolina has 23 minutes left.

The Chair recognizes the Senator from Tennessee [Mr. SASSER].

Mr. SASSER. Mr. President, I thank my friend from North Carolina for yielding to me. He has brought us historically up to the time of one of the greatest Presidents in the history of the Nation; to the time of Franklin Delano Roosevelt, certainly the greatest President of the 20th century.

But I am going to take us back, Mr. President, about 100 years, to the time of another great President. That President was Andrew Jackson of Tennessee.

Before I do, let me say just a word about what is occurring here today.

We are discussing the history of the oldest political party in the United

States, many say the oldest ongoing political party in Western democracy. The roots of that political party, the Democratic Party, reach back to Thomas Jefferson. Jefferson was a man who held a deep and abiding faith in this new, young Republic and in its people. He had a faith in economic justice, a faith in the ability of the American men and women to determine their destiny and to shape their own country.

Thomas Jefferson was a man of extraordinary brilliance and almost clairvoyant perception. I well remember—and I am sure the distinguished Senator from North Carolina will remember—back in the 1960's, when another young and dynamic Democratic President, John Fitzgerald Kennedy, had a gathering at the White House of all of the great writers and scholars and intellectuals of the day. They gathered there for dinner, and John Kennedy addressed the group. He said something to this effect: My friends, this is the greatest sum of intellect that has been in the White House since Thomas Jefferson dined alone. Perhaps that is correct.

Jefferson believed in the self-contained yeoman, the self-sufficient farm, a free and vibrant country building on the native resources of its people, its land and its character. That was the Jeffersonian vision. That has always been, I think, the faith and credo of the Democratic Party.

But this morning the distinguished Senator from North Carolina, Mr. SANFORD, asked that I give special attention to Andrew Jackson who, as I said earlier, is a native son of Tennessee, whose legacy is very dear to our hearts in the Volunteer State.

While Thomas Jefferson was the architect who designed the political house of the Democratic Party, it was Andrew Jackson who brought the people.

Jackson strode into office on March 4, 1829. And he said in ringing tones, in his first inaugural address, "the majority is to govern."

We accept that statement simply as a matter of fact today. Who would disagree with it? That is conventional wisdom; that is commonplace. But in 1828 that view was revolutionary, not just in the United States but all across the Western World. Because those were the days of the great revolutions that were sweeping across Central Europe, and many considered the idea that the majority would govern to be radical, revolutionary, inappropriate, and something that simply could not work.

But for Jackson, majority rule was the only true meaning of liberty, of freedom, of equality under the law. He refused to believe, as James Madison and other thinkers of his time feared, that a virtuous people in a democracy would inadvertently permit tyranny; that the people could not be trusted to be the captain on the deck of their own ship of state; that they represented a threat to themselves, simply because they had neither the intellectual capacity, the education, the capacity to govern themselves; that they should be governed by an elite.

Jackson rejected that soundly.

He rejected it in the name of the small hill farmers of North Carolina, of Tennessee. He rejected it in the name of the hunters and the trappers of the West. He rejected it in the name of the soldiers and the militia that had fought so valiantly at his side in the War of 1812, and his voice boomed these words on the date of his inauguration: "The people are sovereign. Their will is absolute."

Jackson campaigned all across the country on that philosophy, and it was not just vote-getting rhetoric. It was not the "read my lips" of the day. It was a genuine belief that the future of this Nation depended solely on democratic popular rule. That was the foundation on which the freedom of our people must finally rest. And we know today as we see the 20th century coming to a close, that that was also the belief on which the freedom of tens of millions, indeed hundreds of millions of people in the 20th century really depended; the view that a great Nation, called the United States of America, believed and fought for democratic popular rule, not just for itself but for freedom-loving peoples everywhere. Those were the views of President Andrew Jackson when he came to the White House in 1829.

I must confess, Mr. President, as a Tennesseean, I have a very zealous admiration for the seventh President whose home, the Hermitage, is not too distant from where I live in Nashville, TN. And the people adoringly call him Old Hickory.

As I was educated in the public schools of the State of Tennessee, I learned early in life that Andrew Jackson is an American hero in a class all by himself. He was extraordinarily courageous and tough and energetic, a man of great character, who overcame adversity as a child seeing both his mother and his father perish at an early age.

He could fight a duel better than any man in his day, I say to my friend from North Carolina, and when he strode into the White House in 1829, he carried the pistol ball in his body of those who had fired at him in times past. He was a military leader who never knew defeat. And when Andrew Jackson, with his ragged band of militia and hunters, not a professional soldiers in the crowd, defeated the British outside New Orleans in the War of 1812, it was, indeed, the world turned upside down in military history. Here was a ragtag band of Americans defeating the finest, best-equipped, best-led regiments of His Majesty's army, the finest army in the world at that time; an extraordinary feat of military prowess.

And of course, Andrew Jackson was a great democratizer. I must confess that the exact meaning of that word, democratizer, eluded me when I first studied that in the grade schools of Tennessee.

But not until much later in life, when I came to serve on the Senate Budget Committee, did I discover the ultimate reason to admire Andrew Jackson. He came to the Presidency in 1829 and promised not only to balance the Federal budget, but to pay off the national debt, and during the 8 years of his administration, he did both. So when Andrew Jackson left the office as President of the United States, he left the American people with a Treasury that was indebted to no one.

Jackson said, and I think there is much merit to this: "The national debt is a national curse, and my vow, if elected President, shall be to pay the national debt."

And that is precisely what he did. He was a man who made great promises in his campaigns, but he carried out those promises. When he was elected, the national debt was $58 million—$58 million, I say to my friend from North Carolina. The Navy spills that much aircraft fuel every day, I suspect, on the decks of aircraft carriers and airfields around the world. But that was a very sizable amount of money in that day, and by the time Jackson left office, the Federal Treasury was in a surplus.

And today in 1992, that achievement could not be more relevant. The man who brought the people to the Democratic Party brought a commitment to fiscal responsibility. That is the history of the Democratic Party, Mr. President. It is a history of fiscal responsibility. That has been our enduring legacy.

Yes, in recent years occupants of the White House have been less vigilant in guarding that legacy, but I think the time has come for the Democratic Party to reclaim it.

When you think about it, preserving our heritage as the party of fiscal responsibility, as Andrew Jackson defined it, should not be that difficult. After 13 years of fiscal irresponsibility under Republican administrations, the national debt of this country has grown from 20 percent of gross national product when Ronald Reagan took office to over 66 percent of the gross national product today. A shameful disgrace. What a legacy to leave to generations yet unborn. The national debt has almost doubled in the 3½ years since George Herbert Bush became President. It will hit some $4 trillion this year.

So I say to my colleagues, let there be no confusion about which is the party of fiscal responsibility and which is not. It is the party of Andrew Jackson of Tennessee.

I say that this country is long overdue for a good dose of Andrew Jackson's fiscal rigor.

Jackson left other legacies as well. He created the national convention process, something we take for granted today. But it came into being because of Andrew Jackson. And the party platform. He felt that a political party ought to have a statement of its beliefs. He will always be known to the world as the man who turned the Founding Fathers' theory of democracy into a real, living, breathing democracy for all of our people.

Under Jackson, real political power was transferred from politicians who were of the elite to the voters. That was his lasting gift to the country that he loved so much. That was Jackson's genius. For all the world, Andrew Jackson was the representative American of his day.

Now, like all great men, he was a man of contradictions. He was a defender of States rights, of limited Government, but he was passionately devoted to the Union. Without military knowledge or military training, he defeated the finest army on the face of the globe in his day and won the greatest military victory of his era, the Battle of New Orleans.

What a joy it was for the American people who had seen British soldiers march into their own Capitol and seek to burn the very building we are standing in today, who had seen a British marine major get into the seat of the Speaker of the House of Representatives and put his muddy boots on the Speaker's desk and laugh at the young Republic and ask his fellow British marines, "Shall we burn it or not?" And they all voted yes. And they marched around to burn the Capitol of the United States.

So what a joy it was to this small, young, aspiring Nation to read that Andrew Jackson had defeated the British armies and routed them in New Orleans. What a thrill. And they knew that this young country was here to stay because it defeated the greatest military power of its day.

Andrew Jackson's writings and his statements were not as scholarly as those of Jefferson or Madison because he did not have the education and the advantages that they had had. But in his writing can be found the most profound defense of popular government ever expounded. Andrew Jackson was a poor orphan boy with little formal education, but he ascended to the highest office of the land. And this young orphan Nation ascended with him.

When the British admiral, Alexander Cochrane, was preparing to attack New Orleans during the War of 1812, he boasted, "I will be eating Christmas dinner in New Orleans." Andrew Jackson, sitting around the campfire with his ragged troops, heard the boast and coldly replied, "It may be so, but I shall have the honor of presiding at that dinner."

Jackson did preside at that dinner, and he presided over a nation for 8 formative years during its young life, 8 years that spawned a 150-year legacy of democracy, of freedom, of striving for equality. And perhaps the most definitive tribute to Andrew Jackson's greatness is that his ideas are very much alive today.

As we celebrate the 200th anniversary of Andrew Jackson's Democratic Party, we will all do well to recall his genius and to restate our faith and our creed because it is so profoundly at odds with the political winds of the moment.

We Democrats think it is time to reinvest in this country of ours, to reinvest in our land, to reinvest in our people, in our industry, in our cities. We Democrats believe, just as Jackson and Franklin Roosevelt believed, that we have a right to freedom from fear; we have a right to freedom from anxiety; we have a right to expect a health system that meets our needs without impoverishing us; we have a right to an education system that prepares our children for the challenges they will face in adulthood.

We Americans are an optimistic people. We have always believed that the next generation will do better than the last. And I am sorry to say that now, perhaps for the first time in our history, we have a generation that feels they will not do as well as that that preceded them.

Those youngsters who are graduating from college now, who are graduating from Duke University, I say to my friend, Senator SANFORD, who served with such great distinction as president of that great university for many years, sense that their lot in life will not be as substantial, their future not as promising as those of their parents. And I say that that is a tragedy.

So we Democrats think it is time to reinvest in our country, to reinvest in our land.

We believe we have a right and our children have a right to become the Nation that Thomas Jefferson dreamed of. We have a right to become the nation that Andrew Jackson struggled for. We have a right to become the Nation that Franklin Roosevelt and Harry Truman and John Fitzgerald Kennedy sought to build. The heritage of the Democratic Party, our principles, our traditions, our history, that must also be our future—it is the future that will guarantee a life of satisfaction, and a life of meaning to generations to come.

No real understanding of the history of this country or the future of this democracy is possible without a clear knowledge of the history of the Democratic Party and those who have led it. The history of this Nation, and the progress that it has made, and the history of the Democratic Party are so closely intertwined that they cannot be separated.

Mr. President, I want to commend the work of the commission. I want to commend the work of the distinguished Senator from North Carolina. The Senator from North Carolina has made an enormous contribution during his almost 6 years of service here in the U.S. Senate. He has made an enormous contribution not just to the Senate, but to the country, throughout his entire life. As a young paratroop officer in the Second World War, he jumped out of airplanes, into occupied France, fighting the great war to save democracy, to save us from fascism, militarism, nazism. Later in life, he went on to be the most progressive Governor that the State of North Carolina had ever had.

So I want to pay tribute to my friend from North Carolina, thank him for his work, and for providing me a period here to speak in behalf of his service.

SALUTE TO SENATOR TERRY SANFORD

Mr. EXON. Mr. President, I want to make some remarks today on a very important subject. I would not be here today nor would the rest of us, I think, who have addressed a rather significant milestone in our country, were it not for the leadership of my friend and colleague from the State of North Carolina, TERRY SANFORD.

Nice things have just been said about Senator SANFORD by our colleague from the State of Tennessee. I associate myself with the remarks made by the Senator from Tennessee with regard to the thanks, the appreciation, the understanding and, yes, the love that we all have for our talented and dedicated colleague from North Carolina.

I salute him once again for not only what he has done for the country and for his State, but for the Democratic Party that he has nurtured for a long, long time.

SENATOR TIMOTHY E. WIRTH

Mr. EXON. Mr. President, before I make some remarks, on how the Democratic Party has reflected on my life and therefore hopefully favorably on the Nation, let me talk for just a moment, if I might, about a very talented younger Democrat that has recently announced that he is not running for reelection, to the dismay and the disappointment of this Senator. He comes from somewhat of a different generation than my friend from North Carolina, Senator SANFORD, and this senior Senator from Nebraska. But I think TIM WIRTH of Colorado will leave his mark where he served with distinction in the House of Representatives before coming to the U.S. Senate.

I ask unanimous consent, Mr. President, that an op-ed piece by Senator

WIRTH in the May 12 edition of the Washington Post be printed immediately following my remarks on this subject.

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

(See exhibit 1.)

Mr. EXON. Mr. President, here is a young Democrat that I hope will carry on. Maybe he will be back to carry on. But he has announced that he will not be a candidate for reelection. If we talk about the processes that we are weighing today and looking for the future leadership of the country, both from the Republican Party and from the Democratic party, we should recognize that we have suffered a loss with TIMOTHY WIRTH and other of his vintage that have decided not to continue to seek public service.

I thought that Senator WIRTH's insight in the article just referenced was one of the best op-ed pieces, most on point, of any that I have ever seen.

Let me quote from the first two or three paragraphs of this that I think maybe puts into perspective some of the dilemma that faces people in public office today. I quote:

On the day that I announced in Colorado that I would not run for a second term in the U.S. Senate, I handed out a long and detailed explanation of my decision, an evaluation of Senate life, my place in it, my aspirations, discontents and goals. This was followed by a press conference and a lengthy question-and-answer period with the press. So should I have been surprised when a Denver reporter, having just heard me read my statement and my many reasons for terminal frustration, asked me privately after the press conference if I were sick? Code word: AIDS.

Should I have felt my blood begin to boil when another Colorado journalist wanted to know—again with the microphones off—whether a "financial scandal" was about to break over my head? After all, I had already read that morning the account in The Washington Post stating that among the reasons why I was leaving was a supposed affection for the House Bank and overdrafts from it, which would be crippling burdens to carry in my reelection campaign.

This off-the-wall, off-the-mark press speculation confirmed the judgment that led me to call it a political day: It has become nearly impossible, in Congress or outside it in the press, for public officials to carry on sustained, serious discussions of the fundamental challenges Americans must understand and, through their government, rise to meet.

Sensation-seeking in the media has trivialized civil discourse.

All the foregoing was a quote from Senator WIRTH's article that I have referenced.

I am mindful of the fact that in the last couple of days, Mr. President, I have been asked by several members of the press about a recent complaint that I made with regard to the amount of money that we are spending on reconditioning elevators. And I have referenced the fact that I thought that the amount of money that is being spent on some of those elevators and some of the carpeting and some of the woodwork that is going into those elevators, that have nothing whatsoever to do with safety, was not wise in this day of speculation about whether or not we are trying to be careful with the taxpayers' money.

But I am looking forward to the time when I can really make a big splash in the press because I want to alert the press now that hopefully I can have some secretaries from our office in bikinis with me in the elevator with the press in full attention, and if they can get a picture of something like that, because somehow if the news media today can put sex or the idea of sex in with wasteful spending, you really have a story that might, just might bring about a Pulitzer Prize to some of the people that are supposed to be doing a job in covering the press.

I only bring that up, Mr. President, because of what we are seeing today with regard to trivializing of the many important matters that face us, not the least of which I think is the recent vote on the floor of the Senate when this Senator led an effort that was well thought out and took a lot of time to put together to come up with some cut in the national defense expenditures of the United States. And it made hardly a peep in the national news media because there was no waste, fraud, and abuse connected with it.

Unfortunately, we did not have the billing of something to do with sex. If we can get that kind of frosting to put on the cake, you are always going to get the cake placed in the center window for most people to see. If some of the people that we are talking about today had to go through those things in the past, maybe they would not have made the great contribution that we are all pointing to today. Some of the leaders of the Democratic Party in the past certainly clearly are going down in history as ones who made significant contributions to the United States of America.

EXHIBIT 1

[From the Washington Post, May 12, 1992]

TIME FOR A NEW CREW IN WASHINGTON

(By Timothy E. Wirth)

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Sensation-seeking in the media has trivialized civil discourse. Too many print editors and television anchors underestimate the capacity of their readers and viewers to absorb and be absorbed by complicated policy questions. Inevitably, such judgments become self-fulfilling. The budget deficit, the hole in the ozone layer, health care costs, poverty, crime and dropout rates all increase, all get their 15 minutes of fame, and all drop off the screen to be supplanted by transitory alarms that are reported with equal weight and importance.

Attention-deficit is the disorder of the day. I grew not just hoarse from shouting but increasingly frustrated that so much of the nation's press—the crucial intermediary between government and the governed—spends so little time working to make representative government work. The House Bank, a political sideshow, is more widely reported and better understood than either our national debt or the underlying economic confusion that has fed its alarming growth.

After 12 years in the House of Representatives, I went to the Senate in 1987 hoping to find it a more effective forum for inquiry, reflection and consensus-building. By reputation, its pace was more deliberate than that of the House and its members less disposed to grandstanding. I found a different reality; an unsteadying diet of petty partisan maneuvering, ego clashes and legislative ambushes mounted by single-issue zealots who can make the fate of liability insurance within the aircraft industry or the eccentricities of a handful of avant-garde artists seem the most urgent of legislative questions. And all of this in a country whose leader refuses to lead, who does not seem to have a sense of where he wants the country to go, and whose lack of direction in turn pervades the whole government.

The House controls itself through rules that limit not only the time of floor debates but, sometimes too narrowly, their content as well. The Senate is supposed to operate on collegial lines, to do much of its formal business by unanimous consent. When comity collapses, as it decisively has during the past decade of divided government, an undisciplined Senate becomes a mine field where the ability to maneuver counts far more than the capacity to legislate with vision for the future. In such an arena, moreover, various concentrations of moneyed interests increasingly form impassable barriers to action. Against their veto power, initiative falters; posturing more and more takes the place of substantive discussion and decision. Nowhere is this more evident than in the recent action to sustain high levels of defense spending despite the dramatic changes in the geopolitical landscape—a victory for defense contractors, a loss for our children.

The culture of the institution in this sense reflects all too well the culture of a profoundly distracted society. "Headline News" would be an oxymoron in any age except the one where the answer to information overload is a soundbite, where supermarket tabloids and docudramas enjoy almost equal credibility and where "Read My Lips" sums up an entire political credo.

There may be a chance this election year to break that downward spiral. The gathering protest—focused on the failure of government to deliver needed services at reasonable cost or to adjust priorities in a world of breath-taking change and on the perceived arrogance and distance of public officials—will sweep a large number of new men and women into office in November. Let's hope they are vigorous and idea-oriented as were those who rode earlier waves in 1934, 1946, 1958 and 1974. Let's pray, as Rep. Vin Weber (R-Minn.) said so well, that they arrive promising to do more than give their parking place to a homeless person or not to use a House Bank that is already out of operation.

They will be angry. Let's hope they'll be idealistic. And let's make certain that they get heard. The press could pave the way for their arrival and for the changes they could set in motion by focusing now on the content, not just the conflict, of their campaigns. That would be a worthy role for the fourth branch of government. Who knows? Such reporting might even interest and involve viewers, readers and voters in the work of renewing America's democratic experiment.

DEMOCRATIC PARTY'S 200TH ANNIVERSARY

Mr. EXON. Mr. President, I talk today about an organization that is near and dear to my heart. An organization on whose behalf I have worked for and been a part of for many decades. I am speaking, of course, about our Democratic Party.

Today marks the 200th anniversary of the Democratic Party and I would like to take a few minutes to discuss its proud history.

Like most of the Democratic Members of this body, I have attended and spoken at literally dozens of Jefferson-Jackson Day dinners. It is most fitting that those annual events are named after what are essentially the two most important founders of the Democratic Party.

It was through the efforts of Thomas Jefferson that the Democratic Party began in the early 1790's. In fact, it was through his efforts that political parties as we now know them were begun, since during George Washington's terms as our President, political parties were not significant factors in the political life of our country.

It has often been said that the Democratic Party is the most unorganized, organized political party in the country. Looking back two centuries ago, it appears that little has changed. First, there seems to be a considerable amount of debate regarding just when the Democratic Party was created, although many observers pinpoint a letter written on May 13, 1792, by Thomas Jefferson as being the first reference to the party.

Second, the Democratic Party had a hard time getting its name straight as it was initially called the Republican Party, then the Democratic-Republican Party, and finally the Democratic Party which was made official in the party's convention in 1840.

The Democratic Party has always considered itself to be the party of the people but it was not until the election of Andrew Jackson to become President in 1828 that the people really took hold of their own Government.

I suppose that every Democrat has his or her favorite Democratic Party hero and I would like to spend some time talking about my own, President Harry S. Truman. Visitors to my office know that one of my favorite portraits, and one that is prominently displayed in my office, is that of Harry S. Truman in his military uniform mounted on a horse.

Harry S. Truman was born in my neighboring State of Missouri on May 8, 1884. His parents gave him the middle initial "S" but no middle name. When he was still a boy, his family moved to Independence, MO, near Kansas City.

Harry S. Truman served our country during World War I where he commanded an artillery battery in France. After the war, he continued his service in the Army Reserves where he eventually reached the rank of colonel.

He was first elected to public office in 1922 as the county judge of Jackson County, MO. He won a reputation for honesty and efficiency which later paid off when he was elected to the U.S. Senate in 1934. He was reelected in 1940. It is interesting in this time of declining defense expenditures that as a Senator Harry Truman created what was known as the Truman Committee which investigated defense spending and uncovered billions of dollars of waste and inefficiency. And that was during wartime.

In 1944, President Franklin Roosevelt was to be elected for a record fourth term. But many believed that it was likely that President Roosevelt would not live through that entire term. As a result, the nomination for the Vice Presidency took on enormous importance.

Democratic leaders were split in their support for Henry A. Wallace, Justice William O. Douglas, and southern favorite James F. Byrnes. Senator Truman emerged from the field as a compromise candidate and was elected on the second ballot by his party.

Jonathan Daniels once wrote that, "Truman was nominated by men speculating beyond the death of Roosevelt who knew what they wanted but did not know what they were getting." They no doubt got much more than they bargained for.

President Roosevelt died less than 3 months into his fourth term and, as expected, Vice President Truman became President Truman. After being sworn into office, President Truman remarked that he "felt like the Moon, the stars, and all the planets had fallen on me." Indeed the task before him was enormous as our country was still fighting World War II.

President Truman, but a few months later, was called upon to make what is surely one of the gravest decisions ever made by a President of our country. He was informed in July 1945 that we had successfully tested the first atomic bomb. President Truman authorized the use of atomic bombs on the Japanese cities of Hiroshima and Nagasaki in early August of that year. Japan agreed to end the war shortly thereafter.

President Truman in a radio address to the American public explained, "Having found the bomb, we have used it. We have used it against those who attacked us without warning at Pearl Harbor, against those who have starved and beaten and executed American prisoners of war, against those who have abandoned the pretense of obeying international laws of warfare. We have used it in order to shorten the agony of war, in order to save the lives of thousands and thousands of young Americans." I was one of those young Americans.

After the war ended, President Truman initiated the Marshall plan to economically assist the war-damaged nations in Europe. At the same time, the Truman doctrine was developed to contain communism and to place the United States as the world leader in the fight for freedom.

One of the most famous political photographs of all time is that of President Truman holding a newspaper with the headline "Dewey Defeats Truman." That picture was the culmination of the Presidential campaign of 1948 in which President Truman was given little chance for reelection. But his spunk and fighting spirit, as shown by a whistle stop campaign across our Nation, resulted in arguably the biggest upset in the history of our Presidential campaigns.

As an interesting sideline to this story, I note that one of the candidates defeated by President Truman was Gov. STROM THURMOND of South Carolina now a colleague and friend of mine in the Senate.

President Truman's second term was nearly as eventful as his first. In 1949, the United States joined with eight other nations to form the North Atlantic Treaty Organization, or NATO, which has played a major role in the defense of Europe for over four decades.

When Communist forces from North Korea invaded South Korea on June 25, 1950, President Truman was called upon once again to lead our country at a time of war. He quickly decided to intervene to save the independence of South Korea and committed United States troops in that effort. According to President Truman, that was the hardest decision of his political career.

Of course, the most famous saying of President Truman's was "the buck stops here" which was printed on a plaque that sat on his desk. That is a

saying that our current President and for that matter our current Congress should reestablish.

President Truman decided not to seek reelection in 1952. He left office on January 20, 1953, and retired to his home in Independence. He died on December 26, 1972.

On this 200th anniversary of the Democratic Party, my thoughts go to Harry S. Truman, for he truly stands among the great leaders of all time of not only the Democratic Party but of our Nation.

Mr. President, the Democratic Party is not only the oldest political party in our country, but arguably the oldest in the world. Despite being two centuries old, the Democratic Party remains young as it and its leaders are constantly changing. As our Nation has grown, the Democratic Party has grown and, as the party of the people, has reflected the dreams and highest aspirations of our Nation. I wish it 200 more.

Thank you, Mr. President.

Several Senators addressed the Chair.

The PRESIDING OFFICER. Under the previous order, the Senator from Tennessee is recognized to speak for up to 20 minutes.

BICENTENNIAL OF THE DEMOCRATIC PARTY

Mr. GORE. Mr. President, I thank you for the recognition. I hope it will not inconvenience my colleague from California. I had arranged for this time earlier in the week. I do appreciate his courtesy and forbearance.

Since the time of the Senator from North Carolina has run out, I had planned to make comments on two subjects. First, on his time, I had wanted to make comments about the bicentennial of the Democratic Party, but the time I had reserved was for another topic. Let me foreshorten my remarks on the first subject and then concentrate on the other.

I thank Senator SANFORD for his tireless efforts on behalf of this observance, the bicentennial of the Democratic Party in S. 2047.

May 13, of course, marks the 200th anniversary of the oldest continuously existing political instrumentality in America.

Fathered by Thomas Jefferson and nurtured by Andrew Jackson, the history of the Democratic Party is inextricably linked with the history of our country.

Thomas Jefferson's election to the Presidency in 1801, after numerous ballots in the House of Representatives, in fact as the head of a new political party, was not just the birth of a new political party organization, but was the first peaceful transfer of national power from one political organization, the Federalists, to another. This peaceful transfer of power has, of course, lasted as tradition, surviving for 200 years and is the envy of the world for all who love peace and democracy.

I have spoken a good many times on this floor about the ecological system of the Earth. What would that have to do with this observance? I note with great pride that one of the seminal events in cementing the Northern-Southern alliance that helped to form the new party was an expedition to New England undertaken by Thomas Jefferson and James Madison for the purpose of botany. Many suspected the trip was for the real purpose of organizing opposition to Treasury Secretary Hamilton, but the records show that Jefferson wrote voluminous works on the trees, flowers, lakes, soils, and other subjects of relevance to botany himself, and went on at great length about it.

It is an interesting body of work that resulted from that expedition.

Let me say that as a Tennessean I am especially proud of the role Andrew Jackson has played in the history of the Democratic Party. My colleague, Senator SASSER, earlier spoke at some length about this and I will not replicate his fine words. But just let me say that not only did Jackson give the party its current name, he gave the people a greater voice in choosing their elected leaders by taking the Government from the aristocracy and giving it to the general population.

Throughout our Nation, Jefferson-Jackson Day dinners mark the importance of these two historic figures in the development of principles and practices of the Democratic Party. It is commonly said that Jefferson gave the party its principles and creed while Jackson gave the people control of their Government.

Jackson's election in 1828 after he was, in the view of some, unfairly deprived of election in 1824, was a result of a tide of change that swept away State laws restricting the vote to those with property or who could afford certain taxes. When the people rather than the aristocracy and the State legislatures were given the power to elect the President, the first President they chose was Andrew Jackson.

So, I am indeed proud to be a lifelong Democrat attempting to carry on the tradition of Jefferson and Jackson and other leaders in my party in promoting and defending the interests of the people and trying to spread democracy and the power of the vote to every county and parish of this Nation and to every country in the world.

Mr. President, let me shift gears and speak about the subject that I have requested time for earlier.

BOSNIA-HERZEGOVINA

Mr. GORE. Mr. President, on several occasions I have spoken about the events in the Balkans. As I have noted on other occasions, my father's older brother was severely injured in World War I because the events there in the Balkans spilled out from that area of the world to consume most of the world in that terrible war. My family's oral history has always carried lessons with it about World War I and I have, for that reason and for other reasons, spoken on numerous occasions here since last year about events there.

The ongoing destruction of Bosnia-Herzegovina is a crime that must be laid squarely at the feet of the Government of Serbia, and of its leader, Slobodan Milosevic. And it is with great sadness that I must also say that in my opinion it is in part a consequence of a major failure of American policy.

Long ago, before this cycle of violence began, we had a chance to recognize what Milosevic represents and what he and his associates were up to. Unfortunately, such was our Government's concern for the preservation of Yugoslavia that we failed to grasp the fundamentals of a radically changed situation. We failed to realize that Yugoslavia was no longer of value to us as a bulwark against the Warsaw Pact. We did not see that, in fact, the unity of Yugoslavia could only be preserved by means that would make it what it has now become: A major source of instability for all of the Balkans, and the successor to Lebanon as a metaphor for internecine violence.

Even after Serbia invaded Croatia, our Government continued to base its policy on the incredible fiction that the victim was as much to blame as the perpetrator, and that a moral symmetry existed such that the appropriate response was to turn our backs on both. Nothing reflects the bankruptcy of that concept more, Mr. President, than the fact that the Bush administration actually imposed identical sanctions on both Croatia and Serbia, as if it made no difference that the latter's armed forces were helping to conquer a third of the former's territory.

Nor did it seem to matter, Mr. President, that the Government of Serbia was engaged in a process running directly contrary to the interests of the United States as a great power. Namely, the Government of Serbia was reorganizing the map of the Balkans to suit itself—to carry out the dream of a Greater Serbia by violently annexing territories which would establish it as the region's dominant power. Instead of reacting to this threat by at least coordinating our policies with those of our European allies, this administration dragged its heels to the very last. We obstructed. We disengaged. We continuously assured the Serbian authorities of our basic good will toward them long after we should have informed them of an irreparable breach of relations.

In recent weeks, there were some indications that this blindness and paralysis would yet fall away from the Bush

administration. We began to show some anger and determination. It may have taken thousands of deaths, hundreds of thousands of refugees, and the destruction of the economy of what had been a country of 25 million people, but our Government finally seemed to get the message. We came up on the net. We pushed for some action among our allies. We were blunt.

If we had continued down that path, Mr. President, I would not be standing here again as I have at intervals since last September, puzzled again, embarrassed again, and outraged by the moral and intellectual bankruptcy of our policy. But having strutted and roared a bit, the Bush administration now seems to be calling it quits. The situation, we are saying, is beyond control. There is nothing to be done except to wait until the violence exhausts itself, until the aggressor is too fatigued even to continue to assault the helpless.

That is what is going on there now. There is an aggression against the helpless. How did we feel when we watched the horrible scenes on television of people pulling the truck driver out of the cab and continuing to beat him mercilessly? How did we feel for that matter when we first saw that videotape of Rodney King?

There is a basic human emotion when someone who is helpless who is being beaten and who is being brutalized and murdered. We want to help. How do we wall ourselves off from this ongoing brutalization of a helpless people in this situation?

So, a day or two after the European Community ordered home its Ambassadors we are essentially doing that, standing by, doing nothing as this tragedy unfolds. Why? Because we want to be ever the last to risk offending Mr. Milosevic, ever hopeful for his redemption.

Well, it is of course an open question whether we can force an effective cease-fire, but there is no question at all that there are still measures that remain to be taken by our country and by our allies.

First, we can destroy the illusion that there still exists a state whose legal name is Yugoslavia and whose inheritor is the Republic of Serbia and its vassal, the Republic of Montenegro. Yugoslavia does not exist. Its seats on all international bodies, ranging from the United Nations to the various trade and banking institutions, should be voided and its representatives decertified and cast out.

Second, in the place of Yugoslavia, representatives of the successor states of Slovenia, Croatia and Bosnia-Herzegovina should be seated. Representation should be denied to Serbia and Montenegro. Diplomatic relations with Belgrade should be cut. Any assets owned by Yugoslavia that can be seized should be put into escrow. Air traffic to Belgrade should be suspended. Any and all international agreements with the former Yugoslavia should be declared null and void and replacements should be negotiated with the successor states—but not with Serbia under these circumstances.

Third, we and our allies should impose a full embargo on military parts and on oil to Serbia. Romania, which might want to profit by violating either or both of these embargoes, is in no position to bite the hands that feed it and should therefore be put on notice that its choice is to fall in line behind its friends in the West, or look elsewhere for economic help. Greece, which might want most of all to keep its relations with Serbia in good shape and which for understandable reasons has evidenced a deep fear of the consequences of international recognition of the former Yugoslav Republic of Macedonia—especially if it uses that name—must be told in a friendly but firm way that its friends in Western Europe and in the United States need solidarity on this question.

Fourth, since the European Community's April 29 deadline for a cessation of hostilities has come and gone and it is clear that Serbia is the party bearing primary responsibility for this, it is time for the west to begin supplying antiaircraft and antiarmor weapons to those forces which still respond to the instructions of the Bosnian Government. Further, since Mr. Milosevic now claims that his army is to be withdrawn from Bosnia, it would appear that the legal status of Serbian forces that continue to fight in that country has changed. Any further support of these forces from Serbian territory is thus unambiguously a violation of an international border and an assault on the territorial integrity of an internationally recognized independent state. That state has every right to defend itself and to call upon the international community for the financial and material means to do so.

Fifth, we should make clear that we hold the Serbian Government responsible for what is occurring, and we should warn them that this extends to personal responsibility for government and military officials operating in violation of international law and United Nations resolutions. This cycle of violence did not have to occur in Bosnia. Its people had learned to live with each other—Christian, Orthodox, Muslim, all various kinds of Christians. Its people had learned to live together. It was the Government of Serbia and the army of Serbia that ignited the fires now burning in Sarajevo. The fact that, for tactical and propagandistic reasons, Milosevic now wishes to pretend that he bears no responsibility for what is happening is a gross distortion, which needs to be rejected.

In my opinion, intensified pressure on Serbia will in fact bring about a cessation of hostilities in Bosnia. But even if I am wrong, we must try, and we must also make it clear that if war does not end, it is our intention to exact a severe price from Serbia itself. That country's economy is in shambles. Its currency is made of the printing press, not in the marketplace. We are being too conservative in our estimates of our ability to make the so-called Yugoslav dinar completely worthless and to bring their industry to a halt. The political consequences of that are far more clear to Milosevic than to our leaders. That is why he continues to maneuver to forestall effective economic sanctions.

Sixth—and I say this with a degree of understanding for the feelings of Croatians—the Government of Croatia cannot participate either directly or indirectly in any deal to partition Bosnia. If the kind of deal allegedly discussed at Graz were to become Croatian policy, the consequences of that for Croatia itself would be severe. A third of Croatia's territory still lies under Serbian occupation. Any hope Croatia has of recovering that territory rests upon the international community's refusal to accept changes of recognized borders by violence. If Croatia compromises that principle in Bosnia, it destroys its efficacy in Croatia. I grant that the Government of Croatia continues to deny that it is participating in any way in an effort to partition Bosnia and disposes its Muslim inhabitants. Hopefully, that denial is true. It will be a sad day for Croatia if it is not.

There are still other measures, more controversial than any of these, that could be discussed. But in my opinion, it is already clear that major cards remain unplayed. Instead of turning its back, our Government should be working with our allies to confront Serbian authorities with a very stark message: make peace, or the rest of us will see to it that you will ultimately be rejected by your own people and handed over to justice—either at their hands or ours.

I yield the floor, Mr. President.

Mr. SEYMOUR addressed the Chair.

The PRESIDING OFFICER (Mr. SIMON). The Senator from California [Mr. SEYMOUR] is recognized.

Mr. SEYMOUR. Mr. President, parliamentary inquiry. Under a previous order, does Senator SIMPSON from Wyoming have 15 minutes allocated?

The PRESIDING OFFICER. The Senator from California is correct.

Mr. SEYMOUR. Mr. President, I am here as his designee and would ask that I be allowed 10 minutes of that 15.

The PRESIDING OFFICER. The Senator has that right if there is no objection from the Senator from Wyoming.

Mr. SEYMOUR. The distinguished Senator from Wyoming has asked that we split that time, Mr. President, so if I could have 7 minutes of his 15.

Mr. SIMPSON. Mr. President, I regret my tardiness. I believe there is 15

minutes under a special order. Let me relinquish 8 minutes of that time to the Senator from California.

The PRESIDING OFFICER. The Senator from California is recognized for 8 minutes.

Mr. SEYMOUR. Thank you very much, Mr. President, and I thank my distinguished colleague from Wyoming for permitting me to speak.

THE LOS ANGELES RIOTS

Mr. SEYMOUR. Mr. President, the wonders of electronic media afforded all Americans, and the international community, as well, the opportunity to watch as hoodlums and hooligans and thugs proceeded to tear apart south-central Los Angeles and the greater Los Angeles area. We saw entire communities go up in flames, businesses that took years of sweat and hard work to build were destroyed, livelihoods were destroyed, property was destroyed, and lives were taken in the most senseless and mindless looting and pillaging and killing and burning that we have seen in our country in, in fact, this century. We were live participants in the absolutely senseless beating of an innocent truck driver.

And now what do we hear from out political leaders? More finger pointing. For anyone watching C-SPAN, the Senate floor probably resembles a schoolyard given all the finger pointing and name calling that has been going on here since those tragic events of the last 2 weeks.

Let us be honest with ourselves. There is enough blame to go around for everyone, Democrat and Republican alike. And if we really want to take the time, I suppose we could spend the next several days and weeks, if not months, pointing fingers at one another as to why this tragic incident and devastation occurred.

But that is not why we are here, Mr. President. Time is precious and we must not waste our efforts on a dead-end debate. We all understand this. The Congress is not elected to play Monday morning quarterback. Unfortunately, that is how the general public views this institution. Our constituents expect us to be in the game, directing the action, not on the sidelines pointing fingers at one another.

Mr. President, I was in Los Angeles the last 2 weekends. I met with business people and merchants and church and community leaders, city and public officials, and just people in the streets. They do not care as much who is to blame as they are concerned with their futures and how we in the Congress are going to work with them to rebuild their communities, to make their streets safe, and to restore their confidence in America. If I heard one resounding message, it was that we must put aside partisan bickering and "I told you so politics" and get down to enacting real change.

President Bush heard this message when he spent all day Thursday and half of Friday in Los Angeles last week listening to these same people to whom I previously referred. And he has been quick to move forward with an emergency aid package to ensure that the Federal Emergency Management Agency and the Small Business Administration are adequately funded. He also convened yesterday with leaders from both sides of the aisle from both Houses to come together and form a bipartisan solution.

And this process is beginning to move forward.

So, Mr. President, let us nurture it. Let us not condemn it just for partisan purposes. A game of one-upmanship will only hurt the people we are all committed to help.

I do not doubt the commitment of any Senator to give his or her total energy to solving the problems that face our inner cities and urban centers of America. Let us take a lesson from the hundreds of volunteers that flooded the streets of Los Angeles, with brooms and shovels, to start to clean up the destruction. Did we see them pointing fingers? Of course not. They saw the urgency of the situation and went to work immediately to effect change.

These were people from all walks of life. Hollywood stars took up positions next to burned-out shop owners and suburbanites. Each in his or her own way was telling us to get moving and start working together. If they can do it, then can we not?

I am ready for that. The Congress needs to change if we are going to accomplish this. The problems are complex and I do not want to suggest for 1 minute that I, JOHN SEYMOUR, the Senator from California, have all the answers, because I do not.

I have my own ideas, having viewed the devastation. I believe in the fact that we must have law and order in not only the streets of Los Angeles but all the cities of California and the cities across America. Any civilized society is first based and founded and rooted in law and order.

I also have ideas that refer to the rebuilding of greater Los Angeles to ensure that that devastation never takes place again in Los Angeles; in Detroit, MI; in Chicago, IL; or New York City, or any other urban center of our country. What I am talking about is ideas that will create job opportunities, give those citizens a piece of the action, give them a reason to get out of bed in the morning and reach for all they are capable of becoming.

Yes, we have a lot of work ahead of us. The people in Los Angeles and across America are sick and tired of the political finger pointing. It insults them and it demeans us. We are better than that. Now let us prove it.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming is recognized.

RESPONSE TO THE REMARKS OF SENATOR RIEGLE

Mr. SIMPSON. Mr. President, I thank the Senator from California for his remarks. I think they are very powerful and provocative and should be heard.

Mr. President, maybe I missed something, but yesterday I was part of a group at the White House with members of the Democrat congressional leadership and members of the Republican congressional leadership who met with the President of the United States. The purpose of it all—no other purpose, nothing sinister, mind you—was to forge a bipartisan accord on how to proceed on urban initiatives and particularly emergency funding in the wake of the Los Angeles riots.

I felt really very gratified when I left there, that the bipartisan congressional leadership—our fine majority leader, the assistant majority leader, the Senate minority leadership, the Speaker, the Republican leader of the House, and the deputies on both sides of the House—met, and I felt gratified that we could see eye to eye with the President and work for results—not partisan advantage.

That gratification may have been short-lived, especially after hearing this morning's statement by the chairman of the Banking Committee, my friend Senator RIEGLE. He is, indeed, my friend. We have shared much together. I enjoy his energy and earthy humor and spirit. I only have a few minutes to respond, but let me just make a few points.

If all that my friend Senator RIEGLE said was correct, where was all of that directed emotion prior to the tragedy of the Rodney King verdict? Urban issues were not exactly a common topic on this floor. Why? Because it did not play. Well, it may play now. So here is another chance for George Bush to take a good, hard shot in the chops during this election year.

The Democrats seem to find a problem—I suppose through some focus group out in the land they discern such problems—and then they crank in the same formula they use to assess blame for everything. The shocking verdict in the Rodney King case results in riots in Los Angeles—and it was shocking. Who is to blame? Who else? Ronald Reagan, George Bush, and the decade of the eighties.

It is not just Senator RIEGLE who gives us this same verse. I note the District of Columbia Mayor was interviewed this morning regarding recent disturbances in the Mount Pleasant neighborhood. Who is to blame? You guessed it, the decade of the eighties, the distribution of wealth from the have-nots to the haves and the frustration it caused. The main culprits? You guessed it, Ronald Reagan and George Bush, of course.

I think the Democrats must have met somewhere a few months ago and

decided they would employ the same strategy. Find a problem; blame it on the eighties. Then you must remember, now, they use figures about the economy that are based upon the Reagan years, which are now cited as the years between 1980 and now; 1980 was not a Reagan year. He was not President, and it was a miserable year, economically. The misery index was off the rails.

So we want to keep that in perspective. I think the edges of the hymnal that they are singing from are getting a bit frayed. Americans are smarter than we give them credit. They really do not buy the premise that George Bush is responsible for the King verdict or the subsequent riots. Those things were brooding for decades.

Then I heard another old familiar lilting refrain, we have a war in our cities—and here it comes—the Republicans are more concerned with aid in foreign countries and maintaining big defense budgets.

Senator RIEGLE was shocked when he cited that the House Armed Services Committee, which at least at my last knowledge was controlled by the Democrats, had authorized 20 B-2 bombers. He said this constituted spending billions on a weapons system we do not need while there is a war going on in our cities.

Just a brief note. On May 5, 1992, George Bush wanted the Senate to rescind spending on two *Seawolf* submarines costing billions of dollars. The Pentagon does not need them. George Bush tried to cut them. We failed to rescind their spending. How did the Senator from Michigan vote? To maintain full spending for the *Seawolf* submarine.

So, really, why do we not level with the American people? We have lost people from this Chamber—people like WARREN RUDMAN, TIM WIRTH, KENT CONRAD—who are leaving. And the single theme as they leave our Chamber is clear. it is "We all know what we have to do." And we all do know exactly what we have to do. And we will not do it.

But the American people are not going to listen to it anymore. They are not going to keep score. They are not going to delight on whether the Republicans diddled the Democrats this day or vice versa; it make no difference at all to them.

The Democrats have been out of the White House now so long they can taste it. No matter what the problem, George Bush will be the cause. He will be blamed when Democrat committees authorize B-2 bombers or when the Democrat-dominated Senate fails to honor his request to cut spending for an unnecessary weapons system.

But I want to leave this floor in the spirit of optimism because of the meeting yesterday. The statement of my friend from Michigan does not reflect in any way, in my view, the constructive bipartisan approach which was taken yesterday, and which is so long overdue. I prefer to rely on the representations of the Democrat leadership when they indicated to us, and to the President yesterday, that they wanted to work with the President to resolve problems, not against him for partisan gain.

Mr. President, in conclusion, last month I also had to respond on the floor to a Senator's remarks that George Bush had encouraged racial divisiveness in this country. How absurd. There is no spirit of racism in that decent man. What guff.

In the conclusion of my remarks. I inserted the administration's fiscal year 1993 budget proposals for local government. The range of assistance included infrastructure, drug enforcement, crime control, enterprise zones, children's programs, education, real estate incentives, housing, pro-family tax incentives, and health care all funded at increased levels from previous years.

Finally, I ask unanimous consent to include after my remarks a factsheet issued after yesterday's constructive bipartisan meeting outlining the President's six priorities for strengthening urban areas: weed and seed, HOPE, enterprise zones, America 2000, welfare reform, and youth jobs.

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

(See exhibit 1.)

Mr. SIMPSON. I think we can get back now to the work of the day. I think we will, because we can see how feckless it is to simply send the President all the things he wanted plus all things he did not want in the same bill, knowing full well what he would do with it—veto it and then send it back here where we will sustain the veto. It is time to get over that hump. It is time to do the work. We all know what we have to do.

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 it's 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.

[Factsheet]

PRESIDENT BUSH'S INITIATIVES FOR STRENGTHENING URBAN AREAS

MAY 12, 1992.

In a bipartisan meeting with Congressional leaders this morning, President Bush reiterated his call for action on initiatives for aiding and strengthening inner cities.

The President believes we must achieve three principal objectives in strengthening our Nation's inner cities. First, we must establish law and order; second, we must create jobs; and, third, we must expand opportunity and help people achieve greater independence.

I. WEED AND SEED

In order to establish law and order on the streets of America's cities, the President has requested $500 million in his FY 1993 budget to fund the "Weed and Seed" program. This program will combine Federal, state, local

and private resources to "weed out" criminals and drug dealers from the streets, and will "seed" social programs and assistance necessary to alter the conditions that create a breeding ground for drugs and crime.

In his recent trip to Los Angeles, the President announced a $19 million award to the City and County of Los Angeles for the "weed and seed" program.

II. HOME OWNERSHIP FOR PEOPLE EVERYWHERE (H.O.P.E.)

The Administration has requested $1 billion for H.O.P.E. in FY 1993. This money will help 36,000 families become homeowners in 1993 and start another 65,000 families on the road to homeownership.

H.O.P.E. helps families in public housing, in projects that HUD owns, and in housing owned by other Federal, state, and local government agencies. Any of these properties can be eligible for H.O.P.E.

III. ENTERPRISE ZONES

In order to provide capital investment and jobs to inner city areas the Administration in pursuing enterprise zone legislation. This legislation would encourage the development of inner city areas by:

Implementing a zero capital gains tax rate on tangible investments located in enterprise zones for at least two years;

Deferral of personal income taxes for small investors who purchase stock in businesses located in enterprise zones. With this incentive, investors would be able to deduct on their personal income taxes amounts up to $50,000 in equity investment in enterprise zone businesses in the year the investment is made, with a $250,000 lifetime limitation; and

Providing a five-percent refundable tax credit on personal income taxes for the first $10,500 or wages earned in an enterprise zone by workers with total annual wages below $20,000.

IV. AMERICA 2000

AMERICA 2000 is the President's strategy to help every community achieve the six National Education Goals established by the President and the nation's Governors in the 1989 Charlottesville Summit. AMERICA 2000 will revolutionize education in America by:

Building AMERICA 2000 communities to improve education neighborhood-by-neighborhood, school-by-school.

Creating "break the mold" schools to lead the way to a new generation of American schools.

Establishing world class standards to create a consensus on what students need to know and be able to do in five core subject areas.

Giving flexibility to teachers and principles to use Federal and state dollars to meet local strategies to help children learn.

Providing all parents with the freedom to choose their children's schools whether they be public, private or parochial.

V. WELFARE REFORM

The President has asked the Congress to grant significant flexibility to the states and localities to implement new approaches to welfare reform. The Community Opportunity Act, which was sent to the Congress in May, 1991, would allow states, cities, and communities to escape the rules and limitations of narrow categorical programs to use resources to meet local needs.

In addition, the President called in his State of the Union address for innovation by the states through waivers of welfare program rules that can be accomplished under current law. The first of these since the State of the Union, from the State of Wisconsin, was approved within 30 days of being received.

In January the President also has asked the Congress to:

Give states the option to raise the AFDC assets limits to $10,000 for families already receiving AFDC;

Establish, through a demonstration "escrow" savings accounts for long-term AFDC recipients working their way off the rolls; and

Extend application of the Pan for Achieving Self-Support (PASS) to allow individuals to disregard income or resources when used in achieving self-sufficiency.

VI. YOUTH JOBS

The President called on Congress to pass the Youth Apprenticeship Act of 1992 and his comprehensive Job Training 2000 proposal to help provide better job opportunities and training for youth and to assist in developing a skilled workforce.

Mr. BYRD addressed the Chair.

The PRESIDING OFFICER. The Senator from West Virginia is recognized.

Mr. BYRD. Mr. President, I ask unanimous consent that I be permitted to proceed for 15 minutes.

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

The Senator from West Virginia is recognized.

Mr. BYRD. I thank the Chair.

(The remarks of Mr. BYRD pertaining to the introduction of S. 2704 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

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

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

Mr. BYRD. I thank the Chair.

CLEMENT STONE'S 90TH BIRTHDAY

CELEBRATING 90 YEARS OF A UNIQUE LIFE

Mr. BYRD. Mr. President, I am pleased to call attention to the 90th birthday last week—May 4—of one of America's hardest-working, most generous, most irrepressibly optimistic, and most successful business entrepreneurs and public figures, Mr. W. Clement Stone of Chicago, IL, the State represented by the able Senator who presently presides over the Senate with a degree of dignity and skill so rare as the day in June.

I take this belated opportunity to call the Senate's attention to Mr. Stone's birthday because he is currently in Washington to attend a trustees' meeting of one of his favorite organizations, the International Federation of Keystone Youth Organizations, and to be a guest at a private dinner and reception in his honor at the Hay-Adams Hotel.

W. Clement Stone is a father of the contemporary and widespread "self-motivation" movement and, as such, has been directly and indirectly responsible for the personal, business, and life success of literally millions of people. Through his books, tapes, seminars, study courses, and personal appearances, Clement Stone has shared his own experience-tested techniques for achievement and ensured fuller, more abundant lives for men and women around the world.

Many of those lessons Clement Stone learned from his own life.

Left to become the man of his house by his father's death when Clement was only 3 years old, at age 6 Clement began selling newspapers on the streets of Chicago while his mother labored as a dressmaker.

By age 13, Clement Stone was running and managing his own newsstand.

And in the meantime, he devoured all of the old Horatio Alger stories he could lay his eyes on!

At age 16, Clement Stone joined his mother's insurance agency in Detroit and learned sales and marketing by selling and marketing.

At age 20, with barely $100 in his savings account, Clement Stone launched his own insurance agency back in Chicago. That was in 1922. By 1930, Clement Stone was employing 1,000 insurance agents selling insurance throughout much of the country.

Since then, W. Clement Stone has evolved into a mythic American figure, his advice heeded by Presidents, corporate CEO's, ordinary Americans trying to make their lives work as they ought, and millions of men and women in the business world who want to live out the secret of achievement and accomplishment in their chosen careers.

W. Clement Stone's philanthropies and public interests are legion, and hardly any American has not been touched in some fashion by the gifts of time, money, and other resources that Clement Stone has lent to churches, the Boy Scouts and Girl Scouts, cultural institutions and organizations, the American Red Cross, and his numerous books on self-motivation and success.

Mr. President, I have long been an admirer and friend of this uniquely patriotic and positive American, and I am particularly honored to wish him a sincere and unrestrained Happy 90th Birthday as his life and contributions are celebrated this week here in our Nation's Capital.

Mr. DECONCINI. Mr. President, I ask unanimous consent that I may proceed as if in morning business.

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

GOOD NEWS AND BAD NEWS IN TAJIKISTAN

Mr. DECONCINI. Mr. President, news agencies reported day before yesterday that President Nabiyev of Tajikistan

has agreed to form a coalition government with eight different ministries, including the Ministry of Defense, going to the opposition. This is the good news. It is good news for what is happening in that part of the world.

It is good because the Tajikistan Government in central Asia was a bastion of hard-line Brezhnev-era politics, totally dedicated to communism. Despite some progress toward democratization, they have really spent their time consolidating the Communist line and their authority. But, nevertheless, that is good because they talked like reformers. They changed the name of their party. They even subscribe to freedom of religion, freedom of press, pluralism in the political system, and, in fact, they publicly subscribe to the Helsinki Final Act, all of the articles, including the human rights basket, which includes the right of freedom of religion, the right to emigrate and to move freely, and the right to criticize your government.

The bad news is because the opposition's entry into government came about only after 2 months of severe civil disorder, disorder which resulted in some recent violence and some deaths.

Though each member of the Commonwealth of Independent States is unique, Tajikistan, a Sunni Muslim country adjacent to Iran, with which its culture and language are very closely linked, epitomizes one of the problems common to all the former Soviet Republics. Even in Russia and Ukraine, where Boris Yeltsin and Leonid Kravchuk fairly won Presidential elections and have begun the democratic transformation of their newly independent states, the Communist hold on government structures and the bureaucratic apparatus remains strong.

The pattern is all the more prevalent and very evident in Tajikistan where the Communist-dominated Parliament elected in 1990 still rules the country and placed hard-line President Nabiyev back in power in the wake of the August 1991 coup attempt in Moscow. Nabiyev subsequently won a Presidential election in November 1991, but no international observers monitored the balloting, and there were widespread reports describing a fraudulent election.

In mid-April, I led a Helsinki Commission delegation to Dushanbe, the capital of Tajikistan. At the time, thousands of demonstrators had already been camped out in the city's central square for several weeks, demanding the resignation of the chairman of the Parliament and new elections.

Along with Senator JEFFORDS and Senator AKAKA, I spoke with many of the demonstrators and the leaders of that demonstration, with the chairman of the Islamic Renaissance Party, and other opposition spokesmen to the popular front organization, as well as the chairman of the Parliament and the Foreign Minister and President Nabiyev.

Demonstrators told us clearly that they were deeply distressed at the failure of Secretary Baker to meet with the opposition during his February 1992 visit to Dushanbe. I believe it is particularly important in predominantly Muslim central Asia for Western governments and human rights organizations to have an ongoing dialog and contact with the opposition. It is further essential in these countries for the opposition to be able to voice their concerns to Western Governments' representatives and business people and certainly human rights groups such as the Helsinki Commission.

I stressed to the Government and the opposition leaders the necessity of free and fair elections, of having international monitors, and we were invited to attend the next elections—when I say "we," the Congress of the United States—through the Helsinki Commission, which is a joint committee between the House and the Senate. A bedrock principle of the Helsinki process, which Tajikistan's Government has signed and ascribed to publicly in writing, is the basis of any legitimacy that they may seek. That means fair and free elections monitored by outside forces or outside observers, and I hope that they can achieve that because they will not achieve credibility, in the judgment of this Senator, without such an election process.

At the same time, the democratic process must be observed, and I was disturbed by the efforts of the demonstrators to force the Government's resignation. It just seems to me much better for them to force new elections rather than the resignation of the entire Government that was elected albeit under an election process which was not entirely credible.

Last week's violence signaled the failure of negotiations and the apparent outrage of the opposition forces over the appointment of the former chairman of the Parliament, who had been forced to resign and now was put back into the Government. We met with him, and we found truly a very nice, genuine man on the surface, but, in fact, as he laid out all the programs and plans that the Supreme Soviet was involved in, now known as the Parliament, it became clear they were not enacting the laws to come into compliance with the Helsinki principles. First, he was appointed to head the Tajikistan security forces and then reappointed to Parliament as well after Nabiyev had agreed he should resign and be out of the Government.

So, Mr. President, United States involvement is helping to moderate this difficult transition period in Tajikistan and in other central Asian countries. To our credit and to the credit of the Secretary—though I was critical of Secretary Baker for not meeting with the opposition—to his credit, the recognition of these countries as free, independent, sovereign nations and the establishment instantly of an embassy and the decision to send an attaché and competent people there, not political appointees, to these countries I think has served us well, and we get a great deal of credit for being there. We are the only other major nation, with the exception of Iran, that has Embassies that are open in most of these countries. Our Embassy personnel in Dushanbe are doing an outstanding job. They are professional people that have been sent there for the most part on a permanent basis.

What these countries really want and what they tell us they really need is exchange programs. They want the know-how to build and put together communications systems. In Alma-Ata, Tajikistan, we met with the AID Director, who was starting a new program at the time. On a collective, Communist-oriented farm, which was about 60,000 or more acres, several hundred families worked on this farm pretty much like serfs today. And the AID program, from my recollection, for $3 million was to decollectivize this farm to give every family member a plot of land and title to it, and explain what title was, and what you could do with title to the property.

You could hand it over to your relative, your descendents. You could sell it if you wanted to. Teaching how to have a democratic cooperative as we have in the Western World, is what AID is doing.

AID is also bringing in experts from the agri-industry, from the university ag colleges, to show them how to put together a system of crop substitutions, storage of crops, marketing those crops and exporting them; exactly what they want, and it costs, to my recollection, $3 million.

These countries are not looking for big bucks, billions of dollars, as President Bush has suggested—that we cough up $12 billion to stabilize the ruble in Russia, and in addition agricultural credits as well as $625 million of economic aid.

But the Government and the opposition leaders were unanimous in their request of us. They want our knowledge. They want our hands to show them how to build the democratic process. And they want our understanding.

They are really not looking, I felt, for checks that are blank and open, saying America you are so rich, send us your money. They like us. They respect us, and we should respect them and give them something that is really tangible and that they can use in the future. We should take the opportunity to nurture democracy in this way, and build upon the good will that we have established in these particular Repub-

lics, I think this is the best investment we can make.

No longer are we considered the great Satan, as has been said prior to Gorbachev's days and is still said in Iran. We are considered a model of economic progress and democratic process.

In today's world, in the United States—I mean in today's life, we are so critical of ourselves, and rightfully so, because we know we can do better. We know we can balance the budget and do things if we just have the willpower and leadership. My compliments to the present Presiding Officer for his leadership in the balanced budget effort.

So we all know what is wrong with ourselves here. We just have to get our act together. But, halfway around the world these people are looking to us as examples of what a democratic, free society can be, and an economic free society can be. We should invest in these types of programs to these countries, and not the multibillion efforts and suggestions that President Bush is promoting.

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

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

Mr. EXON. The Senator from Nebraska makes an inquiry of the Chair as to the status of the Senate at the present time. Are we in morning business?

The PRESIDING OFFICER (Mr. SANFORD). The time for morning business has expired, but the time for morning business has not been formally closed.

Mr. EXON. Mr. President, I ask unanimous consent that the Senator from Nebraska may be authorized to proceed as in morning business for a relatively short period of time for the purpose of a floor statement and the introduction of a bill.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from Nebraska is recognized.

Mr. EXON. I thank the Chair.

(The remarks of Mr. EXON pertaining to the introduction of Senate Joint Resolution 302 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

IRRESPONSIBLE CONGRESS? HERE IS TODAY'S BOXSCORE

Mr. HELMS. Mr. President, the Federal debt run up by the U.S. Congress stood at $3,883,871,790,311.42, as of the close of business on Monday, May 11, 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.

On a per capita basis, every man, woman, and child owes $15,120.64—thanks to the big spenders in Congress for the past half century. Paying the interest on this massive debt, averaged out, amounts to $1,127.85 per year for each man, woman, and child in America—or, to look at it another way, for each family of four, the tab—to pay the interest alone—comes to $4,511.40 per year.

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?

TRIBUTE TO CLYDE DAVENPORT

Mr. FORD. Mr. President, I rise today to commend a fellow Kentuckian, Clyde Davenport. Clyde, from Monticello, KY, has a talent that recently won him the recognition of being selected to receive the 1991 National Heritage Fellowship Award.

This talent that Mr. Davenport possesses brings with it a historic musical tradition. His ability as a master fiddler and banjo player starts back to his early days when at age 11 he made his first banjo by hand.

Today, because of his technical artistry and musical memory for the songs of his forebears, Mr. Davenport is considered the greatest living exemplar of the Cumberland style music and perhaps the best ever by many local players in his region. That is a big compliment especially coming from an area where tradition and memory of great fiddlers remain in minds of old and young alike. Clyde has produced a style that is all his own, making him stand out from the rest of his peers.

It is not only musical talent that makes Clyde such a unique man. He has shared his music with others nationwide and made himself available as a teacher whenever called upon. His performances include the National Folk Festival, the Smithsonian Festival of American Folklife, and the Festival of American Fiddle Tunes in Seattle. And as a teacher in his home in Monticello, he welcomes anyone interested in the chance to listen and learn his musical heritage and allows them to take home recordings of his work.

I would like to extend my congratulations to Clyde. I applaud him in his desire and efforts to keep a tradition alive—a tradition that is not only special to the people of that area but one that is unique to the State of Kentucky.

PRESIDENT LEE TENG-HUI'S SECOND ANNIVERSARY

Mr. WALLOP. Mr. President, as President Lee Teng-Hui and Vice President Li Yuan-Zu of the Republic of China prepare to mark their second anniversary in office on May 20, 1992, I wish to extend to them and to the Chinese people my congratulations. The Republic of China has much to be proud of. Its economic growth and development have been the envy of the world. As the 13th largest trading entity in the world, the ROC is now our 6th largest trading partner. A dynamic and diversified economy, the Republic of China on Taiwan provides the economic opportunity which enables all Chinese on Taiwan to attain a high standard of living and a great level of personal freedom.

In the political arena, Taiwan has a strong multiparty system and continues the process of constitutional reform, including a revision of its Presidential election methods. Just last December, Chinese in the ROC had the opportunity to vote for representatives to the national assembly. The results of that election gave a strong mandate to President Lee to continue the process of constitutional reform.

On the international scene, Taiwan plays an important role in the community of free nations. Taiwan's accession to the General Agreement on Tariffs and Trade [GATT] is under consideration by the members of that trading body. I cannot overemphasize the importance of moving quickly on that application. In terms of its international responsibilities, Taiwan has shown itself as a compassionate nation, willing to shoulder the commitments of a great economic power. In recent days, Taiwan has donated 100,000 tons of rice and $5 million worth of medical aid to the Ukraine, a breakthrough in establishing direct links between the ROC and the former Soviet Republics. Additionally, Taiwan's overseas fund has assisted a number of Southeast Asian and Central American countries. For its efforts, Taiwan should be commended.

On a personal level, I have enjoyed greatly working with Taiwan's representative here in Washington, Ambassador Ding Moushih. Ambassador Ding and his excellent staff have worked diligently to keep us on Capitol Hill abreast of developments in the Republic of China. They deserve recognition for the role they have played in improving relations between our two countries. I know that relationship will continue to grow and flourish.

JOINT APPEAL ON THE ENVIRONMENT

Mr. MITCHELL. Mr. President, yesterday Senator DOLE and I met with a group of religious and science leaders called the Joint Appeal. Their purpose

is to advocate further action to protect the environment, which they have concluded is warranted based on scientific and religious grounds.

The religious leaders represent 330,000 congregations nationwide. The scientists represent a range of disciplines. All are concerned about the environment. They urged that Congress do more to protect the environment. They asked for better protection of the ozone layer, more actions to curb greenhouse gas emissions, better protection of biological diversity and recognition of the environmental impacts of a growing population.

I applaud the efforts of this diverse group that has found such strong common ground. I ask unanimous consent to insert their Declaration of the "Mission to Washington" into the RECORD.

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

DECLARATION OF THE "MISSION TO WASHINGTON" JOINT APPEAL BY RELIGION AND SCIENCE FOR THE ENVIRONMENT, WASHINGTON, DC, MAY 12, 1992

We are people of faith and of science who, for centuries, often have traveled different roads. In a time of environmental crisis, we find these roads converging. As this meeting symbolizes, our two ancient, sometimes antagonistic, traditions now reach out to one another in a common endeavor to preserve the home we share.

We humans are endowed with self-awareness, intelligence and compassion. At our best, we cherish and seek to protect all life and the treasures of the natural world. But we are now tampering with the climate. We are thinning the ozone layer and creating holes in it. We are poisoning the air, the land and the water. We are destroying the forests, grasslands and other ecosystems. We are causing the extinction of species at a pace not seen since the end of the age of the dinosaurs. As a result, many scientific projections suggest a legacy for our children and grandchildren of compromised immune systems, increased infectious disease and cancer rates, destroyed plants and consequent disruption of the food chain, agriculture damaged from drought and ultraviolet light, accelerated destruction of forests and species, and vastly increased numbers of environmental refugees. Many perils may be still undiscovered. The burdens, as usual, will fall most cruelly upon the shoulders of the poorest among us, especially upon children. But no one will be unaffected. At the same time, the human community grows by a quarter of a million people every day, mostly in the poorest nations and communities. That this crisis was brought about in part through inadvertence does not excuse us. Many nations are responsible. The magnitude of this crisis means that it cannot be resolved unless many nations work together. We must now join forces to that end.

Our own country is the leading polluter on Earth, generating more greenhouse gases, especially CO_2, than any other country. Not by word alone but by binding action, our nation has an inescapable moral duty to lead the way to genuinely effective solutions. We signers of this declaration—leaders in religion and science—call upon our government to change national policy so that the United States will begin to ease, not continue to increase, the burdens on our biosphere and their effect upon the planet's people.

We believe that science and religion, working together, have an essential contribution to make toward any significant mitigation and resolution of the world environmental crisis. What good are the most fervent moral imperatives if we do not understand the dangers and how to avoid them? What good is all the data in the world without a steadfast moral compass? Many of the consequences of our present assault on the environment, even if halted today, will take decades and centuries to play themselves out. How will our children and grandchildren judge our stewardship of the Earth? What will they think of us? Do we not have a solemn obligation to leave them a better world and to insure the integrity of nature itself? Insofar as our peril arises from a neglect of moral values, human pride, arrogance, inattention, greed, improvidence, and a penchant for the short-term over the long, religion has an essential role to play. Insofar as our peril arises from our ignorance of the intricate interconnectedness of nature, science has an essential role to play.

Differences of perspective remains among us. We do not have to agree on how the natural world was made to be willing to work together to preserve it. On that paramount objective we affirm a deep sense of common cause.

Commitment to environmental integrity and justice, across a broad spectrum and at the highest level of leadership, continues to grow in the United States religious community as an issue of utmost priority—significantly as a result of fruitful conversations with the scientific community. We believe that the dimensions of this crisis are still not sufficiently taken to heart by our leaders, institutions and industries. We accept our responsibility to help make known to the millions we serve and teach the nature and consequences of the environmental crisis, and what is required to overcome it. We believe that our current economic behavior and policies emphasize short-term individual material goals at the expense of the common good and of future generations. When we consider the long-term as well as the short-term costs, it seems clear that addressing this problem now rather than later makes economic as well as moral sense. We impoverish our own children and grandchildren by insisting that they deal with dangers that we could have averted at far less cost in resources and human suffering.

We reaffirm here, in the strongest possible terms, the indivisibility of social justice and the preservation of the environment. We also affirm and support the indigenous peoples in the protection and integrity of their cultures and lands. We believe the wealthy nations of the North, which have historically exploited the natural and human resources of the Southern nations, have a moral obligation to make available additional financial resources and appropriate technology to strengthen their capacity for their own development. We believe the poor and vulnerable workers in our own land should not be asked to bear disproportionate burdens. And we must end the dumping of toxic waste materials disproportionately in communities of low income and of people of color. We recognize that there is a vital connection between peacemaking and protecting our environment. Collectively, the nations of the world spend one trillion dollars a year on military programs. If even a modest portion of this money were spent on environmental programs and sustainable economic development we could take a major step toward environmental security.

We commit ourselves to work together for a United States that will lead the world in the efficient use of fossil fuels, in devising and utilizing renewable sources of energy, in phasing out all significant ozone-depleting chemicals, in halting deforestation and slowing the decline in species diversity, in planting forests and restoring other habitats, and in realizing worldwide social justice. We believe there is a need for concerted efforts to stabilize world population by humane, responsible and voluntary means consistent with our differing values. For these, and other reasons, we believe that special attention must be paid to education and to enhancing the roles and the status of women.

Despite the seriousness of this crisis, we are hopeful. We humans, in spite of our faults, can be intelligent, resourceful, compassionate, prudent and imaginative. We have access to great reservoirs of moral and spiritual courage. Deep within us stirs a commitment to the health, safety and future of our children. Understanding that the world does not belong to any one nation or generation, and sharing a spirit of utmost urgency, we dedicate ourselves to undertake bold action to cherish and protect the environment of our planetary home.

SIGNATORIES

Dr. Diane Ackerman, Poet, Naturalist, Author.

Dr. John F. Ahearne, Executive Director, Sigma Xi.

Dr. Richard Cartwright Austin, S.T.D., Environmental Theologian with Appalachian Ministries Educational Resource Center.

Dr. Ian Barbour, Professor Emeritus, Religion Department, Carlton College.

Reverend James Bell, Executive Director, Interfaith IMPACT for Justice and Peace.

The Reverend Thomas Berry, Director, Riverdale Center for Religious Research.

Dr. Alan Betts, Atmospheric Research.

Sally Grover Bingham, California Diocese: Environmental Commission, Episcopal Church.

Dr. Elizabeth Bowen, Representative, National Spiritual Assembly of the Bahai's of the United States, President-Elect, Physicians for Social Responsibility, Assistant Professor of Family Medicine, Morehouse School of Medicine.

The Most Reverend Edmond L. Browning, Presiding Bishop, Episcopal Church of America.

Reverend William J. Byron, S.J., President, The Catholic University of America.

Reverend Joan Campbell, General-Secretary, National Council of Churches of Christ.

Mr. John Carr, Secretary for Department of Social Development and World Peace, United States Catholic Conference.

The Rt. Reverend Frank S. Cerveny, Bishop of the Diocese of Florida, Episcopal Environment Commission.

Dr. Charles Chambers, Executive Director, American Institute of Biological Sciences.

Dr. Audrey Chapman, Program Director for Science and Human Rights, American Association for the Advancement of Science.

Reverend Dr. Benjamin F. Chavis, Jr., Executive Director of the Commission for Racial Justice, United Church of Christ.

The Reverend Dr. Herbert W. Chilstrom, Bishop, Evangelical Lutheran Church in America.

Dr. Eric Chivian, Professor of Psychiatry, Harvard Medical School, Psychiatrist, Massachusetts Institute of Technology, Co-Founder, International Physicians for the Prevention of Nuclear War.

Father Drew Christiansen, S.J., Director, Office of International Justice and Peace, United States Catholic Conference.

Mr. Robert H. Cory, Quaker United Nations Office.

Mr. Herman Daly, Senior Economist, World Bank.

Dr. Calvin DeWitt, Director, Au Sable Institute of Environmental Studies.

Ms. Ann Druyan, Secretary, Federation of American Scientists & Senior Consultant, Joint Appeal by Religion and Science for the Environment.

Reverend Dr. Milton Efthimou, Ecumenical Officer, Greek Orthodox Archdiocese of North and South America.

Mr. Warren Eisenberg, Director, of the International Council, B'nai B'rith.

Mr. Joseph Fitzgerald, Executive Director, National Catholic Rural Life Conference.

Ms. Susan Fletcher, Senior Analyst in International Environmental Policy, Congressional Research Service.

Ms. Amy Elizabeth Fox, Associate Director, Joint Appeal by Religion and Science for the Environment.

Dr. Jerome Frank, Professor Emertius, Department of Psychiatry and Behavioral Sciences, Johns Hopkins University Hospital.

The Most Reverend William B. Friend, Chair, Committee on Science and Human Values, National Conference of Catholic Bishops, Bishop of Shreveport.

Mr. George T. Frampton, Jr., President, The Wilderness Society.

Reverend Dr. William Gardiner, Director of the Department of Social Justice, Unitarian Universalist Association.

Dr. Arthur Green, President, Reconstructional Rabbinical College.

Dr. Lester Grinspoon, Associate Professor of Psychiatry, Harvard Medical School.

Mr. Paul Gorman, Executive Director, Joint Appeal by Religion and Science for the Environment.

Dr. James Hansen, Director, Goddard Institute for Space Studies.

Mr. Jaydee R. Hanson, Assistant General-Secretary, Ministry of God's Creation, United Methodist Church.

Dr. John Haught, Chairman of the Department of Theology, Georgetown University.

Dr. Raymond Hayes, Chairman of the Department of Anatomy, Howard University.

Professor Theodore Hiebert, Associate Professor of Hebrew Bible/Old Testament, Harvard Divinity School.

Reverend Theodore M. Hesburgh CSC, President Emeritus, University of Notre Dame.

Dr. Robert Hestenes, President, Eastern College.

Reverend Gilbert Horn, Executive Director, Colorado Council of Churches.

Reverend Father Vertanes Kalayjian, Diocese of the Armenian Church.

Mrs. Annette Kane, Executive Director, National Council of Catholic Women.

Dr. Henry Kendall, Stratton Professor of Physics, Massachusetts Institute of Technology, Chairman of the Board, Union of Concerned Scientists.

Ms. Kaye Kiker, Member, Executive Board, National Toxics Campaign.

Dr. Gail Buchwalter King, Associate Director for Program Services, Association for Theological Schools.

Dr. Richard D. Land, Executive Director, Christian Life Commission of the Southern Baptist Convention.

Dr. Dan Lashof, Senior Project Scientist, Natural Resource Defense Council.

Dr. Harold Lohr, Retired Bishop, Northwestern Minnesota Synod, Evangelical Lutheran Church in America.

Chief Oren Lyons, Faithkeeper and Chief of the Turtle Clan, Onondaga Nation.

Professor Wangari Maathai, Founder, Kenyan Green Belt Movement.

Dr. Jerry Mahlman, Director, Geophysical Fluid Dynamic Laboratory, United States Department of Commerce.

Most Reverend James M. Malone, Chair, Domestic Policy Committee, United States Catholic Conference, Bishop of Youngstown.

Dr. Thomas F. Malone, University Distinguished Scholar, Department of Marine, Earth and Atmospheric Sciences, North Carolina State University.

Dr. Jessica Tuchman Matthews, Vice President, World Resources Institute.

Sister Catherine McNamee, President, National Catholic Educational Association.

Mr. Alden Meyer, Director, Climate Change and Energy Program, Union of Concerned Scientists.

Reverend Charles Miller, Executive Director, Division of Church and Society, Evangelical Lutheran Church in America.

Reverend Dr. Donald E. Miller, General Secretary, Church of the Brethren.

Dr. Irving Mintzer, Senior Research Fellow, Center for Global Change, University of Maryland.

Dr. Wendell Mohling, President, National Science Teacher's Association.

Ms. Kay Moran, Office of External Affairs, The Smithsonian Institution.

The Very Reverend James Parks Morton, Dean, Cathedral of St. John the Devine.

The Reverend Dr. Edwin G. Mulder, General Secretary, Reformed Church in America.

Dr. James Nash, Executive Director, Churches' Center for Theology and Public Policy.

Dr. C. William Nichols, General Minister and President, Christian Church (Disciples of Christ).

Dr. Richard S. Nicholson, Executive Officer, American Association for the Advancement of Science.

Dr. Richard B. Norgaard, Professor of Energy and Resources, University of California at Berkeley.

Dr. Kusumita P. Pedersen, Joint Secretary, Global Forum of Spiritual and Parlimentary Leaders for Human Survival.

Dr. Albert M. Pennybacker, Professor of Homiletics, Lexington Theological Seminary.

The Reverend Dr. William R. Phillippe, Executive Director, General Assembly Council, Presbyterian Church USA.

Reverend Tyrone S. Pitts, Secretary General, Progressive National Baptist Convention Inc.

The Right Reverend Nathaniel Popp, Bishop of Detroit, Orthodox Church in America.

Dr. Charles C. Price, Board Chairman, Chemical Heritage Foundation, Benjamin Franklin Professor of Chemistry Emeritus.

Dr. H. Ronald Pulliam, Director of the Institute of Ecology, University of Georgia, President, Ecological Society of America.

Ms. Paz Artaza-Regan, Program Associate, Ministry of God's Creation, Board of Church and Society, United Methodist Church.

Dr. W. Franklyn Richardson, General Secretary, National Baptist Convention.

Dr. Howard Ris, Executive Director, Union of Concerned Scientists.

Most Reverend John R. Roach, Chair, International Policy Committee, United States Catholic Conference, Archbishop of St. Paul/Minneapolis.

Mrs. Barbara Bellows Rockefeller, Professor of History, Middlebury College.

Mr. Steven C. Rockefeller, Professor of Religion, Middlebury College.

Dr. F. Sherwood Rowland, Donald Bren Professor of Chemistry, University of California at Irvine, President, American Association for the Advancement of Science.

Dr. Robert John Russell, Founder and Director, Center for Theology and Natural Sciences.

Dr. John Ruskay, Vice Chancellor for Public Affairs, Jewish Theological Seminary of America.

Dr. Carl Sagan, Professor of Astronomy and Director of the Laboratory for Planetary Studies, Cornell University & Co-Chair of the Joint Appeal by Religion and Science for the Environment.

Rabbi David Saperstein, Director and Counsel, Religious Action Center of Reform Judaism.

Rabbi Alexander Schindler, President, Union of American Hebrew Congregations.

Dr. William Schlesinger, Department of Botany, Duke University.

Dr. Stephen H. Schneider, Head of the Interdisciplinary Climate Systems Section, National Center for Atmospheric Research.

Dr. Ismar Schorsch, Chancellor, Jewish Theological Seminary of America [Tues. only].

Mr. Leonard Schwartz, Chairman, Rainforest Alliance.

Dr. Stephen E. Schwartz, Senior Physical Chemist, Brookhaven National Laboratory.

Dr. Cecil E. Sherman, Coordinator, Cooperative Baptist Fellowship.

Dr. Ronald Sider, Professor of Theology and Society, Eastern Baptist Theological Seminary, Executive Director, Evangelicals for Social Action.

Mr. Art Simon, Christian Children's Fund.

Dr. N. Jean Sindab, Program Officer for Economic and Environmental Justice, National Council of Churches of Christ.

Dr. Bennett W. Smith, First Vice President, Progressive National Baptist Convention.

Dr. Anthony Socci, Professional Staff Scientist, Science, Technology and Space Subcommittee, United States Senate.

Mr. William Somplatsky-Jarman, Associate for Environmental Justice, Presbyterian Church USA.

Ms. Frances Spivy-Weber, Director of the International Program, Audubon.

Ms. Victoria Stack, The Albert Schweitzer Institute for the Humanities.

Dr. Jeremy Stone, President, Federation of American Scientists.

Sister Betty Sundry, Associate Director, Leadership Conference of Women Religious (Catholic).

Dr. Byron Swift, Executive Director, International Union for Conservation of Nature and Natural Resources.

Professor Ronald F. Thiemann, Dean, Harvard Divinity School.

Dr. Foy Valentine, Former Executive Director, Christian Life Commission of the Southern Baptist Convention.

Dr. Anne Whyte, Director General, Division of Environment and Natural Resources, International Development Research Centre.

Dr. Timothy Weiskel, Fellow at the Center for Science and International Affairs, JFK School of Government Research, Associate in Environmental Ethics, Harvard Divinity School.

Dr. Edward O. Wilson, Baird Professor of Science, Harvard University.

The Rt. Reverend William Winterrowd, Bishop of The Diocese of Colorado, Episcopal Environment Commission.

Ms. Nancy Wisdo, Director, Office of Domestic Social Development, United States Catholic Conference.

Dr. Steven J. Zeitlin, Center for Psychology and Social Change, Harvard Medical School.

(Affiliations for identification purposes only.)

SPEECH BY MARILYN QUAYLE

Mr. THURMOND. Mr. President, I recently attended the dedication ceremony for the Center for Cancer Research at Richland Memorial Hospital in Columbia, SC. This was a momentous occasion, and among the other guests were Mr. Dave Dravecky, the former pitcher for the San Francisco Giants; and Mrs. Marilyn Quayle, the brilliant and indefatigable wife of our Nation's Vice President.

Mr. Dravecky and Mrs. Quayle have both been outstanding advocates for cancer research as well as early detection and treatment, and it was an honor to be with them. During the course of the day, I had the good fortune to hear Mrs. Quayle deliver an outstanding speech, and I ask unanimous consent that it be included in the RECORD.

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

REMARKS OF MARILYN TUCKER QUAYLE

(Richland Memorial Hospital, Dedication Ceremony for the Center for Cancer Research, Columbia, SC, April 27, 1992)

Thank you, Senator Thurmond. I am honored to be here today. And thank you for such a warm welcome.

It is indeed a pleasure to help dedicate the Center for Cancer Treatment and Research of the Richland Memorial Hospital. My congratulations to Mr. Ivey and all the staff on this very special occasion.

I am often asked, what exactly does the wife of the Vice President do? When Dan first took office nearly four years ago, I asked myself the same question. There didn't seem to be a job description for the Second Lady.

When stepping into a new role, it is always helpful to talk with those who have past experience. So I asked Barbara Bush. She explained that, aside from attending official White House functions and being the President of the Ladies of the Senate, I could create my own job description.

As a lawyer. I had advocated the cause of individuals, but as wife of the Vice President, I now had the unique opportunity to advocate the cause of millions.

I only had to recall the agony of the final days of my mother's battle against breast cancer to know what one of the causes would be.

Cancer continues to take a tremendous toll on our country—both in human and economic terms.

When an individual develops cancer, there are numerous costs associated with treatment. In all, including direct costs of medical care and the cost of lost productivity, total cancer costs will reach more than $90 million this year. Cancer accounts for more than 10 percent of our nation's health care bill.

But far worse—and certainly more devastating for all of us—is the human cost of cancer. This year alone, more than a half a million Americans will die—victims of some form of cancer.

Cancer *is* frightening to all of us. About 76 million Americans alive today will eventually develop cancer. That's one in three—about one million this year.

Statistics and figures are quoted so frequently these days that, for many of us, it is difficult to fully understand the truly devastating impact cancer has had on this nation over the years. Let me give you yet another statistic, one that, I think, may help put this into perspective for you:

During the ten years of the Vietnam War, nearly 58,000 soldiers died. This was indeed a tragic loss for the families of these brave men and women and for our nation. During this same ten-year period, the lives of more than three million Americans were cut short because of cancer. Three million. That is too many loved ones lost, and too many families shattered.

The State of South Carolina is not exempt from the tragedy of cancer. Cancer is the second leading cause of death here—the first is heart disease. This year, over 14,000 South Carolinians will be diagnosed with cancer and almost 7,000 will die.

Most of us have been touched in some way by cancer. And although this disease can claim the lives of those we love, it is important to remember that, in many cases, cancer can be beaten. In fact, there are over 8 million Americans who have faced this disease and are alive today—the survivors are leading healthy, full and rewarding lives.

Many of you in the audience this morning are among those courageous survivors. And I want to take just a moment to salute you for your valor and determination in your personal battle against cancer. This disease is physically and emotionally draining. In facing this challenge, each of you is truly an inspiration to us all.

It is for you, and the countless others who will one day face cancer, that we must put forth every effort and utilize every resource to conquer cancer. Clearly, the fight against cancer deserves—indeed, it demands—our nation's focus and attention.

We must stop the trail of tragedy that cancer leaves behind. We cannot allow this disease to continue unchecked along its path of pain and suffering. This is an urgent mission—and one in which we must be united.

The opening of this cancer center is an important step in fulfilling this mission. This center offers new hope to cancer patients, cancer survivors, and their families. It adds one more piece of artillery to the arsenal of weapons we need to win the war against cancer.

As many of you know, this year, the Richland Memorial Hospital will celebrate its centennial anniversary. For the past one hundred years, this community has relied on Richland Memorial for its medical care. It is a fitting tribute to this longstanding commitment that, this year, you are once again expanding services to meet the unique and ever-changing needs of the residents of South Carolina.

A number of you here today are physicians, nurses and staff at the Center for Cancer Treatment and Research or at the Richland Memorial Hospital. As health care professionals, you are on the front line in the battle against disease. You are committed to the care and comfort of those who suffer.

Whether in the operating room or admissions office, laboratory or nurses station, you are there—every day—fighting the ongoing battle to preserve human life and helping to end the pain and suffering that illness brings.

The quality of our lives depends a great deal on our health, and, as supporters, volunteers and friends of the Center, you know this to be true. This facility would not have been possible without your dedication and hard work. You are vital to this health care system's ability to grow and enhance its services and programs.

This morning, Dave Dravecky and I had an opportunity to take a tour of the new Center for Cancer Treatment and Research. It's a fabulous facility. We met a few members of the staff. And had the chance to learn about some of the impressive programs that this center will offer.

It will provide comprehensive, state-of-the-art services to individuals with cancer. And a union has been forged between this regional hospital and the University of South Carolina's research program.

Science and the scientific application of new knowledge is the path to ending the pain and suffering that cancer causes. The collaborative efforts of the talented staff here at the hospital and the University will give this facility the ability to bring together the best and the brightest, enabling you to pool resources, skills, and knowledge.

I am confident that, with you continued dedication, many discoveries and valuable insights will originate from the laboratories here at this facility. Your work will have an impact not only here in South Carolina, but across the nation.

Medical and technological advances have given us new methods of diagnosis and many new treatment options—that only a few years ago would have been considered science fiction. We know more about cancer and how cancer develops than ever before. However, in our quest for a cure and prevention for this disease, we must remember that the quality of life must be a priority before, during, and after treatment.

The Center for Cancer Treatment and Research recognizes that cancer patients and their families have unique psychological and emotional needs, and offers special supportive services to their patients—A camp experience for children and adolescents that provides an escape from the seemingly endless array of tests and procedures, and gives these young people a few hours to just be children.

There's a support group for parents who have suffered the pain of losing a child, and a home hospice program for those patients whose final days are best experienced in a home environment. These services will help cancer patients and their families cope with the anger, frustration and uncertainty that often accompany a cancer diagnosis.

Looking across this audience, I see women and men with unique talents, special skills and unlimited potential, and the words of the poet Elizabeth Barrett Browning come to mind, because you are the people who can "light tomorrow with today."

Each of you—in your own way—has the power to light tomorrow for the thousands in this community who will face cancer. No matter where your talents lie or how much or how little time you have to give, every one of us can—and must—be a part of the fight against cancer. Simply by talking to your loved ones and friends about this disease, you can make a difference. And, you just might save the life of someone you care about.

Two decades ago, before President Nixon signed the National Cancer Act into law, the word "cancer' was rarely spoken aloud. This disease was a mysterious malady for which there was little hope of survival, and physicians often veiled the diagnosis of a malignancy.

Today, however, because of the candor of many people, cancer is openly discussed. I

believe that because of these honest and forthright exchanges, we have been educated and have all become more aware.

Education is a powerful tool that helps us to prepare. The more we know about cancer, the better prepared we will be should this disease strike. Early detection is one of our most effective weapons in combatting cancer. Detecting and treating this disease in its earliest stages dramatically boosts our chance of survival.

Yet, even with the numerous education and awareness campaigns that highlight the many life-saving benefits of early detection, most Americans—in fact nearly 70 percent—do not follow the guidelines for such screening procedures as mammograms, Pap tests, colon screenings, and monthly breast self examinations.

Early detection is our first defense against cancer, and it begins with you—the individual.

I try to prepare. Each year, I see my doctor for a physical exam. I have a mammogram. And every month, I practice monthly breast self examination.

I do it for myself and I do it for my family. I also do it in memory of my mother. My mother was a physician. She knew the warning signs and what she should be doing. Yet, when her cancer of the breast was discovered, it was already too late. Early detection and prompt treatment might have given my mother many more years with her family. What happened to her does not have to happen to anyone else.

Learning the facts about cancer and the importance of early detection, and implementing that knowledge, can make the difference between life and death. There a number of sources for information. And now, one of them is right here in this community. Everyone can turn to this Center for the information they need to take charge of their lives.

What you are doing here at this new facility and in this community is an integral part of our nation's overall efforts to combat cancer. I know that you work will make a difference in the lives of thousands.

When cancer enters our lives, we are changed forever, and the lives of our families and friends are never the same. We must not stand idly by as this disease takes the lives of our loved ones.

Ladies and gentlemen, we cannot be resigned to the immense tragedy that comes in a lump the size of a pea or in the invisible malignancy that invades our body. We are here today to reaffirm that, in the war against cancer, there can be no substitute for victory.

And on the day, when our mission is fulfilled and cancer no longer darkens our lives, my mother and the millions of others who have lost their battles with cancer, will have their memorial in the lives of all those who will be saved.

Thank you. God bless you, and God speed in your important work here at the Richland Memorial Hospital Cancer Research Center.

TRIBUTE TO COL. JOHN H. MILLER

Mr. THURMOND. Mr. President, I rise today to pay tribute to the memory of a great South Carolina soldier and patriot, Col. John H. Miller, who passed away on April 13, 1992. Colonel Miller was a decorated veteran of World War II, Korea, and Vietnam, who served his country with great courage, dedication, and integrity. We mourn his passing.

"Buck" Miller believed there was no nobler duty than military service, and he lived by that belief. He was a brave, selfless, public-spirited soldier, and he dedicated his life to upholding the principles which made our Nation great.

Colonel Miller built a distinguished record during his 21-year military career. He fought with the 517th Parachute Regiment during World War II, as well as serving on General MacArthur's staff. He also saw action with U.N. forces in the Korean war and later fought with Special Forces in Southeast Asia. During his combat service, he earned the Combat Infantryman Badge with two stars, two Purple Hearts, and a Bronze Star.

After his retirement from the Army, Colonel Miller continued to serve his fellow man by working with the Department of State and as a commissioner with the Maryland District Court.

Mr. President, Col. John Miller will be remembered by all those who knew him as a man whose life exemplified love of country and service to others. He was a fine soldier; loving husband, devoted father and grandfather, and proud American, and he will be sorely missed.

I would like to take this opportunity to extend my deepest condolences to Colonel Miller's lovely wife, Nell Oland Miller, his son, retired army Lt. Col. John H. Miller, Jr., his daughter Vicki, and the rest of his fine family.

Mr. President, I ask unanimous consent that the eulogy written by Colonel Miller's son be included in the RECORD following my remarks.

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

EULOGY IN MEMORY OF COL. JOHN H. MILLER

(Memorial Service at Arlington National Cemetery, April 16, 1992)

The family appreciates you who have gathered to honor this officer, who delighted in serving his Country, who has now been taken by our Lord. I have been asked by John Miller, Jr., Colonel Miller's son, to relate his memories of his father to this congregation.

My father was a soldier—first, last, always. He attained the distinction of serving his country in three wars, World War II, Korea, and Southeast Asia. He welcomed his duty and took great pride in his willing sacrifices.

Men and women of my father's generation were given a gift of which many were unaware. In fact, I think my father would have denied it was a gift. But from my perspective, he and others like him were given the gift of opportunity to serve their Country and to receive the thanks of the Nation for that service. Such a gift imparts a meaning and an unwavering purpose to a life that those of us who came after can only examine with some envy and awe at its largesse.

My father loved his Country and he loved the Army. He frequently remarked, "There is no nobler duty than military service to your Country." His remark deserves reflection for it is the essence of the officer at rest before you. "There is no nobler duty than military service to your Country." Together he and my mother energetically fulfilled the requirements of a military career. In the early 1940's, my father cut quite a figure in his Clemson University ROTC uniform—enough to convince a young lady at Brenau College to marry him and become an Army wife. Their first overseas assignment together was in Occupied Japan. My mother packed and set off by ocean liner to Tokyo alone with a 1 year old boy. My mother loved the military life and my father. While only a toddler then, I can only now realize that working for General MacArthur was a great challenge. After Japan, we were stationed at Fort Benning in the first of many post quarters. My sister Vicki was born there.

Successive tours took us throughout the world. After serving in two wars, it was in Europe and later at Fort Bragg and Southeast Asia where my father's life as a soldier became real to me. Germany was a special assignment in those days, at the height of the Cold War and the Cuban missile crisis. We watched on many occasions as this officer would muster for countless field exercises for days and weeks at a time. The world situation was real.

This new world with its new kinds of wars would demand a new kind of soldier. Colonel Miller was called on to gather with others with like skills to form a small unique cadre which was to activate what has become the Army's elite units—the U.S. Special Forces. We found ourselves back at my birthplace, Fort Bragg, in a world of professional soldiers made even more distinct by their elite Green Berets. From there, my father deployed to a remote part of the world referred to as "Southeast Asia." He was one of the first U.S. soldiers to see service in that part of the world. These were the years, when everything was possible and America a moral force in the world.

During all their tours, my father and mother made close friends, many of whom have shared their grief with us at his passing. And, his friends from Clemson University stayed in touch with "the Colonel" during the many years of his illness. Clemson University mementos and his display case of his service awards—including the Combat Infantryman's Badge with two Stars, two Bronze Stars, two purple Hearts, and Master Parachutist Jump Wings—vied for the place of honor on his hospital room walls.

My father never really told "war stories." Men and women who have been in combat often do not. But I know that combat and his military career were the defining events of his life. And those defining events made him proud and capable. For all his worldliness and experience, my father remained a man who loved the simple things and simple truths of life. He could write beautifully crafted and thoughtful prose. His thoughts were always characteristically distilled, simple in deliverance but profound and lasting in meaning. He chose his words, endeavors, and friends well.

The energy and directedness of the military officer did not desert him in civilian life. I particularly remember the time he hauled load after load of brick from the demolition of the old VFW building in Frederick to the new house where he designed and built a brick patio by himself. He delighted in saving and refurbishing and improving. And the home he left behind in Frederick stands as testimony to his and my mother's hard work.

I am absolutely certain of his parting words for those of us gathered in this fine chapel and on these hallowed grounds. He would simply say, "Shoot! Where else in the

world could an unwealthy and unworldly boy from Pickens, South Carolina be given such great opportunities to serve his Country, make his way through the ranks, and then spend eternity with such honorable and brave friends?" I believe he would also counsel us to live by our distinct values which make us distinctly Americans, to not forsake these values, and to be ready to defend them if necessary.

My father was not a perfect man, nor am I, nor are any of us. We all have our faults. We all make our mistakes. But my father was a good man, with a big heart, and always the best of intentions. He loved his wife, "my Nell." He loved his children. He loved his grandchildren. He loved his Country. And, he loved the Army. We will miss him.

THE END OF AN ERA AT WALMART, INC.

Mr. PRYOR. Mr. President, the recent passing of Sam Walton marked the end of an era at Walmart, Inc. We in Arkansas have long known what a treasure we had in Sam.

I want to share with my colleagues a number of editorials about Sam Walton and the legacy he left behind.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Washington Post, Apr. 7, 1992]

"SAM WALTON"

Sam Walton was as direct and unglamorous as his business, which consisted mostly of finding out what people wanted and selling it to them at the lowest possible price. Although he was, by the mid-'80s, considered the world's richest man, chances are that if you live in the urban Northeast you didn't know much about him or his principal works: the hundreds of discount department stores that have helped transform much of small-town America. In fact, he did little to draw attention to himself, unless driving an old pickup truck and continuing to lead a simple Arkansas existence could be considered an oblique bid for notoriety.

Mr. Sam—as he liked to be called by his employees, whom he liked in turn to call "associates"—had the idea some 30 years ago that there was big business to be done in small towns, much bigger than was being done in the 15 Ben Franklin five-and-dime franchises he and his brother had acquired since starting with a single store in Arkansas in 1945. He set out on his own in 1962 to build a chain. By the time of his death this week at 74, there were more than 1,700 Wal-Marts, mostly in the South and Midwest, with annual sales well over $40 billion.

The pattern with Wal-Mart has been to scout out promising towns and open a store nearby that combines under one vast roof much of the merchandise available in an old-fashioned town center, from drugs to clothes to bicycles. Understandably enough, Mr. Walton has been criticized as a despoiler of downtowns because of the many small merchants driven out of business by his relentless cost-cutting and low prices. But he was hardly the first to realize that Main Streets were being replaced by parking lots, and there is no denying that the demand was that for what Wal-Marts offered: low prices, convenience and helpful clerks.

He drove himself hard until near the end of his life, generally getting to work at 4:30 a.m. and going at high speed all day long. He was also a hard driver of others. The "associates" have never received high salaries, but they are encouraged to take advantage of company stock plans, which have been lucrative for many of them and no doubt encourage a greater attention to making the stores work. Mr. Walton seems to have conducted a lifelong war against complacency, within both his company and himself. Perhaps he disdained the trappings of wealth out of a fear that he would lose his feel for what it takes to meet the simpler needs of ordinary people. No one had better cause to know how demanding a business that can be.

[From the Washington Times, Apr. 10, 1992]

SAM WALTON'S AMERICA

(By Paul Greenberg)

It must have been about 1950 when an ambitious young fellow came to Bentonville, Ark., installed his wife and four children in a rented house, and opened a five-and-ten in an old store he'd bought for $15,000. He made his first desk out of a couple of sawhorses and a sheet of plywood, and nailed an orange crate to the wall for a bookcase. When he died Sunday at 74, nobody had to identify Sam Walton. His chain of Wal-Mart stores in 43 states and 212 Sam's Clubs now employ more than 400,000 people and ring up $43.8 billion in annual sales, making it the country's largest retail chain.

How did he do it?

He paid attention, particularly to the customer, who was always right. He offered low prices, and achieved them through efficient, centralized organization, especially when it came to purchasing and distribution. He made his employees, always called Associates, part of an intense, customer-oriented, proud team. He was completely efficient and completely down-home. And he learned from everyone. To quote one Wal-Mart executive, "I've seen entire company policy change in one day over one constructive comment submitted by a stockman."

Sam Walton proved that the American frontier hadn't ended in 1890, no matter what the history books say. Like the frontier, his empire combined individual drive and complete cooperation. Result: He showed that the American Dream was still attainable, not just for himself, but for a vast army of employees, stockholders, suppliers, and all those who prospered with Wal-Mart. At last report, his chain of 10 Arvest banks from Fayetteville to Bella Vista had more than a billion dollars in assets. Of course that represents only part of the wealth he created—wealth that continues to spark the growing economy of Northwest Arkansas, just to start with.

The American frontier had its dark side, too. Wal-Mart's reliance on part-time employees raised questions about who would pay for their health insurance and retirement, if anyone. As on the frontier, would those who couldn't keep up find themselves abandoned? Or would society—that is, all of us—step in at some point and take care of those left behind? On the frontier, the U.S. Cavalry always arrived in the nick of time, at least according to tradition. What of those who couldn't compete on this new business frontier—the stores that had once anchored small towns, and that took the towns with them when they went? Ghost towns were a feature of the frontier, too.

An unquestioned success, Sam Walton's story raises questions that, like the frontier spirit, are still with us. Sam Walton wasn't just an ingenious entrepreneur but, given the American ethos, a kind of inevitable force of nature. He left behind immense wealth and some nagging doubts as he moved across the landscape like a cyclone.

For the frontier spirit to triumph, as it did in Sam Walton's case, a frontier is needed, and he proved that one still exists. Right here in Arkansas, where the license plates used to read Land of Opportunity. Arkansas still is. So is America.

One of those parochial observers from the national press who came through the state the other day in search of the real Bill Clinton dismissed Arkansas as a "small, insular" state. Well, Arkansas is small, with only 2 million people. Arkansas is also insular, in the sense that everybody seems to know everybody else, their family, nickname and business.

Sam Walton's story reminds that Arkansas is small and insular in other ways—in the way England was small and insular when the sun never set on her empire. In the way Japan is small and insular even with a vast trading empire. In the way a vast frontier can seem small and insular to those without vision or pluck or understanding.

Arkansas is small and insular in the way Tyson Foods is, with its sales worldwide. It is small and insular the way Murphy Oil is. It is small and insular the way Stephens Inc., the biggest bond house off Wall Street, is. It is small and insular the way Sam Walton was—doing business far beyond Arkansas but caring most about his family and friends, his Associates and his state. The obituaries made Mr. Sam's simple priorities seem eccentric in a man of great wealth—on a par with his old pickup and ordinary haircuts. But to what better uses could wealth be put? Another "secret" of Sam Walton's success was that he had the right priorities. And if that is being small and insular, long may Arkansas—and America—remain so.

[From USA Today, Apr. 6, 1992]

"MR. SAM'S" SECRET

He learned to think of employees as associates as a clerk at J.C. Penney.

And taking that to heart may have been the abiding genius of Wal-Mart founder Sam Walton, who died Sunday at age 74 of bone cancer.

"You have to talk to the people. You have to listen to them, mostly. You have to make them know that this is a partnership. That's our secret," Walton told USA Today last year.

It's a secret that turned Wal-Mart into the USA's biggest retailer and made Walton's family, with $22 billion, among the richest in America.

But it's a secret that many businesses only talk about and never take to heart.

The recession has led many businesses to resort to "expense management" to beef up anemic bottom lines, with perks including stock ownership for workers and even free coffee getting the ax.

Walton knew how to cut costs. His company's name was chosen in part because it had fewer letters than other alternatives and, so, signs would cost less. And his cost consciousness kept Wal-Mart's overhead, at 15%, about half that of other major retailers.

But Walton also knew that his bottom line depended on his associates' morale.

He didn't lavish perks upon them, but he did share the growth of his enterprise through an employee stock purchase plan. And he and fellow managers talked with them about everything from where to put a store to how to cut expenses.

In short, Walton formed a real partnership with workers that helped keep Wal-Mart's customers happy.

And for any business, that's the bottom line that matters most of all.

[From the Chicago Tribune, Apr. 7, 1992]

"WAL-MART WON'T BE THE SAME"

The Wall Street experts profess that Wal-Mart Stores will continue on the same without Sam Walton, the 74-year-old founder of the world's largest retailer who died Sunday after a long fight with cancer.

They say his tireless and zealous way of doing business and treating customers is so pervasive and deep-seated that Wal-Mart will grow and thrive for years.

Maybe so, but his employees will mourn the loss of his drive and enthusiasm for change and innovation. And many Americans will miss seeing his smiling, weathered face, peering through the window of his pickup truck and from underneath his baseball cap.

For many, the 1980s was the decade of greed that produced flashy, powerful billionaires like Donald Trump and Michael Milken. But it also was the period that saw Sam Walton turn a backwater discounter into a retailing giant by applying common sense and high technology to a tradition-bound industry.

Along the way, the self-effacing Walton made himself and his family among the wealthiest people in America. Few seemed to begrudge him, however, because he did it the old-fashioned way—through hard work, ingenuity and tough competitiveness.

After World War II, Walton acquired a Ben Franklin dime store in Arkansas with a $25,000 loan from his father-in-law. By the early 1960s, he and his brother owned 15 stores, and Sam wanted to begin opening discount stores in rural communities.

The honchos at Ben Franklin said it would never work, so Walton opened his first Wal-Mart in 1962. Today, Wal-Mart has nearly 2,000 stores in 42 states. It's opening about 150 new outlets a year and eyeing expansion in foreign cities.

Most of the growth came in the 1980s. Concentrating on small Southern and Midwestern towns, he offered low prices on many name-brand goods without special sales and heavy merchandising. He stressed friendly service, and shoppers dictated what went on the shelves, not some army of corporate buyers.

A penny-pincher, he fought to lower operating costs by investing in modern warehouses and computers. With the latest sales and inventory data, his stores could be resupplied in a matter of days, instead of weeks. Sears and K Mart scrambled to catch up.

The success didn't come without controversy. Consumers loved the value and convenience of Wal-Mart, but some Main Street stores were overrun by the giant who had gobbled up acres of cornfields outside of town. Most overlooked the destructive nature of Walton's brand of capitalism, however, to get lower prices and greater selection.

In giving Walton the Presidential Medal of Freedom last month, President Bush called him "an American original who embodied the entrepreneurial spirit and epitomized the American dream."

For this pioneer, it was a fitting eulogy.

[From the Houston Chronicle, Apr. 7, 1992]

SAM WALTON: ARKANSAS ENTREPRENEUR WAS ONE OF CAPITALISM'S ICONS

In the tradition of other entrepreneurial giants before him Sam Walton had a better idea, which was also a simple one: Walton brought the buying power of enormous scale to small towns throughout the South and Midwest, and sold a wider variety of things cheaper than the Mom and Pop operation on Main Street could ever imagine. Out of that straightforward strategy, Walton, who died Sunday at age 74, created a fortune that made him the richest man in America—worth a mind-boggling $18-plus billion in 1991, according to one published estimate.

Walton was a latter-day life sign of capitalistic creativity.

In an age of doubt about the inherent vitality of American capitalism, Sam Walton was the living, breathing, ever-tinkering, never-quite-satisfied proof of it. As big as he became, Sam Walton never lost his inclination to seek ways to improve the way his more than 1,700 Wal-Mart stores did business.

Walton was not without his critics. His brand of entrepreneurialism—on the outskirts of countless small towns—sounded the death knell for many a small-town Main Street and town square across the state of Texas.

But even in that problem there was growth. Walton forced small-town boosters and merchants into new approaches. American merchandising, and American capitalism, were changed for the better by the energy of Sam Walton.

[From the Hartford Courant, Apr. 7, 1992]

"IN THE MOLD OF FORD, ROCKEFELLER"

Sam Walton was a retailing genius because he knew what shoppers wanted and he gave it to them. He stocked the shelves of his Wal-Mart stores with popular products, priced them competitively and employed clerks who wanted to serve customers. Mr. Walton did not discover this winning formula. Beatrice Fox Auerbach, for example, used customer service and quality products to make her G. Fox & Co. a premier department store in Connecticut.

There were other Connecticut similarities with Wal-Mart. Carl Bennett, founder of the Norwalk-based Caldor discount store chain, and the Gilman brothers, Milton, Irving and Herbert, who ran Rocky Hill-based Ames Department Stores, were contemporaries of the Arkansas-based Sam Walton, who died Saturday at age 74.

There was so much similarity between Ames and Wal-Mart that the Wall Street investment community in the 1980s hungered for a merger of the two discount chains. The rumors became so intense that Herbert Gilman and Sam Walton at one point had to issue a joint statement denying there would be a marriage.

Mr. Walton's death came before Connecticut consumers got a chance to know him personally. Wal-Mart is scheduled to open stores soon in Willimantic and Manchester. Another Walton discount enterprise, a Sam's Club, was opened last year in Manchester. Since it was his practice to visit as many of his company's nearly 1,800 stores in 42 states as possible, it was certain Mr. Walton would have showed up in Connecticut.

He was a legend in the mold of Henry Ford, the automaker, and John D. Rockefeller, the oil baron. All were of humble origins and through their industry accumulated enormous wealth.

Messrs. Ford and Rockefeller left family dynasties that have carried on the founders' reputations. It's now up to Sam Walton's children to maintain that reputation—that example of what hard work and imagination can accomplish.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, morning business is now closed.

DISAPPROVAL OF S. 3—THE CONGRESSIONAL CAMPAIGN SPENDING LIMIT AND ELECTION REFORM ACT OF 1992

The PRESIDING OFFICER. The Senate will now resume consideration of the President's veto message on S. 3, which the clerk will report.

The bill clerk read as follows:

President's veto message accompanying S. 3, 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.

The Senate proceeded to consider the bill.

The PRESIDING OFFICER. There will now be 4 hours of debate on the message with the time to be equally divided and controlled between the majority leader and Republican leader or their designees.

Mr. BOREN. Mr. President, I suggest the absence of a quorum and ask unanimous consent that time 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. EXON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. BOREN. Mr. President, I yield so much time as the Senator from Nebraska might desire off my time.

Mr. EXON. I thank my friend and colleague from Oklahoma.

Mr. President, the Senator from Oklahoma has asked me to add him as a cosponsor to the bill that I have just introduced, and I so ask unanimous consent.

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

Mr. EXON. I reserve the remainder of the time allotted to me, and I suggest the absence of a quorum as per the previous request by the Senator from Oklahoma.

The PRESIDING OFFICER. Without objection, it is so ordered, and the clerk will call the roll.

The bill 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. Without objection, it is so ordered.

The Senator from Oklahoma is recognized.

Mr. BOREN. I thank the Chair.

(The remarks of Mr. BOREN pertaining to the introduction of Senate Joint

Resolution 302 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. BOREN. Mr. President, I yield myself as much time as I might require.

Mr. President, I rise today to discuss a subject which relates to our political system. It relates in fact to a crisis in our political system that is not one that is looming in the future, it relates to a crisis that is here with us. It relates to a problem, a deep and serious problem, an illness, a malignancy within the heart of our political system that is already threatening the lifeblood of the system itself.

Mr. President, I refer to the way that we finance campaigns in the United States and the way that we finance campaigns is contributing to the disintegration of the political process in this country. We talk about gridlock in our politics. We talk about the fragmentation of the American people, and the fragmentation of the Congress. We talk about the inability of the Congress to get its work done.

Mr. President, one of the most important reasons why we are seeing the erosion of the strength of this institution, the ability of Congress to do its work in a meaningful way and the inability of those of us in public life to form a consensus to bring the American people together to solve our problems is the way that we finance campaigns in this country.

My colleagues all know when it comes to financing campaigns in this country, the sky is the limit. There is no limit on how much money a candidate can raise to run for public office in the United States. And we all know the result. More and more, because unlimited amounts of money can be poured into our political system, campaigns have been not about the issues, not about the qualifications of the candidates, not about which candidate has the best ideas for the future of this country, more and more often elections are being decided in this country on the basis of which candidate can raise the most money. And in the vast majority of the cases, over 95 percent of the cases, the candidate that raises the most money is able to win the election.

Mr. President, that perception that money—instead of ideas, instead of qualifications—is deciding the course of American politics is one of the reasons why so many people in this country are becoming disillusioned with our political system. It is one of the reasons why over 80 percent of the American people say they have lost confidence in this institution. It is one of the reasons why over 80 percent of the American people say that they believe that Members of Congress are more interested in serving the special interests, those who have the ability to pour money into their campaign, than they are in serving the national interests of this country.

And when you ask people do you think Members of Congress care more about people like me, average working men and women in this country at the grassroots, or do you think they care more about the special interests who can fund their campaigns, 78 percent of the American people say we think the Members of Congress care more about the special interests than they care about me.

This great institution which is here to represent the people themselves is being tarnished in the public mind, and the confidence of the public in this institution is being eroded in large measure because of the way that we finance our campaigns.

What has happened? We all know the facts and figures. In the last 14 years, the cost of a winning candidate on the average to run a successful campaign for the U.S. Senate has gone from $600,000 14 years ago to $4 million this year. And when I say $4 million, I refer to the average in the average size State. I am not talking about New York or California or other States where the figure can go as high as $20 million or $30 million or $40 million when we put in what the candidates in both parties spend.

Mr. President, can anyone say that this trend of pouring more and more money into American politics has been a good thing? I find it hard to understand anyone could argue that it has been good for our political system.

More and more time of Members of Congress is spent raising this money. On the average, you have to raise $13,000 every week for 6 years during a Senatorial term to raise just the average amount of money that it takes to run a successful race. So there is too much money coming into the American politics. It is playing too great a role. Too much of our time and attention is spent trying to raise that money, and the perception that money really determines decisions here and the outcome of elections across this country is causing the American people to lose confidence in the Government. So we have too much money coming into our politics.

Mr. President, the second thing that is wrong with the current system is too much of that money is going to incumbents. I just looked at the figures. They are now in already for this election cycle. So far during this election cycle incumbent Members of the House of Representatives have raised 19 times as much as challengers who are seeking to unseat them from the House of Representatives this year, 19 times as much. In the last election, when all the results were in, incumbents, sitting Members of Congress, were able to raise $8 in campaign funds for every $1 raised by opponents, and in the Senate it was $3 raised by sitting Members for every $1 by opponents.

So what do we have? We have, in essence, by having no spending limit, by allowing people to raise as much money as they possibly can with no limit whatsoever, and very little limit on where it comes from, we give an enormous advantage to incumbents. It is one of the reasons why people across the country have become so impatient with the unfairness and the tilting of the system that they have urged term limitations and other ways of getting at the problem because they know that the current elections system is not competitive, because so much advantage is given to incumbent Members—19 to 1 is the figure so far—without spending limits, in terms of the amount that incumbents are able to raise instead of challengers.

And we all know the reason. It is because people are concerned about the legislative decisions we have to make. It is because sitting Members of Congress serve on important committees and subcommittees that affect this business interest or that labor interest or whatever it happens to be. Those decisions are being made by people who are here now. And therefore citizens, or groups, especially those who have an interest in legislation, want access to the Members that are here now. And they believe that one of the ways they can be heard is to give a generous campaign contribution to the person that is already here, to get that advantage, to get in the door.

So, as I have said, Mr. President, it is just human nature. I would not begin to say that I think that the average Member of the U.S. Senate or the U.S. House of Representatives would consider himself or herself to be for sale. I think they would be offended by that suggestion. I think the vast majority of our colleagues are honest people who came here with a sincere desire to render public service.

But, Mr. President, when you are having to operate under a system in which you have to raise $4 million, on the average, to successfully run for reelection and you are trying to decide desperately how to raise that $4 million, if you have 5 extra minutes, as I have said before, and there are large numbers of people waiting in your waiting room to come in to see you, if one of them is a farmer in bib overalls that cannot possibly contribute more than $1, if anything, to your campaign and one is a school child that cannot afford to make a contribution but whose life you might touch by spending some time with that school student, whose life you might change and perhaps inspire somebody to seek to make a difference in terms of public service himself, or herself, or perhaps there is another citizen there who could make a modest contribution or be active in your campaign, and there sits someone else, let us say a lobbyist or a representative of a special interest group who that very day could cut you a check for $10,000—$5,000 for the general

election and $5,000 for the primary election—and perhaps host a fundraiser for you in Washington, DC, where you might raise $300,000 or $400,000 or $500,000 in one night—I read where I think the Presidential dinner raised I think $9 million in one night, one dinner in this city—where are you going to spend your 5 minutes if you are sitting there worrying about where in the world am I going to raise the money to run for reelection? Will you spend the 5 minutes with the school child or farmer or that other citizen that is out there? Or will you spend that 5 minutes with the person that might be able to help you figure out how to raise $300,000 or $400,000 of that $4 million you need.

Then we say, Mr. President, we are surprised and shocked when the public has the perception that we might be influenced by special interest money flowing into American politics. It would be shocking if indeed that influence was not being felt here. It must be stopped.

Mr. President, that is not why we came to this institution. We are the trustees of this institution. If we do not look after it, if we do not look after the peoples' interest, if we do not look after our constitutional system, if we do not preserve the election process for the future generations of this country, no one else will. No one else has the power to do it. We are charged by the Constitution with that responsibility.

We must stop this, stop the money chase in American politics, stop a system of unlimited spending which allows more and more of the money to pour in on the side of those that are already in office. And so that is the second evil. An incumbent's protection plan is inherent in any system which has unlimited campaign spending.

The third evil of the current system is that too much of the money comes not from the people back home, not from the individual citizens at the grassroots, but more and more of it does come from special interests.

More and more of it comes from special interests, the political action committees. More than half of all the money contributed to candidates in the last election cycle who were elected to Congress, more than half of them got more than half of their money, not from the people back home but from special interest groups, political action committees, many of them with no connection whatsoever with their home States or districts, many of them led by people who never even visited the districts or States of the Members of Congress where those contributions were made.

Where does the special interest money go? It goes even more strongly to incumbents than the general contributions go. So far in this election cycle the political action committees have been giving to incumbents in the House of Representatives at a ratio of 30 to 1. I know that is an unbelievable figure, but I want to say it again because it is accurate. So far the ratio of political action committee contributions to incumbents has been 30 to 1 this year in the House, and in the Senate it has been 6 to 1.

Mr. President, we passed through the Congress of the United States a bill, Senate bill 3—it passed by a substantial majority of the Members of this body and Members of the House of Representatives—to stop it, to reform the system, to try to bring the political process back into the hands of the people themselves where it belongs, to stop the perception that Congress is for sale, to reduce the influence of money and politics so we can spend more of our time solving the people's problems and less of our time raising money for campaigns and so we can help restore the confidence of people back in their own Government again. What an opportunity.

We have heard so much, and we have heard it from the President of the United States as well as from Members of this body, about doing something to reform the system and restore confidence in Government. We sent to the President of the United States a bill that, had he signed it, would have given him, I believe, an opportunity to be recorded in history as having signed one of the most important pieces of legislation in many years to restore confidence in Government again and to clean up the political system.

He had a historic opportunity to sign a bill to stop the money chase, a historic opportunity to sign a bill to reduce the influence of special interests in the political action committees, a historic opportunity to sign a bill that would level the playing field between the challengers, people with new ideas who want to come and serve in this Congress, and the incumbents who are already here.

And what did he do? Instead of taking that opportunity and seizing this chance finally given to him through the constructive action, after 9 years of work—beginning with the bill that I first introduced with Senator Goldwater as a bipartisan measure several years ago—finally Congress, struggling with this problem, finally able to set aside its own self-interest—because, after all, every sitting Member can raise more money than challengers, virtually everyone—finally we got Congress to do the right thing. Congress voted to put limits on the amount of money it could raise for its own reelection campaigns.

And what did the President of the United States do with this legislation? Tragically, he vetoed this legislation. He vetoed this legislation not on a weekday, not at a time on which there could be a lot of comment about it; he vetoed this legislation over the weekend where it would receive the least amount of attention.

Mr. President, he not only missed a historic opportunity to do something to help clean up the political process of this country, he issued a veto to prevent this bill from becoming law and from beginning to change, in a very wholesome way, the political process of this country, for reasons that absolutely defy any logical analysis.

I want to quote his two or three main reasons for vetoing this legislation contained in his veto message. First, he said, "This is an incumbents' protection plan." To put spending limits in place? When incumbents are outraising challengers 19 to 1 under the current system? To call a bill that finally puts limits on spending an incumbent's protection plan? Mr. President, there is no excuse for that kind of mischaracterization of this legislation. The President either should know better than that or he should be ashamed of himself for misrepresenting what he knows to be the facts. There is no earthly way that you can say this bill is an incumbents' protection plan when compared to the status quo, where incumbents are given such an enormous advantage in fundraising.

Mr. President, if the staff of the President of the United States—if, indeed the President really did not know better, and I can really, given the two alternatives, hope that is the case and hope he was not playing politics with this—if the President of the United States was not staffed on this issue any better than that, if I were to vote on a bill on this floor and have the members of my staff tell me that I was trying to help challengers by stopping a plan to put spending limits on campaigns, I would be looking for a new staff to advise me. I hope the President, if he had been given that kind of information, I hope he will let us know so we can give him an opportunity to send another bill back to level the playing field; and maybe, with better advice next time, he will sign it.

Mr. LEAHY. Will the Senator yield?

Mr. BOREN. I will be happy to yield on my time.

Mr. LEAHY. First, I commend the Senator from Oklahoma, as I did before, for his sterling efforts in this regard. To call this bill an incumbent's protection act, of course, makes no sense whatsoever. I think when I first ran for the Senate and, in effect, was in the position of being a challenger, I would have given anything to have had legislation like this because it would have given me a tremendous advantage I did not have at that time.

As I have said on the floor, I think the Senator from Oklahoma has done such a good job on this legislation that, even if this veto is upheld, and even though this legislation does not take effect for 2 more years, I will fol-

low this in my own reelection campaign. In fact, I will set my own limits considerably lower. But I will do it because of the strong controls and strong conditions for both sides, especially for the challenger, that the Senator from Oklahoma has put into this legislation. In fact, I will do it even though it means sending back some money I have raised.

I commend him for doing it. I wish, at a time when most people are turned off by the whole electoral process, that the President had thought long and hard before vetoing this. He is, after all, one who will have received, by the end of this year, $200 million in Federal funds for his own campaign elections. He ought to say if that worked for the Presidency, it should certainly work for the other branch of Government which has to represent all the people in all parts of the country.

Mr. President, I do commend the Senator from Oklahoma. He has fought long and hard on this. I think I know where the votes may fall today. But if he is not successful in overriding this veto, I hope the Senator from Oklahoma will be back and try again. I want him to know the Senator from Vermont will be there with him.

Mr. BOREN. Mr. President, I thank my colleague from Vermont for his generous remarks. His support has been very important all through this fight, not only his support but his example, his statement of his willingness to abide by the limits of this bill himself and the standards that are set forward in this bill. Trying to clean up the political process is, I think, a very inspiring example and one which I truly appreciate.

Sometimes we hear people say, do politicians just want to talk about something, or do they want to do something about it? The Senator from Vermont is clearly the kind of person who wants to do something about it. I appreciate very much what he said.

I want my colleague to know the answer to the question which he raised. I know he already knows the answer. If we are not successful in overriding this veto today, will the Senator from Oklahoma and others be back here until we finish the job? Absolutely. I say to my colleagues, this is a matter that is on the national agenda to stay.

The people expect us to do something about this problem. The people understand it—the people understand. Perhaps if the White House staff does not understand, the people understand. The people know what is happening when an unlimited amount of money is flowing into the political process. The people understand when incumbents are able to outspend challengers 19 to 1. The people understand exactly what is wrong when political action committees are giving more than half the money, instead of the people back home, to political campaigns. The people understand. The people are registering in polls, expressing their disapproval, their lack of confidence. Mr. President, this should be and this will be an election issue this year.

I do not believe that the public, I do not believe that the citizens of the United States would allow us, even if we wanted to, to continue to duck and dodge this issue. They are going to insist that we continue to enact bills that have meaningful campaign finance reform until the President of the United States signs a meaningful bill into law.

As long as this Senator is here, and there are 4 years and a few months remaining in this Senator's term, I can assure that this Senator will continue to bring back this proposal. People cannot run away from it. They are going to have an opportunity again and again, and let the people notice, let the people watch which Members of Congress are prepared to step up and vote for a bill to reduce and put limits on the amount of campaign spending and reduce the influence of special interest groups, and let them see which Members of Congress are not willing to make those sacrifices necessary to put those limits in place.

And then let the people be the judge. The people will ultimately be the judge. And in spite of an advantage enjoyed from special-interest money and floods of money coming into the system, there is going to be enough of a political backlash in this country one of these days that we will be forced to act, if we have not already done the right thing.

Mr. President, that is not the way the system ought to work. Those of us charged with this responsibility here and now, as trustees of the people, should do what is right now, on our own volition, of our own free will and not wait until we are forced to do it. We ought to demonstrate to the people that we are statesmanlike, to take this action now without being forced to take it, without public pressure, and we have done that.

This is one of the most positive things that has come to this Congress in a number of years. People said, how in the world are you going to get incumbents to vote against something that is in their own interest? How are you going to get the Members to put limits on themselves and to take on this disadvantage? We have been able to do it and now, I am sorry to say, we have been thwarted by the President.

The President has changed his mind on a number of other issues. He has changed his mind on unemployment compensation; he has changed his mind on civil rights legislation, and I say that not to criticize, I say that not to make a partisan point. I would worry about a President of the United States who did not retain a willingness to look at an issue over again and anew and to listen to new ideas and to listen to new arguments.

Mr. President, all I can say is that I have never been unfair to this President. I think I have cast as many votes as anyone on this side of the aisle in behalf of programs of this President when I thought they were right. I have come to his defense when I thought he was right. I have criticized those who made attacks on a partisan basis because we have too much partisanship in this country. But I sincerely believe the President of the United States is wrong in this instance, frankly wrong.

He missed a historic opportunity to reform the system, and I am going to do all I can, and I hope my colleagues will do all they can, to convince the President to change his mind and to change his mind about this veto.

Again, the President's first point is wrong calling it an incumbent's protection plan when it is just the opposite. The current system is an incumbent's protection plan. It will not have anything for challengers to have a chance until we limit spending. The limit on spending is the issue.

The second mistake he made in his veto message is, he says this bill fails to limit political action committees. He says he is vetoing it because it fails to eliminate them completely. In the drafting of his own proposals, his own lawyers at the White House indicated to him they thought there was a constitutional problem with abolishing political action committees totally. His own bill did not abolish political action committees, it only abolished connected political action committees, those of labor and business groups. It did not abolish ideological political action committees. So all in the world that would have happened under that legislation is business and labor groups would have reincarnated themselves in the form of ideological PAC's, and we would have had all the same special interest money flooding into the system under new labels.

I personally would be prepared to abolish political action committees. Senator Goldwater and I, in our first legislation, put limits on what candidates could receive from political action committees. This bill, while it does not completely abolish political action committees, goes a long way toward limiting them. For the first time this bill puts a limit on the total amount that candidates can receive from political action committees, and the facts are that had this bill been in law in the last election cycle, the amount of money contributed by political action committees to candidates running for Congress would have been reduced by 53 percent, more than cut in half. It would more than have cut in half the influence of political action committees on the election process. And yet the President said he vetoed it because it does not do enough about political action committees.

When you cut in half their influence, surely that is a positive and constructive step in the right direction, sufficient to not only keep the President from not vetoing this bill, but to have merited the President's enthusiastic support. After all, this is exactly the kind of thing that the President has talked about in the past.

Finally, he has indicated he thought it was subsidies, public financing, taxpayer financing. Mr. President, he even said there was not a sufficient description in this bill as to how the funds would be raised.

Mr. President, I know again by discussing other issues with legal counsel at the White House who are well versed, they could have told the President since this bill originated in the Senate rather than the House of Representatives, it was beyond the possibility of this bill to describe how the funds would be levied. But we did put a sense-of-the-Congress resolution in this legislation that indicated that we would not use additions to the burden on general taxpayers of this country, voter finance incentives.

We all know if we are going to have spending limits, they have to be voluntary under the Supreme Court decision in the case of Buckley versus Valeo. And, therefore, we have to have some incentives to encourage, to get candidates, just as President Bush has accepted the $200 million over a period of years for his campaign fund from the public Treasury in order that he be enticed to accept spending limits. That is exactly what he has done. He understands that. He understands that system. He has participated in it. He received $200 million of taxpayer financing from it.

And so, of course, he must be aware of the fact that there is a Supreme Court decision; that there have to be some incentives. We made it clear we do not want to pay for these incentives by taxes on the general public. We have said that in this legislation. There are all sorts of alternatives: Voluntary checkoff in which people can make a voluntary contribution through their tax returns over and above what they owe as a tax liability. There is a possibility you can have a clean Government fund of some kind setup. Some people suggest lobbyist registration fees be increased, as a matter of good Government and oversight, to bring in additional revenues in order to finance this proposal. The incentives, the lower advertising rate on television and radio that would be provided to candidates who accept spending limits.

There are many possibilities. One thing that is clear in this bill through the sense of the Congress resolution is that it would not be from any additional burdens on the general taxpayers of this country. And so, Mr. President, I can only say I hope the President will change his mind. I believe that he has been ill-advised and I truly believe that he has missed a historic opportunity to do something about a serious problem in this country.

I want to read, Mr. President, from just a few editorials that have been written since the veto by the President. One is from the Washington Post. I ask unanimous consent that the entire editorial from the Washington Post of today be printed in the RECORD.

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

[From the Washington Post, May 13, 1992]

A RETROGRESSIVE VETO

Making as little noise as he could, the president over the weekend did as expected and vetoed the campaign finance reform bill. "I cannot accept legislation . . . that contains spending limits or public subsidies," he said. It's a curious point to be made by a public figure who has now accepted precisely such limits and subsidies in four presidential elections, two as a vice presidential candidate, two for president. No candidate in American history has received as much public money as Mr. Bush will have accepted in return for ostensibly abiding by spending limits by the end of this year—a total over his career of about $200 million. Whatever his reasons for rejecting the legislation, they can't have been these.

The presidential system in which Mr. Bush himself has flourished was created in the mid-1970s in response to the excesses of Watergate. It was meant to prevent precisely the kind of buying of elections that is now characteristic at the congressional level. Mr. Bush by his veto perpetuates a system that he pretends to deplore.

The problem is that the price of office has gone too high. Congress as a whole now collects more than $2.5 million in campaign funds a week; that's the year-round average, not the election-year high. The average senator must raise $12,000 a week every week of his six-year term to accumulate the $4 million he is likely to spend for reelection; a senator facing a costly race may spend three times that. The figures for House seats are comparable when adjusted for size of district and length of term—but while the problem in the Senate is the constant begging of money, the problem in the House has become its receipt. Most House members are easily able to raise much more than they need; they carry over the excess to deter future challengers. On the House side especially, much of the money comes from PACs, the giving arms of interest groups whose legislative fortunes the receiving candidates control.

It's a terrible system; the latest figures suggest it is getting worse. The Federal Election Commission reports that receipts at this stage of the two-year cycle are up about 25 percent over the comparable figure for 1989–90. Part of that is an anomaly, the result of three unusually expensive Senate races in the two largest states of California and New York. Part is also due to a healthy increase in challengers for House seats and to the unusual number of open seats on the House side particularly, where incumbents have lost in primaries or retired. Still, House incumbents have raised $92 million, up 7.5 percent from the cycle before and about six times what their challengers have raised.

The president said the vetoed bill would have perpetuated "the corrupting influence of special interests and the imbalance between challengers and incumbents." In fact, the spending limits and partial public finance would have had the opposite effect. The system he leaves in place is the one that is rotten. He calls it "seriously flawed," and so it is—but his own veto has not protected it.

Mr. BOREN. Mr. President, to quote a little bit about the veto message from the Washington Post editorial, here is what the paper has to say:

Making as little noise as he could—

And I already mentioned that. I did not know until the very next day it had been vetoed. I understand why he would not be proud of it—

Making as little noise as he could, the President over the weekend did as expected and vetoed the campaign finance reform bill. "I cannot accept legislation * * * that contains spending limits or public subsidies," he said. It's a curious point to be made by a public figure who has now accepted precisely such limits and subsidies in four Presidential elections, two as a Vice Presidential candidate, two for President. No candidate in American history has received as much public money as Mr. Bush will have accepted in return for ostensibly abiding by spending limits by the end of this year—a total over his career of about $200 million. * * *

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Congress is bringing in $2.5 million in campaign contributions each week collectively—

that's the year-round average, not the election-year high. The average Senator must raise $12,000 a week every week of his 6-year term to accumulate the $4 million he is likely to spend for reelection; A Senator facing a costly race may spend 3 times that.

And then the editorial goes on to talk about the advantage that incumbents have, about the fact that House incumbents have already raised $92 million, up 7.5 percent from last cycle, and 6 times what their challengers have raised. And then it concludes:

The President said the vetoed bill would have perpetuated "the corrupting influence of special interests and the imbalance between challengers and incumbents." In fact, the spending limits and partial public finance would have had just the opposite effect. The system he leaves in place is the one that is rotten. He calls it "seriously flawed," and so it is—but his own veto has now protected it.

That is why, Mr. President, the President of the United States should change his mind. The present system as the editorial says, is rotten. We all know it and the people of the United States know it. And then as the editorial concludes, by his own veto he has now protected it.

I also would like to read into the RECORD an editorial from the New York Times of yesterday and ask unanimous consent that the full text of that editorial also appear in the RECORD.

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

[From the New York Times, May 12, 1992]

PRESIDENT BUSH AND THE SEWER

The Democratic Congress, finally heeding public anger, passed a solid campaign finance reform package and sent it to the President's desk. It wasn't perfect—merely a giant leap in the right direction.

So how did Mr. Bush, the self-proclaimed government reformer, respond? He raised his veto pen and killed the bill, for the thinnest, most cynical of reasons. And he did so on the weekend, while public attention was still fastened on Los Angeles.

The bill would have created a cleaner, more competitive system of public financing for Congressional races. It also would have stopped the flow of "sewer money"—the millions nominally aimed at "party-building" that evade present limits on contributions to individual candidates.

The $9 million the Republicans recently raked in at a black tie embarrassment called "The President's Dinner" is further evidence that the sewer remains wide open.

Mr. Bush dismissed the reform bill as a "taxpayer-financed incumbent protection plan." That ignores the letter he received from 32 current and former Republican Congressional challengers, who rightly lauded the reform as "necessary to level the playing field." It also ignores reality. In 1990, House incumbents had on hand $239 million; challengers had only $37.5 million.

Mr. Bush's call for abolishing all corporate and union political action committees is deceptive. Even in the event that his proposed ban passed constitutional muster, the special interest contributions would still flow, as corporate executives and union officials organized new "ideological" action committees.

But Mr. Bush's trashing of public financing is even more disheartening. A leader would explain to the public that for candidates to rely on favor seekers for funding ends up costing democracy far more than the $150 million or so in public subsidies the bill offered every two years. A leader would tell the truth: The only way to reduce the influence of corrupting private money and to help challengers is to supply public money.

By November, meanwhile, Mr. Bush will have received the benefit of more than $200 million in public financing for his four national campaigns. The voters now know from the weekend veto who's being contradictory and who's blocking reasonable reform.

Mr. BOREN. Mr. President, as this editorial States:

The Democratic Congress, finally heeding public anger, fashioned a solid campaign finance reform package and sent it to the President's desk. It was not perfect—merely a giant leap in the right direction.

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It does not say House Democrats or House Republicans, House incumbents, whether they are Democrats or Republicans, $239 million, challengers had $37.5 million. Well, Mr. President, the editorial goes on to cite other reasons why the bill should not have been vetoed but it is certainly clear that it is the current system that is an incumbent's protection plan.

I hope that the President had an opportunity to read the letter from the 32 Republican candidates for the Congress who urged him to sign this bill and the former Members who wrote so eloquently.

The article which appeared recently by former Congressman John H. Buchanan, Jr., in the Washington Post, the Republican Member of Congress from Alabama from 1965 to 1981 was I thought particularly interesting, and I ask unanimous consent that this article also appear in the RECORD in full.

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

[From the New York Times, May 4, 1992]

SIGN THE CAMPAIGN FINANCE BILL

(By John H. Buchanan, Jr.)

In the midst of chaos and upheaval, Congress has passed historic campaign finance reform legislation. This legislation is long overdue. Campaign finance reform is essential to reverse the public's perception that the institution has fallen to the wolves of special interests and corruption. Unfortunately, President Bush has threatened to veto the bill—the Congressional Campaign Spending and Election Reform Act of 1992. If the president follows through on this ill-advised threat at this crucial juncture, Congress will be further damaged—leaving democracy hanging in the balance.

As a former Republican member of the House of Representatives, I've joined with Hugh Scott, Robert Stafford, Thomas Railsback and 15 other distinguished Republican alumni of Congress to urge President Bush to sign this reform package. Republican challengers from more than 20 states have also called the president to endorse this landmark initiative so that they can begin to compete on a level playing field against well-funded incumbents.

In the 11 years since I left Congress, I've watched at a distance as public respect for the institution I served faithfully has plummeted. The nation has looked on in frustration at Congress's inability to grapple with the budget deficit, the savings and loans crisis, health care and other pressing issues. Our electorate's traditional skepticism has turned to dangerous cynicism. As well, a number of members are retiring, citing their frustration at being unable to accomplish legislative goals. Further evidence of the deepening discord between the public and government, particularly elected officials, can be seen most notably in the decline in voter turnout and civic participation.

In short, the current system has muted the competition as well as discourse on issues. A growing number of incumbents run unopposed or face challengers with negligible resources to mount effective campaigns. Moreover, each successive federal election shows a marked increase in campaign spending. The average cost of running and winning in a House race has more than doubled since I won election in 1980, when the cost was almost $170,000 compared with more than $400,000 in 1990. On average, House members must now raise $4,000 per week, and senators must raise $12,000 per week to garner the resources needed to win reelection. The current system returned incumbents to office at a rate of 96 percent in 1990 even in the face of that year's alleged anti-incumbent sentiment—giving challengers little incentive to compete. And six of every seven PAC dollars go to incumbents. Our system desperately needs reforms that will level the playing field for challengers.

I firmly believe that the reforms being proposed by Congress are a significant step toward limiting the influence of money on the political process. Fundamental changes to the current campaign finance system are necessary to jumpstart our democracy by restoring credibility and respect to our democratic institutions.

Similar reforms in the presidential campaign system restored public confidence in the presidency following the Watergate scandals. With a system of voluntary spending limits, partial public financing, limits on contributions from political action committees, prohibitions on bundling practices and restrictions on the flow of soft money through the political party system, this reform package could forever transform the political landscape. In particular, the combination of voluntary spending limits and public financing will provide balance between private (interested) and public (disinterested) sources of campaign funds. This balance is requisite to lessen the negative impact of special interests on the electoral and legislative processes.

For challengers, the reforms contained in S. 3 will mean that all credible congressional candidates will be positioned to join the political debate. For incumbents, these reforms will mean an end to the degrading money chase that detracts from their ability to respond to concerns of constituents and the nation's business. Campaign finance reform will provide a welcome boost for Republicans and Democrats alike who want to challenge the status quo.

A presidential veto would be especially painful. I know that Republicans can win under the system of reforms proposed in S. 3. The Republican Party cannot continue to enjoy success in winning the presidency under a system of spending limits and voluntary public financing and losing Congress because the current rules are tilted squarely in favor of Democratic incumbents.

This legislation comes at a time of anger, frustration and disappointment in our political system. To its credit, Congress, albeit reluctantly, has responded to popular discontent by moving forward on these reforms. As the leader of our nation, President Bush can set the standard for change by approving this measure. The true beneficiaries of the reforms embodied in S. 3 will be voters who are tired of political maneuvering. Together, Congress and the president can erase the public perception that voter participation in the electoral process is meaningless because democratic institutions have been sacrificed to the highest bidder.

Mr. BOREN. Mr. President, Congressman Buchanan concludes his statement with this paragraph: "A Presidential

veto would be especially painful. I know that Republicans can win under the system of reforms promised in S. 3."—promised in this bill.

The Republican Party cannot continue to enjoy success in winning the Presidency under a system of spending limits and voluntary public financing in losing Congress because the current rules are tilted squarely in favor of Democratic incumbents.

Mr. President, I think Congressman Buchanan has it right. It has amazed me for a long time, in fact, when I first began this effort to put on campaign spending limits and to limit what political action committees could give to candidates, there were those on my own side of the aisle who said "What have you been up to? Have you entered into a plot with Senator Goldwater to try to hurt the Democratic party?"

My response to that was, no, I have entered into a plot with Senator Goldwater, Senator Stennis, who at that time was a Member of the Senate, and later with the distinguished President pro tempore, Senator ROBERT BYRD, and later with Senator MITCHELL and others who joined in the effort over a period of years, I have entered into a plot to try to make this system function as it should and to try to squeeze out of our political campaigns the excessive amount of special interest money that is there. That is the plot I have entered into.

A few years ago there were those on the other side of the aisle that absolutely were strong in their support of the political action committees; we were taking away the right of people to associate freely if we limited what political action committees could pour into the process. And then they found an interesting thing, that approximately 60 percent of the political action money was going to Democrats, and they decided all of a sudden that PAC's were an evil thing.

It was quite an unusual conversion experience. They were a good thing until they found out that 60 percent of the money from PAC's was coming to this side of the aisle instead of that side of the aisle. Then they became absolutely evil. And the President himself says they ought to be totally abolished, although he has not proposed a way to do that and meet the constitutional test.

But there was a conversion. Now, 60 percent of political action committee money did not come to Democrats because they were Democrats. It came to Democrats because they were incumbents. If there had been 60 percent Republican incumbents in Congress, if there had been a Republican Congress at that time, 60 percent of the political action committee money would have gone to Republicans. It is because it was going to incumbents.

Those who came to understand from a point of view of partisan advantage that Republicans were being disadvantaged by political action committee money coming into the system failed to understand the underlying reason for it. It is because political action committees give to incumbents.

Now, Mr. President, I am amazed that they have not understood the second basic point, and that is that spending limits, imposition of spending limits, will hurt Democrats more than Republicans because more Democrats are incumbents and more incumbents are able to exceed the spending limits than are challengers. That is a very simple and obvious point, Mr. President.

My surprise has been that those on the other side of the aisle have not seized the opportunity and tried to push spending limits into law as quickly as possible. I do not understand it.

I suppose the thing that is painful, Mr. President, is that we do understand it. I understand it. I am willing for my own political party to sacrifice some advantage that it now has. Why? Because there is something more important than being a Democrat or Republican, something more important than that. There is the national interest. There is being a good American. We do not hear that often enough around here.

All the Republicans go to one room for lunch on Tuesdays, and all the Democrats go to lunch in another room in the Capitol Building on Tuesday. All too often the talk in the Republican caucus is about what is good for the Republican Party and how we can put it to the Democrats. And the talk in the Democrat caucus is just the opposite, what is good for the Democratic Party and how can we put it to the Republicans.

Mr. President, that is how we got to the place we are. It is time we started talking about the national interest. It is time we started talking about the integrity of this political system.

I do not care whether my party is advantaged or disadvantaged by putting spending limits on candidates. I do care about what is happening to the political process of this country, and what is going to happen to this institution when we hand it on to our children and our grandchildren, and what is going to happen to this country if we do not take care of handing it on in the right condition. That is what I care about, and I think most of my colleagues care about that.

Mr. President, I wish the President of the United States had listened to those who wrote to him. I wish he had listened to the 32 past and present Republican challengers from the 32 States who called upon the President to sign the bill.

I again put into the RECORD a copy of that letter from the 32 Republican candidates. And they indicated in the beginning, they started their letter out, "As congressional challengers and loyal Republicans we urge you to sign the comprehensive campaign finance reform legislation. Such legislation is necessary to level the playing field for credible challengers and restore major fairness to the electoral process."

I wish, Mr. President, that he had heeded the letter sent to him by 17 very respected former Members, Republican Members of the House and Senate.

This letter contains some of the names of some of those people that I certainly most admired when I came to serve here, and many people on the other side of the aisle that I have admired.

That is another problem with our country right now, our process. Human friendships and cooperative working relationships between Members of both parties have come to a very reduced level. This is something that should not happen. There are many men and women of both parties who have come here to serve their country and to be admired.

I look at this letter, and I see names on it like Senator Charles McC. Mathias, one of the finest Members that ever served in this Senate. I see names like Senator Hugh Scott, who was the minority leader. I used to come here as a young man and sit in the gallery and listen to him, the Republican Senate leader, make speeches on this floor. I have known him from childhood, admired him for many years; Senator Bob Stafford, who served with many of us here, who was a real statesman and true gentleman who cared about this country; and, those 17 Republican leaders wrote to the President of the United States.

They said, "As Republican alumni of Congress, Mr. President, we urge you to sign the comprehensive campaign finance legislation making its way to your desk this week. It is necessary to level the playing field for challengers who restore a measure of fairness and decency to our electoral process." It is not only fairness, but the perception of fairness, a level playing field that would help restore the confidence of the American people and the political process itself.

So, Mr. President, I can only express my disappointment, my keen disappointment, that after years of work and effort this legislation finally was shepherded through the Congress of the United States.

Finally, the Members of Congress, both Houses, voted their better instinct to put limits on how much money they could accept from PAC's and special interests, put limits on how much money they could raise in terms of financing their political campaigns, set-aside what is an obvious partisan advantage to the majority party in both Houses of Congress, that is the ability to raise more money, because they have more incumbents—sent the bill to the President, along with the

appeals from outstanding leading members of the Republican Party both now formerly Members of Congress and candidates for Congress, and the bill was vetoed.

Mr. President, I only hope we can find a way to change the President's mind. I certainly want him to make every effort to do that. I hope we will be able to override his veto this afternoon. It would be the right thing for the country. I hope there will be enough on both sides of the aisle that will reconsider how they voted on the original piece of legislation enabling us to do that.

It is not a perfect bill. This is not the bill that the Senator from Oklahoma would have written if I had the ability to write this bill all by myself without anyone else intervening or amending it. But it is a bill that goes a long way in the right direction.

One of the newspaper editorials I quoted said it is a giant step in the right direction. It does not do away with all special interest money, all PAC's. It cuts the amount political action committees can give by more than half. It still leaves incumbents or challengers with an opportunity to raise enough money to make their case but it also puts limits on spending so challengers have a chance.

This Senator would prefer to find a system that did not require incentives to get people to accept campaign contributions. I wish we could directly legislate no amount can be spent, but the Supreme Court has ruled otherwise.

We have to have incentives, dangle some incentives out in front of candidates like those that have been put before President Bush and others in both parties, Democrat and Republican. Both accepted these incentives in the past. We have to do that if we are going to have a system of spending limits under the Supreme Court decision.

We have kept those incentives to a minimum. We have kept those costs to a minimum. We provided that the general taxpayers shall not be burdened with additional taxes in order to pay for this. We will find some other way to do it, to establish a clean government fund, an approach that will be fair, single out those who should contribute to the cleaning up of political process to pay for it.

An opportunity has been missed by the President of the United States to do what he has been talking about—help clean up the system, help reform the system, stop the fragmentation in Congress, help focus more attention on the national interest, have Congress stay here and do the people's business instead of raising campaign money. They should be thinking about the national interest instead of the interest of every special interest group that might give up a $5,000 or $10,000 PAC contribution or a large number of individual contributions to a candidate. It is an opportunity missed.

But even though the veto message was rendered over the weekend, it was not missed by the American public. The American people, over 80 percent of whom want spending limits, including just as large a majority, not one percentage point of difference between how Republicans in this country feel about spending limits and Democrats, both by overwhelming majority, want spending limits. I am not talking about the Members of Congress here, incumbents who want spending limits because they are favored. I am talking about Republicans, like Republican challengers running for Congress, who want a chance, and Democratic challengers who want a chance, and the people who want to know that they count for something again instead of the almighty dollar counting for so much in the election process.

So, Mr. President, it is an opportunity missed. We can reverse the damage that has been done by voting to override the veto. If we do not succeed, we can all do our best to try to change the President's mind about this issue, as I certainly will, especially the question of spending limits and see if there is another way we can come together.

I am willing again to extend any hand to try to work on a bipartisan solution if we fail this time. It is a way to bring the President on board with true reform that will bring about spending limits.

Mr. President, if we do not succeed in that direction, all I can say is we will be back again and we will be back again and again and again until we get it done; until we get it passed, until we get it signed into law because we have that responsibility to the American people, and I believe we will be held accountable by the American people until we finish the task.

Mr. President, I yield the floor and reserve the remainder of my time.

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

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

The PRESIDING OFFICER. Who yields time?

Mr. McCONNELL. Mr. President, I yield the distinguished Senator from Mississippi whatever time he may desire.

The PRESIDING OFFICER. The distinguished Senator from Mississippi is recognized.

Mr. LOTT. Mr. President, I think I would begin by saying to the distinguished Senator from Oklahoma and our colleague from Kentucky that if you do not succeed first or second or third time, try, try again. I know that these two Senators have been working on this issue for a long time. You have made a little progress, but you do not have it right by any stretch of the imagination yet.

So I would say that this campaign finance reform package is fundamentally flawed. The President absolutely did the right thing to veto it. And I hope that the Senate will in short order sustain his veto. It should be sustained. And then hopefully maybe next year, in a less partisan, less political atmosphere we can really produce campaign finance reform legislation. This is not it.

To suggest that this is something that just the Republicans are opposing is absolutely ridiculous. When you go back to States across America and tell them what is in this package, I mean they would have to laugh. I described it when it came to the Senate originally as a joke. If it was a joke when it went through the Senate, it was an absolutely hilarious act after it got through in conference.

But I would like to say to the Senator from Oklahoma again that I appreciate the work he has tried to do. Frankly, knowing that he has been involved or will be involved in the future, I still have faith that we can work something out. I believe, in fact I am sure, that if we can come up with a package that both he can support and the Senator from Kentucky, it is something I will be able to vote for.

I am sorry to say that I believe what happened, in spite of the good intentions and good faith by the Senator from Kentucky who has been leading this issue, was that perhaps he had to yield on a number of issues, both in the Senate and then in the conference. One of the things that happened in the conference, when he could not get our colleagues from the House—I know those guys, because I served there for 16 years. Since they could not agree, he basically said, OK, you take it your way, and we will do it ours. I understand that, but I do not think that is the way it should be done. We should have the same rules applicable to the House and Senate.

So I just say to the Senator—and I know he has to go—keep trying, and next time let us come up with a package that genuinely can be bipartisan. It may hurt both parties a little, but it will not disadvantage either side too much, and it should be one that the American people can have faith in.

Let me talk a little about the substance here. The President's message was a very good message. I commend it to my colleagues. Read it, because it is not just negative. He explains what he sees wrong with this bill. He reminds us what he asks for, and he tells us that, in the future, if we can come up with some better agreements, that he

certainly would want to go along with it. I want to particularly refer to what he asked for, because I want to emphasize that I am not opposed to campaign finance reform. I am for it. Heaven knows, we need it.

But this is not campaign finance reform. This will make a bad system worse. But the President made proposals in 1989. In his comprehensive campaign finance reform, he did want to try to reduce special interests and the powers of incumbency. He pointed out in his message: My proposal would abolish political action committees, not cut them back a little bit, not have one set of rules for the Senate and another for the House. Get this, it would allow higher PAC contributions for the House than in the Senate. Most of us do represent more than any one House Member. There are a few States where you have just one House Member at large. But most of us represent 2, 3, 4, 5, 10 times as many people in our States, as Senators, than House Members. Yet, we have the different set of rules. We do not abolish it, and then we have two different sets of rules. The House is allowed the higher PAC amount.

The proposals would, by limiting those PAC's, minimize some of the influences now of corporations, unions, and trade associations. It would protect, statutorily, the political rights of American workers, implementing the Supreme Court decision in Communication Workers versus Beck, something that has been long overdue. Now, people that are not in a union have to pay dues or fees, whatever you want to call them, which are then used politically by the union bosses; and this decision would just say that they will have some say in how their money is used or not used, as I understand it.

The President's proposal would have curtailed leadership PAC's. As far as I am concerned, eliminate those; that is fine. It would virtually prohibit the practice of bundling. It would require the full disclosure of all soft money expenditures by political parties, by corporations, and by unions. In this package we have, there is a lot of picking and choosing of who is restricted and who is not.

The President's proposal would also restrict the taxpayer-financed franking privileges enjoyed by incumbents. The President's package would prevent incumbents from amassing campaign war chests from excess campaign funds from previous elections.

Those are just a few of the proposals the President asked for in 1989. I have always thought it was curious, frankly, that a lot of House Members have campaign war chests that have built up to $400,000, $500,000, $600,000, $1 million, $2 million. I do not know. I guess the sky is the limit. Some are probably hoarding as much as $4 million over there. There are not many Senators running for reelection this year that have that much money in their war chest. There is a real question about how this is being accumulated and carried over. I think it is a practice we need to find a way to terminate.

Let me talk about some of the problems I see with this bill. To hear our friends on the other side of the aisle talk, the only solution that we need is spending limitations. Just spending limitations. Just put a cap on what you can spend. The problem is not spending; the problem is how the money is being raised, and money that is being spent that is not even being reported by people that are involved in the elections, influencing elections, buying elections, if you will, and not even reporting.

Mr. President, when I go to the plant gates and the shipyard gates and the facilities in my State of Mississippi on election day and hand out my literature at 6 o'clock in the morning, I usually have a couple volunteers with me trying to hand out the campaign literature I had to pay for, and lined up across in front of me are eight union stewards handing out my opponent's literature, which they printed up, on which, can say anything they want it to say. Did my opponent pay for that? No. Does he have to report it as something that benefits him? No. Do they have to report it? No. This is education.

It seems to me that something that has that big an influence on an election, campaign election should at least be reported. Disclosure. That is the key. Let us always disclose to the American people where we are getting our money, where it is being spent. That is the answer.

Those that are in office, incumbents—and that is Republicans and Democrats—sure, we like spending limits. Do you think some poor challenger out there in America has a chance against an incumbent that can be on television, radio, and is sending out weekly news columns? We all do it. I do it. Using the frank. There is no way a challenger is going to have a chance against that avalanche of stuff we can put out, unless he or she can buy the coverage they need to get their message across.

Let me raise another question. How would you like to be a challenger in Northern Virginia running for Congress, who has a conservative philosophy of government, who thinks it is too big, too fat, bloated, spends too much money, taxes too much, regulates too much, and basically does not like government? What do you have to contend with? The Washington Post. The Washington Post will blast you on their editorial page if you are a conservative candidate of either party for Congress in northern Virginia.

How are you going to get your message across? How are you going to tell the people you are not some sort of lowdown fink, when the Washington Post is saying: this guy probably will not vote for campaign finance reform that includes—guess what—spending limits.

The only way you get your message across if you are a candidate for Congress in northern Virginia with a conservative philosophy is that you have to pay for it. You have to buy it. Because the newspaper and the television stations are going to be kicking you every night. Unless you have the ability to get your story across and let the people look at you on television, hear you on radio, see your message in print, you are out of there.

But, fine, let us limit the spending on that guy. You know what that really is? It is muzzling him. It is controlling his ability to speak. I thought there was something in the Constitution about that. I do not know. Maybe we forgot about that. Limiting speech. Great, that is the answer to campaign finance reform in America. That is the most ridiculous allegation I have heard in this debate.

Mr. McCONNELL. Will the Senator yield.

Mr. LOTT. Yes.

Mr. McCONNELL. A very liberal Supreme Court in 1976 in Buckley versus Valeo in a pro curia opinion, with a number of separate opinions written, only one Justice out of nine felt that spending limits might be constitutional. Why, even Thurgood Marshall and William Brennan obviously felt that spending limits were clearly a violation of the first amendment. So the Senator is right on the mark. This is an attempt to muzzle speech, inconsistent with the first amendment to the Constitution.

Mr. LOTT. I thank the Senator for reminding us once again of that. I do not think we can dismiss that argument lightly. Constitutional arguments make a difference. But I have noticed from lawyers, my friends and colleagues in the Congress, sometimes we stand up and say, well, this is a constitutional matter, if it is on our side of the debate. But if we are trying to limit spending, all of a sudden we will let the courts decide that, and brush that aside. Speech and spending limitations are the fundamental question here. This is the wrong way to go. I do not think that as responsible legislators, we can do that.

I would be glad to yield, if the Senator wishes.

Mr. McCONNELL. If the Senator will yield, the Court went on to say in the Buckley case that if Congress concluded that it was so desirable to control speech and to dole it out in individual set amounts to candidates, if that was such a desirable thing, the Congress could provide a public inducement, public dollars, but no one could be compelled to limit his speech.

In this bill, if you are so brash as to say I choose not to limit my speech, I choose to speak as much as I want to, all hell breaks loose.

Mr. LOTT. Absolutely.

Mr. McCONNELL. All hell breaks loose, your opponent gets a public subsidy to match your speech from the taxpayers, you lose your broadcast discount. In fact, I say to my friend from Mississippi, there is nothing voluntary about the spending limits in this measure that the President vetoed.

Mr. LOTT. Absolutely. I will talk about that in a moment.

One other interesting thing. There seems to be a changing position quite often in the media for or against the candidate whether they want to limit the spending. I know of a situation where a statewide candidate in my State spent $3.2 million getting elected to office, and he was berated by the biggest newspaper in my State. Three years later a liberal candidate spent $4 million trying to get reelected to a statewide office, lost, but not a word was said about the fact that he raised the largest amount of money in the history of any campaign in the State. So it depends on whose ox is being gored.

People might say, all right, all right, OK, your freedom of speech argument is one we have to be concerned about. But what do we do about this inordinate amount of money.

I have a couple of suggestions and remind you of something. No 1, I repeat, the problem is not too much spending; the problem is how it is collected, how much collected, where it comes from. That is the solution. I am perfectly willing to limit contributions. I am for eliminating PAC's, not because they are illegal and not because they are even bad, but because there is a perception that they are doing something inordinately bad. So if there is a perception, I am willing to go with that. I am willing to limit PAC's. I am willing to limit individual contributions.

I would like to find some way to limit the ability of a multimillionaire or billionaire to buy office in an election. What about that superwealthy person that can put in, of his or her own money, $500,000, a million bucks, 100 million bucks? Is this something that makes you a little queasy about someone being able to spend millions of dollars running against a guy that maybe has no net worth, buying the office. But again there is a constitutional problem there. He has a right to speech, too. How do you limit a person's individual right to spend his or her own money? But there is something about it that I am not very comfortable with. I do think we should limit contributions and report where that money comes from.

Let me make one other suggestion. If we were really trying to work out a compromise bill here, when are we ever going to get around some day to limit campaigns. The thing I like about the British campaigns is they say, "Look, we will have an election," in a specified time period. Everybody knows when it is. Everybody listens. In America it goes on forever. Presidential elections, I am beginning to think, last 4 years. Races for the Senate last well over a year, running all the time. People are tired of hearing it. How about giving thought to trying to get some sort of limit on the time that campaigns take? Maybe we cannot do that. Maybe there is a constitutional problem there.

I will tell you one thing. Every time I make that point to audiences in my State, they say, "Great. I wish I only had to listen to this for 90 days, not listen to it for a year or 2 years."

People have been sending messages in the Presidential campaign all year. They sent a message with Pat Buchanan, sent a message with Paul Tsongas, sent a message with Jerry Brown, and sent a message with Ross Perot. I expect they are tired of sending messages. I hope party nominees will get the messages and let us have the election.

If this actually was intended to be a real campaign finance reform and bipartisan campaign finance reform, why was it there was not real negotiations in the Senate between Democrats and Republicans? It was reported out on the straight party-line vote. Was there a real effort to have the Republicans involved? Or was it a matter where they said, "Look, this is what we are going to go have, spending limits, do it our way, and you guys can take it or leave it." The same thing in the House. What about the conference? Where there real negotiations in conference? Absolutely not. The only question was could we get the House to be reasonable at all, and we could not. So we said, "OK, you can have a different set of rules."

There has to be a real, legitimate give and take across party lines and philosophical lines to get genuine campaign finance reform. It did not exist in this instance. You know what this is. This is another example, like every other example, of what is language in this body of absolute gridlock, gamesmanship, partisanship politics. That is what is going on with the motor-voter registration. That is what went on with the tax increase. That is what is happening with campaign finance reform. Everything is designed to set up a battle or gridlock where the Congress says, "Mr. President, we are not going to do it your way; we are going to do it our way. If you don't like it, you can veto it and it will be sustained and then we will forget it."

Do you think that American people want us to do business this way? I think they are fed up with it. I am ashamed of the way this institution is acting in matter after matter, in bill after bill that comes up here, and that is exactly what this is. There is fun and games. If they really thought the President would have signed this, they would not have passed it. That is the truth of it. They would be horrified if he had signed this bill.

Now, I do not understand what happened on the PAC's. We voted to eliminate them in the Senate. The House would not do it. A lot of people think PAC's benefit Republicans. Why, the Republicans are ready to eliminate PAC's, and all of a sudden Democrats are protectors of political action committees. They want a switch here, just because of a discovery on our part the PAC's try to buy an incumbent whoever he is? I do not know. Maybe that is it. I think it is something we could live without. We should eliminate them.

Then, as I mentioned earlier, how in the world could we come up with a bill that sets up two different sets of rules, one for the House and one for the Senate? That is a new one on me. It will not work. It could not last. Yet, that was the solution. When the Senate Democrats could not get the leadership from the House to go along, they just said, "OK, you do it your way, and we will do it ours." That is no solution.

Now, the Senator from Oklahoma, the Senator from Maine, and others can get up all they want to and say what the American people want is spending limitations. I do not believe that. But I tell you what the American people do not want and that is public financing of campaigns. They are really thrilled at the idea now we are going to start paying for our campaigns out of the General Treasury. That will be the final blow. "Boy, if we can just get our campaigns paid for by the Government, we will have everything made just like we wanted it." But check the polling data on that. Call it voluntary public financing if you want to; it is public financing. The argument that the Washington Post and other such papers make, "Gee whiz, the President has been getting it for years."

Frankly, I wish they did not have the Presidential public financing of campaigns. But I tell you what the American people are speaking on that, too. We got the checkoff, and I believe we are finding the American people are stopping checking off, those that did. Most of them never started. I never have. If I have $1 to give a candidate, I will give it to a candidate of my choice personally; I "am not" sending it through the Treasury and let them play with it, send it to the candidates they decide to run.

Some of the candidates running this year, I think they are laughing even louder. As a matter of fact, one in five taxpayers now check the box on their tax forms to designate a mere $1 in the taxes to the Presidential fund, and the

Presidential fund is going broke. I tell you another thing. When people find out the checkoff is going to pay for the political party conventions, they are liable to march on this city again. So I do not like the Presidential public financing.

I will be glad to yield to the Senator because I see he is anxious to get into this. It is one of his favorite points.

Mr. McCONNELL. A couple of observations about this public finance business. I say to my friend from Mississippi, there are votes on April 15 on public financing. We have a total poll where every taxpayer in America gets to vote. Eighty-one percent of them say do not give a dollar I already owe. This is down from 29 percent in 1976. And as the Senator mentioned, if the American public ever found out, the 19 percent who do continue to check off, if they ever found out what it went for—well, there was a focus group done by the Federal Election Commission in order to try to figure out how to get people to check off more than they have been doing.

And when the focus group found out that the political party conventions, balloons and booze, if you will, and people like Lenora Fulani were getting public funds they all turned against it. Even the interviewer for the focus group said, after learning himself what it went for, that he was not going to check his box off anymore. And these were people who were hired by the FEC to try to figure out how to get Americans to check off more than they are currently checking off.

If you wanted to pick an unpopular item out of all the things we could think of to spend money on, our campaigns would have to be at the top of the list.

Mr. LOTT. Mr. President, I say to the distinguished Senator from Kentucky—I want to tell him again I appreciate his courage and leadership on this issue. It is not easy to stand up and say I am not for this campaign finance reform because it is not real campaign finance reform, and he has done it and done a great job, and he has divulged the hypocrisy that has gone into it. I believe this is true.

One of the highest recipients of public financing of the Presidential campaign this year is a person that probably not one person in this room can name. I think it was a lady up in maybe New Hampshire. She had, I do not know, $1 million; I do not remember the amount or the name. But that is the point. You get fringe candidates nobody knows or has ever heard of or cares about getting hundreds of thousands of dollars of the people's checkoff of public financing.

Mr. McCONNELL. And our friends on the other side of the aisle want to extend that system to 535 additional races. Every crackpot in America who wakes up in the morning, looks in the mirror, and says, by golly, I think I see a Congressman, is going to reach into the cookie jar and get some of this public money. We are going to be funding people like this all across America, at costs of millions of dollars to the taxpayers of this country.

Mr. LOTT. Absolutely. Well, everybody has a threshold on campaign finance reform. I will tell you what mine is. I will go along with all kinds of different campaign finance reform suggestions and packages. I hope someday to be able to vote for a good one that would really reform elections. But I will tell you what I am not going to vote for, not now and not in the future. I am not voting for public financing of campaigns. Call it voluntary, call it mandatory, call it anything you want to, but I am not going to allow my vote to be used to get House and Senate Members' hands into its Treasury to run their campaigns.

Mr. McCONNELL. My friend makes a good point. The President has been criticized because he accepted public funding in Presidential races, as if you could not accept public funding in a Presidential race, and possibly veto public funding for Congress. Now the logic of that, I would say to my friend from Mississippi, is sort of like saying because the House has a bank the Senate ought to have a bank.

Mr. LOTT. I do not like that.

Mr. McCONNELL. There is no logic to that. Just because there is a Federal entitlement program for Presidents, that frankly is so generous that even people who do not approve of public funding like President Reagan, looked at the practical alternative to giving up this enormous public subsidy and concluded they simply could not. To argue that that is a rationale for extending this failed system which, by the way, has not done anything to curb spending on Presidential races, public funding, and spending limits, to argue that rationale, that President Bush should buy into this turkey, just sums up the absurdity of the whole process which my friend has already skillfully outlined.

Mr. LOTT. Let me go to my next point. That is, well, all right, even if you accept all these things, do you not have to acknowledge that there are some costs associated with this bill? I have seen estimates up to $100 million that it would cost the Federal Government by 1994. So there gets to be a little nagging question of how is this going to be paid for.

Well, that is taken care of in this bill in this way. Section 902, subsection (a), section 902 provides:

> The provisions of this act * * * 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.

Great. Do you know what that means? We do not pay for it. We are going to devise a system here that is going to cost up to $100 million for 1994 and we are not going to provide a way to pay for it. That is nothing new in this Congress. Sure we will just pass it. We will find a way to pay for it later.

No, the American people are not going to buy that deal either. This bill should have been vetoed on that basis, if none other. You cannot pass this sort of thing under our budget agreement and not pay for it. They could not figure out a way to pay for it, they could not find a way on how to agree to pay for it, and so they said we will worry about that another day. Another good, I think, proof that they never expected it, never wanted it to go in effect in reality anyway. But do not forget this bill is not paid for.

I want to touch once again on this so-called soft or sewer money. How can you have reform that sets up a process of limits, controls, and reporting in some areas but not in all areas? What they did in the conference, in the Senate bill I believe, but certainly the final bill we are looking into now, what they said is we will not require the same reporting of sewer money when it benefits us. That is all. If it benefits the Democrats, you do not have to report it. If it benefits the Republicans, we are going to restrike it, eliminate it, or require reporting.

Could we have at least included uniformity? That is all, just a little similarity here. I think we can probably work that. I cannot believe the Senator from Oklahoma, who is a respected Member of this body, would not agree to that. Report it all.

Now, some people say, well, in connection with this public financing and the volunteerism and the benefits you get if you do that. The truth of the matter is this bill just shifts the burden. We are going to say to the broadcasters, hey broadcasters, you have to pay for the extra cost here. We have to have spending limits. But to make up for those limits, we are going to allow that you get a special deal that the broadcasters pay for.

Ladies and gentleman, there never has been a free lunch and there is not now. How do you think the broadcaster is going to pay for that? They are going to pass it on somewhere, to the consumer. And we are going to give those that voluntarily participate free or better special postage rates again. You have the frank and now we are going to give you a special postage rate arrangement if you volunteer to take this public financing of campaigns.

It is just a real sleight of hand here. Yes, we will take it away over here, but we will give it back to you and we will let the private sector pay for it in the case of the broadcasters. That is really a great solution to the problems we face.

So my colleagues in the Senate, I think the President did absolutely the

right thing. I am sorry. I think the people would like to see real campaign finance reform but this is not it. This bill is wrong on far too many accounts. It is a shame for it to have the title that it has of campaign finance reform. I will be glad to work with any Senator of any party, any philosophy that is serious about this issue. This is not a serious bill. And so I am glad the President vetoed it. It will be sustained. And then maybe next year we can have a real, genuine campaign finance reform.

Mr. President, I yielded floor.

Mr. MCCONNELL addressed the Chair.

The PRESIDING OFFICER. The Senator from Kentucky is recognized.

Mr. MCCONNELL. Mr. President, I want to commend my friend from Mississippi for his outstanding contribution to this debate. I listened with great interest to his comments and they were all right on the mark. He really summed it up very, very well.

Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator from Kentucky has 88 minutes.

Mr. MCCONNELL. Mr. President, I have just a couple of observations. I see the Senator from South Dakota is here, but just a couple of observations before I yield him some time.

We have heard a lot of talk about the amount of spending in campaigns, as if America was literally awash in political spending.

David Broder, the premier political reporter in the country, I think we would all agree, has referenced that very issue in a couple of columns he has written, opposing this version of campaign finance reform, the first one appearing on June 2, 1991.

Broder pointed out, in pertinent part in this article, quoting our friend from Oklahoma, he said:

> Senator Boren repeatedly warned that "the amount of money to run successfully for the House and Senate has been escalating at an alarming rate. Spending per voter in Senate races last year continued to climb, going up at the rate of $1.41 per voter spent in 1988 to $1.87 per voter in 1990."

That is David Broder quoting our good friend, Senator BOREN.

Broder goes on to point out:

> Even at that higher figure, it is less than one one-hundredth of what any of the Big Three auto companies spends on persuasion for each sale.

It goes on to point out:

> The comparison is not irrelevant. One reason the cost of campaigns is rising is that candidates are competing, not just with each other, but with all the other products and services being marketed to the American public. Why should a society that tolerates an avalanche of auto, soft drink, beer, and cold remedy advertising choke on a relatively small amount of political persuasion?

In this year's Broder column appearing on May 3, 1992, a column headlined, "Campaign Finance Farce," further observations about the so-called spending issue, Broder points out:

"That notion of 'skyrocketing' campaign spending is so firmly fixed in the public mind that it is a shock to read in Sorauf"—this is Professor Sorauf from Minnesota, who I might say is kind of the principal professor in the country on the subject of American political parties and elections. As a matter of fact I teach a course on that topic and use his text, which has been the principal text in this field for some 20 or 25 years. Referring to Professor Sorauf he said:

> It is a shock to read in Sorauf that while spending did increase rapidly in the first decade under the 1974 finance reform law, it has leveled off and actually declined since the mid-eighties. Between 1986 and 1990, actual spending in congressional races dropped 1.3 percent; adjusted for inflation, it fell by 17 percent. In constant dollars, PAC contributions also declined 4 percent in the 1986–1990 period.
>
> "Americans are shocked by total expenditures of $445.2 million in the congressional campaigns of 1990," Sorauf writes, "but in that same year Sears Roebuck, the giant merchandiser, had an advertising budget of over $1.4 billion."

Mr. President, in fact we spend about on a per capita basis what every other Western democracy does on politics. We spend less on Senate campaigns than we do on bottled water. We spend less on Senate and House races combined than we do advertising dog food, soap, or toothpaste. So why all the zeal to get rid of all of this speech is beyond this Senator.

In any event, we do not have to worry about that happening because today we are driving the final stake through the heart of this ill-advised bill.

I would say to those who think this is going to pass someday, or it is going to keep coming back—I suspect like a headache it is going to keep coming back, or a toothache. But this is not ever going to become law. Even if the Democrats were to elect a President and the President were to sign this bill, the courts will take care of it. It is blatantly unconstitutional. So those on the other side who voted aye and cringed can feel some sense of relief that the courts will protect us from ourselves.

How much time does my friend from South Dakota desire? I yield Senator PRESSLER 5 minutes.

The PRESIDING OFFICER. The Senator from South Dakota is recognized for 5 minutes.

Mr. PRESSLER. Mr. President, I thank my colleague from Kentucky for his excellent presentation, and my colleague from Mississippi.

Mr. President, I am very interested in campaign reform as are many people in my State. I come from a small State, the State of South Dakota, where candidates for Federal office sometimes get as much as 90 percent of their money from out-of-State labor unions, business PAC's or individuals. I have noted that North Dakota, South Dakota, and some of the smaller States have some of the highest percentages of out-of-State money. I support campaigns for the House and Senate financed entirely by money from the candidate's own State. I run very low budget campaigns and have tried very hard to keep my spending down.

Mr. President, I voted for the campaign reform bill that passed the Senate last year. I believe I was one of five Republicans to vote for it. I reluctantly voted for it, saying at the time I wanted the process of campaign reform to move forward. I voted for it primarily because it eliminated political action committees.

But some very strange things happened to this bill in the conference committee, as we all know. In this election year, the conference committee designed a bill guaranteed to be vetoed by the President.

What the Democrats did in the conference of the House and Senate, was establish two sets of rules, one that just fit the incumbent Democratic House Members and another that just fit the Democratic Senate Members.

For example, labor union soft money or sewer money was not reduced. But it was for political parties. Political action committees mysteriously were restored to the Senate passed legislation which banned them. It is true that the amounts PAC's now can contribute are somewhat smaller. Labor unions can create 8 or 10 PAC's in hardly a day, at the twinkling of an eye. They will continue drawing money from the National Education Association, big labor interests, and the like. So PAC's have barely been touched by this measure.

Mr. President, the two parties raise money in different ways. Political scientists and economists have analyzed political party fundraising. The parties have slightly different bases. The core of the liberal Democrats' money comes from organized labor, the National Education Association, and similar groups. The bulk of Republican money comes from middle-class businessmen, from large business PAC's, and from individual contributors.

The fact is this bill was written in such a way that it protects fundraising of incumbent Democratic Senators and incumbent Democratic House Members, even to the extreme the bill has two different sets of rules, one for the House and one for the Senate. The conference-reported bill fits Democratic incumbents like a glove. This bill is an incumbent protection bill, a Democratic incumbents' protection bill.

Who are the losers in all this? The losers are people who want true campaign finance reform, who want to eliminate PAC's. A PAC ban is one of Common Cause's goals. It also is one of the President's goals. I have a copy of the President's veto message. He says:

My proposal would abolish political action committees (PAC's) subsidized by corporations, unions, and trade associations. It would protect statutorily the political rights of American workers, implementing the Supreme Court's decision in *Communications Workers* v. *Beck*. It would curtail leadership PAC's. It would virtually prohibit the practice of bundling. It would require the full disclosure of all soft money expenditures by political parties and by corporations and unions. It would restrict the taxpayer-financed franking privileges enjoyed by incumbents.

This bill does not do that. It runs contrary to the President's plan. His message continues:

It would prevent incumbents from amassing campaign war chests from excess campaign funds from previous elections.

So many items Common Cause and the President wanted were not included by the conference committee in this bill. This is an election year bill designed to embarrass the President. His opponents want to say he has vetoed campaign reform legislation or at least a bill called campaign reform.

Let me touch on a couple of other points. The deficit of the United States is a big problem. The legislation before us would require millions of Federal taxpayers' dollars to implement its provision. It sets out no funding mechanism to raise the required millions other than, presumably, to increase the deficit.

This bill also would do something very interesting. It would require radio and TV stations—but not the newspapers, to offer discount advertising rates to candidates.

In my State there are many smalltown radio stations that are not making much money. In fact they look to campaign years as a chance to make a little money. They are not as rich as NBC, or CBS, or ABC.

The PRESIDING OFFICER. The time allocated to the Senator has expired.

Mr. McCONNELL. I yield to the Senator 2 additional minutes.

The PRESIDING OFFICER. The Senator is recognized.

Mr. PRESSLER. Can these small radio and TV stations afford to discount political campaign advertising? Has someone looked into this? I know the ones in the metropolitan areas can probably afford to subsidize political campaigns, but South Dakota has a lot of marginally profitable locally-owned family run radio and TV stations providing weather and news service in small cities and towns across the State. Can they afford this? Or are we putting a burden on them that might make the difference between them staying in business or going under.

I know we like to beat up on our radio and TV stations, and newspapers. But some of the locally-owned, independent, smalltown AM and FM stations and television stations actually are struggling, at least in my State.

Mr. President, I will conclude by saying that this is an election year piece of nonsense. It does not accomplish reform. Oddly enough, I came to this town in 1974 as a newly elected Member of Congress. At that time, the introduction of political action committees was the big reform. I remember Common Cause was happy at that time with the coming of PAC's. Everybody said now we will be able to identify where the money is coming from. I have been around here long enough to see the old reforms reformed and called the new reforms. That shows you how gray my hair is getting. So when we do have a campaign finance reform, let us try to analyze it more thoroughly. Let us particularly analyze whether we are treating radio and TV stations and newspapers the same. Let us also analyze how it will affect the deficit of our country. We don't need just another incumbent's perk. We just eliminated a number of perks around here. This place went berserk eliminating perks. The only thing that's a perk in my office now is coffee. That's the only perk left.

The point is this legislation is a giant election year perk for incumbents. We are trying to eliminate perks. So I shall vote to sustain the President's veto.

Mr. McCONNELL. Mr. President, I want to thank my good friend from South Dakota for his very good statement with regard to this bill which we will finally lay to rest today.

Mr. GORTON addressed the Chair.

The PRESIDING OFFICER. Who yields time?

Mr. GORTON. Mr. President, what I shall like to do, with the permission of the Senator from Kentucky, is to ask him a few questions about the bill and secure his own answers to those questions. Will the Senator be willing to enter into such colloquy?

Mr. McCONNELL. I will be happy to.

Mr. GORTON. Mr. President, my first question is: Is this bill in the form in which it is before the Senate now, is it not absolutely unprecedented in creating a different set of election rules for Members and candidates of the House of Representatives than it creates for Members and candidates for the Senate and, if I am correct in that, is there any justification for a different set of rules for the same Congress despite reason of their membership of one House or the other?

Mr. McCONNELL. The Senator from Washington is correct, of course. This conference report is essentially stitched together, two entirely separate measures, one applying to House races, one applying to Senate races. It is sort of a cobbled-together version that makes absolutely no sense. It is illogical to have one House of the Federal Government elected under one set of rules and another under another. It also raises a very interesting question of what happens when you have an incumbent Congressman running for the Senate, largely unanswered, totally unanswered by this conference report. With all due respect for those who voted for this, this thing is a joke. It is a laugh. it is unbelievable we spent so much time this year on this.

Mr. GORTON. The second set of questions. If this Senator remembers correctly, it was the Senator from Kentucky whose bill, which had an effective ban against political action committees, was first included, and if this Senator's memory continues to be correct, with some reluctance, that ban was accepted by the majority party and incorporated in its bill in the Senate. But the bill as returned here from conference committee, lo and behold, PAC's like cats seem to have multiple lives; is that not correct?

Mr. McCONNELL. My friend from Washington is correct in his observation. It was, in fact, the Senator from Kentucky 4 years ago who originally proposed we zero out political action committees entirely. That measure at that time, as you can imagine, was rather controversial. It had only 14 cosponsors, all of them Republicans. On the day before the Rules Committee-reported version of campaign finance was to be called up in the Senate last year, there was a switch and the majority substituted therefor and brought up a core package that adopted what had then become the Republican position of no PAC contributions at all, and that is what we passed in the Senate last year.

But alas, the Senator from Washington is correct, the PAC's are back in this conference report. And so a vote for this conference report is a vote to essentially do nothing about PAC contributions.

Mr. GORTON. On another subject and one which, in the view of this Senator, may be even more important, is this Senator correct in his understanding that while this bill limits or eliminates the ability for political parties to use so-called soft money, the very political parties which have been a part of the structure of this country for almost its entire existence, it does nothing effective to limit the use of soft money by other organizations, whether they are labor unions or special interest groups, and that soft money in unlimited amounts can come into these organizations and be used by these organizations without limitation or even attribution as to its sources?

Mr. McCONNELL. The Senator from Washington is correct. There are two kinds of soft money, soft money being defined as money spent in campaigns outside of the Federal Election Campaign Act, which limits and discloses those contributions. There are two kinds of soft money. This bill attempts to cripple the parties in the name of stemming the flow of soft money. In fact, it is the provisions of this bill that so restrict the activities of parties

that are the principal motivation for David Broder's opposition to this measure because he believes that party activity is clean activity; that political parties are the only entity in America that can be counted on to support challengers and that the very last thing we ought to be doing is to restrict parties.

So this bill drives a stake through the heart of political parties under the guise of doing something about sewer money. The practical effect of that is, of course, it nails Republicans in something they do better because they have done a better job of raising money for their party than the Democrats have and does nothing whatsoever about the other kind of soft money, which is the money spent by 501(c) organizations hiding behind the Tax Code on behalf of candidates, almost all of that activity on behalf of Democratic candidates, which never shows up on a Democratic candidate's finance report, is not limited, and is not disclosed.

Mr. GORTON. And so the very contributions, as I recall, of almost a million dollars from Charles Keating to a Member of this body, which were part and parcel of one of the great historic scandals, would not be affected in any respect by this bill?

Mr. MCCONNELL. Eighty percent of what Charles Keating contributed is completely unaffected by this bill because they were contributions to a tax-exempt organization that was a favorite of both a candidate and a party. It is unaffected by this.

Mr. GORTON. And finally, the heart of this bill is to take money out of taxpayers' pockets and put it into the hands of candidates and incumbents for public office in a way in which almost every, if not every public opinion survey shows the people disapprove of; is that not the case?

Mr. MCCONNELL. The Senator is correct. On this issue, we have a massive public opinion poll every April 15. Voters get a chance in a massive referendum, called signing your tax return, to express their opinion on the public funding of a campaign that is already financed that way: the Presidential campaign.

Eighty-one percent of them say no to the following proposition: Do they want to divert a dollar of taxes they already owe? It does not add to their tax bill. Do they want to divert a dollar of taxes they already owe to the Presidential campaign? Eighty-one percent of the American people say no.

It is the most comprehensive survey ever conducted in America on an issue. On no other survey do you have 150 million or so respondents. So we know how unpopular public funding is. We have a referendum every April 15.

Mr. GORTON. In summary, while I note that the pretend title of this bill is the Campaign Reform Act of 1992, might it not be better to entitle it "the Campaign Fraud Act of 1992?"

Mr. MCCONNELL. I think that would be an excellent title.

Mr. GORTON. I thank my distinguished colleague from Kentucky.

Mr. MCCONNELL. I thank my friend from Washington.

I yield 5 minutes to my friend from Wyoming.

The PRESIDING OFFICER. The Senator from Wyoming is recognized for 5 minutes.

Mr. SIMPSON. Mr. President, that was a very excellent colloquy between my friend from Washington, Senator GORTON, and the remarkable floor manger of the bill on our side of the aisle, the Senator from Kentucky. He has truly become the Nation's watchdog on this extraordinary issue of campaign finance reform.

Mr. President, now that we are at the end of this futile and ignoble effort to impose a rawly partisan Democrat bill on this country in the guise of campaign finance reform, maybe we can now start all over again in a constructive manner. Maybe next time those who control the Congress will spend a little more time listening to the other side of this debate—just for a little while—because it is like our colleague WARREN RUDMAN said in his swan song—and I keep using his words:

> We all know what we have to do. We all really do know that in this place. We know what we have to do with the budget. We know what we have to do with defense. We know what we have to do with the entitlement programs. The issue is will we really do it? The people are not really going to spend much more time waiting for us to do it and just giving excuses.

But this is a remarkable piece of work. No one has described it better than the Senator from Kentucky. Senator MCCONNELL has warned us, told us, educated us. Here we are with what really is an absurd piece of legislation where the Republican conferees just sat there, and the Democrat conferees just rammed it in their ear and said "there it is; you are going to love it." There was no participation by Republicans to any degree. The Democrats had the strategy to just get the bill down to the President; get him to veto it; and just hope it would blow up under his chair. Then they could have more fun with him; toy with him.

Well, it will not work. The President vetoed this thing and any thoughtful American has got this figured out. How in the world can you justify a reform bill which treats one House differently than another.

Republicans know what we suggested. We said let's eliminate PAC's. That is what the Republican Party in the Senate said. We will ban the sewer money, reduce the amount of money coming in from out of State individuals that bloat a politician's campaign war chest. That is what we wanted.

What the Democrats gave us and parcelleled out to the minority in a great lump, and what the President so wisely vetoed, was a bill that breathed life into PAC's. I am talking about PAC's that give money to both sides. They allowed labor unions to continue their little soft money efforts—setting up phone banks on the edge of town to tell voters that the Republican candidate is the guy who voted to take away your Social Security, your veterans' benefits, and every other known Federal program. That is the kind of reform that we as a party are not interested in. That is what we are not going to see get through here. The final indignity of this bill is that these reforms will be paid for with American's tax dollars.

What the House Democrats said they uniquely needed for reelection, they put in this report. What the Senate Democrats said they uniquely needed for their reelection they put in this final product then they wrapped it up in one great dandy, happy package and shipped this turkey in here for us to deal with.

The result is that this legislation would not provide different reforms for each House of Congress. Americans are not dumb, just disgusted. Republicans will continue to call for the elimination of PAC's, and boy, do not think they are going to do that down at the other end of the Capitol Building. This is mother's milk. PAC's are the mother's milk of the Democrat Party in the House of Representatives. That is why we have this twisted, absurd, grotesque final product.

And the final corrupting force in American politics is soft money. Republicans would ban it all, from all special interest groups. Democrats made a truly feeble and fumbling attempt to "do something about that problem," but they cynically and deliberately made a huge exception for the union soft money which benefits mostly Democrats. We refer to that as sewer money. It goes unreported to the Federal Election Commission. That was a purposeful omission on the Democrat's part. Any future attempt to rig the system to favor one political party over another should be rejected in the same manner as this ill-fated legislation was by President Bush.

So there we are. Thank Heaven we have people like Senator MCCONNELL to point out these defects and stay consistent, fully informed, fully advised, fully up to speed. He is certainly our conscience in these matters.

And then to put the final touch of cynicism on this package—and the American people ought to just laugh if they can get through the tears—this bill is going to cost the taxpayers money, but the conference report says we will pay for it later. It has some nonbinding language in the report which says you cannot have a tax increase to pay for this. You cannot have it come from other programs. And it excludes an increase in the deficit as

any possible funding source. Well, where else do you get money around here? If you find the place, tell us, because we really would love to know. The fact is everyone knows where the money is coming from. It is coming from the taxpayer. The American people know better than to believe this truly phony proposition.

So the Democrats decided to defy all the President's criteria, and make no effort to address the concerns of the Republican conferees. Now the game is almost over, thank Heaven. Perhaps the Democrats will be a little more accommodating on future campaign finance reform bills. Maybe they will even pay some attention to the recommendations of the poor, old, ragged Republican minority. Maybe they will pay more attention to the bipartisan task force appointed by the majority leader, our fine majority leader, GEORGE MITCHELL, and our extraordinarily capable Republican leader, BOB DOLE. Republicans did pay attention to that report, and those recommendations are at the heart of our party's alternative proposal. So I urge my colleague to sustain the President's veto of this highly partisan, rawly partisan bill, and I thank Senator MCCONNELL from Kentucky for presenting it to the American public in a way they indeed can understand it.

The PRESIDING OFFICER (Mr. DECONCINI). The Senator from Kentucky.

Mr. MCCONNELL. I thank the Senator for his contribution to the debate and the kind words made of the Senator from Kentucky. I very much appreciate his support during the debate. We hope next year to be able to approach it in a more bipartisan fashion.

Mr. President, I yield to the Senator from Mississippi 5 minutes.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. COCHRAN. Mr. President, I thank the distinguished Senator from Kentucky for yielding time to me.

I first want to congratulate the Senator from Kentucky for his leadership on this issue and the way in which he has gone about trying to identify the reasons why this veto of the President's ought to be sustained. He is eminently correct in the remarks he makes characterizing this bill as an incumbent protection plan, pointing out also that a taxpayer subsidy is being authorized in this legislation at a time when we are trying to get better control of the runaway deficits at the Federal level. This bill would add to those deficits.

Our Appropriations Committee just coincidentally happened to be meeting in a room on the first floor of the Capitol the day we had this bill on the floor of the Senate. The purpose of the Appropriations Committee meeting was to consider a rescission package and to report out a proposed rescission of appropriated dollars which would cancel the previous appropriations of funds for this current fiscal year.

The total amount of money involved was about $8 billion. While we were discussing that, at the same time here on the floor of the Senate we were being asked to vote approval, which the Senate did that day on a very partisan basis, of a bill that would add money to the deficit. Some estimate that would require as much as $200 to $300 million, every election cycle, in funding for the campaigns of House and Senate candidates. And this is tax money whether the taxpayer whose money is being used agrees with or supports the candidates or not. The bill also adds to the administrative costs of the Federal Election Commission which has the responsibility of administering this act.

It is complicated and complex. It is complicated the way the subsidies are described, and the spending limits, the way they are calculated. There are differences as the bill applies to House candidates and to Senate candidates. So, it is very complex and will require a lot of work and manpower and effort by the staff to implement and monitor compliance with this act. The FEC estimated, in testimony before the Rules Committee, that it would cost at least $2 million a year to administer this new program. They are spending $18 million a year in administrative costs now. So, the fact of the matter is, this is an expensive bill. It will add to the Federal deficit, and it is another good reason that the Senator from Kentucky points out that the President's veto should be sustained.

I think the President summed it up well in his veto message in the last paragraph when he said:

> Our Nation needs campaign finance laws that place the interests of individual citizens and political parties above special interests and that provide a level playing field between challengers and incumbents. What we do not need is a taxpayer-financed incumbent protection plan. For these reasons, I am vetoing S. 3.

Mr. President, I think President Bush is exactly right in characterizing the bill as he has. I hope the Senate will support the President on this issue today and vote to sustain his veto of this bad bill.

Mr. MCCONNELL. Mr. President, I thank the Senator from Mississippi for his participation in this debate, not just today, but at every step along the way, very useful and constructive contribution to the discussion of this issue. I really want to express my appreciation.

Mr. President, I yield 5 minutes to the Senator from Oklahoma.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. NICKLES. Mr. President, first, I wish to compliment my friend and colleague from Kentucky for his leadership, and, also, I would like to concur with the comments just made by my friend and colleague, Senator COCHRAN, from Mississippi, and Senator SIMPSON, from Wyoming. I heard their comments. I think they hit the nail on the head.

This bill is really nothing but an entitlement for politicians, or you could say perks for politicians. This bill has taxpayer subsidies for candidates. That is not popular in my State. It is not popular, in my opinion, anywhere across the country. Do you really think that candidates for the House and the Senate should be subsidized by taxpayers at a time that we have these enormous deficits? Do you really think the taxpayers should be helping subsidize political campaigns? I think the answer is overwhelmingly no.

Frankly, it is disappointing to me that there is such a partisan bill because it has been very well known that if we had taxpayer subsidies in the bill, the President was going to veto the bill. So we have been wasting our time. Everyone in here knew that this bill would be vetoed. Frankly, I think everybody in Congress knows the veto is going to be sustained. So we have to go somewhat through a charade of some type because we have wasted our time.

I, for one, would like to see us do real campaign reform. I think we need real campaign reform. And that can be—I have heard many people say, "Well, we need to eliminate the special interest money." Let us do it. Let us take PAC's down to the same amount as individuals. Right now PAC's can give $5,000 per election, both the primary and the general. That is $10,000. And an individual can only give $1,000 in primary and general, or $2,000. Let us put PAC's on the same level as individuals. That will take out a lot of that special interest money. A lot of that does go primarily to incumbents. Let us take that out. Let us limit them to the same thing as individuals. That would be positive reform.

Actually, we passed that bill through the Senate. We said we would eliminate PAC's. Most of us believe that is unconstitutional. We had this fallback regime. But the bill that came back did not reduce PAC's down to $1,000. It left PAC's, reduced it in the Senate's to PAC's of $2,500 per election cycle, or cut it in half. In the House it did not even change that. In the House they can still receive $10,000 from a PAC. They call that campaign reform? I do not think so.

I mentioned I thought it was perks for politicians. I do not see why politicians should be able to buy broadcast time at one-half the rate of anybody else, the lowest rate of anybody, lower than a church in Mississippi, lower than a charitable organization in Kentucky that is trying to raise money, maybe to help somebody that has had a problem, maybe their house burned down or something. The station has a low rate that they want to give to a nonprofit organization.

This says, we want politicians running for the U.S. Congress to get one-half the rate that you charge anybody else. Do you know what the net result of that provision will be? A lot of stations do not make money, at least in my State. We have had a lot of radio stations that are just barely making it. They give a lot of time away. They are going to have to raise those lower rates up because they cannot afford to just give that much time. If they are going to say politicians get one-half the rate in election years, their minimum rate is going to go up pretty significantly. So we are going to end up charging charitable organizations a lot more because of this little perk for politicians so politicians can have rates at one-half the rate of anybody else.

Why should politicians be able to mail at 9.8 cents when most Americans have to pay 29 cents, or if you mail class 3, it is still 16.8 cents. Why should politicians get it at 9.8 cents? That is certainly a subsidy. That is certainly something. The rest of the postal payers or the taxpayers would be picking up that rate.

Why should politicians get broadcast vouchers that say, "Here is a couple hundred thousand dollars. Go out and buy some time. We are glad that you are running for Congress or for the Senate. Here is a couple of thousand dollars, $100,000. Here is a gift. You go out and buy this time. Incidentally, yes, you get to buy the time at one-half the rate of anybody else."

Then some people say this is voluntary. What they do not tell you is, if you do not participate—there is a little catch—if you decide to exceed the limit—let us say the limit is $1 million, and you think in your State, maybe it is Mississippi, you need to spend $2 million—they say it is voluntary, but, if you do not participate, your opponent is going to get $1 million. So the limit is $1 million for the general election, and you spend $2 million, and the taxpayer is going to match that $1 million if you exceed the limit of $1 million. Of course, your opponent can take that $1 million. Since he gets to buy broadcast time at one-half the rate that you do, that is equivalent to a $2 million gift.

They call this thing voluntary? It is not voluntary. It is a massive raid on the taxpayers. It has enormous expenses. We have done a little estimate.

We calculated the cost to the taxpayers is in excess of $1 billion over a 6-year cycle. So we are talking about real money. We are talking about heavy Government involvement in campaigns.

Some people say, eliminate soft money. This bill does eliminate soft money for political parties, but it does not touch soft money for organized labor. Organized labor puts lots and lots, millions of dollars, of soft money into campaigns. This does not touch it. It just goes to prove that this bill really is partisan. It was written by the majority party in both Houses. It was written one bill for the Senate and one bill for the House, different bills, which makes no sense whatsoever.

It is not a fair bill. It is not a bill that deserves to become law. The veto deserves to be sustained. I hope after the veto is sustained that we will have responsible leaders. I compliment my colleague and friend from Oklahoma. He has been steadfast in his desire to see this bill go forward.

I urge him to get together with Senator MITCHELL and Senator DOLE and Senator MCCONNELL and others who have shown leadership in this bill, and let us put together a bill that the President can sign. Let us put together a bill that does reduce PAC's. Let us put together a bill that does eliminate soft money for organized labor as well as the political parties, if we are going to go that far.

Let us put together a bill that says you have to raise the majority of your money from your home State or district. I think those are good reforms. Many of these reforms can and should be agreed upon.

So I hope that we will. And I also say I do not think we will have a bill, period, unless we do work in a bipartisan fashion.

Right now, with the makeup of Congress, if it is all one party, one side, and all one party the other side, with the President being in one party and opposite of the controlling party in Congress, we are not going to have a bill. So we might as well quit wasting our time.

I urge the leaders on this issue to get together and figure out what we can pass, and let us pass it this year. We may not get the full loaf. Let us take what we can get and make some real reforms and pass something that can be signed and become law this year. Mr. President, I thank my colleague from Kentucky.

I yield the floor.

Mr. MCCONNELL. Mr. President, I thank the Senator from Oklahoma. He has been a major player in this issue all along, including membership in the group who tried to negotiate this issue, with little success. He understands the issue well and has made a fine contribution. I express my appreciation.

Mr. President, I understand that Senator GRASSLEY is on his way and would like to speak. Until he arrives, I want to make a couple more observations about the Constitution.

This bill is about the first amendment, about speech. It is a serious matter. The Supreme Court has been rather clear, crystal clear, that when you start talking about limiting speech, you are treading on thin ice. I think it is good to go back to the Buckley case. I want to briefly read a couple of quotes from the Buckley case, and I will give some time to Senator GRASSLEY.

The landmark case of Buckley versus Valeo set out essentially what is constitutionally permissible and what is not. The Court was really very articulate and right on the mark. I will read directly from the case, their observations about spending limits. Here is what they said:

> A restriction on the amount of money a person can spend on political communication during a campaign necessarily reduces the quality of expression by restricting the number of issues discussed, the depths of their exploration, and the size of the audience reached. This is because virtually every means of communicating ideas in today's mass society requires the expenditure of money.

Mr. President, let me read further from the decision.

The Court said in the Buckley case:

> It is clear that a primary effect of these expenditure limitation, those that had been passed by Congress back in the mid 1970's, is to restrict the quantity of campaign speeches by individuals, groups and candidates.

Then the Court reached the crux of the matter, Mr. President. Here it is:

> The concept that Government may restrict the speech of some elements of our society in order to enhance the relative voice of others is wholly foreign to the first amendment.

The Court went on:

> The interest in equalizing the financial resources of candidates competing for Federal office is not a convincing justification for restricting the scope of Federal election campaigns.

The Court said:

> Moveover, the equalization of permissible campaign expenditures might serve not to equalize the opportunities of all candidates, but to handicap a candidate who lacked substantial name recognition or exposure of his views before the start of a campaign.

The Court went on:

> The mere growth and the cost of Federal election campaigns in and of itself—

And the growth, of course, in congressional races, I add, is over, going down again—

> Provides no basis for Governmental restrictions on the quantity of campaign spending, and the resulting limitation on the scope of Federal campaigns.

The court said:

> The first amendment denies the Government the power to determine that spending to promote one's political views is wasteful, excessive, or unwise. In the free society ordained by our Constitution, it is not the Government, but the people who must retain control over the quantity and the range of debate in a political campaign.

Mr. President, it is absolutely clear that this bill would not survive before the current Supreme Court. As I have predicted previously, if such an issue wends its way up to the Supreme Court again, it is my prediction that the current Court would find spending limits, even with the public subsidy enticement, a violation of the first amendment.

So I might say that if anything like this ever passes, I look forward to

being involved in the litigation. The courts will ultimately save us from ourselves, and will not allow this kind of trashing of the first amendment.

I see that Senator GRASSLEY is here, and I yield him 6 minutes.

The PRESIDING OFFICER. The Senator from Iowa is recognized.

Mr. GRASSLEY. Mr. President, I thank the Senator from Kentucky for his leadership in this area, but most importantly, for his mastery of this subject of campaign finance reform and, I can say, his effective opposition to bad legislation that will eventually lose, thanks to a President's veto, but also thanks to the Senator's leadership.

Obviously, I am here to support President Bush's veto. I am disappointed, of course, that Congress sent the bill to him in the first place, a bill that he could not sign, when there were some very good ideas around here that could have been put together that would have brought real campaign finance reform and would have been signed by the President.

Mr. President, my colleagues have earlier, during this debate, mentioned that the American Civil Liberties Union opposes the conference report to S. 3. The ACLU says that this bill "will not solve the problems of fairness and financial equity" that proponents of this legislation claim. Even more interesting is that the ACLU points out that the limits on campaign contributions and expenditures "impinge directly on freedom of speech and association."

This is an important point to understand. Speech is what is really restricted by this legislation, our constitutionally protected right of free speech. Proponents of S. 3 argue in terms of contributions, in terms of money, and in terms of runaway spending. But, in reality, it is speech, and not spending, that is under attack by S. 3.

And if Members can pass legislation such as S. 3 that restricts the ability of challengers and their supporters to speak out against incumbents, what better incumbent protection could anyone who wants to be reelected ask for?

The Supreme Court, long ago, settled the issue in Buckley versus Valeo. The Court states that "no Government interest that has been suggested is sufficient to justify the restriction on the quantity of political expression imposed by campaign expenditure limitations." The Court also underscored that such restrictions would actually hurt challengers with little name recognition.

Four years ago, the Senate Democrats attempted to overturn the Buckley versus Valeo decision through a constitutional amendment. This legislation was understandably nicknamed the "Democratic incumbent protection bill." This legislation would have allowed Congress and the States to virtually prohibit all campaign expenditures. Now, of course, that is the ultimate in incumbent protection.

During the 101st Congress, a similar resolution was introduced but it had some modifications. This new version was not quite so draconian because it stipulated restrictions had to be reasonable, and whatever that means of course would be left up to the courts.

And, now according to the American Civil Liberties Union, S. 3, this campaign reform package presented by the Democrats in both the Senate and the House, represents yet another unconstitutional attack against freedom of speech.

Mr. President, I cannot help but be reminded of the embarrassing moment for this body last Congress when its Members wrapped themselves in the Bill of Rights to fight efforts of some of us in this body to protect the American flag from desecration.

We were told that we must not risk tampering with the speech clause to protect the American flag from flag burners. Yet these same Senators thought it was just fine to tamper with freedom of speech in order to protect the incumbency of Members of this body through assuring their own reelections.

It is as simple as this: If freedom of speech should be restricted at all, should it be to protect the American flag, or to protect political incumbents? Should it be to prohibit the physical burning of the flag, or the verbal burning of politicians?

Mr. President, I do not know how this affects most of my colleagues, but during the last Congress some Members felt shook up by the arguments for protecting the flag and my analogy with this legislation to amend the Constitution to protect incumbents.

And I would hope that people would feel as moved today to think in terms of what this bill does for free speech.

If you cut off spending, it is as simple as cutting off speech. It takes money to deliver your message through print and broadcast media. It takes money to pay for political travel to speak with voters. And if you cut that spending off, the one hurt most is the challenger who has not already established name recognition and who has not already enjoyed a forum to express and disseminate the challenger's views.

The problem with taxpayer funding of campaigns should be equally obvious to this body. Our budget deficit could reach $400 billion this year. Our national debt is at $4 trillion. Voluntary taxpayer contributions to the Presidential election fund is dropping off. That is the way the taxpayer is imploring us in this Congress to be a little more financially responsible. This drop in voluntary contributions to the Presidential election fund is their freely-expressed way of saying that they do not agree with that approach of financing elections.

And yet proponents of S. 3 expect us to believe that Americans want to be forced to spend several hundreds of millions of dollars, in tax dollars at that, to assure the reelection of incumbents.

Mr. President, campaign reform may be warranted, but it should be a product of bipartisan support. It should not be a product, such as S. 3, which provides income protection for the political party that has exercised a virtual lock on the control of Congress for the last four decades.

So, Mr. President, without any hesitancy at all and without any apology, I think that this legislation must be rejected again by our support of the President's veto.

I yield the floor.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. MCCONNELL. Mr. President, before the Senator from Iowa leaves the floor I wanted to compliment him for bringing up the constitutional amendment issue. I think it is very important. About 1½ years ago in response to suggestions that we amend the first amendment of the Constitution to prevent burning of the flag, a number of Senators, mostly on that side of the aisle but some on this side of the aisle as well, made a rather persuasive argument, it seems to me, which was the first amendment has served us well for over 200 years and had never been tampered with and that it was very dangerous to be modifying the first amendment with another constitutional amendment.

And as the Senator knows, because he is on the Judiciary Committee, and I believe the Judiciary Committee has reported out a constitutional amendment which would provide the Congress the authority in effect overruling the Buckley case, making it possible to quash speech, to quantify speech, to dole it out in equal amounts. I share the Senator's view that that would be most unfortunate, a trivialization, if you will, of the first amendment. Of all things, to modify the first amendment so people can speak less after 200 years of extraordinary success with the first amendment is a terrible idea.

Mr. President, it is such a terrible idea that even Common Cause is against a constitutional amendment. Common Cause, the principal interest group in America trying to promote spending limits on public finance, vigorously opposes tampering with the first amendment in order to achieve a goal that they desire.

So I commend my friend from Iowa for bringing up the constitutional amendment issue. It would be a most unfortunate way to go to tamper with the first amendment after all these years. I just wanted to thank him for his contribution.

Mr. GRASSLEY. If the Senator will yield, I thank the Senator very much for his kind remarks.

But in addition, if there is anything that is clear from the debate of the Bill of Rights and at the State legislature referendum after the first Congress, and most of the Court decisions, it is the importance of protecting political speech. That is the one outstanding motivation behind the first amendment. And if there would be one unacceptable compromise, extraordinary compromise of that principle, it would be to put some limit on political speech that is directly related to the political process, to what the average citizen out there might be wanting to say. Political debate would be limited. The essence of how we make decisions in this democracy is compromised by such an approach and must be rejected.

Mr. McCONNELL. Absolutely. No matter what the views of Senators about the advisability of voluntary spending limits and public finance, I hope the Senate will never trash the first amendment by constitutional amendment to provide spending limits. I thank my friend from Iowa.

Mr. President, I was about to say that the major leader had indicated to me earlier he was hoping we might be able to vote prior to 5:30. I sent the word to him as far as this Senator knows we are out of speakers on this side of the aisle. For the moment I reserve the time. Until I have a chance to confer with Senator MITCHELL further, I yield the floor.

Mr. WIRTH. Who controls the time?

The PRESIDING OFFICER. The Senator from Oklahoma controls time.

Mr. WIRTH. Is it possible to ask unanimous consent that the Senator from Oklahoma be considered having yielded 8 minutes to the Senator from Colorado?

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

The Senator from Colorado.

Mr. WIRTH. Thank you very much, Mr. President.

Here we are again in invisible city, almost no interest or reaction to this most important campaign finance reform bill, this extraordinarily important piece of legislation but there is almost no interest in it at all.

The President vetoed this bill, I think, with some embarrassment, Mr. President, so that that news appeared in the Saturday news—maybe he did it late Friday after the news had gone to bed. Now we are going to act on the veto override late in the afternoon, so it does not have any possibility of being part and parcel of any kind of evening news program.

Yet what is this issue, Mr. President? This issue is about a cancer that is eating up the Congress of the United States. This issue is about the fact that money across the country is out there, poised and very effectively purchasing political outcomes.

There is arrayed an increasing number of special interests that are out there standing between the people's elected representatives and the people themselves. We all know that that is happening.

You cannot tell me, Mr. President, that people who will piously say every one of my constituents gets the same reading as being level. That is not true. People who have donated from a large group a large amount of money are getting a very significant voice. As a consequence, what is happening is that our decisionmaking capability is declining. There is a lower and lower common denominator. And the people of the country are saying about their Congress, oh what is going on up there? And what do we do?

If this veto is not overridden, we just increase the amount of money we spent this year on campaigns and it will probably be increased in 1994 and again in 1996. More and more Members of Congress are out there hat in hand, cup in hand, tapping down the street asking whoever they pat on the shoulder if they would please make a contribution. Who are they asking? They are predominantly asking people who have a very, very significant interest in front of the Congress of the United States. They are asking people who already can go out there for the most part and hire a bank of consultants and a whole lot of accountants to make their case in front of the Finance Committee to come in and get lines in the appropriation bill and do all the things related to legislative process and buy even more influence.

The average individual in our society is saying to himself or herself, what is going on here? Why is this common denominator getting even lower? And it gets lower with each passing month. Here we are debating this important bill that got vetoed on a Saturday, debated late in the afternoon, the evening news having gone by, and little or no attention is paid to it. Yet we are trying to cure this virulent cancer.

Mr. President, let me ask you, was this the fact for the first operation in open heart surgey? Did that get no attention? No, the press was all over it. The country was all over it. They were interested in this issue. They knew about it. When the first artificial heart was implanted, was the press not interested, was the country not interested, were people watching it? They were watching with enormous concern because it was their vital bodily organs that they were talking about.

Well, this is the people's organ, this is the people's institution. This institution is in very, very significant trouble, in part, Mr. President, because of the cancer of money. The cancer of money is all around the institution, and we know it. People here know it and yet in a disingenuous way, they are saying, well, because of this or because of that, we cannot pass legislation.

Mr. President, I have heard that argument since I was first elected to the House in 1974. That argument has been made in 1975, 1976, 1977, on and on and on, the same weak arguments being made about not being able to do anything about this system.

But while Congress tries to do something about this system, the President, who in fact has been the largest single recipient of public funding of a shared public-private partnership passed in 1974, piously says no, and vetoed that bill.

Mr. President, if the President were going to be consistent, why did he not do the following, say "I'm not going to take any public funds. I'm going to go out and do it by myself, do it the way John Connally did it." Why did he not do that? I think people ought to catch on and they probably will not.

Let us just think for a minute what has happened since the Senate passed this bill for the first time? We had one evening of an event here in Washington, DC, in which more than $7 million—$7 million—was raised in one evening for the President's reelection campaign. Such an enormous amount of money was raised in that evening from so many interests that were piling in to get a piece of the action that the President of the United States disavowed that and had his banners taken down in the hall.

What else has happened? Four hundred thousand dollars was given in a donation from a single individual and nobody knew who it was. Nobody knew who that person was.

Now I can guarantee you, Mr. President, that that person, $400,000 later, did not intend to remain a shrinking violet and remain absolutely anonymous. Why did that individual organize and give $400,000? Do you think there was any correlation between his largess and his desire to be able to guide a political outcome?

Oh, no. We all say there is no correlation between the two. Let us be honest about the fact that, yes, there was.

In today's New York Times—another example of what has happened just since we passed the bill—a number of individuals who have major, significant problems in front of the Federal Government yet are raising money for candidates. This is a rank conflict of interest all by itself. Some of us were brought up to think about conflicts of interest.

Do you suppose there is any connection between those, Mr. President? Do you suppose there is any relationship between these individuals' willingness and eagerness to go out and raise a ton of money and then worry about the problems that they have in front of the Federal Government? I never met any of these individuals, I do not know anything about them. But it is a pretty embarrassing and tawdry state of affairs when this exists and the Amer-

ican public should ask and could ask what is going on here?

Mr. President, I think people do know what is going on. I think most Members of this institution are sick and tired of this demeaning money chase. They know what it does to them. They know what it does to the votes that they have to cast. The people on the outside who are giving this money are sick and tired of this. They know how wrong it is. You can talk to anyone, and they know how wrong it is.

Mr. President, we are certainly not going to be able to override this veto. The phalanx has been set up out there and there will be enough votes to sustain the President's veto and the President will then continue on and will probably have another, maybe not $7 million dinner, may only a million dollars.

We will have another anonymous donor who is just purely generous, giving hundreds of thousands of dollars. We will have other scandals that hit the newspapers sure as can be and the beat will go on and on and on and the price of elective office will go up and up and up. And our ability to have rational debate on the issues of the country will be lessened.

It is a terrible situation, Mr. President. It is a terrible situation. We all know it. And yet somehow the paralysis has hit, and we cannot do anything about it. It is an appalling situation, Mr. President.

We should all be embarrassed for the institution in this fashion. We should be embarrassed for the people of this country looking at this institution and the amounts of money cycling through here.

This is a modest attempt to make some changes; a modest attempt to make some changes. It is not perfect by any means—no piece of legislation is. There are compromises that have to be worked out. But it is a step in the right direction. It is a step to get rid of this virulent cancer, and we should do it.

Mr. President, I certainly, obviously, intend to vote to override President Bush's veto. I certainly hope that people who will vote to override the veto also can do so, hold their heads high and explain to the American public who overwhelmingly says that we know something is deeply amiss and campaign finance is a major part of that problem.

Let people go back and explain it to their constituents and let us hope that there is some attention to this. Let us hope that the press which was standing outside the door over there on the House Ethics Committee—you will remember when the report of all the people who allegedly bounced checks over there, there was a massive number of people from the press that could not wait to get that list, could not wait to get in the door, could not wait to grab hold of that, and go out and talk about that issue.

That issue, Mr. President, is irrelevant compared to what we are talking about here. It is irrelevant compared to what the relationship of this has to do with anything about the budget. It is irrelevant compared to what the relationship of this has to do with anything about the budget. It is irrelevant compared to our inability here to do anything about guns in the United States and the slaughter that is going on everywhere. It is irrelevant to our inability to break down the budget wall and to treat children in this country the way that we should who do not have a voice, who cannot raise $7 million in an evening.

That is what this is all about, and that is where this should be looked at, Mr. President, and looked at and understood in a serious way. Not the lemming instinct of looking at the House bank, even if it is a metahpor for a lot of other problems.

But the attention given to this issue is so small and the reflection of that is what is going on right here, this afternoon: disappeared, vetoed on a Saturday, disappeared, the silent Stealth issue; a Stealth-like cancer, which creeps up and wipes out that living organism. That is what is happening to us here, Mr. President. That is why we should override the President's veto.

Mr. President, noticing the fact that there is nobody here to speak on this issue at this point, I make a point of order for our grateful viewers that a quorum is not present.

The PRESIDING OFFICER. The clerk will call the roll.

The bill 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. Without objection, it is so ordered.

Mr. BOREN. Mr. President, I yield to myself as much time as I might require.

Mr. President, I have been listening to comments made on both sides about this matter. Of course, I have already made extensive comments about the veto message myself. I will not repeat what I have said earlier, but, simply, again to sum up by asking the question: How long are we going to wait until we do something to solve the serious problems that we have in this country with the way we finance campaigns?

When I first became a Member of the U.S. Senate I was alarmed by the fact that the average candidate for the U.S. Senate, the average successful candidate was spending $580,000 to get elected to the U.S. Senate; 14 years ago, $580,000. It seemed to me at the time to be too much money, too much time spent raising money, too much attention to raising money, too much perception on the part of those watching the fundraising process that the integrity of the candidates and the process were somehow being compromised by the amount of money that had to be raised. That was 14 years ago. And now the average successful candidate for the United States Senate does not have to raise $580,000. In the last cycle, in 1990, the average successful candidate raised $4 million in order to run for the U.S. Senate; $4 million, almost $15,000 for every single week for 6 years of a 6-year term to raise the amount of money that is necessary.

My question, Mr. President, is this: How long are we going to wait before we act? How much longer are the American people going to have to wait? The American people, according to survey after survey, in excess of 80 percent, sometimes as high as 90 percent, want to see us put limits on the amount of moneys that can be raised and spent on campaigns.

They know. The people know. We do not understand it here in the Nation's Capital. The people across this country know there is too much money in this process. They want the money chase to stop. They want us to have a competition in campaigns based upon ideas and the qualifications of candidates and solutions to the problems facing this country, not a competition based upon who can raise the most money.

So, Mr. President, I ask how long will we wait? How long will we wait before we repair a system which one leading newspaper in this country correctly called "rotten"; a system which gives such an unfair advantage to incumbents over challengers?

Until we put spending limits in place we will never have a level playing field between incumbents and challengers, not when incumbents have been able to raise, as they have so far in this election cycle, $19 for every $1 that challengers can raise. In 1990, for the House, House Members raised eight times as much, $230 million versus $30 million, compared to challengers, to run for reelection. Senate challengers do not have a chance in that it was 3 to 1. How long are we going to wait until we level the playing field between incumbents and challengers by placing spending limits in place?

Finally, how long are we going to wait before we reduce the influence of special interest groups in American politics? Over half of those running from Congress successfully in the last election received over half of that money not from the people back home but from the special interest groups, the political action committees, mainly located here in Washington, often controlled by lobbyists who are seeking special legislative favors and enactment by Members of the Congress. How long are we going to wait?

This bill, S. 3, which was just vetoed by the President very quietly over the

weekend, would have, had it been in effect, cut by more than 53 percent the amount of political action committee contributions, PAC contributions, special interest money that could have been accepted by candidates in the last election.

It is a major step in the right direction. It is not a perfect bill. But it does limit spending. It does limit overall spending. It does reduce the advantage, therefore, that incumbents have over challengers and it helps level the playing field. It would have squeezed out over half the special interest money now flowing into the system, creating a perception that causes the majority of the American people, 78 percent in a poll, to say that they thought the Members of Congress cared more about the special interest groups than they cared about people like themselves.

Until we change it, we are going to continue to have problems in this country with the perception people have of this institution. How long are we going to wait? Are we going to wait, using the argument that somehow the spending of money is free speech and therefore the more money we spend the better our political process will be? The more time we spend raising money, the more money that flows in from the special interest groups, creating the perception that Members of Congress are actually almost for sale to the highest bidder in order to raise the campaign funds that are necessary? How long are we going to wait? We have waited until 82 percent of the American public said, when they are polled, they do not have confidence in this institution. Shall we wait until it is 88 percent? Shall we wait until it is 92 percent? Shall we wait until it is 99 percent?

We have waited while the cost of campaigns went from $580,000 to winning a race to $4 million to winning a race. How long are we going to wait Mr. President? Until it goes to $20, $30, $40 million; it is $60 million that will make the political process better? How long are we going to wait? How long are we going to wait before we act, Mr. President?

We had a chance to do something. The President of the United States had a chance to do something important in terms of reforming this process, in terms of cleaning up the current rotten system, and in restoring, as a former Republican Congressman, Congressman Buchanan said, restoring decency to the system.

He had a chance to heed not just appeals from this side of the aisle but appeals from the other side of the aisle as well. Thirty-two challengers, Republicans running for Congress this year, not already here, not interested in protecting the advantages of the incumbency, but 32 Republicans running for Congress this year said please sign this bill to put spending limits in place; level the playing field and give challengers a chance.

This is not for one party or the other. This is for the integrity of the political process and the ability of both sides to compete fairly on an equal basis.

All of us know the truth. I do not care what anybody can say on the floor of the U.S. Senate. The argument can be made: yes, you need to spend money in order to express yourself in political campaigns; oh, yes, we need to spend more money so we can buy more advertising time and put more of our message on the air.

Mr. President, that argument can be made. But if we were to go out and ask the American people what they think about what has happened to the political process in this country over the past 15 years we will find that the people have more common sense than to fall for that argument. We will find the people do not think the quality of political debate has gone up in this country as we moved from $600,000 to $4 million being poured into the average campaign, by more and more 30-second spots with actors on them assassinating the character of the opposition, whichever party it happens to be—more negative mudslinging, more slogans, more sound bite politics, more and more and more, and all of it paid for more and more and more by the special interest groups, with the impression more and more and more that if we are going to be spending our time and energies, we are going to be spending them on the people who can give us that campaign money that we have to have if we are going to be elected, because 99 percent of the time the candidate who raises the most money is the candidate who is going to be elected.

How long are we going to wait, Mr. President?

This institution does not belong to us. It belongs to the people. We are the trustees of this institution. We are expected to pass it on to the next generation, strong and vital and representative of the American people, a system of government of which the next generation can be proud, a system of government those young people who serve here, for example, as pages for the House and Senate will want to participate themselves in some day. We are expected to pass it on. If we do not fulfill our obligation to be trustees and set aside our party differences and our own individual self-interest—and I am sure there is not a single Member of the U.S. Senate who probably cannot raise more money than any challenger because we are here, we have the power to pass bills and grant favors now, and those challengers do not.

But how long are we going to wait, Mr. President, to meet our responsibility as trustees of this institution? How long? I hope before Members vote this afternoon, they will consider again their responsibility, not to themselves, not to the next election, not to any political party, but their responsibility to our system of government. And at the heart of it is the integrity of the election process itself. If the election process does not have integrity and fairness and an equal chance for challengers as well as incumbents and a chance for people with good ideas and good character and good qualifications who cannot raise millions of dollars to compete in this system, that is not basic to our system of government. That is not basic to what we believe in as Americans. That is not basic to what we call the American dream. It is not that any child who grows up in this country who has good ideas and works hard and has a desire to serve has a chance to be a U.S. Senator some day, if they want to be. But it is any child with good ideas who works hard, who has a lot of ability, who has the desire to serve might be a U.S. Senator some day if they can figure out which special interest group will give them the $4 million they have to have to get elected to this body.

That is not the American dream. That is not the America of which we were sent to be trustees. We have a higher responsibility. It is time for us to meet it. The President missed his opportunity to sign this bill. Let us not miss our opportunity to sign this bill. Let us not miss our opportunity to enact this bill into law over his unwise veto and let us again revitalize this institution and make it what it should be.

Mr. DECONCINI addressed the Chair.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. BOREN. I will be happy to yield as much time as he desires to the Senator from Arizona.

Mr. DECONCINI. I thank the Chair and the distinguished Senator from Oklahoma. Mr. President, I am glad to see him get exercised. It is worth getting exercised. He asked a question this afternoon I feel somebody ought to try to answer. The question is: How long are we going to wait? He laid out a case that is overwhelming; that it is way over time; that we waited too long.

But I will tell him how long we are going to wait. We are going to wait until we have some leadership in the White House, until we have someone who wants to be honest with the American public and tell the truth, the President takes public financing for his Presidential campaign and he takes special interest money. I believe it was $9 million and not $7 million the other night in the convention center downtown that President Bush raised.

There is nothing illegal about that. I do not want to leave any misimpressions. But the public does not like it, and I doubt whether the President likes it. And yet he turns around and also makes application to the Federal Election Commission for

public funds and he will receive the largest amount of money of anybody in the history who has run for President. During his tenure as Vice President and President, as has been pointed out before today, he will receive over $200 million of public taxpayers' money.

There is nothing wrong with it. We saw the problems in Watergate of special interests influencing Presidential elections, and the Congress of the United States did something about it because the people wanted something done about it. Now we have the opposition on the other side of the aisle standing up here and throwing all the bogus arguments out once again, all those arguments that say, if we just sit down together and compromise, we can put something here; that we want to wipe out PAC's, and this bill only reduces them 50 percent, and we want to put some limits on spending, but they have to be our limits.

But the truth of it is those who are opposing this bill do not want to change the system because they like it. They like it because they can raise all the money they want to, and that way they can beat anybody they want to.

I am one of the incumbents who think I can raise all the money I want to, but that is not the point. The point is that we have to put the brakes on and we have to answer the question of the Senator from Oklahoma: How long are we going to wait? We have waited far too long. The American public is sick and tired of us. They are tired of the whole process, and yet we see the opposition today give us all the arguments from first amendment rights to taking away the privilege to speak your piece, to having to pay only half the cost of television and media costs and that charities will have to pay more. That is hogwash and we know it so well and the American public, if anybody is listening, knows it. It is a shame somebody in the press does not care enough to make this an issue.

Talk about an issue. We see the issues in the House and the Senate from the Ethics Committees and we see how these are made into gigantic issues as if this republic is going to fall on those kinds of issues. And here is an issue, the Senator from Colorado pointed out, which is as bad as a cancer eating away at our very democracy. The opponents to this bill say, no, no, no, we just have to get together and sit down with the majority leader, the minority leader, and the cosponsor of the bill, the opponents of the bill, and we can put something together. So let us not pass something foolish now that commits public dollars to help finance campaigns. The justification for that is as clear as the nose on my face. It is so the special interests can run this country. I am tired of it. I think that is why so many Members are not running for reelection in the House and Senate, not because of some checks, but because they are tired of it, and the American public is tired of it.

The Senator from Oklahoma has stood here for day after day fighting for this bill. President Bush has demagoged it to the hilt while he is taking all the money in wheelbarrow loads that he can from the Federal Treasury to support his campaign for President. He says, ah-ha, we are not going to bend on this principal of having public funds supporting campaigns of congressional Members' candidacies.

It is a fraud, and those who are opposing this bill are not being totally honest as to why, because the reason, I submit, why is because they can raise the money, they want the money, and they like the system the way it is. Let us call it what it is. It is time that we answer the question of the Senator from Oklahoma, and that is: How long do we wait? I have yet to hear an answer here for several days, including today, of one good reason why we are waiting and not going to override this veto. I thank the Senator from Oklahoma.

The PRESIDING OFFICER. Who yields time? The Senator from Kentucky is recognized.

Mr. MCCONNELL. Mr. President, as we move toward, once again, the conclusion of this seemingly endless debate that has been going on for 4 or 5 years, there has been a lot of talk about challengers and how they are affected by not only the current system but what is proposed here that, of course, is not going to pass.

I think it is interesting to note that there are twice as many challengers running this year than there was in 1990. The filing deadlines are not complete yet in all States. Obviously, there are a whole lot of challengers out there. I say this as a member of the minority party who would like to have a lot of effective challengers, aggressive challengers. There are a heck of a lot of people out there this year who think they can win and they have not been deterred by the current climate. They have been encouraged by it.

So I think the argument that has been made that this bill somehow benefits challengers is truly absurd. Not only do all the scholars in this country who look at the issue conclude the bill does not help challengers, the Supreme Court even referred to that in its Buckley decision.

Clearly there is not anybody disinterested, anybody who sits on the sideline as an observer of this issue believes this bill would help challengers.

Mr. President, we have finally arrived at the end of a very long road in the quest to enact campaign finance reform legislation.

The other side was well aware of what would happen if they continued to pursue their partisan agenda, just as they are aware of what the outcome of this vote will be.

The other side has known for a long time that we are not going to let them get away with crafting the rules of the campaign finance game in a way that cleverly benefits them and hurts the Republican Party.

They have known for long time that they cannot simply bludgeon the political parties while leaving PAC's and sewer money alone.

And they have known that they cannot put up walls to challengers while protecting the considerable advantages of incumbency.

Yet the other side has continued to push its partisan agenda; it has resolutely ignored serious reform issues like special interest sewer money; and it has brushed aside all objections and proposals raised by this side of the aisle.

Thus, one can only conclude that the other side is not serious about enacting campaign finance reform. They do not want to sit down with the President and all of us from this side of the aisle and hammer out a bill that actually could become law.

In fact, they apparently were so afraid of any bill becoming law that they loaded up this conference report with as much veto-bait as they could find—even provisions that were outside the scope of conference—just to make absolutely sure the President would veto it.

So this is not an exercise in serious legislating. It is an effort to raise a political issue, make a lot of noise, beat up on the President, but end up doing nothing.

I am not the only one who has reached this sad conclusion. David Broder, senior political commentator for the Washington Post, dubbed this whole exercise the "campaign finance farce."

He wrote recently that:

> The 1992 version of the campaign finance reform drama has been playing out according to script, with winks and leers signaling the hypocrisy.

Broder goes on to quote Prof. Frank Sorauf of the University of Minnesota, to provide what Broder calls the "proper commentary on this sickening spectacle":

> When legislators know they are not writing legislation [referring to the President's well-advertised threat to veto this bill], they write for self-protection and self-advertisement. It is an old, if not very honorable, form of symbolic politics.

At this point, I would like to insert into the RECORD this column by Mr. Broder, as well as a column he wrote last year entitled "Bogus Campaign Finance Reform."

Mr. President, the bill before us today, and the utter lack of seriousness in getting a real campaign reform bill passed, demonstrate better than anything else what upsets people about politics today.

What is one of the major objections that voters have? Government waste. So what has the other side done?

It has wasted countless legislative hours on a bill that no one expected would become law. No one.

What is another big concern of voters? The deficit—caused by rampant spending without ever figuring out how to pay for it all.

That's exactly what this bill does: It proposes a new multimillion-dollar entitlement program—for politicians—without ever figuring out how to pay for it.

As David Broder writes, "That kind of chicanery perpetuates the something-for-nothing fantasy life."

This is brilliant, Mr. President: The House has a check-bouncing scandal that could end up claiming half its Members, and the other side's response is a bill that writes the biggest rubber check in history to pay for campaigns.

It is a bit like Marie Antoinette saying to the angry mob, "Let them eat cake. And by the way, send them the bill for our next palace, too."

What else are voters sick of?

They are sick of the mentality that says the solution to every problem is yet another Government program—preferably an entitlement program.

So we have a bill before us that creates an expensive entitlement program—and this time, the welfare cases are ourselves. The voters are going to love that.

But the one thing that voters are most upset about is that they feel their representatives in Washington don't listen to them anymore.

If you want proof of that feeling, you don't have to look any further than the bill before us today.

People outside the beltway—real people—simply hate public financing of political campaigns.

The Federal Election Commission recently held some focus groups to find out why taxpayers are not checking off on their returns to support the Presidential election campaign fund.

This fund, which provides taxpayer financing for Presidential races, is sinking into bankruptcy because the number of taxpayers who check "yes" has fallen drastically since it was established.

The FEC thought that maybe taxpayers didn't really understand the concept; and that was why they weren't supporting it. So they held focus groups to explain what taxpayer financing was and how it worked.

Well, the FEC was partly right: Taxpayers did not understand how public financing worked in presidential races. They never dreamed that their tax dollars were paying for negative political ads, balloons at political party conventions, or fringe candidates like Lenora Fulani.

But once it was explained to them, the participants in these focus groups responded the way most Americans would: They went ballistic.

Nearly all of them said that they would emphatically check the box against designating a dollar of taxes they already owe to the taxpayer financing fund. And they were glad someone had finally explained this boondoggle to them.

In fact, even the researcher who conducted the focus groups—who was of necessity neutral in the discussion—came away saying that he never knew his tax dollars were being used in this way, and he would most certainly check "no" on taxpayer financing in the future.

Survey data from across the country confirms this sentiment among voters regarding taxpayer financing: In State after State, upwards of 85 percent of those surveyed say that they oppose taxpayer financing.

In many of these surveys, taxpayer financing has more negative resonance than congressional pay raises, voting against the gulf war, and voting against making Congress obey the same rules it imposes on everyone else.

A newspaper poll in Kentucky found 65 percent opposition to public financing of campaigns, even after the issue of spending limits was discussed and tested.

The annual nationwide poll on public financing—conducted on our tax returns with the dollar checkoff—shows only 19 percent of Americans support taxpayer financing. And that support is falling every year.

America despises taxpayer financing. And America wants to know: Is Congress listening?

To judge from the bill before us today, the other side apparently is not listening to what America is saying about taxpayer financing of campaigns.

What we need, Mr. President, is legislation to make challengers more competitive, to stimulate grassroots democracy, to force out special interest money, and to reduce campaign costs through a meaningful broadcast discount.

That is what the Republican alternative bill does: It provides seed money for challengers, enhances the role of political parties at the grassroots, eliminates political action committees, requires complete disclosure of special interest soft money, and reins in the single greatest cost component of campaigns—broadcast rates.

What does the Democratic bill do, on the other hand?

It insulates incumbents, protects their advantages, walls out challengers, chokes off grassroots democracy through the parties, tiptoes around the PAC's, and makes believe that special interest soft money simply doesn't exist.

And on top of that, the Democrats' bill sends an open-ended bill to the taxpayers and says, "You handle it."

This is not reform. As David Broder says, it is a farce.

If the other side really wanted reform, they would sit down with us, list the areas we agree on—like bundling, independent expenditures, the broadcast discount, special interest money—and write a bill that could pass both Houses almost unanimously.

On the other hand, if the other side prefers the status quo, they will keep wasting time with worn-out proposals that most respected scholars on the issue—Democrat and Republican—have rejected as terrible public policy.

Unfortunately, the other side appears to have decided that posturing is better than progress—that rhetoric gets you farther than reform.

We hear over and over again the same recycled nonsequitters and discredited arguments.

For example, the other side is particularly exercised that the President is opposed to taxpayer financing for congressional races, but has received hundreds of millions of dollars in taxpayer financing through the Presidential system.

As I have said before, that is like saying that the Senate should get a free bank just because the House had one.

But the reason for the President's position—and the other side knows this—is that we play under the rules as they exist—not as we might wish them to be.

That is equally true of those on the other side who are aggressively pushing for new campaign finance laws.

Even though their bill—as passed by the Senate—eliminated PAC contributions, I haven't noticed many of the cosponsors swearing off PAC's. In fact, some of them are absolutely raking it in from PAC's.

That's true on this side as well: We have legislation to prohibit PAC contributions, but most of us play under the current rules. There's nothing inherently wrong about that.

Just like there's nothing especially hypocritical about the fact that the other side claims to be for voluntary spending limits—of course, the spending limits in their bill are anything but voluntary.

Yet I haven't seen anyone on the other side volunteer to unilaterally limit their spending in their next really competitive race.

We all play by the rules as they exist today.

In the Presidential system, the spending limits are truly voluntary; because the public subsidy that you get for complying with them is so generous that only someone like Ross Perot could afford to turn it down.

John Connally also turned down public financing; he didn't get many votes; but again, he could afford to forgo the tremendous public subsidy offered in the Presidential system.

So the argument that President Bush should support taxpayer financing for congressional races just because he has accepted it in Presidential races is to-

tally bogus. And it raises serious questions about those who support any form of campaign finance legislation but are unwilling to live under its provisions right now.

The other argument we hear about ad nauseum is the so-called money chase.

The C-SPAN cameras don't pick this up, but we are all actually wearing Nike track shoes so that we can sprint from one fundraiser to another.

And all those 2,000-plus bills that get introduced in this Chamber every Congress—many of which are covered in depth by committees, debated on this floor, amended, and voted upon—we don't introduce those bills or pass them through here.

It's all the work of gremlins. We're all hanging out at fundraisers all day.

That is the money chase myth. And it's absolutely false. Over 80 percent of the money raised for Senate campaigns is raised in the last 2 years of the election cycle. Over 80 percent.

People are not spending all their time raising money, to the neglect of their official Senate duties.

So the money chase myth is another stale piece of rhetoric that the other side continues to substitute for reform.

One other argument that we hear with increasing stridency is that Members' votes are being bought with private contributions.

First of all, no individual can give more than $1,000 per election. Most people give considerably less than that.

Even PAC's, which our bill would eliminate, can give only $5,000 per election. The average PAC contribution is about half of that.

So when we talk about the average Senate campaign costing millions of dollars, it takes an extreme leap of faith to believe that these small, disclosed contributions are buying vast amounts of influence.

But even if that were true, if Members were being bought by these contributions, the answer to that is very clear: The United States Code states that bribery and quid-pro-quos for political contributions are criminal acts with severe criminal sanctions.

Members who violate these laws are prosecuted and sent to prison where they belong. That is the correct response to corruption.

The worst possible response to corruption is to create a taxpayer-financed system with loophole-ridden spending limits that encourages wealthy special interests to influence elections outside of the campaign finance laws.

Listen to what Michael Malbin, of the Rockefeller Institute of Government, says about this:

> [Spending limits] encourage the powerful to engage in subterfuge and legal gamesmanship. It is giving them an incentive to increase their influence in ways that are poorly disclosed. As a cure for cynicism or corruption, this seems bizarre.

What Mr. Malbin is saying here is that the system the other side is proposing will actually encourage subterfuge and corruption—not combat it.

If this bill ever became law, all of the problems of the Presidential system would be replicated by a factor of 535.

Fat cats and special interests spending millions of dollars outside the system—with no disclosure at all.

Built-in loopholes, like unlimited compliance costs for House races.

Unrestrained soft money activity by labor unions and tax-exempt corporations.

Not to mention hordes of fringe, extremist, third-party candidates like Lenora Fulani and David Duke. The Ku Klux Klan has fallen on hard times with their fundraising; but under this bill, their candidates could get tax dollars to run for office.

Mr. President, when I look at the bill before us, I can see why Americans are just plain fed up with politics and Washington.

They are fed up with rubber-check spending. They are fed up with self-insulating incumbents. They are fed up with rhetoric that masquerades as reform. And they are fed up with a Congress that seems not to care what people at home want and don't want.

Finally, I would like to say a word or two about a subject that is critical to the whole issue of campaign finance reform: The Constitution.

In 1975, the Supreme Court struck down mandatory spending limits in the case of Buckley versus Valeo.

Now, there are some from the other side of the aisle who have characterized this decision as a heinous travesty of justice. So I think it bears examining just what this radical opinion said:

> A restriction on the amount of money a person can spend on political communication during a campaign necessarily reduces the quantity of expression by restricting the number of issues discussed, the depth of their exploration, and the size of the audience reached. This is because virtually every means of communicating ideas in today's mass society requires the expenditure of money.

Nothing very radical about that, is there?

Let's read on for just a few more paragraphs:

> It is clear that a primary effect of these expenditure limitations is to restrict the quantity of campaign speech by individuals, groups, and candidates.

Now the court reaches the crux of the matter:

> The concept that Government may restrict the speech of some elements of our society in order to enhance the relative voice of others is wholly foreign to the First Amendment.
>
> The interest in equalizing the financial resources of candidates competing for federal office is [not a] convincing justification for restricting the scope of federal election campaigns. * * * Moreover, the equalizing of permissible campaign expenditures might serve not to equalize the opportunities of all candidates but to handicap a candidate who lacked substantial name recognition or exposure of his views before the start of the campaign.

Finally, the court addresses the issue of rising campaign expenditures:

> The mere growth in the cost of federal election campaigns in and of itself provides no basis for governmental restriction on the quantity of campaign spending and the resulting limitation on the scope of federal campaigns. The First Amendment denies government the power to determine that spending to promote one's political views is wasteful, excessive, or unwise. In the free society ordained by our Constitution it is not the government but the people—who must retain control over the quantity and range of debate in a political campaign.

That hardly sounds offensive or radical to me. It sounds like mom, apple pie, and the first amendment.

Unfortunately, the bill before us does violence to the free speech principles enunciated in Buckley.

Although the other side has attempted to sell the spending limits in its bill as voluntary, they are about as voluntary as a loaded gun to the temple.

If a candidate decides not to limit his constitutionally protected speech, the bill unceremoniously strips away the broadcast discount rate to which he would otherwise be entitled. This nails two rights at once: free speech and equal protection.

Not only that, but if a candidate exceeds the spending limit—or even raises contributions exceeding the limit—his opponent receives a massive infusion of tax dollars. In other words, this bill uses the U.S. Treasury as a sword of Damocles against anyone with the gall to freely exercise his or her constitutional rights.

Then, if a private group decides to make independent expenditures for or against a candidate, the sword falls again: The opposed candidate gets tax money on a dollar-for-dollar matching basis.

So, if David Duke were running for the Senate in Louisiana, the B'nai B'rith decided to run ads critical of Duke's racist record, then Duke could get Federal tax dollars to counteract the B'nai B'rith expenditures.

Mr. President, not only is this bill not going anywhere in Congress, it will never be able to crawl across the street to the Supreme Court. There is no question that the court would pronounce it dead on arrival.

So this whole exercise by the other side of the aisle has been a phenomenal waste of time.

The President has done the right thing by vetoing this beltway production of a bill. It is time for us to sustain this veto—and stop wasting America's time with partisan agendas that are not going anywhere.

As I said earlier, Mr. President, there are no more speakers on this side of the aisle. I might ask my friend from Oklahoma whether he has any other speakers. If not, we might——

The PRESIDING OFFICER. The Senator from Oklahoma is recognized.

Mr. BOREN. Mr. President, I understand the distinguished majority leader does wish to make a concluding comment. I am verifying that. If so, he would be the last speaker on this side. We should have the answer to that question in just a moment.

Mr. HOLLINGS. Mr. President, I will vote against override of the veto message on the Campaign Finance Reform Act. This conference report contains both public financing of elections and voluntary spending limits. Public Financing of senatorial and congressional races would create an onslaught on the public treasury to pick up the tabs for campaigning and politicking and is nothing more than a Government subsidy for all would-be politicians and I oppose it. Voluntary spending limits are a carrot-and-stick approach where candidates enticed by the Federal financing would accept spending limits. What we need, Mr. President, are real spending limits.

Senate Joint Resolution 35, my constitutional amendment to empower Congress to place limits on campaign spending, does just that. It has been voted out of Judiciary with a favorable 9–5 vote and I hope it can be brought to the Senate for debate later this year. When the Senate considered a virtually identical amendment in 1988, 52 other Senators joined me in voting for cloture to permit an up-or-down vote. Mr. President, the need for spending limits is more urgent than ever, with the average cost of election to the Senate having risen to some $4 million and a constitutional amendment is the only way to get it done. As I have said before, Mr. President, in 1974, Congress and the President on a bipartisan basis agreed that spending limits are the only rational alternative to the current system of awarding public office to the highest bidder. Regrettably, the Supreme Court overturned that 1974 solution in Buckley versus Valeo, ruling that spending limits infringe a candidate's freedom of speech. In the same breath, however, the Court said that limits on campaign contributions were justified because the absence of such limits creates the appearance of corruption. The Court's double standard in Buckley is bizarre and it is wrong. Obviously, the absence of limits on spending by candidates creates no less an appearance of corruption.

Mr. President, my amendment, Senate Joint Resolution 35, is a narrowly drafted amendment which would allow us to impose order on the way we finance Federal campaigns. I remain committed toward working toward realistic campaign finance reform and my constitutional amendment would do so directly, decisively, and with finality.

Mr. FORD. Mr. President, despite widespread call for reform by the citizens of this country that we put an end to the money chase; and, despite the pleas by 33 Republican congressional challengers; President Bush listened to his advisers and to incumbent Republicans and vetoed the campaign finance reform bill.

President Bush's statement included the usual litany of excuses for vetoing the bill. But, perhaps the most troubling excuse was that he vetoed this bill because it is an incumbent protection plan.

Mr. President, if there is any plan which is an incumbent protection plan, it is the current system. Under the current system, incumbents outspent challengers 3 to 1. Under the current system, PAC's gave over three-fourths of their contributions to incumbents. In the Senate alone, incumbents maintain a 4 to 1 advantage over challengers in the receipt of PAC contributions.

It is the present system which kept all but one challenger from winning a Senate seat in the 1990 elections.

It is the present system in which 26 of 28 incumbents outspent their challengers. In 21 of those races, the incumbents outspent their challengers by more than $1 million each.

Under the present system, in the 1990 elections, incumbents raised $4.9 million each, while their challengers raised $1.8 million each. Incumbents raised $1 million each from PAC's, while their challengers raised less than $300,000 each from PAC's; and incumbents spent $4.5 million each, while their challengers spent $1.7 million each.

Mr. President, it is as plain as the nose on your face that the present system is the incumbent protection system. It is the present system which continues to put challengers at a disadvantage.

The President vetoed this bill because he says the bill didn't eliminate the special interest influence of PAC's. While the bill did not eliminate PAC's, it certainly imposes a greater restriction on the amount of contributions that PAC's can make. If the PAC limitations of S. 3 had been in place in the 1990 elections, there would have been a 53-percent reduction in the amount of money incumbents could have raised from PAC's.

Mr. President, I cited a statistic before that the average cost for a winning Senate incumbent in the 1990 elections was $4.5 million. That amounts to raising over $14,000 a week during a 6-year term. But some of my colleagues argue that the money chase is really a myth because most incumbents raise at least 83 percent of their contributions in the last 2 years of their term. Well, if that's true, Mr. President, then that amounts to raising almost $36,000 a week in the last 2 years of office.

Think about that, Mr. President, you need to raise almost $36,000 a week in the last 2 years of your term. More than $5,000 a day. And they say that the money chase doesn't exist. I'm sorry, Mr. President, but that dog just won't hunt.

How can we serve our constituents; how can we fulfill our constitutional duty here, if we have to raise that kind of money? It's no wonder that the American people are growing increasingly cynical about this institution.

Perhaps it was coincidence. But on the same day that the President vetoed this legislation, the FEC reported that candidates for the 1992 congressional races have raised nearly $248 million. This is $55 million more than candidates raised at this time 2 years ago.

Mr. President, while the President and his supporters in the Congress claimed that this is an incumbent protection bill, 33 Republican challengers from across the country wrote to the President and asked him to sign this bill. These challengers wrote that this legislation is necessary to level the playing field for credible challengers and to restore a measure of fairness to our electoral process.

I ask you, who knows better what is in the best interest of challengers. Thirty-three Republican challengers from across the country who have challenged incumbents under the present system—and lost under the present system? Or, incumbents who won under the present system—a system that got them here and keeps them here as incumbents.

It all comes down simply to this: Who knows best whether the bill will create a level playing field for challengers, the challengers or the incumbents?

By refusing to sign this legislation, President Bush has stated that he prefers the current system. He prefers the current incumbent protection plan. And why shouldn't he? It's the very system that helps to sustain his vetoes.

Mr. President, while this veto may be sustained, let the record reflect that it was a majority of the Congress; a majority of this Senate, demanding a change to the system. A majority of the Congress; a majority of this Senate, support putting an end to the money chase.

For the first time in over 10 years, a majority of the Congress supported fundamental reform of the campaign finance system. I hope that we do not have to wait another 10 years to get a reform bill signed into law.

Mr. BOREN. Mr. President, I ask unanimous consent that the Senator from Louisiana [Mr. BREAUX] might be allowed to proceed as if in morning business for not to exceed 10 minutes.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Could the Chair clarify, is the Senator yielding 10 minutes from the time allotted?

Mr. BOREN. How much time remains to the Senator from Oklahoma?

The PRESIDING OFFICER. Twenty-five minutes, fifty-four seconds.

Mr. BOREN. I ask unanimous consent that the time not be counted against the time available to either side on this matter.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from Louisiana is recognized for 10 minutes.

Mr. BREAUX. I thank the President. I thank the Senator from Oklahoma. If the majority leader gets to the floor, I will be more than happy to curtail my remarks because I am speaking on a different subject.

HEALTH CARE IN THE 1990'S

Mr. BREAUX. Mr. President and my colleagues, as we wrestle with the very difficult job of coming up with a health care plan, there are probably as many thoughts and ideas on what we should do as we have Members of the Senate. I know the general public wants us to do something. They are not certain what we should do. They know we have a medical crisis on our hands and they want Congress to try to address it.

We have been wrestling in the Finance Committee with a number of different plans and options. We have had some outstanding hearings. We have had people representing the administration and hospitals and labor and doctors and, of course, the Congressional Budget Office, all making their presentations on what the problem is. Some have made suggestions as to what we should do to address the most serious problem facing our Nation in the 1990's, and that is the real problem of the cost of health care in this country.

We all know the facts and they are frightening. We are spending more on health care in this country, almost $800 billion, than we spend on the entire defense budget, plus buying all the cars and all the trucks in the United States, plus refueling them, plus repairing them, plus buying all of the parts for them. Add up all of those numbers and it is still not as much as we spend on health care in this country.

If you ask the average person, would daresay that most of them think they are paying most of their own bill, even if they have insurance through their employer. We have had some studies done that were a part of our hearing record, contained in faulty diagnosis, public misconceptions about health care reform in the United States. One of the interesting things that I noted in this national study was that people often overestimate how much they themselves, personally, pay for health care, believing that their out-of-pocket costs for insurance premiums and doctor bills account for 70 or 80 percent of what they spend on health care.

Just the opposite is true, as a matter of fact. The truth is that employers and Government pick up about 70 to 80 percent of the cost and individuals pick up only between 20 and 30 percent of the cost, if they have employer-provided health insurance.

It is interesting to note that, depending on which plan we choose, those of us in the Senate, those of us who are Members and employees of the Senate, pay about 25 percent of the premium for our health insurance. The Federal Government picks up 75 percent of it.

The reason I give these statistics is to raise what I think is a problem, and that is when people do not understand how much health care costs, there is little reason to exercise discipline in how they utilize health care services. There are people who do not mind going to the doctor for problems that may not require a doctor's visit or a hospital visit because some third party is paying for it. As long as somebody else is paying for it, well, we have no real discipline on how we are to spend our health-care dollars in this country.

I will be introducing legislation shortly which is not intended to solve the health care problem in America, because I think none of us are wise enough to write the definitive plan on how we do it, but to maybe solve one portion of it. There are a number of problems it is not intended to solve. It is not intended to solve the problem of 37 million Americans who have no health insurance. That is a serious problem, no question about it. I am a cosponser of the bill by the chairman of the Finance Committee to address health care problems, the Bentsen bill and I would like my proposal to be considered with it not instead of it. I also support the need to enact broader reform. But here is an idea that I think we ought to consider now, and I would like to ask my colleagues to take a look at it and consider it.

This chart represents two things. I will only cite the first example. The first example covers insurance costs in what I would consider to be middle America—Denver, CO; Peoria, IL; Cincinnati, OH; and Scranton, PA. These figures are ballpark figures, but they are accurate. The typical cost in these areas of an employer provided health insurance policy is $4,500.

I will point out that only 6 percent of the people in that area actually have claims in 1 year of over $3,000. If you think about it, that is about right. If you are a healthy person, you do not spend $3,000 a year for your health care. I have been fortunate. I do not remember a year in my life that I have ever had to spend more than $3,000 for health care, and 94 percent of the people in this particular area fall into that same category.

A point I will make, if we allow that employer, instead of paying $4,500 to buy a health insurance policy, to take $3,000 of it, as an example, and give it to an employee to put into a medical care savings account for that employee.

Under my proposal, they would have control over it. That person would be able to take that $3,000, and use it to pay for their medical care. The amount of money contributed to the account would constitute the deductible. He or she would not have to go through all of the problems of having each child meet the deductible before the insurance paid anything. He or she would have that $3,000 in his or her account, in their own name, and when he or she got sick, or the children got sick, or the spouse got sick, he or she would be able to use the money in that account to immediately pay the bill. They would not have to file any insurance form. They would immediately pay the doctor's bill or the hospital bill.

That employer who normally had given $4,500 to pay for the insurance would then have about $1,500 left that he or she would be able to use to buy a catastrophic policy for that employee. In this area we are talking about he or she could buy a catastrophic policy for about $1,395. That person, that employee would have all of his medical costs covered after the $3,000, and he or she would have his own account to pay for the first $3,000.

My legislation which we will propose, Mr. President, says that account belongs to that employee. If they lose their job, they would keep their account. It has been a big problem for employees in this country who have lost their jobs. They lose their health insurance. This would help to correct that problem because that employee would have that medical care savings account that they could take with them anywhere that they would go, and when they find a job, or even if they do not do not find a job, they would still have the money to pay for the health care costs.

The most important point I want to make in offering this is that it would instill more discipline in how the individual person buys their health care in America. They would be more selective. They would be more careful. They would be better buyers. They would be wiser shoppers. Because if they did not spend the whole $3,000 in 1 year for health care, they would keep it. And the employer the next year would give them another $3,000. They would build up their account. In the next year, they would give them another $3,000. The money would continue to build up in that individual's account.

My proposal would also allow that individual, if he or she wants to take that money out before retirement, pay a penalty on it, and also pay income tax on it, and use it for whatever purpose he or she would want to use it for. But the main purpose would be to use it to pay for their health care.

Under this proposal, I would suggest that a couple of things happen which bring about savings. No. 1, the person is more careful on how he or she buys

health care services. They would shop around. They would get the best deal possible. Therefore, they would bring down the cost of health care in this country.

Second, we eliminate an incredible amount of paperwork. Right now it costs as much to process a $50 claim through insurance company, bureaucracies, as it does to process a $500 claim. Under this proposal, that paperwork would be eliminated. A person goes to the doctor for a checkup, or for a minor injury, that person does not have to fill out insurance forms. The hospital or doctor does not have to deal with bureaucratic redtape and insurance forms. No, the only thing that person does is go to the doctor, get the bill from the doctor, write him a check out of their account and there are no forms to file and no forms to fill out. Therefore we eliminate the incredible amount of bureaucratic redtape which costs a great deal to handle.

Who loses under this? Well, the employer, the business person who provides insurance does not. The employer is still giving no more than he or she gave before for health care with the possibility, very real, that it costs a little less. Second, with the idea that these plans ultimately would help to bring down health care costs in this country.

I think this is something that is very, very important. This amount that the employer gives now is already deductible to the employer. He can deduct the cost of the premium that he pays for each one of his employees. It is already deductible. Under my plan it still remains deductible and there are no losses at that point to the Federal Government whatsoever.

The PRESIDING OFFICER. The Senator is advised the 10 minutes allocated has expired.

Mr. BREAUX. I ask unanimous consent if I could have 5 minutes more with the understanding that if the leader comes, I will be more than happy to relinquish.

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

Mr. BREAUX. Here is the other chart that more graphically tries to spell out what the medical care account is about. I will be doing more of these trying to help educate my colleagues and better educate myself about this concept.

It is important to note that in this fairly typical example of the area we are talking about; 94 percent of people who have insurance claims have claims that are less than $3,000 in a year. So if you give them $3,000, in a medical care savings account, you have taken care of 94 percent of the people in most parts of the United States.

Here is the explanation of the typical employer-provided health insurance plan. It costs that employer $4,500. So if we look at that $4,500, take $3,000 of it, and give it to a medical savings account for that individual to use as they see fit, you still have $1,395 remaining, which would be enough to buy an umbrella insurance policy which would cover 100 percent of that employee's health care costs of over $3,000. In this example, there is an immediate savings to that employer of $105 in the cost of his health care plan for his employee.

But I think the big concept that we are talking about here is for the first time to give more discipline to the individual on how he or she uses health care in this country.

I know that there is a tendency for many individuals as long as some third person is paying for it, Medicare, or a private insurance plan, that there is not the great discipline that I think is needed in order to be more selective, in order to be more careful, wherever you go, how often we go, and who we choose to take care of our medical needs for ourselves, and for our families.

If you add this to the reduction in paperwork, which I think is going to be obvious, because you eliminate the paperwork for 94 percent of the people in this country, you spend less than $3,000 a year for their health care, and you add additional savings to the cost of health care in this country.

Mr. President, there have been a number of people who have analyzed this concept. It is not original with me. But I have become convinced after reading the proposals that it is a worthwhile thing for us to be considering.

I ask unanimous consent that an article by William Raspberry in the Washington Post dated January 15, 1992 talking about the merits of this proposal be printed in the RECORD, as well as an article in the Wall Street Journal dated January 28, 1992, talking about this proposal and commending it to Congress for consideration and for adoption be printed in the RECORD.

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

[From the Wall Street Journal, Jan. 28, 1992]

GIVE EMPLOYEES MEDICAL IRA'S AND WATCH COSTS FALL

(By J. Patrick Rooney)

In most of the discussions of how to control the cost of health care, the most important managers of all are left out of the equation—consumers.

Giving consumers an incentive to keep down costs is the one sure-fire way to see that it happens. And the best way to accomplish that is to see that they are spending their own money. We'd see medical costs fall if consumers had incentives to treat their medical spending the way they treat spending for any other good.

Here's how it would work: Employers would give each employee an annual allowance of, say, $3,000 or so for routine health care for him and his family—checkups, sore throats, sprained ankles, etc. That allowance would go into a fund—call it a medical IRA. If the employee spent less his allowance in a given year, he could keep it. (More on that later.) To protect the employee against the cost of medical bills above his annual allowance, the employer would continue to buy insurance.

Let's look at how this would work in an average-cost-of-living city, such as Peoria, Ill.; Scranton, Pa.; Cincinnati; or Denver.

Currently, an employer in such cities pays an average $4,500 insurance premium to cover an employee and his family; the deductible typically is $100 to $250. The premium for a policy with a $3,000 deductible, by contrast, would be about $1,500. The employer could then deposit the approximately $3,000 difference in premiums into his employee's medical care savings account. The employee would use the money in the account to pay for the first $3,000 in annual health care costs for any family member, with the rest covered by insurance. Putting real money in the employee's medical-care savings account effectively deals with his natural fear of big deductibles, because he will have employer-provided money sitting right there in the account to cover the deductible.

The following year, the employee would get an additional $3,000 or so to put into the medical care savings account, and $3,000 or so the year after that—$9,000 in three years; $15,000 in five years.

The medical care savings account would be especially helpful to the financially stressed employee. Today, even relatively small deductibles can create a hardship for, say, a divorced woman who is trying to raise two or three children. Insurance doesn't pay until she has paid the deductible first out of after-tax income. With the medical care savings account, she'll have money right there with which to pay for the first dollar of care. The objective is to have her spend wisely throughout the year, not to cause her hardships when she has to take her children to the doctor in the early part of the year.

For the single employee whose annual account deposit is half as much, or for the new employee who in the first few months on the job would not have enough savings in the account to cover the deductible, a variety of don't-be-afraid safeguards could be included. It would be a small matter to offer employees interest-free loans until the savings had accumulated.

One of the arguments for national health insurance is, "What will I do if I lose my job and then don't have insurance?" If medical care savings accounts were in general use, there would be tax-free money in the accounts to pay insurance premiums between jobs. Half of the uninsured remain uninsured four months or less and only 15% are uninsured for as long as two years. If I lose my job, or if I am out on strike, there would be money in the medical care savings account to continue my insurance.

Employers could implement such a program today without waiting for the government to make it possible. But they're not doing so—because current law makes the money tax deductible only if spent by the employer. (Some employers now offer plans that are something like this, but funds not spent by year's end revert to the employer. The result is that the incentive is for the employee to make sure that the money is spent before the end of the year, adding pressure for ever-higher health spending.)

It will take only a fairly simple modification to the tax law to let any money the employee has not consumed on medical care accumulate tax-free in a medical IRA. No new federal bureaucracy would be needed. Since employers are already spending this money

tax-free on insurance premiums, the money retained in employee medical IRAs would be tax-neutral.

Such a change in the tax law would be a godsend for small employers and their workers. Small employer groups—even associations of small employers—often must pay prohibitive premiums because of high claim costs. Examples of family premiums in this category are $7,920 in Des Moines, Iowa; $9,643 in Chicago; and $8,238 in Washington.

As premiums have escalated, the healthier groups have gradually dropped out of the insurance pool. The ones who have stayed are the high users. Moderate utilizers have either decided to go bare or, in the case of one firm I know of, the owner-partners have left the group and bought individual high-deductible policies on their own. For these firms, group insurance is no longer a rational purchase.

To bring health care costs under control, insurance has to become a good-sense product again. The combination of the medical care savings account and high-deductible insurance would bring these costs back into line, and would even bring many employers back into the insurance system.

As with any IRA, an employee would be allowed to make an early withdrawal for a nonmedical purpose (a house downpayment, for instance). The employee would have to pay a 10% withdrawal penalty, and the money would become taxable income. Those taxes are revenue-positive. And, from the employee's standpoint, the money wouldn't have been there at all without the medical IRA. At age 59½, the employee could begin to draw income from the medical IRA, at which time the resulting income would become taxable and could be used for any purpose.

Wouldn't that be great?

[From the Washington Post, Jan. 15, 1992]

HEALTH CARE GIVEAWAY

(By William Raspberry)

The reason for America's health care crisis, Pat Rooney insists, is not that medical care *costs* too much but that we *spend* too much on it.

The focus on the cost of the medical care, he says, leads to proposals for imposing limits on what doctors and hospitals can charge, which medical procedures can be authorized (and by whom) and other attempts to put a lid on medical bills.

Rooney, who is head of the Golden Rule Insurance Co., says it's possible to bring down employer-subsidized health care *spending*—perhaps even bring it down dramatically—without tinkering with the cost of individual medical procedures.

He'd do it by giving the individual worker an incentive to forgo unnecessary medical treatment and to shop for the best value in cases where treatment is necessary. Here's the proposal:

"Give each worker an allowance for medical care that represents, say, two-thirds of the [per capita] money the employer is now spending for health care. Tell them that any of that money they don't spend on health care is theirs to keep—permanently. Then buy them an umbrella insurance plan for the really big medical bills that might come up: costs like injury from a bad auto accident or heart bypass surgery or the premature birth of a child.

"Then watch the cost of medical care drop."

Rooney, who was in Washington (from Indianapolis) last week to pitch his idea to staff of the Office of Management and Budget, offered an example of how it could work.

An employer making annual premium payments of $4,500 per employee family (the national average for medium-size cities) would, under Rooney's scheme, put $3,000 into each employee's medical care bank account and let the employee pay the first $3,000 of his own medical bills.

The remaining $1,500 of the employer's contribution would be used to purchase an umbrella group policy that would pay 100 percent of medical costs after the first $3,000. (Two-thirds of all medical spending at present is under $3,000 per family.)

It's a little like a deductible auto insurance policy, except the employer provides the money for the deductible amount.

But here's where the scheme gets interesting. Any of the $3,000 that doesn't get spent on medical bills belongs to the employee. If, for example, he has no medical costs for three years running, he winds up with $9,000 *to do with as he pleases*—whether to buy a car, make the down-payment on a house or finance a European vacation—with no tax liability until the money is withdrawn for some non-medical use.

The relevant point is that it would have the effect of containing medical care spending, now rising at the rate of some 17 percent a year—in part because there is little incentive for individual policyholders to keep the costs down.

To see why this is so, Rooney suggests, imagine that employers issued grocery credit cards that paid 80 percent of an employee's food bill after a $100 deductible and 100 percent after the first $5,000. His prediction: "Grocery stores would stock only the highest-priced food because that is all the employees would want to buy. Why? Because they'd be spending someone else's money. And that is why we spend so much on medical care in the United States.

There are other details, less exciting but no less vital to the economic and political viability of Rooney's proposal. Since it would involve changing the tax code (to permit employees to pay their doctor bills with untaxed cash and also to accumulate tax-free savings), provisions would have to be made for employees whose companies did not offer the plan, or for people temporarily out of work.

As clever as the Rooney proposal looks (Rooney says he borrowed major chunks of it from others) it looks even better when compared to the "play or pay" idea being advocated in Congress. Under that idea, employers (including small and marginally profitable companies) would either "play" by buying health insurance for their employees or else "pay" with an 8 percent payroll tax to cover the cost of Medicaid. The consequences, says Rooney, would include unemployment (as some employers simply couldn't afford the extra costs) and a mushrooming Medicaid, as more and more employers found it cheaper to "pay" than "play." But Medicaid pays only about half a physician's normal charges—a tolerable arrangement as long as only a tenth of the patients are on Medicaid. But what happens when the Medicaid proportion grows? Will more and more doctors refuse to take Medicaid patients—as many already do?

Rooney acknowledges that his proposal could have one unfortunate side-effect: Some people would be so seduced by the prospect of an employer-provided bank account that they'd forgo needed medical attention in order, say, to buy a car.

Says Rooney: "So? I have a car. Don't you? Why should we deny anyone else the right to make that choice?"

Mr. BREAUX. As I have said, I will conclude with this, Mr. President, that we are drafting the legislation. I have spoken to a number of my colleagues who have expressed an interest in this concept. It is not intended to be the overall solution to our health care problems but I think it is a significant and balanced start, and a move in the right direction as we wrestle with the very serious problem of health care solutions for the 1990's.

I yield the remainder of my time.

Mr. McCONNELL addressed the Chair.

The PRESIDING OFFICER. The Senator from Kentucky is recognized.

Mr. McCONNELL. I understand the Republican leader would like to speak briefly prior to the majority leader. I think he is near at hand.

Mr. President, I yield such time as the Republican leader may need.

The PRESIDING OFFICER. The Republican leader is recognized.

Mr. DOLE. Mr. President, parliamentary inquiry. Is the vote still set for 5:30?

The PRESIDING OFFICER. The Chair advises that there is no time certain for a vote. There are 27 minutes remaining on the Republican leader's side.

Mr. DOLE. Mr. President, I just want a couple of minutes. That is about all this bill deserves. When we debated this earlier on the floor, I said three things were about to happen:

First, the Democrats had the votes to pass this very flawed bill—a bill that protects the status quo by protecting incumbents, and by refusing to make the true reforms recommended by the President, by Senate Republicans and by nonpartisan campaign finance reform experts.

Second, I said that President Bush should and would veto the bill.

And third, I said the Senate would sustain that veto.

Two-thirds of what I predicted would happen has happened. And the third will happen in just a few minutes.

I am no psychic, Mr. President. I do not claim that I was the only one who could foresee what would happen. Every Member of the Senate knew precisely what would happen.

And I suspect that is why the Democrats in the House and Senate put this bill together without any sense of bipartisanship, and without any consultation with Republicans or the President.

They did not want our help because they knew that we are for true reform. They did not want our help because they knew that we are for true reform, and Republicans agree with mainstream America—we want to change the status quo—we want a campaign finance system that will promote competition in politics, not protect incumbents.

They did not want the President's help, because they knew he had pro-

posed the total elimination of political action committees.

And as I have said before, when it comes to big PAC dollars from big special interests and big labor, it is the democrat party that has the big, big, big, advantage.

How big is the advantage? Let me share just a few numbers with you.

In the ongoing 1991-92 election cycle, labor union political action committees have given $13,887,561 to House and Senate candidates. Just short of 94 percent of that money—nearly $13 million—has been given to Democrat candidates. That leaves 4, 5, or 6 percent that must have been a mistake that went to Republicans.

These numbers are comparable to the 1989-90 election when labor unions contributed nearly $35 million to congressional candidates—with over 93 percent of that money finding its way into Democrat campaigns.

Everybody knows organized labor is part and parcel of the Democratic party, but there are always a few dollars given to Republicans, but not many.

It is obvious that the Democrats do not want true reform. It is obvious why they slapped together a political cover bill they knew would not become law—a bill so bad that even one of their usual allies, the ACLU could not even support it.

Once again, Democrats have demonstrated that their answer to every problem is getting their hands on the taxpayer's wallet. Can you imagine asking the taxpayers for more of their hard-earned dollars so politicans can pay for TV ads, bumper stickers, and highly paid consultants so they can stay in office? No. Public financing is a loser.

And so are this bill's spending limits. The proposed limits are designed to limit a lot of things, namely political change and the ability of challengers to compete. But the Democrats do nothing to limit the sources of campaign money, as Republicans have proposed, sources such as the total of big out-of-State contributions, and cash from the special interests. In other words, raise all the money you want as long as you hit the limit, whether all the money is coming from PAC's, fat cats, labor unions, and special interests in some other State—just hit the limit, claim reform, and then claim victory at the polls.

Let us face it, this bill fails the truth in advertising test. Just slapping the word "reform" on the label does not make it so.

Mr. President, yesterday, the distinguished majority leader and the Speaker of the House said some nice words outside the White House. They spoke of bipartisanship and cooperation and of doing what the American people sent us here to do.

Those words can also apply to this issue. President Bush and the Republicans stand ready to adopt true campaign finance reform.

And the American people are now watching to see if the ruling class—the Democrat incumbents who control Congress—will stand with us, or whether they just want to stand for more of the same old status quo.

Mr. President, I urge my colleagues to sustain the President's veto.

The PRESIDING OFFICER. Who yields time?

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

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

Mr. BOREN. Mr. President, I yield 2 minutes to the distinguished Senator from Colorado.

The PRESIDING OFFICER. The Senator from Colorado is recognized.

Mr. WIRTH. Thank you, Mr. President.

Since I spoke a few minutes ago, I was cornered by other Members of the body who said, "Why do you make a speech like that, trying to connect donations with political outcomes?" They said to me, "How about Charlie Keating? Look what happened. You know how Keating was involved with the Democrats."

I said, "How about Charlie Keating?" Maybe we ought to look at the Keating situation. If you will remember, during all of the hearings that were held on Keating and Keating's relationship with the so-called Keating Five, Jim Grogan, who was the right hand to Mr. Keating, testified that in fact what happened was that Keating gave up on the Senate, because it served no productive purpose. The Senate could not deliver what Keating wanted.

The regulators were still being recalcitrant and Keating gave up on the Senate and went to the White House.

What did he do at the White House? He became a member of Team 100. He gave $100,000 to the Bush election campaign in 1988.

What did he get for it? Anything?

Well, first of all, all of the papers that have been sent up from the thrift regulators to the Justice Department in 1987 got put aside—papers on Keating's conduct, which people in the Congress were told by the regulators ought to be looked at by the Justice Department.

And, second, the then head of the FSLIC took the Keating case away from the regulators in the regional office in California, brought it back to Washington, and decided that Keating should be allowed to continue operations.

So I just wanted to take the floor to say that it seems to me that in discussing Keating it is all right there. Keating's own guy said that Keating had been attempting to purchase political outcomes. He was getting nowhere with the Senate. He was getting nowhere with the regulators and Senate pressure.

So Keating turned his attention to the White House, and joined Team 100. Keating got the case brought back from the regulators in California and in a lenient ruling from Washington was allowed to continue to work, continue the operations of Lincoln Savings and Loan.

I just wanted to take the floor to answer very clearly there is a very clear connection. It is certainly not an anecdotal connection and it is one I suspect most people will want to draw that line—that these outcomes are perhaps connected to a significant contribution.

Mr. President, that is what this legislation is all about and that is what we ought to be tending to. We ought to be cleaning out this and this is one step in that direction.

Mr. President, I yield the floor and 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. MITCHELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. MITCHELL. Mr. President, there has been lengthy debate on the subject of campaign finance reform today and over many months and years prior to today. I recognize that many Senators have other obligations and, therefore, I will limit my remarks and I anticipate that a vote will occur on the pending matter at approximately 6 p.m., to give Senators time to prepare their schedules accordingly, and that will be the only rollcall vote this evening. There will be no further rollcall votes thereafter.

I will during the vote and following discuss with the distinguished Republican leader the proposed schedule for proceeding thereafter, and I will announce that to the Senate before the Senate concludes its business today.

Much disagreement has been expressed during the debate today and in the preceding months. But on one important aspect of the matter, there has been no disagreement, and that important aspect is that the system under which campaigns are now financed and conducted needs change.

I did not listen to every word spoken in the debate, but I listened to a great deal of it. I did not hear anyone, during the time I listened, defend the current system as what we ought to have and what we ought to continue. There is, if not unanimity, a broad consensus in the Senate, in the Congress, in the

country that we ought to change the system by which Federal election campaigns are financed and conducted.

The change must begin with the heart of the problem, and that is the dominant, increasing, overwhelming role which money plays in the election process. The cost of campaigns is spiraling and the result is, as virtually every American citizen knows and agree, that American political campaigns are too long and expensive. If we can reduce the cost, the length will necessarily be reduced and we can, hopefully, produce campaigns devoted more specifically to issues, less dependent upon the kinds of tactics, the now famous 30-second attack spots, which have so come to dominate political campaigns in recent years.

The bill, which both the House and Senate passed by substantial majorities, reflecting the clear will of a majority of Members of the Senate, the clear will of a majority of Members of the House and, in my opinion, the clear will of a majority of Americans, will have begun the process of reform by putting a limit on the amount that is spent in political campaigns. That is the heart of the problem. It must, therefore, be the heart of the solution. There must be limits on the amount of money spent in political campaigns. That is the central element of the bill now before us.

The Senators who believe in genuine reform based upon the limitation of spending should vote for this bill and to override the President's unfortunate and, in my judgment, most unwise veto.

The bill also eliminates some of the most egregious practices in fundraising which have also been denounced by almost all concerned—the so-called soft money, sewer money—that permits very large contributions that would not be permitted under the law if they were made to candidates and which are now made in a way that is intended to benefit candidates and avoid the requirements of the law. It is a travesty and a tragedy when American political candidates—of both parties, I might add—in the Congress and running for President pursue actions which everyone knows contradicts the spirit of the law and are plainly intended to evade the requirements of the law. And yet that is what is going on in American politics today.

And let it be said clearly and with no equivocation, this is not a problem that involves just one party. It involves both political parties. It infects and infests the entire system and is one reason why so many Americans today are turned off by the political process and are turned off by both parties.

The American people want change. The American people want reform. This legislation would provide change. This legislation would ensure reform. And that is what makes the President's veto of this bill so deeply regretful.

I will describe just briefly and respond to the reasons stated by the President for the veto.

First, that it includes some public funding. The best answer to that is that the President has voluntarily participated in a public funding spending limit process four times and, by the end of this year, will himself be the recipient of more than $200 million in public funding. It is difficult to square those actions—and I emphasize those are voluntary actions; there is nothing in the law which has compelled the President to participate in the system—it is difficult to square those actions with the President's veto message. Indeed, they are inconsistent, and the fact is that the practices pursued by the President are the opposite of the statement also made by the President.

The second reason is that the bill does not eliminate completely political action committees. But it should be made clear, there should be no misunderstanding that the President himself has never proposed the complete elimination of political action committees. The President has proposed the abolition of some political action committees while he would permit others to continue in existence, recognizing that an outright ban would be unconstitutional. But, of course, permitting some means that those that would be disallowed under the law would quickly reform and there would be a new proliferation of political action committees. Nothing would have been solved. The problem would, in fact, have been made worse.

The bill takes the reasonable and constitutional step of limiting the amount that political action committees can give, actually reducing the amount that such a PAC could give to a candidate for the Senate. This is responsible legislation. It is important legislation. It is one way in which we in the Senate can begin to raise the status of the institution of Congress in the eyes of the American people by eliminating the abusive, demeaning practices that are now employed in the financing conduct of American political campaigns.

In short, Mr. President, we can do better than the current system. Everybody knows that. Every Member of this Senate is demeaned by this process. We should do better.

This bill will enable us to do better. I urge the Senate to vote to override the veto.

Mr. President, I yield back the remainder of time on the part of the proponents of override.

The PRESIDING OFFICER (Mr. WELLSTONE). Do the opponents yield back their time?

Mr. MCCONNELL. I yield the remainder of my time.

The PRESIDING OFFICER. The question is, Shall the bill pass, the objections of the President of the United States to the contrary notwithstanding?

The yeas and nays are required. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. FORD. I announce that the Senator from Ohio [Mr. METZENBAUM] is absent because of illness.

The PRESIDING OFFICER. Are there any other Senators in the Chamber who desire to vote?

The yeas and nays resulted—yeas 57, nays 42, as follows:

[Rollcall Vote No. 88 Leg.]

YEAS—57

Adams	Durenberger	Lieberman
Akaka	Exon	McCain
Baucus	Ford	Mikulski
Bentsen	Fowler	Mitchell
Biden	Glenn	Moynihan
Bingaman	Gore	Nunn
Boren	Graham	Pell
Bradley	Harkin	Pryor
Breaux	Heflin	Reid
Bryan	Inouye	Riegle
Bumpers	Jeffords	Robb
Burdick	Johnston	Rockefeller
Byrd	Kennedy	Sanford
Conrad	Kerrey	Sarbanes
Cranston	Kerry	Sasser
Daschle	Kohl	Simon
DeConcini	Lautenberg	Wellstone
Dixon	Leahy	Wirth
Dodd	Levin	Wofford

NAYS—42

Bond	Gramm	Packwood
Brown	Grassley	Pressler
Burns	Hatch	Roth
Chafee	Hatfield	Rudman
Coats	Helms	Seymour
Cochran	Hollings	Shelby
Cohen	Kassebaum	Simpson
Craig	Kasten	Smith
D'Amato	Lott	Specter
Danforth	Lugar	Stevens
Dole	Mack	Symms
Domenici	McConnell	Thurmond
Garn	Murkowski	Wallop
Gorton	Nickles	Warner

NOT VOTING—1

Metzenbaum

The PRESIDING OFFICER. On this vote the yeas are 57, the nays are 42. Two-thirds of the Senators voting, a quorum being present, not having voted in the affirmative, the bill on reconsideration fails to pass over the President's veto.

The majority leader is recognized.

MORNING BUSINESS

Mr. MITCHELL. Mr. President, I am going to be meeting shortly with the distinguished Republican leader regarding the schedule for the remainder of the week and for the next week prior to the recess. I expect to have an announcement on that shortly. In the interim, I ask unanimous consent that there be a period for morning business with Senators permitted to speak therein.

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

U.N. SECRETARY GENERAL BOUTROS-GHALI DISCUSSES "INTERNATIONAL PEACEKEEPING IN A MULTIPOLAR, MULTIETHNIC WORLD"

Mr. PELL. Mr. President, this morning, I had the honor of introducing Dr. Boutros Boutros-Ghali, the recently elected Secretary General of the United Nations, when he gave the ninth annual David M. Abshire lecture sponsored by the Center for Strategic and International Studies [CSIS] here in Washington, DC.

For me this was a double honor, not only to present the Secretary General to a distinguished invited audience in the auditorium of the Dirksen Senate Office Building, but also to help pay tribute to David Abshire, our very able and distinguished former Assistant Secretary of State for Congressional Relations and U.S. Ambassador to NATO. David Abshire has been the long-time president of CSIS, and this year's lecture in the series that bears his name marks the 30th anniversary of the founding of the center.

It is particularly appropriate that Dr. Boutros-Ghali would give this lecture under the auspices of CSIS, because he himself has been a participant in CSIS programs as far back as 1976. He is now in the fifth month of a 5-year appointment as Secretary General.

Dr. Boutros-Ghali takes over his position in the United Nations at an extraordinary time in history. With the end of the cold war, the United Nations is at last in a position to attain some of the high hopes that we who were present had for it at its founding 47 years ago in San Francisco.

In the last few years, the United Nations has had an extraordinary role in serving its collective security purposes and in resolving regional conflicts. When Iraq invaded Kuwait, the United Nations moved to protect this small member state. The United Nations imposed economic sanctions and eventually authorized the use of force. While the military operation was not U.N.-flag operation, the legal framework for collective action provided by the U.N. Charter and Security Council decisions was essential to the global support for the undertaking. For the first time, the world community and not individual states became the arbiter of the use of force. This is a key step to moving to a more peaceful world. Of course, the U.N. role in the Iraq-Kuwait conflict will also serve to deter other potential lawbreakers.

The end of the cold war has enabled the world community to get on with resolving such regional conflicts as existed in Namibia, Afghanistan, Cambodia, El Salvador, Nicaragua, Angola, and Western Sahara. U.N. efforts have not been equally energetic or successful in all these conflicts, but the common denominator has been an active U.N. role in helping the parties reach a result. The changing world has presented new crisis, notably in Croatia, Bosnia-Hercegovina and Nagorno-Karabagh that demand U.N. attention.

The end of the cold war has imposed major new burdens, including financial burdens, on the limited resources of the United Nations. Before we complain too much about these costs, two points must be kept in mind. First, these costs are costs associated with peace. While they may increase the U.N. budget, they involve enormous net savings to the world community, including to the United States, by ending far more costly armed conflict. Second, the high costs of peacekeeping and peacemaking are a temporary phenomenon. When the cold war regional conflicts are resolved, thanks to U.N. peacekeeping, there is every reason to hope the peace will hold. And, while the end of the Communist empire has spawned its own conflicts, this is a matter of the transition period. Here, too, there is every reason to hope that the extraordinary demand that now exists for U.N. peacekeeping is only the temporary price of the extraordinary revolution that has transformed our world.

A more peaceful world will enable the United Nations to act creatively in addressing other threats to mankind's well-being and even existence. This includes the problems of weapons proliferation, the need to establish a global regime based on democracy and respect for human rights, the threat posed by environmental degradation and the social disorder arising out of global poverty.

It is an exciting time for the United Nations, and I envy Dr. Boutros Boutros-Ghali in his new assignment. He is exceptionally well qualified to take advantage of the opportunities of the United Nations and the challenges of the new world order. Dr. Boutros-Ghali is an Egyptian patriot who has served his country in the United Nations, to the Organization of African Unity, and as a key negotiator in the Camp David process that brought peace between Egypt and Israel. He is a former parliamentarian, Minister of State for Foreign Affairs, and Deputy Prime Minister. He holds a doctorate in international law from the Sorbonne and has had a long-time scholarly and political association with many in this room.

The Secretary General's lecture this morning was entitled "International Peacekeeping in a Multipolar, Multiethnic World," and it is an excellent review—and preview—of the United Nations activities now underway. To bring his text to a wider audience I ask that it be inserted in the CONGRESSIONAL RECORD at this point.

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

ADDRESS BY DR. BOUTROS BOUTROS-GHALI THE SECRETARY-GENERAL OF THE UNITED NATIONS, NINTH ANNUAL DAVID M. ABSHIRE LECTURE, MAY 13, 1992

FROM PEACE-KEEPING TO PEACE-BUILDING

Introduction

It is a special pleasure for me to give an address in honour of my friend and colleague, David Abshire. This distinguished gathering is a tribute to the mutual understanding that lies at the heart of the relationship between the United Nations and its host country. It is David Abshire's extraordinary contribution to the development of informed understanding in international relations which is rightly celebrated through this series of lectures in his name.

I have chosen to speak about peace-keeping for two reasons. One, because it is one of the most visible activities of the United Nations today; and two, because in this new era of international relations, the nature of United Nations peace-keeping is evolving.

During much of the history of the United Nations, of all its activities, peace-keeping has attracted the most attention. This is understandable. Conflicts are newsworthy and dramatic. The deployment of military personnel by an international organization to preserve a fragile peace makes a good story, and captures public interest. For the United Nations the publicity generated by its peace-keeping activities has, for the most part, been beneficial, especially in times when the Organization did not otherwise enjoy high public confidence or credibility.

In fact, the demand for United Nations peace-keeping has increased dramatically over the last four years. Before 1988, the United Nations had set up 13 peace-keeping operations. The total *since* 1988 is also 13, the most recent being the newly approved operation in Somalia. We have thus done as much in the last four years as we did in the previous 40 years. And, as conflicts between ethnic groups pose an increasing threat to international peace and security, it is clear we will have to do even more.

1992 will be the most testing year ever. We are simultaneously deploying, in Cambodia and Yugoslavia, the second and third largest operations the United Nations has undertaken. The number of United Nations soldiers and police deployed in the field will almost quadruple from 11,500 at the end of January to a planned 44,000 at the end of May.

All this activity of course costs money. In 1987 the Member States of the United Nations were asked to pay $233 million for peace-keeping and, in 1991, $421 million. The bill for the next 12 months will be around $2.7 billion.

In other words, peace-keeping is a growth area. Much that is good is being done. But this rapid expansion presents many questions. Should the United Nations alone carry this burden? How can its ability to do so be improved? Are the Member States ready to finance peace-keeping on this scale? How can priorities be established to ensure that the limited resources available for peace-keeping are spent where they can achieve the most? The beginning of answers to these questions lies in the history of peace-keeping.

The Development of Peace-keeping

United Nations peace-keeping and peace enforcement are distinct. The central difference is that peace-keeping requires the consent of the parties and peace enforcement does not. Chapter VII of the Charter describes in detail how the Security Council may apply measures to deal with threats to the peace, and acts of aggression. The most

recent example of peace enforcement is, of course, the action taken by the Security Council in regard to Iraq's invasion of Kuwait. There is no specific provision for peace keeping in the Charter of the United Nations. There is even disagreement as to when the "first" peace-keeping operation was established. Most think that it was the group of military observers, known as the United Nations Truce Supervision Organization, who were sent out during the first Arab-Israel war in 1948 to supervise a ceasefire and then to implement the 1949 Armistice Agreements between Israel and Egypt and Israel and its Arab neighbours.

Thereafter, peace-keeping evolved steadily. In 1956 the first armed force was set up in after the Suez crisis. In 1960 the United Nations launched its operation in the Congo.

In 1962 United Nations peace-keepers assumed responsibility for the administration and internal security of West Iran during a period of transition from Dutch colonial rule to independence. In 1964 the United Nations again became involved in an internal conflict when it established a force to control intercommunal fighting in the Republic of Cyprus.

Peace-keeping's ability to evolve in this way was greatly helped by the fact that the Charter did not define it. This enabled the statesmen and Secretary-General to develop a flexible instrument. This approach partly compensated for the Security Council's limited ability to operate during the Cold War.

But there was another side to this coin. The absence of any reference to peace-keeping in the Charter caused the Soviet Union to question its legitimacy and to refuse to pay for it. This led to a major financial crisis in the mid-1960's. It also obliged my predecessors and their staffs to do peace-keeping quietly, treating with great care to avoid a Permanent Member's veto.

Peace-keeping After the Cold War

I have described all this history in order to demonstrate that by the time the Cold War ended a whole set of peace-keeping concepts and principles and practices had been developed. The United Nations could thus move into higher gear when suddenly the United States and the Soviet Union began to find it possible to work together in the Security Council to resolve and control conflicts. It is this most welcome development which has dramatically increased demand for United Nations peace-keeping services.

It has also led to an important change in the character of peace-keeping operations. Of the 13 operations which were set up before 1988, all except the one in West Iran were what are now described as traditional peace-keeping operations. That is, they were largely military in composition and their tasks were to monitor cease-fires, control buffer zones, investigate alleged arms flows, prevent a resumption of hostilities and so on. In other words, they were to maintain calm on the front lines and give time to the peace-makers to negotiate a settlement of the dispute which had led to conflict in the first place. Sometimes the peace-*makers* succeeded. More often they did not, which is why so many of the pre-1988 operations are still in the field.

By contrast, only five of the 13 post-Cold War operations have been of this traditional kind. The other eight have, like West Iran, been set up to help implement a settlement already negotiated by the peace-makers. As such, they have involved not only the traditional military activities but also a whole range of civilian ones. It is these new activities which call for a much wider range of United Nations skills and expertise including those derived from our work on global issues.

An example of this new peace-keeping can be found in El Salvador, where the United Nations is verifying what has been called a negotiated revolution. I had the opportunity to visit ONUSAL, the Observer Mission in El Salvador, following the signature in Mexico of the final peace agreements last January. They involve not only a cease-fire and related measures but also reform and reduction of the armed forces, creation of a new police force, reform of the judicial and electoral systems, human rights, land tenure and other economic and social issues.

Another example is Cambodia, where the peace agreement requires the United Nations to supervise various parts of the existing administration, organize elections, monitor the police, promote human rights, repatriate over 350,000 refugees and begin rehabilitation of the country, as well as carrying out a familiar range of traditional military functions.

I recently spent three days in Phnom Penh, where I had the opportunity to review the work of the United Nations Transitional Authority in Cambodia (UNTAC) which, together with the Cambodian factions that make up the Supreme National Council, will for the next year perform virtually all important functions and decisions of Government.

Recalling the grim experience that nation had endured during the previous two decades, it was quite remarkable for me to attend a meeting of the Supreme National Council, presided over by Prince Sihanouk (who himself only recently returned) at which the members signed two international covenants on human rights. During my stay, I had the opportunity to meet separately with each of the factions, and to underline the need for them to demonstrate sufficient political will to ensure that the Paris peace agreements are carried out. Only through a solid commitment to national reconciliation could the Cambodians expect the donor countries to respond to their country's urgent rehabilitation and reconstruction needs. Despite the daunting tasks facing UNTAC, I departed Cambodia with an optimistic outlook. The United Nations agencies and non-governmental organizations represented there are cooperating with a sense of common purpose; it is to be hoped that this same positive spirit will continue to guide the relationship between UNTAC and the Supreme National Council.

The above-mentioned cases are examples of the comprehensive responsibilities assigned to the United Nations in the implementation of a peace agreement. The Organization is also increasingly called upon to offer technical assistance in the building of democratic institutions.

Sometimes this assumes a highly structured role such as organizing and supervising, monitoring and observing an entire election process—as was the case in Namibia, and will be so in Cambodia. In other instances, the United Nations has cooperated closely with a regional organization in the monitoring of elections, as was the case in Nicaragua and will be the case in Angola. In Western Sahara, the United Nations has been asked to conduct a referendum. In these cases, United Nations involvement was based on a request by either the Security Council or the General Assembly. However, the United Nations receives directly from Member States many requests for technical assistance. For example, twelve African countries (Cameroon, Congo, Ethiopia/Eritrea, Ghana, Guinea, Lesotho, Liberia, Mali, Madagascar, Mozambique and Rwanda) have called on the United Nations to facilitate or provide expertise regarding their respective elections. In Eastern Europe, Albania and Romania have sought technical assistance; in Latin America, Guyana has done the same.

In recent months, the United Nations has also been called upon to help deal witn another, less happy, consequence of the end of the Cold War. The demise of communist regimes in Eastern Europe and what was the Soviet Union has led to a growing number of inter-ethnic conflicts which had been dormant for the last half century. A very large United Nations peace-keeping force has been sent to Yugoslavia to try to control one of these conflicts.

At the same time ethnic conflict is causing suffering in a number of African and Asian countries. In fact, the human tragedies created by all such conflicts has led to an increasing sentiment that the United Nations must use its peace-keeping and peace-making skills to resolve them. Despite the provision in the Charter that the Organization should not intervene in domestic matters, Member States find it more and more difficult to regard any conflict as domestic or internal. It is these considerations that have just led the Security Council to set up the new operation in Somalia, which includes military personnel to protect the delivery of humanitarian relief supplies. This is an important innovation.

Peace-keeping has thus been, overall, a significant success for the United Nations. This success has not been uniform, especially when peace-making has not keep pace with peace-keeping. Moreover, it has had a human cost. Over the years, 812 men and women from 43 countries have died while in the service of United Nations pace-keeping forces. We must never forget their sacrifice.

Let me now turn to the future of peace-keeping—a future of larger, more complicated undertakings and greater demands for resources.

The Future of Peace-keeping

The United Nations has never claimed that it alone can carry out peace-keeping operations. Regional organizations have undertaken a few such operations themselves, of which the most successful was an Arab League force deployed between Iraq and Kuwait from 1961 to 1963. From 1965 to 1966, an Inter-American Peace Force was sent to the Dominican Republic on the basis of a resolution adopted by the OAS. In 1979, Egypt, in cooperation with the United States, organized a Multilateral Force and Observers in the Sinai to help implement the peace treaty with Israel. It is ironic that this latter force was established only after a request for a United Nations peace-keeping operation was rejected (by the Soviet Union, on behalf of Arab Member States).

That said, the United Nations is by far the most experienced peace-keeper. It is more likely perhaps to be seen as having the impartiality which is an essential condition for successful peace-keeping, and it has worked out structures for establishing, financing and managing such operations. It was thus inevitable that the international community should turn to the United Nations when the end of the Cold War increased the demand for peace-keeping.

But the demand has now become such that I believe that the United Nations must share the work with others. A multi-polar world should be led by a multiplicity of institutions. For if international organizations are to do justice to the aspirations of the peoples

of the world, they must be informed and inspired by the experiences, perspectives and hopes of people in all parts of the globe. The policies and strategies of international organizations must thus be responsible to the needs of people everywhere.

It is therefore logical that an effort should be made to "decentralize" the responsibilities for peace-keeping and peace-making that today are continuously being entrusted to the United Nations. The regional organizations are the obvious candidates for larger roles.

Chapter VIII of the Charter specifically provides for regional organizations to "make every effort to achieve pacific settlement of local disputes * * * before referring them to the Security Council". The problem at present is that the regional organizations have almost no experience and lack the necessary structures and procedures; and most of them are in an even worse financial condition than the United Nations.

I am, however, convinced that the regional organizations must be helped to carry a larger share of the burden, in peace-making as well as in peace-keeping. It is for this reason that in Yugoslavia I have insisted on a clear division of labor between the European Community, which has for some time been engaged both in peace-making and peace-keeping there, and the United Nations, which is responsible for peace-keeping only in certain areas of Croatia. I have also offered to help the Conference on Security and Cooperation in Europe to obtain technical advice with regard to its own peace-keeping efforts in the dispute between Azerbaijan and Armenia over Nagorno-Karabakh. And I have taken care to associate the Organization of African Unity, the Arab League and the Islamic Conference Organization with my own efforts in Somalia. I hope that Member States will also do their part in strengthening the regional organizations so that they can play their own essential part in the maintenance of international peace and security. Their involvement will in turn serve to promote the democratization of international relations.

We need also to expand the role of non-governmental organizations in the new and broader peace-keeping operations. They have, of course, long been involved in the humanitarian aspects of peace-keeping. This has recently been formally recognized in the latest Security Council resolution on Somalia, where much of the relief work to be protected by United Nations military personnel will be carried out by non-governmental organizations.

As for United Nations peace-keeping, we face a major resource problem. Whenever a new peace-keeping operation is established, all personnel must be transported to the area of operations. This means more than 19,500 personnel in Cambodia, nearly 14,000 in Yugoslavia, 490 in Iraq/Kuwait, 400 in Western Sahara, 500 in Angola, 500 in El Salvador, and at least 50 military observers in Somalia—to name only those operations that have been deployed in the past year. Once in the field, these people must be provided with accommodation, food, medical care, transport, communications and all the other equipment to carry out their functions. When formed military units are deployed, they bring much of their equipment with them. But this still leaves an immense amount of goods and services which have to be provided by the United Nations.

Under present arrangements, we have to start from scratch every time a new operation is set up. The United Nations is almost always in a cash flow crisis. The Working Capital Fund was long ago exhausted. Even if we had the cash, the Organization's financial procedures would severely limit the Secretary-General's ability to enter into financial commitments until the cost of the whole operation has been estimated in detail and the resulting budget approved by Member States. Only then are we permitted to place orders for the equipment needed; and the suppliers often do not have it on the shelves.

As a result there is often so long a gap between the Security Council's decision to set up a new operation and its deployment in the field that the success of the whole exercise is jeopardized. Disaster nearly occurred at the start of the otherwise successful operation in Namibia because so few United Nations personnel were on the ground at the critical moments when the transition began. In Cambodia, the delay of over seven months since the signature of the Cambodia Peace Agreement in Paris last October has added to the fragility of an already difficult operation.

Given the political will, these probems could be easily resolved. Let me suggest four steps:

First, a revolving capital fund would be established to finance the start-up costs of peace-keeping operations;

Second, as soon as the Security Council decided to set up a new operation, the Member States would be asked to pay immediately one-third of the estimated cost of its first year and the Secretary-General would be automatically given authority to commit up to this sum;

Third, a reserve stock of basic peace-keeping equipment would be established so that some of the most needed items were always available;

Fourth, Member States would pay their assessments, both for the initial one-third and for the full budget, fully and on time.

A fifth step, which is my responsibility, is to rationalize the Secretariat structures for the planning and management of peace-keeping and to speed up our own internal procedures. This is already in hand.

As regards the costs of peace-keeping to Member States, I believe that even the $2.7 billion for this exceptional year is not high in relation to the costs of the alternative, namely continued conflict. We need only recall the astounding sums of money that were spent to "win" the Cold War—in the 1980s global expenditures on arms approached one trillion dollars per year, or $2 million per minute—to acknowledge that peace-keeping is an inexpensive way to help maintain stability in the post-Cold war era.

But I am also conscious that the current volume of peace-keeping expenses, are creating real problems for Member States. It is for this reason that I have decided to ensure that they get value for money.

I am therefore taking a close look at the costs of existing peace-keeping operations, especially the older ones. I have already identified savings of up to ten percent in UNIFIL, the force deployed in South Lebanon since 1978. The focus of such budgetary cuts will be on Headquarters and support elements, and will not affect the operational effectiveness of the Force. Similar reductions will also result from efforts now under way to streamline UNDOF which, since 1974, has separated the Israeli and Syrian forces along the Golan Heights and UNTSO, whose military observers have been in the Middle East for more than 40 years.

However, this is more than a question of good house-keeping. It goes deeper and engages the responsibilities of Member States as well as the Secretary-General. It requires them both to improve their joint performance in ensuring that money is spend on peace-keeping in those conflicts where conditions exist for it to produce better results more quickly.

This requires the Secretary-General and the Security Council to study critically, every proposal for the establishment of a new peace-keeping operation. Peace-keeping is not a universal prescription. It has to be recognized, that there are some international ills which are not yet ready for the peace-keeping therapy. Peace-keeping relies heavily on the consent of the parties to the conflict and their readiness to cooperate with the peace-keepers. Unless all the parties recognize that their dispute cannot be resolved by continuing to fight, peace-keeping cannot succeed. Resources are better spent elsewhere.

It is also necessary for the Secretary-General and the Security Council to take a critical look at peace-keeping operations which have been deployed for a long time, without progress having been made on settling the dispute in question. A case in point is Cyprus, where a United Nations force has been continuously deployed since 1964 and yet a settlement continues to elude the parties, despite sustained efforts by my Special Representative and his predecessors over the years. Peace-keeping, after all, is not an end in itself. It is a technique whose function is either to create conditions for the peace-makers to do their work or to help implement settlements which the peace-makers have negotiated. If the peace-makers' task has proved impossible, or if their settlement proves that it cannot be implemented then the continued requirement for a peace-keeping presence needs to be studied very critically.

Of course, this principle has to be applied with caution. In some cases withdrawal of the peace-keepers could cause the conflict to re-ignite and thus make things worse. In such cases it may be that the international community has to accept that maintenance of a long-standing peace-keeping operation is the "least bad option" available.

It is a cause of satisfaction, however, that of the 13 operations set up since 1988, six have already discharged their mandates and been disbanded. These include two in Africa—in Namibia (UNTAG), where free and fair elections were successfully carried out in November 1989 under UN supervision; and in Angola (UNAVEM I) where, from 1989 to 1991, UN military observers monitored and verified the withdrawal of Cuban troops. In the Middle East, the Military Observer Group (UNIIMOG) that monitored the implementation of the cease-fire between Iran and Iraq following their eight-year war, withdrew with the agreement of both parties in early 1991. In Central America (ONUCA) observers monitored the cease-fire in Nicaragua; helped to verify the cessation of aid to irregular forces in the region; and assisted in the voluntary demobilization of the Nicaraguan resistance. They were withdrawn in January of this year. And in Cambodia, following the signing of the Paris peace accords in October 1991, an advance mission of military observers (UNAMIC) pave the way for the arrival of UNTAC, which began its operation last March.

Peace-keeping will continue to grow and adapt along with the changing needs and nature of peace itself. Since the end of the Cold War, these needs have become more, not less, urgent and widespread. However, I should like to reiterate that peace-keeping can never be a substitute for peace building. If I

had to leave one thought with you this morning, it would be the following: in today's multi-polar world, economic and social development, and the promotion and reinforcement of democratic institutions are an intrinsic part of maintaining peace.

A commitment to this end was effectively undertaken by the Security Council at the level of Heads of State and Government in its meeting on 31 January 1992. In the Presidential Statement that followed, the Members recognized that "peace and prosperity are indivisible and that lasting peace and stability require effective international cooperation for the eradication of poverty and the promotion of a better life for all in larger freedom."

In this new era, nations now recognize and accept this shared responsibility for peace. Those who lead nations must now take up that responsibility to build institutions, create understanding and provide resources so that those who safeguard peace may serve in confidence and with success.

Thank you, David Abshire.

Thank you, ladies and gentlemen.

TRIBUTE TO WILBUR D. MILLS

Mr. BUMPERS. Mr. President, I rise today in tribute to Wilbur D. Mills, a legendary Arkansan who died on Saturday, May 2. Mr. Mills served the State of Arkansas in the U.S. House of Representatives for over 38 years. During his tenure in Washington, Wilbur Mills became one of the most powerful men in Congress, yet he steadfastly maintained a clear desire to utilize that power only for the betterment of his people.

Wilbur Mills was born on May 24, 1909, in Kensett, AR. He received a degree from Hendrix College in 1930, and completed 3 years at Harvard Law School before returning to Arkansas. Wilbur Mills began serving the first of 19 terms as Arkansas Second District Congressman in 1939. He served as the chairman of the powerful House Ways and Means Committee from 1958 to 1976.

During his career, he served under the administrations of seven Presidents, and spearheaded such battles as the enactment of the modern Medicare system. He also served this country during some of the most historic times of the 20th century, such as the declaration of war against Japan on December 8, 1941, and the fall of the Nixon administration.

He retired from Congress on December 31, 1976, yet continued to work tirelessly on behalf of individuals.

He was a caring, sensitive, and friendly man. I never saw him angry, nor did I ever see him demonstrate an indifferent attitude toward those who sought his counsel and help. He was unfailingly courteous and polite.

Mr. President, when I ran for Governor of Arkansas in 1970, Wilbur, once I became the Democratic nominee, was instrumental in my success, doing letters, television, and anything else I requested. So I owe a considerable measure of my success to him.

He was a rare leader. People from the poorest to people at the pinnacle of power, including the President, sought his approval.

He will be remembered for his many good deeds.

THE OCCASION OF ISRAEL INDEPENDENCE DAY

Mr. SPECTER. Mr. President, on May 7, 1948, by virtue of natural and historic right, based on the decision of the United Nations General Assembly, the nation of Israel was reestablished as an independent and sovereign Jewish State. On the occasion of the 44th anniversary of this proclamation, I extend my congratulations and best wishes to the people of Israel on their Independence Day.

Israel is truly a miracle in the desert. In the late 1800's, after 2,000 years in exile, the Jewish people returned to what was essentially a barren land without people. The great American author, Mark Twain, described his perceptions of the land in his book, "Innocents Abroad"—1867. In the book he says:

> Palestine is a hopeless, dreary, heartbroken land, a limitless desolation * * * Palestine sits in sackcloth and ashes. Over it broods the spell of a curse that has withered its fields and fettered its energies. * * * Nazareth is forlorn, Jericho the accursed lies in a moldering ruin. Renowned Jerusalem has become a pauper village. * * * The noted Sea of Galilee is deserted and its borders are a silent wilderness. * * * Capernaum is a shapeless ruin. * * * Palestine is desolate; it is no more of this workaday world.

Now, a century later, Jewish survivors of the Holocaust, Jewish refugees from Arab countries, and Jews who kept their ties to the land over the millennium, have come together to make the desert bloom. It hasn't been easy; to this very day Israel is still seeking recognition of its unequivocal right to exist from its neighbors. In the past 44 years, Israel has had to endure the blood and toil of six defensive wars against Arab aggression and terrorism and this Independence Day is also a reminder of the price Israel must still pay to keep its citizens secure.

Despite a constant fight for survival, Israel is a nation that has prophetically become a beacon to the world. Israel's global contributions in the fields of health, science, and the humanities are enormous, especially in comparison to its tiny population. Israelis routinely export their knowledge in agriculture and medicine to Africa and much of the Third World and have been at the forefront in innovative commercial technologies.

In terms of American national interest, the affinity Americans have for Israel is based on a common cultural, political, and economic heritage. The United States-Israel relationship is special and enduring. As the only democracy in the entire Middle East, Israel serves as a bastion for freedom and a champion for Western values.

For America, Israel is a reliable strategic partner and is, without any doubt, our best ally in the region. The uniqueness of that strategic relationship was reaffirmed during the recent gulf war. At an incalculable sacrifice, Israel absorbed 39 unanswered Iraqi Scud attacks at the request of the United States to keep the coalition against Iraq intact. Perhaps Israel's greatest contribution to our gulf war effort was its action back in June 1981 that destroyed Iraq's nuclear reactor. U.S. Defense Secretary, Richard Cheney, stated it best:

> There were many times during the course of the build-up in the Gulf and the subsequent conflict that I gave thanks for the bold and dramatic action that had been taken by Israel some 10 years before.

The heroic deeds and actions of Israel over the years are many and I can continue indefinitely with deserving accolades. But the time is short, and I just want to convey to Israel a happy Independence Day with a wish: Congratulations and may peace and prosperity prevail for the children of Israel in the years to come with Jerusalem as the undivided and eternal capital.

DEMOCRATIC ELECTIONS IN IRAQI KURDISTAN

Mr. SPECTER. Mr. President, I want to bring to the attention of the Senate an event which will be taking place later this month in Iraq. On May 17 there will be a first ever democratic election in Iraq. Despite the fact that Saddam Hussein remains in power in Baghdad, the Kurdish people of northern Iraq are going to hold an election for Kurdish Legislative Assembly.

With so many other international events unfolding, it would be easy to miss an event which will take place so far away, but this election deserves the attention and support of the United States.

Mr. President, an estimated 200,000 Kurds—men, women, and children—have been murdered by Saddam Hussein and his ruthless military. Even after the military defeat of Iraq in Desert Storm, Iraqi troops have continued to attack Kurdish villages and it is only the threat of British, French, and United States military retaliation that protects the Kurdish people.

Despite this horrendous situation and a virtual economic blockade of Kurdish areas, the Kurds have established a liberated zone and would hold democratic elections.

Mr. President, this election, if it is held, will hopefully mark a true turning point for the Kurdish people. Hopefully, a democratic election can be the start of a brighter future for a people that have endured a denial of their most basic human rights for more than 70 years.

It is my hope that the United States Government will give encouragement to a process which will give to the Kurdish people in Iraq the right of self-determination—a fundamental human right. The government of Saddam Hussein has clearly forfeited any right to control or govern the Kurdish people and even now it pursues an economic blockade of northern Iraq which is intended to starve the Kurdish people out of existence.

Mr. President, I realize that a proper United States policy toward Iraq is a complicated matter. I realize that there are regional concerns, border disputes, and the genuine threat of Islamic fundamentalism. However, the United States has always stood for the right of self-determination and against the violation of human rights. In Iraq, the issues seem clear. The Kurdish people of northern Iraq deserve the continued protection from the genocidal attacks of Saddam Hussein and they deserve encouragement for seeking to hold the first ever democratic election in the territory now known as Iraq.

HONORING HAWAII'S SMALL BUSINESS PERSONS OF THE YEAR

Mr. AKAKA. Mr. President, I rise today to pay tribute to Leonard S. Tanaka and Suellen M. Tanaka, Hawaii's recipients of the Small Business Administration's Small Business Person of the Year award.

Leonard and Suellen Tanaka, residents of Hilo, HI, are the president and vice president, respectively, of T&T Electric, Inc., an electrical company. Leonard began the company with only two full-time employees in 1983 after leaving his job as lead electrician at Volcano Electric for 8 years. Suellen worked evenings as the bookkeeper while retaining her full-time day job.

By 1988, T&T Electric grew to 25 full-time workers. Within 3 years, the company doubled its size, and employed 57 full-time and temporary employees in 1990. T&T has demonstrated its commitment to the training and development of its employees, as evidenced by the positions within the company that require various levels of training and a commitment to the electrical profession. The company is licensed in seven different areas of construction.

Among T&T customers are the State and County of Hawaii, Hawaiian Tel, and several observatories atop Mauna Kea.

Revenues have increased from about $274,000 in 1984 to $6.5 million in 1990, with T&T averaging a 75-percent growth rate between 1987 and 1990.

Leonard and Suellen Tanaka are an asset to their community and role models for entrepreneurs throughout Hawaii to follow. In addition to their contributions to the business community, they regularly donate equipment, supplies, and services generously to a variety of community functions and charities. They also support many community service activities and work with students at local schools.

Mr. President, it is indeed a pleasure to salute this husband and wife team, two highly respected members of Hawaii's business community. It is only fitting that during Small Business Week 1992, we remember the invaluable contributions made by our Nation's small businesses.

HONORING HAWAII'S SMALL BUSINESS PRIME CONTRACTOR OF THE YEAR

Mr. AKAKA. Mr. President, in honor of Small Business Week 1992, I rise today to recognize Spencer Kurihara, president of Society Painters, Inc., who was awarded the Small Business Administration's Region IX Small Business Prime Contractor of the Year award.

Spencer Kurihara founded Society Painters, Inc. as a one-man operation in 1971. By 1991, he employed 56 full-time workers from two Oahu locations, Pearl City and Kaneohe. Although primarily a painting company, Society Painters has expanded its business to include flooring and maintenance services.

Society Painters has completed a number of military projects including the painting of family quarters at Schofield Barracks and Wheeler Air Force Base, painting at Aliamanu Military Reservation, Fort Shafter and Kaneohe Marine Corps Air Station, as well as maintenance service and installation of fire walls and ceilings at Kaneohe Marine Corps Air Station. The company has also had flooring projects at various State of Hawaii jobs, vinyl flooring at Schofield Barracks and carpeting at Aliamanu Military Reservation.

Mr. Kurihara and his business are members of the Painting and Decorating Contractors Association, Hawaii Flooring Association, General Contractors' Association, Building Industry Association of Hawaii, and the Better Business Bureau.

Mr. President, as we commemorate National Small Business Week 1992, we should not forget the importance of our small businesses. In the State of Hawaii, small businesses make up a significant portion of our business community and play a pivotal role in maintaining our economic stability. I applaud Spencer Kurihara on the receipt of this award.

TREATIES PENDING BEFORE THE SENATE

Mr. PELL. Mr. President, pending before the Senate are consular conventions with the Democratic and Popular Republic of Algeria, signed at Washington on January 12, 1989, and transmitted by President Bush on February 27, 1990 (Treaty Doc. 101–13), the Mongolian People's Republic, signed at Ulaanbaatar on August 2, 1990 and transmitted by President Bush on September 13, 1991 (Treaty Doc. 102–14) and the Republic of Tunisia, signed at Tunis on May 12, 1988, and transmitted by President Bush on February 26, 1990 (Treaty Doc. 101–12). These were favorably reported by the Committee on Foreign Relations on May 7, 1992.

Bilateral consular agreements between the United States and these three countries do not presently exist. Each of these conventions set forth similar obligations with respect to such matters as notification to consular officers of the arrest and detention of nationals of each country and protection of their rights and interests.

With regard to the Consular Convention with Algeria and Tunisia, the committee's report reflects our concerns over the recent suspension of democratic elections in Algeria and the dramatic increases in human rights violations in Tunisia. The approval of these treaties does not constitute an endorsement of any of the policies of the countries of Algeria and Tunisia. We agree with the administration's position however, that consular treaties will provide greater protection for U.S. nationals in these two countries.

The specific consular functions and services which will be permitted on a reciprocal basis include the issuance of passports and visas, performance of notarial services, and the representation of the interests of nationals in estate matters. More significantly, the conventions state that consuls of the country whose nationals are arrested, detained, or whose personal freedom is limited in any way will be notified without delay.

The United States is a party to the Vienna Convention on consular relations which has been ratified by 130 nations, including Algeria, Mongolia, and Tunisia. Nevertheless, the United States has continued to negotiate bilateral consular agreements which serve to amplify or supplement the Vienna Convention.

Also pending before the Senate are: First, a Protocol amending the Treaty on Extradition with Australia, signed at Seoul on September 4, 1990, and transmitted by President Bush on February 19, 1992 (Treaty Doc. 102–23); second, an Extradition Treaty with the Commonwealth of the Bahamas, signed at Nassau on March 9, 1990 and transmitted by President Bush on October 28, 1991 (Treaty Doc. 102–17); third, a Supplementary Extradition Treaty with the Federal Republic of Germany, signed at Washington on October 21, 1980, and transmitted by President Reagan on June 25, 1987; and fourth, the Second Supplementary Treaty on Extradition with the Kingdom of Spain, signed at Madrid on February 9,

1988, and transmitted by President Bush on March 3, 1992 (Treaty Doc. 102-24). These were favorably reported by the Committee on Foreign Relations on May 7, 1992.

These treaties are part of the administration's continued effort to modernize the legal tools available for the extradition of serious offenders such as narcotics traffickers and terrorists.

Each treaty adopts a dual criminality approach in determining whether a particular offense is extraditable and eliminates the outdated list of extraditable offenses contained in the existing treaty with each country. A dual criminality clause permits extradition for any criminal conduct that is punishable in both states by imprisonment or other detention for at least 1 year. Inclusion of a dual criminality clause obviates the need to renegotiate or supplement the treaty as offenses, such as computer-related crimes or money laundering, become punishable under the laws of both States. This approach was most recently incorporated in the Amendment to the Extradition Treaty with Canada (Treaty Doc. 101-17) approved by the Senate in 1991.

In addition to updating and standardizing the conditions and procedures for extradition between the United States and these four countries, the treaties also provide a legal basis for temporarily surrendering prisoners to stand trial for crimes against the laws of the requesting state.

I urge that the Senate give its advice and consent to the ratification of these treaties.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

FRAMEWORK CONVENTION ON CLIMATE CHANGE

Mr. DOMENICI. Mr. President, as one of the Senate observers to the climate change negotiations I am pleased that last Saturday, shortly after 6 p.m., our negotiators finished a Framework Convention on Climate Change. Yesterday, I asked that this summary of the convention, which I received yesterday morning from our chief climate negotiator, Robert Reinstein, be inserted in the RECORD as if read. Yesterday, you heard a lot of people talking about what this agreement didn't do, but I don't think you can argue that the United States doesn't take the threat of global climate change seriously.

In fact, last week at a Senate Energy Committee hearing on the science of global climate change, we heard four eminent climate scientists:

Dr. Robert Watson, the Director of the Process Studies Program Office at the National Aeronautics and Space Administration;

Dr. Richard Lindzen, professor of meteorology at the Massachusetts Institute of Technology;

Dr. Michael MacCracken, Division Director for Atmospheric and Geophysical Science at Lawrence Livermore Laboratory; and

Dr. Stephen Schneider, senior scientist at the National Center for Atmospheric Research.

I asked each of them if they agreed that the U.S. position which favors flexible goals for all the greenhouse gases, not just CO_2, made more sense scientifically than the European approach of rigid targets and timetables for CO_2 only. All of the scientists on the panel, from Dr. Lindzen who is considered to be a global warming skeptic, to Dr. Schneider who is considered to be on the other side, agreed that the U.S. position in the climate change negotiations made sense scientifically. This scientifically sensible approach is what was agreed to at the United Nations last week.

The Bush administration, faced with a complicated political and scientific issue, did what I wish we could do more around here—it took the scientists' advice. Now I'm not saying that scientists should run the Government in general, but I do think that we should listen to them more—and try to listen to all of what they have to say, including all the caveats and uncertainties, not just the convenient sound bites. I don't mean to dwell too much on the politics of this issue, but I can't help observing that it's too bad that the politics of this issue has evolved so that even mentioning scientific uncertainty puts you on one side of the issue and mentioning energy efficiency puts you on the other.

So let me review what this group of scientists we heard last week said: The scientists told 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; that carbon dioxide in the atmosphere is now about 25 percent higher than before the Industrial Revolution and increasing exponentially. Chances are, the Earth will get warmer—maybe a lot warmer, by the middle of the next century. The implication of this warming could be quite serious. Although it might just be a few more hot days each year, there is a reasonable chance it could change precipitation and ocean current patterns. Finally, even the most conservative predictions for warming would be many times faster than anything in the Earth's history and the impact of this change on the natural world could be severe. These scientists agreed that climate change could be a serious problem and we should try to address it immediately.

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 the 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.

So what did the scientists recommend? They all agreed that there is great uncertainty, and that we should start by promoting policies such as improving energy efficiency which are free or even produce a net benefit. They agreed that if we include the other greenhouse gases such as methane and nitrous oxide, industrialized countries could reduce greenhouse gases by perhaps 20 percent without dramatic change. And I might add, this could happen under the current climate agreement. Finally they agreed that in the long run, the most important thing to do is help the developing countries industrialize in an environmentally sustainable way, with nonpolluting technologies.

So, now we have a climate treaty and a choice to make. We in the Senate can continue to clash and bash, or we can try to work together to integrate the language in the climate treaty into a coordinated U.S. plan for dealing with energy, the environment, and economic growth. Signing the energy bill into law would be a good start.

Now, I am not saying working together on this will be easy. The motivations for the positions on both sides of the global warming debate are very genuine, although there is also plenty of politics in this, and I respect these genuine motivations: I care deeply about risks to future generations, be they economic or environmental. But, just as it is immoral to pass on the deficit to future generations, I would argue that without taking actions of our own, without trying to help other countries to solve their energy and environmental problems in a cost-effective manner, we are gambling with the well-being of future generations on the entire planet.

We in the United States have been fighting the economics versus environment battle longer than anyone else and maybe we should be the first to stop. 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 cannot afford to ignore the lessons we have learned from this experience. We in the U.S. Senate now can help lead in promoting policies to prevent pollution in the first place, that save energy, generate less waste, and also become more competitive internationally.

It makes sense, all things considered, to proceed as recommended by the President and adopted in the Frame-

work Convention on Climate Change. I urge my colleagues to follow that course and work together for the objectives we all desire.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

(The remarks of Mr. DOMENICI pertaining to the introduction of S. 2709 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

UNANIMOUS CONSENT AGREEMENT—S. 250

Mr. MITCHELL. Mr. President, I am about to propound a unanimous consent request. I am advised by the distinguished Republican leader's staff that this has been cleared with him and is acceptable to our Republican colleagues.

I now ask unanimous consent that the Senate resume consideration of S. 250, the motor-voter bill, tomorrow at 10:30 a.m.; that at that time, the Senate begin 1 hour of debate on the measure, with 30 minutes controlled by Senator KASTEN; 15 minutes controlled by Senator HOLLINGS; 10 minutes controlled by Senator ROCKEFELLER; 5 minutes controlled by Senator EXON; and that at 11:30 a.m., Senator ROCKEFELLER be recognized to make a motion to table the Kasten amendment, No. 1799; that no other amendments or motions be in order in relation to the bill prior to the disposition of the tabling motion, and that if the tabling motion fails, the Kasten amendment continue to be debatable and amendable.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The text of the agreement is as follows:

Ordered, That at 10:30 a.m. on Thursday, May 14, 1992, the Senate resume consideration of S. 250, the Motor Voter Bill, with one hour of debate to start at that time, to be divided as follows: 30 minutes under the control of the Senator from Wisconsin (Mr. Kasten), 15 minutes under the control of the Senator from South Carolina (Mr. Hollings), 10 minutes under the control of the Senator from West Virginia (Mr. Rockefeller), and 5 minutes under the control of the Senator from Nebraska (Mr. Exon).

Ordered further, That at 11:30 a.m. the Senator from West Virginia (Mr. Rockefeller) be recognized to make a motion to table the Kasten amendment, No. 1799.

Ordered further, That no other amendments or motions be in order in relation to the bill prior to the disposition of the tabling motion.

Ordered further, That if the tabling motion fails, the Kasten amendment continue to be debatable and amendable.

Mr. MITCHELL. Mr. President, I thank my colleagues for their cooperation. Senators, therefore, should be aware that a vote will occur at 11:30 a.m. on a motion by Senator ROCKEFELLER to table the ending Kasten amendment to the motor-voter bill.

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

The PRESIDING OFFICER. The clerk will call the roll.

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

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

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. FORD. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider the following treaties, en bloc:

Executive Calendar 18, Consular Convention with the Republic of Tunisia;

Executive Calendar 19, Consular Convention with the Democratic and Popular Republic of Algeria;

Executive Calendar 20, Consular Convention with the Mongolian People's Republic;

Executive Calendar 21, Supplementary Extradition Treaty with the Federal Republic of Germany;

Executive Calendar 22, Extradition Treaty with the Bahamas;

Executive Calendar 23, Protocol Amending the 1974 Extradition Treaty with Australia; and

Executive Calendar 24, Second Supplementary Extradition Treaty with Spain.

I further ask unanimous consent that these seven treaties be considered as having passed through the various parliamentary stages up to and including the presentation of the resolutions of ratification; that no amendments, reservations, understandings, declarations or provisos be in order; that any statements be inserted in the CONGRESSIONAL RECORD as if read; that upon disposition of the resolutions of ratification, the motions to reconsider be laid upon the table; that the President be notified of the Senate's action and that following disposition of the treaties, the Senate return to legislative session.

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

Mr. FORD. Mr. President, I ask for a division vote.

The PRESIDING OFFICER. All those in favor will stand and be counted. [After a pause.] Those opposed will stand and be counted.

In the opinion of the Chair, two-thirds of the Senators present have voted in the affirmative.

The ratifications are agreed to.

The resolutions of ratification are as follows:

TREATY DOCUMENT NO. 101–12, CONSULAR CONVENTION WITH THE REPUBLIC OF TUNISIA

Resolved (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of the Consular Convention between the United States of America and the Republic of Tunisia, signed at Tunis on May 12, 1988.

TREATY DOCUMENT NO. 101–13, CONSULAR CONVENTION WITH THE DEMOCRATIC AND POPULAR REPUBLIC OF ALGERIA

Resolved (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of the Consular Convention between the United States of America and the Democratic and Popular Republic of Algeria, signed at Washington on January 12, 1989.

TREATY DOCUMENT NO. 102–14, CONSULAR CONVENTION WITH THE MONGOLIAN PEOPLE'S REPUBLIC

Resolved (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of the Consular Convention between the United States of America and the Mongolian People's Republic, signed at Ulaanbaatar on August 2, 1990.

TREATY DOCUMENT NO. 100–6, SUPPLEMENTARY EXTRADITION TREATY WITH THE FEDERAL REPUBLIC OF GERMANY

Resolved (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of the Supplementary Treaty to the Treaty between the United States of America and the Federal Republic of Germany Concerning Extradition, signed at Washington on October 21, 1986.

TREATY DOCUMENT NO. 102–17, EXTRADITION TREATY WITH THE BAHAMAS

Resolved (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of the Extradition Treaty between the Government of the United States of America and the Government of the Commonwealth of the Bahamas, signed at Nassau on March 9, 1990.

TREATY DOCUMENT NO. 102–23, PROTOCOL AMENDING THE 1974 EXTRADITION TREATY WITH AUSTRALIA

Resolved (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of the Protocol Amending the Treaty on Extradition between the United States of America and Australia, signed at Seoul on September 4, 1990.

TREATY DOCUMENT NO. 102–24, SECOND SUPPLEMENTARY EXTRADITION TREATY WITH SPAIN

Resolved (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of the Second Supplementary Extradition Treaty between the United States of America and the King-

dom of Spain, signed at Madrid on February 9, 1988.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will return to the consideration of legislative business.

NATIONAL FOSTER CARE MONTH

Mr. FORD. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of House Joint Resolution 388, a joint resolution designating the month of May as "National Foster Care Month"; that the Senate proceed to its immediate consideration; that the joint resolution be deemed read a third time, passed; that the preamble be agreed to and that the motion to reconsider be laid upon the table.

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

So, the joint resolution (H.J. Res. 388) was deemed read a third time and passed.

PRINTING OF REPORT OF TEMPORARY SPECIAL INDEPENDENT COUNSEL

Mr. FORD. Mr. President, I ask unanimous consent that the report of the temporary special independent counsel Peter Fleming submitted to the two leaders be printed as a Senate document.

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

MESSAGES FROM THE PRESIDENT

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

EXECUTIVE MESSAGES REFERRED

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

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

NATIONAL YOUTH APPRENTICESHIP ACT OF 1992—MESSAGE FROM THE PRESIDENT—PM 237

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; to the Committee on Labor and Human Resources:

To the Congress of the United States:

I am pleased to transmit herewith for your immediate consideration the "National Youth Apprenticeship Act of 1992." Also transmitted is a section-by-section analysis.

This legislation would establish a national framework for implementing comprehensive youth apprenticeship programs. These programs would be a high-quality learning alternative for preparing young people to be valuable and productive members of the 21st century work force. Although this framework has been designed to be comprehensive and national in scope, it is also flexible enough to allow States to customize the model to economic, demographic, and other local conditions.

I am proposing this legislation in order to promote a comprehensive approach for helping our youth make the transition from school to the workplace and strive to reach high levels of academic achievement. The lack of such an approach is one very important reason that a significant proportion of American youth do not possess the necessary skills to meet employer requirements for entry level positions.

There is widespread agreement that the time has come to strengthen the connection between the academic subjects taught in our schools and the demands of the modern, high-technology workplace. Work-based learning models have proven to be effective approaches for preparing youth at the secondary school level.

Under my proposal, a student could enter a youth apprenticeship program in the 11th or 12th grade. Before reaching these grades, students would receive career and academic guidance to prepare them for entry into youth apprenticeship programs. Particular programs may end with graduation from high school or continue for up to an additional 2 years of postsecondary education. In addition to the high school diploma, all youth apprentices would earn a certificate of competency and qualify for a postsecondary program, a registered apprenticeship program, or employment.

A youth apprentice would receive academic instruction, job training, and work experience. The program is intended to attract and develop high-quality, motivated students. Standards of academic achievement, consistent with voluntary, national standards, will apply to all academic instruction, including the required instruction in the core subjects of English, mathematics, science, history, and geography. Students also would be expected to demonstrate mastery of job skills.

My proposal provides for vigorous involvement at the Federal, State, and local levels to ensure the success of the program. It also requires that employers, schools, students, and parents promise to work together to achieve the program goals. Enactment of my proposal will result in national standards applicable to all youth apprenticeship programs. Thus, upon completion of the program, the youth apprentice will have a portable credential that will be recognized wherever the individual may go to seek employment or pursue further education and training.

I believe that the time has come for a national, comprehensive approach to work-based learning. The bill I am proposing would establish a formal process in which business, labor, and education would form partnerships to motivate the Nation's young people to stay in school and become productive citizens. It will provide American youth the opportunity to gain marketable and portable skills while establishing a relationship with a prospective employer.

I urge the Congress to give swift and favorable consideration to the National Youth Apprenticeship Act of 1992.

GEORGE BUSH.

THE WHITE HOUSE, *May 13, 1992.*

MESSAGES FROM THE HOUSE

At 2:19 p.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that the House has passed the following bills, each without amendment:

S. 452. An act to authorize a transfer of administrative jurisdiction over certain land to the Secretary of the Interior, and for other purposes;

S. 749. An act to rename and expand the boundaries of the Mound City Group National Monument in Ohio; and

S. 1182. An act to transfer jurisdiction of certain public lands in the State of Utah to the Forest Service, and for other purposes.

The message also announced that the House has passed the bill (S. 2344) to improve the provision of health care and other services to veterans by the Department of Veterans Affairs, and for other purposes, with an amendment; it insists upon its amendment to the bill, asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and appoints Mr. MONTGOMERY, Mr. EDWARDS of California, Mr. ROWLAND, Mr. STUMP, and Mr. HAMMERSCHMIDT as managers of the conference on the part of the House.

The message further announced that the House disagrees to the amendments of the Senate to the bill (H.R. 4990) rescinding certain budget authority, and for other purposes; it agrees to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and appoints Mr. WHITTEN, Mr. NATCHER, Mr. SMITH of Iowa, Mr. YATES, Mr. OBEY, Mr. BEVILL, Mr. MURTHA, Mr. TRAXLER, Mr. LEHMAN of Florida, Mr. FAZIO, Mr. HEFNER, Mr. MCDADE, Mr. MYERS of Indiana, Mr. YOUNG of Florida, Mr. GREEN of New York, Mr. ROGERS, and Mr. SKEEN as managers of the conference on the part of the House.

The message also announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 1514. An act to resolve the status of certain lands relinquished to the United States under the act of June 4, 1987 (30 Stat. 11, 36), and for other purposes.

At 5:54 p.m., a message from the House of Representatives, delivered by one of its reading clerks, Ms. Goetz, announced that the House has agreed to the following concurrent resolution, without amendment:

S. Con. Res. 116. A concurrent resolution to authorize corrections in the enrollment of S. 838.

The message further announced that the Speaker has appointed the following Members as additional managers on the part of the House in the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 4990) rescinding certain budget authority, and for other purposes: Mr. ROYBAL, Mr. DIXON, and Mr. REGULA.

MEASURES REFERRED

The following bill was read the first and second times by unanimous consent, and referred as indicated:

H.R. 1514. An act to resolve the status of certain lands relinquished to the United States under the act of June 4, 1987, (30 Stat. 11, 36), and for other purposes; to the Committee on Energy and Natural Resources.

The following bill, introduced on yesterday and ordered held at the desk until the close of business today, May 13, 1992, was referred to the Committee on Finance:

S. 2699. A bill to extend the period for which unemployment benefits are payable under title I of the Emergency Unemployment Compensation Act of 1991, and for other purposes.

ENROLLED BILL AND JOINT RESOLUTIONS SIGNED

The ACTING PRESIDENT pro tempore (Mr. GORE) reported that on today, May 13, 1992, he had signed the following enrolled bill and joint resolutions which had previously been signed by the Speaker of the House:

H.R. 4774. An act to provide flexibility to the Secretary of Agriculture to carry out food assistance programs in certain countries;

S.J. Res. 251. Joint resolution to designate the month of May 1992 as "National Huntington's Disease Awareness Month";

H.J. Res. 371. Joint resolution designating May 31, 1992, through June 6, 1992, as a "Week for the National Observance of the Fiftieth Anniversary of World War II"; and

H.J. Res. 425. Joint resolution designating May 10, 1992, as "Infant Mortality Awareness Day."

ENROLLED BILL AND JOINT RESOLUTION PRESENTED

The Secretary of the Senate reported that on today, May 13, 1992, he had presented to the President of the United States the following enrolled bill and joint resolution:

S. 2378. An act to amend title 38, United States Code, to extend certain authorities relating to the administration of veterans laws, and for other purposes; and

S.J. Res. 251. Joint resolution to designate the month of May 1992 as "National Huntington's Disease Awareness Month."

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC-3193. A communication from the Secretary of Agriculture, transmitting, a draft of proposed legislation to improve the administration and integrity of the Food Stamp Program, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

EC-3194. A communication from the General Counsel of the Federal Emergency Management Agency, transmitting, a draft of proposed legislation to amend title XXXIV of the National Defense Authorization Act for Fiscal Years 1992 and 1993, and for other purposes; to the Committee on Armed Services.

EC-3195. A communication from the Secretary of Energy, transmitting, pursuant to law, a report on waste tank safety issues at the Hanford Site; to the Committee on Armed Services.

EC-3196. A communication from the Director of the Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, a report on direct spending or receipts legislation; to the Committee on the Budget.

EC-3197. A communication from the Secretary of Transportation, transmitting, pursuant to law, the annual report on all the recommendation of the National Transportation Safety Board to the Secretary regarding transportation safety; to the Committee on Commerce, Science, and Transportation.

EC-3198. A communication from the Chairperson of the Northeast Interstate Low-level Radioactive Waste Commission, transmitting, pursuant to law, the annual report of the Commission for fiscal year 1991; to the Committee on Energy and Natural Resources.

EC-3199. A communication from the Deputy Assistant Secretary of the Interior (Land and Minerals Management), transmitting, pursuant to law, a report on the oil and gas potential and wilderness characteristics of Alaska North Slope lands, other than those included in the Arctic National Wildlife Refuge and the National Petroleum Reserve-Alaska; to the Committee on Energy and Natural Resources.

EC-3200. A communication from the Secretary of Energy, transmitting, pursuant to law, the annual report of the Department of Energy for fiscal year 1991; to the Committee on Energy and Natural Resources.

EC-3201. A communication from the Assistant Secretary of Energy (Environmental Restoration and Waste Management), transmitting, pursuant to law, notice in the delay of the submission of a report on the Department of Energy's research activities; to the Committee on Environment and Public Works.

EC-3202. A communication from the Assistant Secretary of the Army (Civil Works), transmitting, pursuant to law, a report entitled "Buy American Study Report"; to the Committee on Environment and Public Works.

EC-3203. A communication from the Secretary of Health and Human Resources, transmitting, pursuant to law, the annual report of the Department regarding the committees which provide advice and consultation to the Secretary of Health and Human Services; to the Committee on Finance.

EC-3204. A communication from the Acting United States Trade Representative, Executive Office of the President, transmitting, pursuant to law, a report concerning recent developments regarding section 301 of the Trade Act of 1974, as amended by the Omnibus Trade and Competitiveness Act of 1988; to the Committee on Finance.

EC-3205. A communication from the Secretary of the Treasury, transmitting, a draft of proposed legislation to amend the Internal Revenue Code of 1986 to make the deduction for health insurance costs of self-employed individuals permanent, and to provide for a phased-in increase in the deductible amount of health insurance costs from 25 to 100 percent; to the Committee on Finance.

EC-3206. A communication from the Secretary of Commerce, transmitting, pursuant to law, a report on the United States-Israel Legal Exchange; to the Committee on Foreign Relations.

EC-3207. A communication from the Secretary of State, transmitting, pursuant to law, a report on the President of the United States' determination that the Board of the International Fund established by the Anglo-Irish Agreement is, as a whole, broadly representative of the interests of the communities in Ireland and Northern Ireland, and that disbursements from the International Fund are distributed in accordance with the principle of equality of opportunity and nondiscrimination in employment, without regard to religious affiliation, and will address the needs of both communities in Northern Ireland; to the Committee on Foreign Relations.

EC-3208. A communication from the Assistant Secretary of State (Legislative Affairs), transmitting, pursuant to law, a report on the International Labour Conference; to the Committee on Foreign Relations.

EC-3209. A communication from the Director of the Office of Personnel Management, transmitting, a draft of proposed legislation to authorize financial institutions to disclose to the Office of Personnel Management the names and current addresses of their customers who are receiving, by direct deposit or electronic funds transfer, payments of Civil Service Retirement benefits under chapter 83 or Federal Employees' Retirement benefits under chapter 84 of title 5, United States Code; to the Committee on Governmental Affairs.

EC-3210. A communication from the Secretary of Housing and Urban Development, transmitting, pursuant to law, a report of the Government National Mortgage Association management for the fiscal year ended September 30, 1991; to the Committee on Governmental Affairs.

EC-3211. A communication from the Director of the Uniformed Services University of the Health Sciences (Civilian Human Resources Management), transmitting, pursuant to law, the annual report of the University for the year ending December 31, 1989; to the Committee on Governmental Affairs.

EC-3212. A communication from the Attorney General, Department of Justice, transmitting, pursuant to law, a report entitled "Office for Victims of Crime's Report to Congress"; to the Committee on the Judiciary.

EC-3213. A communication from the Secretary of Education, transmitting, a draft of

proposed legislation to make certain amendments to the Act of September 30, 1950 (Public Law 874, Eighty-first Congress), and the Act of September 23, 1950 (Public Law 815, Eighty-first Congress), and for other purposes; to the Committee on Labor and Human Resources.

EC-3214. A communication from the Administrator of the Small Business Administration, transmitting, pursuant to law, the annual report on the state of Small Business; to the Committee on Small Business.

EC-3215. A communication from the Secretary of Veterans' Affairs, transmitting, pursuant to law, a report summarizing the disposition of cases where a VA beneficiary has suffered a loss because of reliance upon an erroneous VA determination of eligibility, without knowing that it was erroneous; to the Committee on Veterans' Affairs.

EC-3216. A communication from the Secretary of Veterans' Affairs, transmitting, a draft of proposed legislation to amend title 38, United States Code, to make certain improvements in the vocational rehabilitation and educational assistance programs for veterans, and for other purposes; to the Committee on Veterans' Affairs.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committees were submitted:

By Mr. JOHNSTON, from the Committee on Energy and Natural Resources:

Linda Gillespie Stuntz, of Virginia, to be Deputy Secretary of Energy.

(The above nomination was approved subject to the nominee's commitment to appear and testify before any duly constituted committee of the Senate.)

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. BREAUX (for himself and Mr. LOTT):

S. 2700. A bill to authorize appropriations for fiscal year 1993 for the Federal Maritime Commission; to the Committee on Commerce, Science, and Transportation.

S. 2701. A bill to authorize appropriations for fiscal year 1993 for the Maritime Administration, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. HOLLINGS (for himself, Mr. STEVENS, Mr. BREAUX, Mr. LOTT, Mr. PRYOR, Mr. KASTEN, and Mr. KERRY):

S. 2702. A bill to authorize appropriations for fiscal year 1993 for the Coast Guard, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. FORD:

S. 2703. A bill to authorize the President to appoint General Thomas C. Richards to the Office of Administrator of the Federal Aviation Administration; to the Committee on Commerce, Science, and Transportation.

By Mr. BYRD (for himself, Mr. SIMON, Mr. BUMPERS, Mr. DIXON, Mr. BENTSEN, and Mr. SASSER):

S. 2704. A bill to prevent any foreign person from purchasing or otherwise acquiring the LTV Aerospace and Defense Company; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. SEYMOUR:

S. 2705. A bill to establish the National Technology Agency; to the Committee on Governmental Affairs.

S. 2706. A bill to amend the Internal Revenue Code of 1986 to provide tax incentives to encourage the conversion of the defense industry to commercial endeavors, and for other purposes; to the Committee on Finance.

By Mr. RIEGLE (for himself, Mr. GARN, Mr. DODD, Mr. KERRY, Mr. SHELBY, Mr. SMITH, Mr. STEVENS, and Mr. MOYNIHAN):

S. 2707. A bill to authorize the minting and issuance of coins in commemoration of the Year of the Vietnam Veteran and the 10th Anniversary of the dedication of the Vietnam Veterans Memorial, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. HATCH (by request):

S. 2708. A bill to improve enforcement of the Employee Retirement Security Act of 1974, by adding certain provisions with respect to the auditing of employee benefit plans; to the Committee on Labor and Human Resources.

By Mr. DOMENICI:

S. 2709. A bill to suspend temporarily the duty on rifabutin (dosage form); to the Committee on Finance.

By Mr. McCAIN (for himself and Mr. THURMOND):

S. 2710. A bill to provide for improvement of the health care system under chapter 55 of title 10, United States Code, for members and former members of the uniformed services and their dependents and survivors; to the Committee on Armed Services.

By Mr. EXON (for himself and Mr. BOREN):

S.J. Res. 302. A joint resolution proposing an amendment to the Constitution relating to the election of the President and Vice President of the United States; to the Committee on the Judiciary.

By Mr. PELL (for himself, Mr. ADAMS, Mr. AKAKA, Mr. BIDEN, Mr. BINGAMAN, Mr. BRYAN, Mr. BURDICK, Mr. CHAFEE, Mr. COATS, Mr. CRANSTON, Mr. D'AMATO, Mr. DIXON, Mr. DODD, Mr. DURENBERGER, Mr. GLENN, Mr. GORE, Mr. GRASSLEY, Mr. INOUYE, Mr. JEFFORDS, Mrs. KASSEBAUM, Mr. KASTEN, Mr. LEAHY, Mr. LUGAR, Mr. MACK, Mr. METZENBAUM, Ms. MIKULSKI, Mr. NUNN, Mr. PRESSLER, Mr. ROCKEFELLER, Mr. STEVENS, Mr. THURMOND, Mr. WARNER, and Mr. WELLSTONE):

S.J. Res. 303. A joint resolution to designate October 1992 as "National Breast Cancer Awareness Month"; to the Committee on the Judiciary.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. BREAUX (for himself and Mr. LOTT):

S. 2700. A bill to authorize appropriations for fiscal year 1993 for the Federal Maritime Commission; to the Committee on Commerce, Science and Transportation.

FEDERAL MARITIME COMMISSION AUTHORIZATION ACT OF 1992

• Mr. BREAUX. Mr. President, I, along with my colleague Senator LOTT, am introducing a bill today that authorizes the appropriations for the Federal Maritime Commission [FMC] for fiscal year 1993. The bill authorizes $19,100,000 to be used for the operations of the FMC. This is the same amount requested by the President in his budget request and the same amount in the FMC authorization bill passed by the House.

The FMC is an independent agency whose primary function is to regulate the practices of both international and domestic maritime trade. Its regulatory authority is contained in the Shipping Act of 1984, the Shipping Act of 1916, and other related statutes. The FMC reviews tariff filings and service contracts, but does not regulate international ocean transportation rates. It does, however, approve freight rates for transportation between domestic ports and domestic offshore ports such as Hawaii and Puerto Rico. In addition to those duties, the FMC investigates and takes enforcement action in instances where unjust discriminatory rates have been found, or other improper activities exist among shippers, carriers and terminal operations.

This legislation is necessary for the FMC to carry out all of its functions that are so important to regulation of the waterborne commerce of the United States. I, therefore, urge its quick passage.

Mr. President, I request that the text of the bill be printed in the CONGRESSIONAL RECORD.

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

S. 2700

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Federal Maritime Commission Authorization Act of 1992".

SEC. 2. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the Federal Maritime Commission $19,100,000 for fiscal year 1993.•

By Mr. BREAUX (for himself and Mr. LOTT):

S. 2701. A bill to authorize appropriations for fiscal year 1993 for the Maritime Administration, and for other purposes; to the Committee on Commerce, Science, and Transportation.

MARITIME ADMINISTRATION AUTHORIZATION ACT OF 1992

• Mr. BREAUX. Mr. President, I, along with my colleague, Senator LOTT, am introducing a bill today that authorizes the appropriations for the Maritime Administration [MarAd] for fiscal year 1993. The bill authorizes $537,419,000 to be used for the operations of MarAd. This is a decrease of $41,952,000 from the MarAd fiscal year 1992 appropriation of $579,371,000, and is the same as requested by the administration.

MarAd's main responsibility is the promotion of those activities that are designed to enhance the maritime industry in the United States. The major activities and programs conducted by MarAd include: operating differential subsidies; manpower, education, and training; operating programs; national security support capabilities, including the National Defense Reserve Fleet and the Ready Reserve Force [RRF]; and the ocean freight differential.

This bill also contains an amendment that reinstates a section of a law repealed by the Coast Guard Authorization Act of 1989. An oversight in a previous bill had technically stripped MarAd of its authority to manage the RRF. This section reinstates that power.

Mr. President, I request that the text of the bill be printed in the CONGRESSIONAL RECORD.

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

S. 2701

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. AUTHORIZATION OF APPROPRIATIONS.

For fiscal year 1993, the following amounts are authorized to be appropriated for the Maritime Administration:

(1) $225,000,000 for payment of obligations incurred for operating-differential subsidies of United States-flag vessels.

(2) $38,718,000 for expenses related to manpower, education, and training, including—

(A) $27,845,000 for maritime training at the United States Merchant Marine Academy at Kings Point, New York;

(B) $10,072,000 for assistance to the State maritime academies; and

(C) $1,801,000 for manpower and additional training.

(3) $30,341,000 for operating programs.

(4) $8,360,000 for expenses related to national security support capabilities, including—

(A) $6,937,000 for the National Defense Reserve Fleet; and

(B) $1,423,000, for emergency planning operations.

(5) $234,000,000 for the Ready Reserve Force, including—

(A) $104,000,000 for fleet additions, replacements, acquisitions, and upgrading of vessels for the Ready Reserve Force;

(B) $126,000,000 for maintenance and operations programs in support of the Ready Reserve Force; and

(C) $4,000,000 for Ready Reserve Force shore facilities and fleet support craft.

SEC. 2. TECHNICAL CORRECTION.

Section 11 of the Merchant Ship Sales Act of 1946 (50 App. U.S.C. 1744), as amended by section 6 of the Act of October 13, 1989 (Public Law 101-115; 103 Stat. 693), is amended to read as if subsection (b) of such section 11 had not been repealed by section 307(12) of the Coast Guard Authorization Act of 1989 (Public Law 101-225; 103 Stat. 1925).

SEC. 3. EFFECTIVE DATES.

The effective date of section 2 is December 12, 1989. The other provisions of this Act are effective on the date of enactment of this Act.●

By Mr. HOLLINGS (for himself, Mr. STEVENS, Mr. BREAUX, Mr. LOTT, Mr. PRYOR, Mr. KASTEN, and Mr. KERRY):

S. 2702. A bill to authorize appropriations for fiscal year 1993 for the Coast Guard, and for other purposes; to the Committee on Commerce, Science, and Transportation.

COAST GUARD AUTHORIZATION ACT

Mr. HOLLINGS. Mr. President, today I am introducing the Coast Guard Authorization Act of 1992.

This bill provides the core authorization for the Coast Guard for fiscal year 1993.

The authorization totals $3.817 billion for 1993, which reflects a modest increase of 6 percent from the fiscal year 1992 appropriated level.

As chairman of the Commerce Committee, I recognize that this small increase, similar to the small increases that we have seen over the years, does not reflect adequately the expanding duties of this branch of the Nation's armed services.

When this service was first established in 1790, its mission was fairly straightforward—to prevent smuggling and collect tax revenues.

Since that time, many new responsibilities have been added, including search and rescue, fisheries law enforcement, drug interdiction, aids to navigation, marine safety, and marine environmental protection.

In addition to its routine activities, during the past few years the Coast Guard has been on the front line of high publicized events such as the cleanup of the *Exxon Valdez*, the blockade of Iraq, and the Haitian interdiction.

This bill provides the bare-bones authorization needed for the Coast Guard to perform these many important functions.

This bill provides a 5-percent increase in the authorization for Coast Guard operating expenses for fiscal year 1993.

Funding from this account provides for the operation and maintenance of the multipurpose vessels, aircraft, and shore vessels which allow the Coast Guard to perform its duties along the coasts and inland waterways of the United States. The small increase in the authorization for this year is, for the most part, an adjustment for inflation.

The authorization for capital funding in this bill totals $414 million for fiscal year 1993. Capital funding includes the acquisition, construction, rebuilding, and improvement of aids to navigation, shore and offshore facilities, vessels, and aircraft. Some major initiatives being continued during the next year include replacement of seagoing buoy tenders, coastal buoy tenders, and 44-foot motor lifeboats.

The bill contains increased funding to provide affordable housing, medical care, training, family services, and recreational facilities for the men and women of the Coast Guard. In addition, it authorizes $519 million for retired pay in fiscal year 1993, which provides money to retired military personnel of the Coast Guard, the Coast Guard Reserve, and the former Lighthouse Service.

Other funding authorizations in the bill cover research and development and bridge alteration. The bill provides for a 42-percent increase in funding for environmental compliance and restoration which will assist the Coast Guard in fulfilling its responsibilities in this area. Authorizations are provided for end-of-year strengths of 39,732 military personnel for fiscal year 1993. The bill also authorizes average military training loads for recruits and special training, flight training, professional training, and officer training.

This legislation also contains a number of provisions which amend existing law applicable to the Coast Guard. These provisions:

Authorize the Secretary of Transportation to deny the issuance or renewal of a trade or recreational endorsement on a certificate of documentation, and to revoke such endorsement for vessel owners who refuse to pay civil penalties;

Change the positions eligible for special pay in the Coast Guard;

Improve the inspection and enforcement authority of the Coast Guard with respect to foreign passenger vessels;

Authorize the Coast Guard to obtain reimbursement for overseas inspections and examinations of foreign vessels.

This year's Coast Guard authorization bill also contains an important provision to phase out the Coast Guard recreational user fee which was enacted as part of the Omnibus Reconciliation Act of 1990. Mr. President, boaters already pay their share to the Government in the form of gas taxes, excise taxes, sales taxes, and registration fees. In South Carolina, boaters on Lake Marion and Lake Moultrie are now paying this additional fee, although the Coast Guard provides no services on the lakes. I am all for common sense budget reform, but clearly this is an unfair tax which we need to repeal.

To provide an offset for the repeal of the Coast Guard user fee, I have included a proposal in this legislation to establish a fee for users of the Federal Maritime Commission's [FMC] new computerized automated tariff filing and information [ATFI] system. Under the provision, individuals who use the FMC's new computer data base to access tariff information will pay 46 cents per minute of use.

I congratulate the men and women of the Coast Guard for always stepping forward when the Nation calls. I ask my colleagues to join me in supporting this Coast Guard authorization legislation.

Mr. President, in introducing this Coast Guard authorization bill, it is very relative to the demise and disdain and cynicism that we find in government. We in the Congress constantly ask why. The distinguished Senator from North Carolina is covering it in a responsible fashion.

There is no question in my mind, not being an historian on the Democratic Party, but having experienced the party and its feel for some 40 years, it can be summed up in a line that the people who say they do not trust politicians anymore are waiting to find politicians who act as though they trust the people. And in that sense the people's trust is lost when you go to the so-called user fees or licenses that they put on boats for a service that never could be.

Out in Los Angeles they are going to have now a super-duper commission to find out why they did not get law enforcement to operate in a timely fashion. Here there is no chance of the Coast Guard operating in a timely or untimely fashion. We have acted in a panic, if you please, trying to spend all the trust funds. We have raided the highway, the airport, the Medicare, the unemployment trust fund, whereby the Senator from Texas said, when we debated it, we are trying to spend money that is already spent. We have raided the Social Security trust fund where by the year 1999, in 7 short years, we will owe it $1 trillion. We are spending a billion a week out of Social Security.

And in that panic they just said oh, we have got to get more money and they exacted a fee on small boat users in your State and mine. And in my State, if I have a boat on Lake Marion, you will not see the Coast Guard. If you have a boat on Lake Moultrie, you are not going to see the Coast Guard. If you have a boat on the Upper Congaree and the boat starts sinking or whatever it is, the one group that you will never find coming to your rescue is the Coast Guard.

Now, they ask why do we not have confidence in that crowd in Congress and in the National Government, in the Presidency and otherwise. Because here they come around and they are paying moneys for a service that is impossible to get.

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. 2702

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SECTION 1. This Act may be cited as the "Coast Guard Authorization Act of 1992".

AUTHORIZATION OF APPROPRIATIONS

SEC. 2. Funds are authorized to be appropriated for necessary expenses of the Coast Guard for fiscal year 1993, as follows:

(1) For the operation and maintenance of the Coast Guard, $2,603,000,000, of which—

(A) $142,100,000 shall be transferred from the Department of Defense;

(B) $31,876,000 shall be derived from the Oil Spill Liability Trust Fund; and

(C) $35,000,000 shall be expended from the Boat Safety Account.

(2) For the acquisition, construction, rebuilding, and improvement of aids to navigation, shore and offshore facilities, vessels, and aircraft, including equipment related thereto, $414,000,000, to remain available until expended, of which—

(A) $18,000,000 shall be transferred from the Department of Defense; and

(B) $33,822,000 shall be derived from the Oil Spill Liability Trust Fund.

(3) For research, development, test, and evaluation, $29,900,000, to remain available until expended, of which $4,000,000 shall be derived from the Oil Spill Liability Trust Fund.

(4) For retired pay (including the payment of obligations otherwise chargeable to lapsed appropriations for this purpose), payments under the Retired Serviceman's Family Protection and Survivor Benefit Plans, and payments for medical care of retired personnel and their dependents under chapter 55 of title 10, United States Code, $519,700,000, to remain available until expended.

(5) For alteration or removal of bridges over navigable waters of the United States constituting obstructions to navigation, and for personnel and administrative costs associated with the Bridge Alternative Program, $11,100,000, to remain available until expended.

(6) For environmental compliance and restoration at Coast Guard facilities, $30,500,000, to remain available until expended.

AUTHORIZED LEVELS OF MILITARY STRENGTH AND MILITARY TRAINING

SEC. 3. (a) AUTHORIZED MILITARY STRENGTH LEVEL.—As of September 30, 1993, the Coast Guard is authorized an end-of-year strength for active duty personnel of 39,732. The authorized strength does not include members of the Ready Reserve called to active duty under section 712 of title 14, United States Code.

(b) AUTHORIZED LEVEL OF MILITARY TRAINING.—For fiscal year 1993, the Coast Guard is authorized average military training student loads as follows:

(1) For recruit and special training, 2,653 student years.

(2) For flight training, 110 student years.

(3) For professional training in military and civilian institutions, 362 student years.

(4) For officer acquisition, 878 student years.

DENIAL AND REVOCATION OF ENDORSEMENTS

SEC. 4. (a) DENIAL AND REVOCATION.—Chapter 121 of title 46, United States Code, is amended by adding at the end the following new section:

"§ 12123. Denial and revocation of endorsements

"The Secretary of Transportation is authorized to deny the issuance or renewal of a trade or recreational endorsement on a certificate of documentation issued under this chapter and to revoke such endorsement if the Secretary finds that the vessel's owner has not paid an assessment of a civil penalty after final agency action for a violation of law for which an assessment has been made by the Secretary.".

(b) LIMITATIONS ON VESSEL OPERATIONS.—Section 12110(c) of title 46, U.S. Code, is amended by striking all of the first sentence through the first comma and inserting in lieu thereof the following: "When a vessel is operated after the Secretary has denied issuance or renewal of an endorsement or revoked the endorsement under section 12123 of this title and before the endorsement is reinstituted, or is employed in a trade for which an endorsement is required, without a certificate of documentation with an appropriate endorsement for that trade,".

(c) TECHNICAL AMENDMENTS.—(1) Section 12103(a) of title 46, United States Code, is amended by striking "On" and inserting in lieu thereof "Except as provided in section 12123 of this title, on".

(2) The analysis for chapter 121 of title 46, United States Code, is amended by adding at the end the following new item:

"12123. Denial and revocation of endorsements.".

SPECIAL PAY

SEC. 5. (a) DESIGNATION OF ELIGIBLE POSITIONS.—Section 306(a) of title 37, United States Code, is amended by striking "of pay grade 0-3, 0-4, 0-5, or 0-6" and inserting in lieu thereof "of pay grade 0-6 or below", and by striking the chart and inserting in lieu thereof the following new chart:

"Pay Grade	Monthly rate
0-6	$150
0-5	100
0-4 and below	50".

(b) PERCENTAGE LIMITATION ON NUMBER OF PAYEES.—Section 306(c) of title 37, United States Code, is amended by striking "in pay grade 0-3," and inserting in lieu thereof "in each of the pay grades 0-3 and below,".

INSPECTION AND ENFORCEMENT AUTHORITY FOR FOREIGN VESSELS

SEC. 6.(a) RECIPROCITY.—Section 3303(a) of title 46, United States Code, is amended—

(1) by striking "only" immediately after "is subject"; and

(2) by striking "the condition of the vessel's propulsion equipment and lifesaving equipment are" and inserting in lieu thereof "its condition is".

(b) PREVENTION OF DEPARTURE.—Section 3505 of title 46, United States Code, is amended by striking "or domestic vessel of more than 100 gross tons having berth or stateroom accommodations for at least 50 passengers" and inserting in lieu thereof "vessel".

REIMBURSEMENT FOR OVERSEAS INSPECTIONS AND EXAMINATIONS

SEC. 7. Section 3317(b) of title 46, United States Code, is amended—

(1) by striking "chapter" and inserting in lieu thereof "part"; and

(2) by inserting "or a foreign vessel" immediately after "documented vessel.".

RECREATIONAL BOAT TAX REPEAL

SEC. 8.(a) IN GENERAL.—(1) Section 2110(b)(1) of title 46, United States code, is amended—

(1) by striking "1991, 1992, 1993, 1994, and 1995", and inserting in lieu thereof "1993 and 1994"; and

(2) by striking "that is greater than 16 feet in length" and inserting in lieu thereof "to which paragraph (2) of this subsection applies".

(2) Section 2110(b)(2) of title 46, United States Code, is amended to read as follows:

"(2) The fee or charge established under paragraph (1) of this subsection is as follows:

"(A) in fiscal year 1993—

"(i) for vessels of more than 21 feet in length but less than 27 feet, not more than $35;

"(ii) for vessels of at least 27 feet in length but less than 40 feet, not more than $50; and

"(iii) for vessels of at least 40 feet in length, not more than $100.

"(B) in fiscal year 1994—

"(i) for vessels of at least 37 feet in length but less than 40 feet, not more than $50; and

"(ii) for vessels of at least 40 feet in length, not more than $100.".

(b) EFFECTIVE DATE.—The amendments made by this section are effective October 1, 1992.

AUTOMATED TARIFF FILING AND INFORMATION SYSTEM

SEC. 9.(a) DEFINITIONS.—In this section, the following definitions apply:

(1) The term "Commission" means the Federal Maritime Commission.

(2) The term "common carrier" means a common carrier under section 3 of the Shipping Act of 1984 (46 App. U.S.C. 1702), a common carrier by water in interstate commerce under the Shipping Act, 1916 (46 App. U.S.C. 801 et seq.), or a common carrier by water in intercoastal commerce under the Intercoastal Shipping Act, 1933 (46 App. U.S.C. 843 et seq.).

(3) The term "conference" has the meaning given that term under section 3 of the Shipping Act of 1984 (46 App. U.S.C. 1702).

(4) The term "essential terms of service contracts" means the essential terms that are required to be filed with the Commission and made available under section 8(c) of the Shipping Act of 1984 (46 App. U.S.C. 1707(c)).

(5) The term "tariff" means a tariff of rates, charges, classifications, rules, and practices required to be filed by a common carrier or conference under section 8 of the Shipping Act of 1984 (46 App. U.S.C. 1707), or a rate, fare, charge, classification, rule, or regulation required to be filed by a common carrier or conference under the Shipping Act, 1916 (46 U.S.C. 801 et seq.), or the Intercoastal Shipping Act, 1933 (46 App. U.S.C. 843 et seq.).

(b) TARIFF FORM AND AVAILABILITY.—(1) Notwithstanding any other law, each common carrier and conference shall, in accordance with subsection (c), file electronically with the Commission all tariffs, and all essential terms of service contracts, required to be filed by that common carrier or conference under the Shipping Act of 1984 (46 App. U.S.C. 1701 et seq.), the Shipping Act, 1916 (46 App. U.S.C. 801 et seq.), and the Intercoastal Shipping Act, 1933 (46 App. U.S.C. 843 et seq.).

(2) The Commission shall make available electronically to any person, without time, quantity, or other limitation, both at the Commission headquarters and from remote terminals—

(A) all tariff information, and all essential terms of service contracts, filed in the Commission's Automated Tariff Filing and Information System database; and

(B) all tariff information in the System enhanced electronically by the Commission at any time.

(c) FILING SCHEDULE.—New tariffs and new essential terms of service contracts shall be filed electronically not later than June 1, 1992. All other tariffs and essential terms of service contracts shall be filed not later than September 1, 1992.

(d) FEES.—(1) The Commission shall charge, in fiscal years 1993, 1994, and 1995—

(A) a fee of 46 cents for each minute of remote computer access by any individual of the information available electronically under this section; and

(B)(i) for electronic copies of the Automated Tariff Filing and Information System database (in bulk), or any portion of the database, a fee reflecting the cost of providing those copies, including the cost of duplication, distribution, and user-dedicated equipment; and

(ii) for a person operating or maintaining information in a database that has multiple tariff or service contract information obtained directly or indirectly from the Commission, a fee of 46 cents for each minute that database is subsequently accessed by computer by any individual.

(2) A Federal agency is exempt from paying a fee under this subsection.

(e) ENFORCEMENT.—The Commission shall use systems controls or other appropriate methods to enforce subsection (d).

(f) PENALTIES.—(1) A person failing to pay fee established under subsection (d) is liable to the United States Government for a civil penalty of not more than $5,000 for each violation.

(2) A person that willfully fails to pay a fee established under subsection (d) commits a class A misdemeanor.

(g) AUTOMATIC FILING IMPLEMENTATION.—(1) Software that provides for the electronic filing of data in the Automated Tariff Filing and Information System shall be submitted to the Commission for certification. Not later than 14 days after a person submits software to the Commission for certification, the Commission shall—

(A) certify the software if it provides for the electronic filing of data; and

(B) publish in the Federal Register notice of that certification.

(2)(A) The Secretary of the Treasury shall make available to the Commission, as a repayable advance in fiscal year 1992, not more than $4,000,000, to remain available until expended. The Commission shall spend these funds to complete and upgrade the capacity of the Automated Tariff Filing and Information System to provide access to information under this section.

(B)(i) Any advance made to the Commission under subparagraph (A) shall be repaid, with interest, to the general fund of the Treasury not later than September 30, 1995.

(ii) Interest on any advance made to the Commission under subparagraph (A)—

(I) shall be at a rate determined by the Secretary of the Treasury, as of the close of the calendar month preceding the month in which the advance is made, to be equal to the current average market yield on outstanding marketable obligations of the United States with remaining periods to maturity comparable to the anticipated period during which the advance will be outstanding; and

(II) shall be compounded annually.

(3) A portion of amounts collected by the Commission under this section shall be retained and expended by the Commission for fiscal year 1992 and each subsequent fiscal year, without fiscal year limitation, to carry out this section and pay back the Secretary of the Treasury for the advance made available under paragraph (2).

(4) Except for the amounts retained by the Commission under paragraphs (3), fees collected under this section shall be deposited in the general fund of the Treasury as offsetting receipts.

(h) RESTRICTION.—No fee may be collected under this section after fiscal year 1995.

(i) CONFORMING AMENDMENT.—Section 2 of the Act of August 16, 1989 (46 App. U.S.C. 1111c), is repealed.

By Mr. FORD:

S. 2703. A bill to authorize the President to appoint Gen. Thomas C. Richards to the Office of Administrator of the Federal Aviation Administration; to the Committee on Commerce, Science, and Transportation.

AUTHORIZING THE APPOINTMENT OF THE OFFICE OF THE ADMINISTRATOR OF THE FEDERAL AVIATION ADMINISTRATION

Mr. FORD. Mr. President, the administration has nominated Thomas C. Richards to be the Administrator of the Federal Aviation Administration [FAA]. The Federal Aviation Act requires that the FAA Administrator be a civilian. Since Mr. Richards is a retired general in the U.S. Air Force, he is not a civilian.

This legislation would permit an exception for Mr. Richards and would allow him to serve as Administrator while not affecting his status or rank as an officer on the retired list of the U.S. Air Force. The Dual Compensation Act will apply to Mr. Richards, which means that his military retirement pay will be reduced according to formula while he serves as Administrator.

Mr. President, I ask unanimous consent that a copy 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. 2703

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding the provisions of section 106 of title 49, United States Code, or any other provision of law, the President, acting by and with the advice and consent of the Senate, is authorized to appoint General Thomas C. Richards, United States Air Force, Retired, to the Office of Administrator of the Federal Aviation Administration. General Richards appointment to, acceptance of, and service in that Office shall in no way affect the status, rank, and grade which he shall hold as an officer on the retired list of the United States Air Force, or any emolument, perquisite, right, privilege, or benefit incident to or arising out of any such status, office, rank, or grade, except to the extent that subchapter IV of chapter 55 of title 5, United States Code, affects the amount of retired pay to which he is entitled by law during his service as Administrator. So long as he serves as Administrator, General Richards shall receive the compensation of that Office at the rate which would be applicable if he were not an officer on the retired list of the United States Air Force, shall retain the status, rank, and grade which he now holds as an officer on the retired list of the United States Air Force, shall retain all emoluments, perquisites, rights, privileges, and benefits incident to or arising out of such status, office, rank, or grade, and shall in addition continue to receive the retired pay to which he is entitled by law, subject to the provisions of subchapter IV of chapter 55 of title 5, United States Code.

SEC. 2. In the performance of his duties as Administrator of the Federal Aviation Administration, General Richards shall be subject to no supervision, control, restriction, or prohibition (military or otherwise) other than would be operative with respect to him if he were not an officer on the retired list of the United States Air Force.

SEC. 3. Nothing in this Act shall be construed as approval by the Congress of any fu-

ture appointments of military persons to the Office of Administrator of the Federal Aviation Administration.

By Mr. BYRD (for himself, Mr. SIMON, Mr. BUMPERS, Mr. DIXON, Mr. BENTSEN, and Mr. SASSER):

S. 2704. A bill to prevent any foreign person from purchasing or otherwise acquiring the LTV Aerospace and Defense Co.; to the Committee on Banking, Housing and Urban Affairs.

PREVENTION OF ACQUISITION OF THE LTV AEROSPACE AND DEFENSE CO.

Mr. BYRD. Mr. President, I am introducing legislation today to help retard the hemorrhaging of America's critical industrial base and to stop a most unwise transfer of our advanced missile and associated technologies to Europe and most probably to a variety of Third Countries. There are no precedents for a sale of the magnitude that has been proposed in the case of the LTV Corp., and this is one time that we ought to firmly say no go.

On April 10, Federal Bankruptcy Court Judge Burton R. Lifland approved the sale of LTV Corp.'s missile division to Thomson-CSF, the American subsidiary of Thomson-S.A., a French firm that is 58 percent owned by the French Government. The deal also included the sale of LTV's aircraft division to the Carlyle Group, a Washington investment banking firm. Lockheed and Martin Marietta had joined to bid on the missile and aircraft divisions, but could not match Thomson/Carlyle's $450 million offer. I am sure that the judge acted in what he saw as the best interest of LTV's creditors and shareholders by accepting the higher bid. However, the administration and the Congress now must examine this sale in the larger context of U.S. national security and we must act in the best interest of the Nation.

Before the sale to Thomson can be finalized, the deal will first be reviewed by the Committee on Foreign Investment in the United States, CFIUS. The CFIUS is an interagency committee chaired by the Treasury Department, and its review process implements the Exon-Florio amendment to the Defense Production Act. The Exon-Florio amendment provides the President with the authority to prohibit the acquisition of a U.S. business by a foreign investor if the President believes such an acquisition will impair national security. Although Exon-Florio gives the President broad latitude to determine what constitutes a threat to national security, to date the administration has chosen to make little use of that authority. In nearly 4 years, CFIUS has extensively reviewed just 13 of 700 foreign acquisitions, and only one was blocked by the President.

I hope that the CFIUS review of this sale gives serious consideration to the effect that such a transaction will have on the U.S. industrial base during this period of diminished defense expenditures. But given the history of the CFIUS process, I am not encouraged and I am not prepared to wait idly while the deal is consummated and the French Government nationalizes our defense industry.

This deal, if approved, would set a dangerous precedent by allowing foreign governments, not just foreign firms but foreign governments, to compete with U.S. investors trying to buy ailing U.S. defense firms as that industry shrinks and consolidates. How can we expect any company or group of companies to marshal the resources necessary to outbid the French Government? Of equal concern is the ability of Thomson to tap into the French treasury to subsidize LTV in order to gain United States market share at the expense of United States producers. U.S. companies already face a difficult road in competing against subsidized European agricultural products and commercial aircraft. I cannot imagine why we would willingly subject our defense sector to this same unfair competition.

The proponents of this deal have pointed out that Thomson fully intends to maintain LTV's production facilities here in the United States, so no jobs will be lost, they say.

What they fail to mention is the strong possibility that Thomson could eventually and subtly shift LTV subcontract work from United States suppliers to French suppliers, resulting in jobs lost in the United States and the further erosion of our second and third tier subcontractor base.

So far, I have only mentioned the possible economic consequences of this sale. The more obvious problems concern the security of sensitive military technology. The CFIUS and we here in the Congress must consider the possibility that the French could gain access to sensitive technology and export it worldwide, possibly to countries hostile to the United States. According to an April 30, 1992, article in the Washington Post, Thomson has a recent history of selling military equipment to such countries as Libya and Iraq. Apparently, these transactions were perfectly legal under French law, but they highlight the kind of problem we would face if this deal goes through.

Of course, we also face the possibility that the United States and France might someday find themselves on opposite sides of an international crisis and we would then not have full control over one of our major domestic defense contractors. I am in no way suggesting that the French are not loyal allies, but it was only 6 years ago, in 1986, when the United States conducted a bombing raid on Libya and United States aircraft were forced to fly hundreds of miles out of their way because France refused to grant them overflight of its territory. We do have disputes with our friends, and I do not think it would be wise to give any country veto power over an important sector of our defense industry.

A final point to consider is that most of our allies, including the French, would never allow the reverse situation to occur. They would not allow the sale of a French defense firm to an American company, much less one that was owned by the American Government. This is yet another case where our economic competitors are more than willing to take advantage of our open markets while they remain committed to protecting their own critical industries.

As we consider this deal, we should ask ourselves two questions. First, will this sale adversely impact the U.S. industrial base? Second, is there a significant risk of loss of U.S. Government control over sensitive weapons technologies? I would answer both questions in the affirmative. Consequently, today I am introducing a bill that would stop this deal before it goes any further. There is no need to sell off our defense industry to foreign governments when willing and legitimate buyers exist here at home. I hope that the CFIUS process and the President come to the same conclusion, but if they do not, then I will work for the adoption of this legislation.

Mr. President, I ask unanimous consent that Senators may have until the close of business today to add their names as cosponsors of this legislation. I send the bill to the desk for its appropriate referral.

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

By Mr. SEYMOUR:

S. 2705. A bill to establish the National Technology Agency; to the Committee on Governmental Affairs.

S. 2706. A bill to amend the Internal Revenue Code of 1986 to provide tax incentives to encourage the conversion of the defense industry to commercial endeavors, and for other purposes; to the Committee on Finance.

COMPREHENSIVE PLAN FOR EMERGING TECHNOLOGY EMPOWERMENT

Mr. SEYMOUR. Mr. President, I rise this morning to introduce two bills critical to a strategy that I announced during the Easter recess in California. This strategy—called the comprehensive plan for emerging technology empowerment, or COMPETE—is designed to foster a series of market incentives to aid the transition of our economy from a Cold War to a post-cold war posture.

The first bill is the National Technology Agency Act of 1992 that combines three different technology research divisions of the Federal Government into one new agency with a director who reports to the President. Under this bill, these divisions—the National Institute of Science and Technology from the Department of Commerce,

portions of the Defense Advanced Research Projects Agency, and the Office of Science and Technology Policy in the White House Office—would combine their existing budgets and staff into one unit. Their principle mission would center on the development of a coordinated research, development, and grant strategy to help defense companies devastated by budget cuts to enter new environmental and commercial product markets.

Our Federal research and development policy lacks focus and clear policy direction. The fragmentation of responsibility among three different agencies also leads to squabbling about authority instead of planning about economic development.

The National Technology Agency [NTA] Act would at least start to solve some of these problems by creating a consolidated Government organization with specific responsibilities and carefully defined powers. My bill permits the NTA to establish partnerships with different levels of Government, corporations, research laboratories, universities, and nonprofit firms that present feasible action plans to help America's highly specialized defense industries to become competitive in the economic markets of the future.

Toward this end, the legislation specifically authorizes the agency to expand the integration of military and commercial research efforts as well as actively participate in the fostering of improved manufacturing and environmental cleanup technologies.

Finally, the NTA could extend loan guarantees and cash grants to fulfill any of these mandates.

Why, Mr. President, do we need this legislation? The prospect of a long and deep economic transformation throughout America now confronts us in our new world. Indeed, the hard but overlooked fact is that the cold war with the Soviet Union—one that we neither wanted nor caused—sustained a critical part of our domestic economy.

During the years following World War II, national defense spending accounted for more than half of the Federal budget at its height and almost 25 percent of it by President Reagan's second term.

Over the same period of time, military outlays also consumed between 6 and 12 percent of our entire gross national product.

These big numbers translated into real prosperity for communities all over America. Until recently, the Defense Department kept 2 million men and women under arms and awarded billions of dollars in contract to industry each year. The total number of military-related American jobs in the second half of this century never went below 5 million and approached 10 million during the peak year of 1953.

But today, the numbers tell a different story. The fiscal year 1993 Defense budget that the President submitted to Congress represents the smallest percentage of Federal expenditures since the United States entered World War II.

Even without the help of Congress, the Bush administration has ended more than 100 separate weapons systems and has made plans to cut an additional 600,000 personnel from the Armed Forces and at least $50 billion from Defense Department accounts by 1995.

For my State of California, this trend has started to produce grim results. California has lost more than 60,000 aerospace and Defense industry jobs since 1986. A study recently finished by the Los Angeles County Economic Development Corp. warns that 210,000 more jobs could be lost in the southern part of the State alone over the next few years. Defense product expenditures in the Los Angeles area also fell from $6 billion in 1987 to $3.3 billion now.

We can understand that for every $8 lost in defense revenue, the State's revenue base will lose at least three times more than this amount.

The twin contractions of the Defense Department budget and the industrial network supporting it means that before the year 2000, well over 1 million jobs will disappear from the U.S. economy because no one foresees the national security need to rebuild our forces to the levels at which they existed before the demise of the Soviet Union.

These dislocations, with their profound effect on the ability of America to prosper in the post-Soviet world, require a constructive and coherent response from the Federal Government.

While we cannot engineer a new industrial policy controlled exclusively by Washington, Congress should devote some government resources to assist both the citizens in uniform and those from the defense industry who face the loss of their jobs because of the budget decisions imposed from Washington.

Furthermore, I agree with those who say that private sector-driven changes in management, production, and marketing techniques will ultimately determine the economic future of most defense companies. But a prudent investment in effective job retraining, promising high technologies, and sound environmental management efforts will permit our labor force to sustain the vitality of the American economic system.

Why does the Federal Government have a responsibility to make this investment? The answer revolves around the central role that defense-related high technologies can play in forging the future of our economy and our environment.

Last year, the President's Council on Competitiveness revealed that 75 percent of the technologies originally developed by the Nation's defense and aerospace sector remained vital to the trade competitiveness of the United States.

And during even these difficult times of market erosion, the aerospace industry accounts for 10 percent of all American sales to overseas customers—making it the country's No. 1 exporter.

We are not talking about short-term subsidies to cashiered colonels or displaced riveters.

Rather, we need a fresh and consistent policy to support these most promising forces of prosperity—the managers, researchers, workers, and exporters who during this time of victory over communism, made the greatest contribution to the restoration of America's national defense since Stalin's army drove into Berlin.

In addition, we cannot forget that limited Federal contributions to competitive high technology and environmental management initiatives will prevent the need for the noncompetitive expansion of welfare and toxic cleanup programs. Let us be aware that the total collapse of an industry so large and complex as defense will severely constrain our income tax base as well as the retail, housing, and construction trades.

And let us also be aware that the defense and aerospace sector has lifted some of America's most vulnerable and impoverished communities out of their despair. California's aerospace industry, for example, makes almost 30 percent of its supplier purchases from small and disadvantaged businesses and has a minority employment level of one-third.

For the sake of our export sectors, as well as the productivity of millions of Americans, a new Federal policy to aid the high technology transition of our economy today will avert the need for subsidies, clean-ups, and bailouts tomorrow. We face a choice: investments to improve our Nation's economy now or payments to manage our misery later.

We have both the knowledge and the ability to re-direct a number of flexible military technologies. Several universities and private companies in California, for example, have already begun work on using the expertise concentrated in the aerospace sector to improve our environment. California is the Nation's leading State in pioneering fuel cells, low-emission energy sources, and electric vehicles. We can also apply our understanding of how to safely destroy chemical and nuclear weapons to new methods for the equally safe disposal of commercial waste.

Furthermore, a private sector coalition from the Silicon Valley has launched a campaign to improve the marketing potential of the U.S. global positioning system. First developed by the Defense Department, GPS is a satellite navigation system that can track

and transmit information to farmers, fishermen, weathermen, and traffic planners. All of these programs, Mr. President, show that Americans have the know-how; we just need to enlarge and produce it.

A new National Technology Agency would devote itself fulltime to these critical goals. I therefore urge all of my colleagues to support this needed bill as the American economy struggles its way into the post-cold war era.

Finally, complimenting the COMPETE initiative is a package of tax breaks which will reward defense companies that convert their production lines to high-technology purposes. The incentives include an investment tax credit for the purchase of equipment or property which will allow conversion of defense technology to commercial application, incentives for the hiring of displaced workers and capital gains reductions for the creation of new small businesses.

By Mr. RIEGLE (for himself, Mr. GARN, Mr. DODD, Mr. KERRY, Mr. SHELBY, Mr. SMITH, Mr. STEVENS, and Mr. MOYNIHAN):

S. 2707. A bill to authorize the minting and issuance of coins in commemoration of the Year of the Vietnam Veteran and the 10th anniversary of the dedication of the Vietnam Veterans Memorial, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

VIETNAM VETERANS COMMEMORATIVE COIN ACT

• Mr. RIEGLE. Mr. President, 1992, marks an important anniversary. America dedicated the Vietnam Veterans Memorial in Washington, DC, 10 years ago. The austere memorial wall honors the more than 58,000 Vietnam veterans who made the ultimate sacrifice for their country. Today, along with Senator GARN, the ranking member on the Senate Banking Committee, and Senators DODD, KERRY, SHELBY, SMITH, STEVENS, and MOYNIHAN, I am introducing legislation to authorize the minting and issuance of coins to commemorate the 10th anniversary of the dedication of the Vietnam Veterans Memorial.

More than 8 million Americans served in the United States Armed Forces during the conflict in Vietnam. Recovery from this divisive, distant war has been very difficult. Indeed, the Vietnam Veterans Memorial has been the focal point for the healing process for many Americans. It is, therefore, appropriate that we take this opportunity, one decade after the dedication of the Vietnam Veterans Memorial, to commemorate the service and commitment of Vietnam veterans.

By introducing the Vietnam Veterans Commemorative Coin Act, it is my intention to offer the Nation an opportunity to pay special tribute to veterans of the war in Indochina. The bill, however, will not only honor those whose names are enshrined on the Vietnam Veterans Memorial but will help to heal the wounds of those who survived the war.

In particular, this legislation creates a process to help veterans who are in need of assistance, at no cost to the U.S. Government. Profits from sale of the coins will be paid by the Secretary of the Treasury into the Vietnam veterans assistance fund. Proceeds from the sale of coins will be used to improve the health and well-being of Vietnam veterans. These programs will include assistance to veterans suffering from posttraumatic stress disorder and aid to homeless veterans. The Vietnam veterans assistance fund will also provide grants to continue research into the affects of agent orange and will be used to finance employment counseling and assistance to all veterans who served during a period of war. Finally, the Vietnam veterans assistance fund will be used to continue the process of honoring and recognizing the accomplishments and sacrifice of veterans of the Vietnam war and their families.

Mr. President, the 10th anniversary of the dedication of the Vietnam Veterans Memorial is an appropriate time to pay tribute to those veterans who did not return from Southeast Asia. At the same time, 1992 is a fitting time for America to recommit itself to acknowledging Vietnam veterans and assisting those in need. The Vietnam Veterans Commemorative Coin Act will accomplish both of these important goals. I urge my colleagues to support this measure.

Mr. President, I ask unanimous consent that the full text of the bill be printed in the RECORD, at this point.

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

S. 2707

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 "Vietnam Veterans Commemorative Coin Act".

SEC. 2. CONGRESSIONAL FINDINGS.

The Congress finds that—

(1) in 1992, the people of the United States will observe the "Year of the Vietnam Veteran" and the 10th anniversary of the dedication of the Vietnam Veterans Memorial; and

(2) the minting and issuance of $1 silver coins commemorating the accomplishments of veterans who served during the Vietnam War is an appropriate method by which to observe those events.

SEC. 3. AUTHORIZATION.

(a) ISSUANCE.—The Secretary of the Treasury (hereafter referred to as the "Secretary") shall issue not more than 1,000,000 one dollar coins each of which shall—

(1) weigh 26.73 grams;

(2) have a diameter of 1.500 inches; and

(3) contain 90 percent silver and 10 percent copper.

(b) DESIGN.—The design of the coins issued under subsection (a) shall be emblematic of the heroic service of veterans who served during the Vietnam War. On each coin there shall be a designation of the value of the coin, an inscription of the year "1992", and inscriptions of the words "Liberty", "In God We Trust", "United States of America", and "E Pluribus Unum".

(c) NUMISMATIC ITEMS.—For purposes of section 5132(a)(1) of title 31, United States Code, the coins issued under subsection (a) shall be considered to be numismatic items.

(d) LEGAL TENDER.—The coins issued under subsection (a) shall be legal tender as provided in section 5103 of title 31, United States Code.

SEC. 4. SOURCES OF BULLION.

The Secretary shall obtain silver for the coins authorized under section 3 from stockpiles established under the Strategic and Critical Minerals Stock Piling Act (50 U.S.C. 98 et seq.).

SEC. 5. SELECTION OF DESIGN.

The design for each coin authorized under section 3 shall be selected by the Secretary after consultation with the Chairperson of the Vietnam Veterans of America Advisory Board and the Commission of Fine Arts.

SEC. 6. SALE OF COINS.

(a) IN GENERAL.—Notwithstanding any other provision of law, the coins authorized under section 3 shall be sold by the Secretary at a price equal to the face value, plus the cost of designing and issuing such coins (including labor, materials, dies, use of machinery, and overhead expenses), and the surcharge provided for in subsection (d).

(b) BULK SALES.—The Secretary shall make bulk sales of the coins authorized under section 3 at a reasonable discount.

(c) PREPAID ORDERS.—The Secretary shall accept prepaid orders for the coins authorized under section 3 prior to the issuance of such coins. Sales under this subsection shall be at a reasonable discount to reflect the benefit of prepayment.

(d) SURCHARGES.—All sales of the coins authorized under section 3 shall include a surcharge of $7 per coin.

SEC. 7. ISSUANCE OF COINS.

(a) IN GENERAL.—The coins authorized under section 3 may be issued in uncirculated and proof qualities, except that not more than 1 facility of the United States Mint may be used to strike any particular quality.

(b) COMMENCEMENT OF ISSUANCE.—The Secretary may issue the coins authorized under section 3 beginning on January 1, 1992.

(c) PERIOD OF AUTHORITY.—Coins authorized under section 3 may be minted beginning 30 days after the date of enactment of this Act and for a period of not more than 1 year thereafter.

SEC. 8. GENERAL WAIVER OF PROCUREMENT REGULATIONS.

(a) IN GENERAL.—Except as provided in subsection (b), no provision of law governing procurement or public contracts shall be applicable to the procurement of goods or services required to carry out this Act.

(b) EQUAL EMPLOYMENT OPPORTUNITY.—Subsection (a) shall not relieve any person entering into a contract under the authority of this Act from complying with any law relating to equal employment opportunity.

SEC. 9. DISTRIBUTION OF SURCHARGES.

Subject to section 10, all surcharges received by the Secretary pursuant to section 6(d) shall be promptly paid by the Secretary to the Vietnam Veterans Assistance Fund for the purposes of—

(1) honoring and recognizing the accomplishments of veterans of the Vietnam War;

(2) educating the people of the United States regarding the accomplishments and

sacrifices of such veterans and their families;

(3) establishing programs for the purpose of improving the health and well-being of such veterans and their families, including programs to provide assistance to veterans suffering from post traumatic stress disorder and to veterans who are homeless;

(4) providing assistance to such veterans in qualifying for benefits under title 38, United States Code, and other benefits available under Federal law;

(5) providing grants to scientific and medical organizations to study the effects of and treatment for exposure to the chemical tetrachlorodibenzoparadioxin (commonly known as Agent Orange); and

(6) providing employment counseling and assistance to all veterans who served during a period of war.

SEC. 10. AUDITS.

(a) VIETNAM VETERANS ASSISTANCE FUND.—As a condition for receiving the proceeds of the surcharges pursuant to section 9, the Vietnam Veterans Assistance Fund shall allow the Comptroller General to examine such books, records, documents, and other data as may be related to the expenditure of such proceeds.

(b) GRANTS.—Any entity that receives a grant pursuant to section 9(5) shall allow the Comptroller General to examine such books, records, documents, and other data as may be related to the expenditure of any portion of such grant.

SEC. 11. COINAGE PROFIT FUND.

Notwithstanding any other provision of law—

(1) all amounts received from the sale of coins authorized under section 3 shall be deposited in the coinage profit fund;

(2) the Secretary shall pay the amounts authorized by section 9 from the coinage profit fund to the Vietnam Veterans Assistance Fund; and

(3) the Secretary shall charge the coinage profit fund with all expenditures under this Act.

SEC. 12. FINANCIAL ASSURANCES.

(a) NO NET COST TO THE GOVERNMENT.—The Secretary shall take all actions necessary to ensure that the issuance of the coins authorized under section 3 shall result in no net cost to the Federal Government.

(b) PAYMENT FOR COINS.—No coins authorized under section 3 shall be issued unless the Secretary has received—

(1) full payment therefore;

(2) security satisfactory to the Secretary to indemnify the United States for full payment; or

(3) a guarantee of full payment satisfactory to the Secretary from a depository institution the deposits of which are insured by the Federal Deposit Insurance Corporation, the National Credit Union Administration Board, or the Resolution Trust Corporation.•

By Mr. HATCH (by request):

S. 2708. A bill to improve enforcement of the Employee Retirement Income Security Act of 1974, by adding certain provisions with respect to the auditing of employee benefit plans; to the Committee on Labor and Human Resources.

IMPROVED ENFORCEMENT OF EMPLOYEE RETIREMENT INCOME SECURITY ACT

• Mr. HATCH. Mr. President, today I am introducing a bill on behalf of the administration to improve the auditing standards for employee benefit plans. The Secretary of Labor has written a letter outlining the effects of this bill and I ask unanimous consent that it be included in the RECORD. The text of the bill is accompanied by a section-by-section analysis and I ask that it also appear in the RECORD.

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

S. 2708

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. REPEAL OF LIMITED SCOPE AUDIT.

(a) IN GENERAL.—Section 103(a)(3)(C) of the Employee Retirement Income Security Act of 1974, as amended, is amended by adding at the end thereof the following sentence: "This subparagraph shall not apply to opinions required by subparagraph (A) for plan years beginning on or after January 1, 1992."

(b) EFFECTIVE DATE.—This section shall be effective upon enactment.

SEC. 2. PEER REVIEW REQUIREMENT FOR INDEPENDENT QUALIFIED PUBLIC ACCOUNTANTS.

(a) IN GENERAL.—Section 103(a)(3)(D) of the Employee Retirement Income Security Act of 1974, as amended, is amended by adding at the end thereof the following:

"Notwithstanding clauses (i), (ii) and (iii), after December 31, 1994, a person shall not be considered a 'qualified public accountant' unless such person has undergone a peer review of the person's accounting and auditing practice with respect to employee benefit plans to believe that a violation of certain criminal laws may have occurred with respect to the plan shall report to the plan administrator and the Secretary.

(3) The Secretary shall issue regulations setting forth the criminal laws to which this subsection applies and the content, manner and time periods for such reporting.

(b)(1) The administrator of an employee benefit plan subject to this part shall—

(A) notify the Secretary in writing of the termination of an engagement for auditing services under section 103(a)(3)(A) within 7 days of such termination, giving the reasons for such termination, and

(B) furnish the accountant whose engagement was terminated with a copy of the report to the Secretary within fourteen days of the termination.

(2) If the accountant referred to in paragraph (1)(B) has not received a copy of the administrator's report to the Secretary as required under paragraph (1)(B), or if the accountant disagrees with the reasons given in the report for termination of the engagement, the accountant shall notify the Secretary in writing of the termination, giving the reasons for the termination, within 3 days after the expiration of the period described in paragraph (1)(B)."

(b) Section 502 of the Employee Retirement Income Security Act of 1974, as amended, is amended:

(1) by inserting at the end of subsection (c) the following new paragraph:

"(4) The Secretary may assess a civil penalty of up to $100,000 against any administrator or accountant who fails to provide the Secretary with any notification required under section 111."; and

(2) by deleting in subsection (a)(6) "subsection (c)(2) or (i) or (1)" and inserting in lieu thereof "paragraph (2), (3) or (4) of subsection (c), or subsection (i) or (1) of this section".

(c) Section 514(d) of the Employee Retirement Income Security Act of 1974, as amended, is amended by deleting "111" and inserting in lieu thereof "112".

(d) EFFECTIVE DATE.—This section shall be effective upon enactment.

DEPARTMENT OF LABOR,
Washington, DC, May 12, 1992.

Hon. DAN QUAYLE,
President, U.S. Senate, Washington, DC.

DEAR MR. PRESIDENT: Enclosed for the consideration of the Congress is a draft bill relating to the Employee Retirement Income Security Act of 1974 (ERISA), as amended, and a section-by-section analysis. The bill would add certain provisions to ERISA with respect to the auditing of employee benefit plans. These changes would have the following effects:

Repeal the limited scope exemption for certain plan audits, encouraging employee benefit plans and financial institutions to utilize a "single audit" approach instead.

Require that Independent Public Accountants conducting required ERISA audits obtain a peer review every three years to remain qualified to perform such audits.

Require plan auditors and administrators, who have reason to believe that violations of certain criminal laws may have occurred with respect to the plan, to report certain information as designated by the Secretary of Labor in regulations, subject to a civil penalty of up to $100,000 and criminal penalties.

Require more timely notification to the Secretary of any termination of an accountant from an auditing engagement, subject to civil and criminal penalties outlined above.

I believe these changes would significantly enhance the ability of the Federal Government to protect the assets of employee benefit plans, as well as enhance the security of participants and beneficiaries. I urge the Congress to give the draft bill prompt and favorable consideration.

The Office of Management and Budget advises that there is no objection to the submission of this proposal from the standpoint of the President's program.

Sincerely,

LYNN MARTIN,
Secretary of Labor.

SECTION-BY-SECTION SUMMARY: PROPOSED LEGISLATION TO ADD CERTAIN PROVISIONS WITH RESPECT TO THE AUDITING OF EMPLOYEE BENEFIT PLANS

SECTION 1: REPEAL OF LIMITED SCOPE AUDIT

Current law

Section 103(a)(3)(A) of ERISA requires the administrator of each ERISA-covered plan to engage an independent public accountant to conduct an audit of the financial statements and of certain required schedules contained in the annual report to determine whether the financial statements are prepared and presented in accordance with Generally Accepted Accounting Principles (GAAP). Section 103(a)(3)(C) contains the so-called "limited scope exemption" which allows the exclusion of assets which are held by regulated financial institutions (e.g., banks, insurance companies or similar entities) from the scope of the required financial audit.

Description of provision

Section 1 amends ERISA section 103(a)(3)(C) by adding a sunset provision to effectively repeal the limited scope exemption for plan years beginning on or after January 1, 1992.

The provision, by eliminating the statutory scope limitation, would require inclu-

sion of plan assets which are held by regulated financial institutions within the accountant's audit of the plan. This requirement does not necessarily require that the plan's accountant duplicate the work of the independent accountant who audits the financial institution's books and records. The committee expects that, generally, the plan's accountant will encourage the use of the preferable "single audit approach". Under this approach, affected banks and other institutions would instruct their independent auditors to prepare a special report that, in essence, would speak to the reliability of information generated by the bank and other institutions with respect to their actions with respect to plan assets. This would fulfill the purposes of the audit requirement without imposing the additional cost of independently reviewing the financial institution's records.

SECTION 2: PEER REVIEW REQUIREMENT FOR INDEPENDENT QUALIFIED PUBLIC ACCOUNTANTS

Current law

There is no peer review requirement for independent qualified public accountants under current law.

ERISA requires that certain plans obtain audits of the financial statements included in their annual reports. This audit is required to be conducted by a "qualified public accountant" as defined by section 103(a)(3)(D). The definition incorporates public accountants certified or licensed by a regulatory authority of a State or certified by the Secretary of Labor. The definition contained in the statute qualifies accountants solely on the basis of licensing or certification. Accountants in many states need not participate in continuing education programs to assure the quality of their work remains sufficient to be licensed or that they are qualified to conduct employee benefit plan audits.

Description of provision

Section 2 amends ERISA section 103(a)(3)(D) to include in the definition of an independent qualified public accountant a requirement to have participated in a peer review of the accountant's accounting and auditing practice with respect to employee benefit plans within the three-year period prior to engagement to conduct an audit. The requirement is effective January 1, 1995, creating a three-year transition period which provides an opportunity for the completion of initial peer reviews, to be conducted by recognized auditing standard-setting bodies.

SECTION 3: REQUIREMENTS WITH RESPECT TO THE REPORTING OF CERTAIN EVENTS

Current law

Under current law, there is no specific duty for an administrator of an employee benefit plan, or an accountant who conducts a plan audit, to report certain information, such as information indicating that a crime involving a plan may have occurred. If a crime also constitutes a prohibited transaction which is not exempt under ERISA, it must be disclosed on the plan's annual report to the Secretary. Termination of an accountant from an auditing engagement is reportable when the plan's annual report is filed with the Secretary.

Description of provision

Reporting of certain information.—Section 3 amends ERISA by adding a new section 111, which would require the administrator of an employee benefit plan to report to the Secretary of Labor whenever the administrator has reason to believe that a violation of certain criminal laws may have occurred with respect to the plan. The administrator would also be required to furnish a copy of such report to the accountant engaged to audit the plan's financial statements. Similarly, the accountant would be required to report to the Secretary and to the plan administrator when, in connection with an auditing engagement, the accountant has reason to believe that a violation of certain criminal laws may have occurred with respect to the plan. The section would direct the Secretary to issue regulations determining the criminal laws to which these reporting requirements apply, as well as the content, manner and time periods for such reporting.

Section 3 also amends ERISA section 502 to provide a civil penalty of up to $100,000 against any plan administrator or accountant who violates any requirement to report information related to criminal violations. Noncompliance with the new reporting requirements could also subject plan administrators and accountants to criminal penalties under section 501 of ERISA. Because a willful violation of the provisions may result in criminal prosecution, it is expected that the Secretary of Labor will consult with the Department of Justice in drafting the regulations.

Reporting of Auditor Termination.—Section 3 amends ERISA to require an administrator of an employee benefit plan to notify the Secretary of any termination of an accountant from an auditing engagement within seven days, stating the reason for such termination. The administrator would be required to furnish the accountant with a copy of the report to the Secretary within fourteen days. An accountant who does not receive a timely copy of the administrator's report to the Secretary or who disagrees with the stated reason for the termination, would be required to file a report with the Secretary within three days, subject to the civil and criminal penalties outlined above.•

By Mr. DOMENICI:

S. 2709. A bill to suspend temporarily the duty on rifabutin (dosage form); to the Committee on Finance.

TEMPORARY SUSPENSION OF DUTY ON RIFABUTIN

Mr. DOMENICI. Mr. President, I am pleased to introduce legislation that will provide a temporary duty suspension for Rifabutin in dosage form.

Rifabutin is a product used in the treatment of AIDS patients to prevent or delay the onset of the life-threatening infection mycobacterium avium complex [MAC]. MAC is believed to be a major cause of the wasting syndrome suffered by AIDS patients. Individuals with the MAC infection experience chronic, debilitating symptoms affecting many parts of the body. Fever, weight loss, fatigue and gastrointestinal problems are common and, frequently, fatal.

While Rifabutin awaits FDA approval of a pending new drug application, AIDS patients will have access to it through a recently approved FDA designation as an investigational new drug [IND] during this pre-approval period.

Rifabutin is produced by a single Italian company worldwide. Once imported into the United States, the product will be bottled, packaged and distributed by Adria Laboratories, a major US manufacturer of oncological and immunological products. Actual work will be accomplished in Adria's New Mexico facility, Adria S.P. Inc. located in Albuquerque.

Under current law, Rifabutin would be subject to a 3.7 percent duty rate. My bill will facilitate the distribution of this potentially important AIDS treatment in the United States and help to hold down its costs by granting a temporary duty suspension.

I hope that the Senate will consider this measure on an expeditious basis.

I ask unanimous consent that a copy of this bill be printed in the RECORD.

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

S. 2709

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. RIFABUTIN (DOSAGE FORM).

(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 heading:

"9902.31.12 (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".

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to articles entered, or withdrawn from warehouse for consumption, on or after the 15th day after the date of the enactment of this Act.

By Mr. MCCAIN (for himself and Mr. THURMOND):

S. 2710. A bill to provide for improvement of the health care system under chapter 55 of title 10, United States Code, for members and former members of the uniformed services and their dependents and survivors; to the Committee on Armed Services.

MILITARY HEALTH CARE REFORM ACT

• Mr. MCCAIN. Mr. President, I rise today to introduce legislation critical to meeting the health needs of active duty personnel, dependents, retirees and survivors during a time when we are changing the base and force structure of our Nation's military.

With the modifications being planned and already underway for our Nation's military force and base structure, there has been a great deal of focus on the economic and strategic implications. One area, however, that has not received much attention is the impact these changes are going to have on the ability of active duty personnel, dependents and retirees, to gain access to the health care services they need. The legislation I am introducing today, the Military Health Reform Act of 1992, is designed to address these issues.

Certainly, it is critical that Congress focus on the medical readiness issues, but we cannot ignore the health care coverage needs for active duty person-

nel, dependents, retirees and survivors. And, it is these issues that become perhaps most critical with the changes that are taking place in the force and base structure of our Nation's military.

I believe the future is going to test the very fabric of our Nation's military medical system, particularly with the changing makeup of our Nation's military base structure.

Over the past few months, I have been meeting with many military family members, veterans and military retirees in Arizona and I am constantly impressed with the concern they have for maintaining a strong national defense in the post-cold-war era. At the same time, in every meeting, I have encountered men and women who have problems with every aspect of the military medical care system—with long waiting periods, with paperwork, with access to the right kind of care, with access to needed pharmaceutical drugs, and with the uncertainties surrounding the system in an era of force reductions and base closings, I have heard these concerns expressed in Phoenix, in Tucson, in Yuma, in Sierra Vista, and in every meeting I have had.

People like Tony Valenzuela, the Arizona State Commander of the American Legion, come to mind. He recently expressed his grave concern to me regarding those retirees and dependents who live around Williams Air Force Base and will not be able to use the military treatment facility at the Williams Air Force Base because it will close, with the base, as early as June 1, 1993.

Another fine American, Colonel Charlie Fisher of the Sun City Chapter of the Retired Officers Association, has brought to my attention that well over half of the retirees at Sun City, AZ, are already over 65 years of age. His concerns and mine are that retirees already fall at the end of a long priority list for medical care at military treatment facilities, which is already overtaxed and in most cases understaffed. This problem, especially in Arizona, is exacerbated when, during the beautiful fall and winter months, a large influx of retirees who come to Arizona further stress a system that is already overtaxed. Currently, no other option exists to handle this type of situation. I know that my distinguished colleagues have heard the same concerns in their States as well.

There is a great deal of concern among military retirees in the East Valley of Arizona about the closure of Williams Air Force Base and the loss of the hospital currently located on the base. I know I do not have to tell my distinguished colleagues in this body of the impact this will have on both the quantity and quality of health care available to that population, especially those who retired some time ago and those of lower rank. Medical costs, even with CHAMPUS or other programs, would be prohibitive to many. Additionally, for those over 65 years of age, their only alternative is Medicare.

Another issue that constantly surfaces as I talk with military families, veterans, and retirees is timely and nearby access to care. This is particularly highlighted around a closing base like Williams Air Force Base, and from groups like the East Valley Military Retiree Association. Even though there is an excellent working example of managed care in the area, called Medexcel, this is little solace to the family that will not have immediate access to a military treatment facility, or the 65 year old retiree who must now enroll in Medicare with no option for medical treatment in a military treatment facility. This legislative proposal, which I am introducing today, addresses these issues.

In addition, an issue I have heard expressed at every meeting in my State is a concern about continued access to pharmaceuticals. Most career service members have become accustomed to receiving as an earned benefit the use of the pharmacy at military treatment facilities. When that privilege goes away because of either a base closure such as Williams or when a retiree turns 65 years of age and then is required to enroll in Medicare, then he or she has no other alternative. This legislation bridges this problem with an alternative proposal of a mail order pharmacy targeted especially at this group.

Mr. President, grappling with these issues presents great challenges and I believe demands our immediate attention. It is imperative that as our force and base structure changes we stay fixated on not only the rising cost of health care, but take steps to retain the health care coverage so critical to our Nation's active duty personnel, their dependents, retirees and survivors. While the world situation necessitates a modified force and base structure strategy, it should not carry with it an abandonment of the responsibility we have to assist those who have served our country to obtain access to the health care services they need.

I would like to take a minute to describe the major features of this legislation, the Military Health Reform Act of 1992.

First, it would require the Department of Defense to solicit input from the active dependents, retirees and their survivors who will be affected by the closure of a base that houses the military treatment facility at which they receive their health care. In addition, it would require the current joint services working group that is looking at the issue of health care in noncatchment areas to include a representative of the military dependent and retiree organizations.

Second, it would require that a mail-order pharmacy service be established for members of the military community—active duty members and their dependents, retirees, and survivors. There would be a 20 percent beneficiary copayment, and the beneficiary would be responsible for the cost of the mailing and cutomary processing fee. Those over the age of 65 who are losing access to their local military treatment facility would be eligible for participation.

Third, it would require the Department of Defense to conduct an annual formal satisfaction survey of those utilizing the military medical system.

Fourth, it would lower the existing catastrophic cap for retirees and their dependents from $10,000 to $7500.

Fifth, it would eliminate the benefits-less-benefits approach to providing the disabled with continued CHAMPUS protection, thus restoring the provision to the original intent of the Senate. In addition, it will prohibit the Department from arbitrarily redefining an individual's eligibility for benefits, after they have received benefits and then forcing the beneficiary and his or her dependents to reimburse the Department for the value of the benefits that had been provided. I find it unconscionable that the Department is driving families to bankruptcy around this country as a result of its own mistake.

Sixth, it would create a demonstration project to have Medicare pay the Department of Defense for some procedures within a military treatment facility, and at 85 percent of what would be paid to a private sector provider for the same procedure.

Seventh, it would create a demonstration project to track the current Medicare managed care risk contract.

Eighth, it would add to last year's comprehensive health reform study, defined in the DOD authorization bill, a provision requiring that the Federal Employee Health Benefits Program be studied to determine whether designing a similar program for military dependents and retirees would be cost effective and provide for the health coverage needs of dependents and retirees, including those over age 65.

In addition, it would add a provision regarding the concept of a centralized, national claims processing operation for the Department of Defense.

Ninth, it would require the Department of Defense to make a number of modifications to the Coordinated Care Program. Principal among these changes is an elimination of the rule that would deny those who elect not to enroll in the Coordinated Care Program from using military treatment facilities, except for emergencies and pharmacy services. And, it would limit the areas where the Department could test this new program.

Tenth, it would extend the life of the current CHAMPUS reform initiative demonstration in California and Hawaii, and require that the contract be submitted to a competitive process.

And, last, it would require the Department to continue to test a broad array of military health reform options for the next 4 years. This should include, but not be limited to, the Department of Defense's CHAMPUS reform initiative, CHAMPUS, catchment area management and the Coordinated Care Program.

Mr. President, I believe we need to take care not to abandon the health care coverage needs of our nation's active duty, dependents, retirees and survivors, as we work to redefine the force and base structure for our Nation's military. The legislation I am introducing today, which has the endorsement of the military coalition, takes a serious step forward in addressing these needs. And, I am pleased to be joined in the introduction of this legislation by my distinguished colleague from South Carolina, Senator STROM THURMOND. I look forward to working with him and all of my colleagues on and off the committee to see to it that this legislation gets enacted this year.

I hope that all of our colleagues will study this legislation and join Senator THURMOND and I in cosponsoring this legislation.

I ask unanimous consent that letters from members of the military coalition regarding this legislation be printed in the RECORD.

I also ask unanimous consent that the full text of this legislation be printed in the RECORD following this statement.

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

S. 2710

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 "Military Health Care Reform Act of 1992".

SEC. 2. SENSE OF CONGRESS REGARDING HEALTH CARE POLICY FOR THE UNIFORMED SERVICES.

It is the sense of Congress that—

(1) members and former members of the uniformed services, and their dependents and survivors, should have access to health care under the health care delivery system of the uniformed services regardless of the age or health care status of the person seeking the health care;

(2) such health care delivery system should include a comprehensive managed care plan;

(3) the comprehensive managed care plan should involve medical personnel of the uniformed services (including reserve component personnel), civilian health care professionals of the executive agency of such uniformed services, medical treatment facilities of the uniformed services, contract health care personnel, and the medicare system;

(4) the Secretary of Defense, the Secretary of Health and Human Services, and the Secretary of Transportation should continue to provide active duty personnel of the uniformed services with free care in medical treatment facilities of the uniformed services and to provide the other personnel referred to in paragraph (1) with health care at minimal cost to the recipients of the care; and

(5) the Secretaries referred to in paragraph (4) should offer additional health care options to the personnel referred to in paragraph (1) including, in the case of persons eligible for medicare under title XVIII of the Social Security Act, options providing for—

(A) the reimbursement of the Department of Defense by the Secretary of Health and Human Services for health care services provided such personnel at medical treatment facilities of the Department of Defense; and

(B) the sharing of the payment of the costs of contract health care by the Department of Defense and the Department of Health and Human Services, with one such department being the primary payer of such costs and the other such department being the secondary payer of such costs.

SEC. 3. MILITARY HEALTH CARE FOR PERSONS RELIANT ON HEALTH CARE FACILITIES AT BASES BEING CLOSED AND REALIGNED.

(a) ESTABLISHMENT.—The Secretary of Defense shall establish a joint services working group on the provision of military health care to persons who rely for health care on health care facilities at military installations being closed or realigned.

(b) MEMBERSHIP.—The members of the working group shall include the Assistant Secretary of Defense for Health Affairs, the Surgeon General of the Army, the Surgeon General of the Navy, the Surgeon General of the Air Force, and one independent member appointed by the President from among private citizens whose interest in matters within the responsibility of the working group qualify that person to represent all personnel entitled to health care under chapter 55 of title 10, United States Code.

(c) DUTIES.—(1) In the case of each closure or realignment of a military installation that will adversely affect the accessibility of health care in a facility of the uniformed services for persons entitled to such health care under chapter 55 of title 10, United States Code, the working group shall solicit the views of such persons regarding suitable substitutes for the furnishing of health care to those persons under that chapter.

(2) In carrying out paragraph (1), the working group—

(A) shall conduct meetings with persons referred to in that paragraph, or representatives of such persons;

(B) may use reliable sampling techniques;

(C) shall visit the areas where closures and realignments of military installations will adversely affect the accessibility of health care in a facility of the uniformed services for persons referred to in paragraph (1) and shall conduct public meetings; and

(D) shall ensure that members of the uniformed services on active duty, members and former members of the uniformed services entitled to retired or retainer pay, and dependents and survivors of such members and retired personnel are afforded the opportunity to express views.

(d) RECOMMENDATIONS.—With respect to each closure and realignment of a military installation referred to in subsection (c), the working group shall submit to the Congress and the Secretary of Defense the working group's recommendations regarding the alternative means for continuing to provide accessible health care under chapter 55 of title 10, United States Code, to persons referred to in that subsection.

SEC. 4. MAIL ORDER PHARMACEUTICALS.

(a) ESTABLISHMENT OF MAIL-ORDER SYSTEM.—The administering Secretaries shall—

(1) provide in regulations a system for persons entitled to health care under chapter 55 of title 10, United States Code, to obtain prescription pharmaceuticals from mail-order suppliers in connection with care furnished under that chapter; and

(2) enter into one or more contracts for the supply of prescription pharmaceuticals under the mail-order system.

(b) PURCHASE ON A COPAYMENT BASIS.—(1) The administering Secretary concerned shall pay 80 percent of an eligible person's cost of pharmaceuticals referred to in paragraph (2) that are obtained by that person under the mail-order system, other than mailing costs and processing fees.

(2) The pharmaceuticals for which payment may be made under paragraph (1) are generic pharmaceuticals, except that payment may be made for—

(A) a name-brand pharmaceutical for which a generic substitute does not exist; and

(B) a pharmaceutical for which there is no medically acceptable generic substitute.

(c) ELIGIBLE PERSONS.—A person is eligible for the copayment purchase of pharmaceuticals pursuant to subsection (b) if the person is a person referred to in subsection (a) and—

(1) is under 65 years of age; or

(2) is 65 years of age or older and within 18 months before the closure of a health care facility of a uniformed service in connection with the closure or realignment of an installation of a uniformed service obtained prescription pharmaceuticals at that facility.

(d) DEFINITIONS.—In this section, the terms "uniformed services" and "administering Secretaries" have the meanings given those terms in section 1072 of title 10, United States Code.

SEC. 5. ANNUAL BENEFICIARY SURVEY.

The administering Secretaries referred to in section 1072 of title 10, United States Code, shall conduct annually a formal survey of persons receiving health care under chapter 55 of title 10, United States Code, in order to determine the level of satisfaction of such persons with the health care system provided for under that chapter.

SEC. 6. MAXIMUM ANNUAL AMOUNT FOR DEDUCTIBLES AND COPAYMENTS.

(a) REDUCED MAXIMUM ANNUAL AMOUNT.—Section 1086(b)(4) of title 10, United States Code, is amended by striking out "$10,000" and inserting in lieu thereof "$7,500".

(b) APPLICABILITY AFTER FISCAL YEAR 1992.—The amendment made by subsection (a) shall apply with respect to fiscal years beginning after September 30, 1992.

SEC. 7. CHAMPUS COVERAGE FOR DISABLED MEDICARE PARTICIPANTS.

(a) RESTORATION OF PRIOR LAW.—(1) Section 1086 of title 10, United States Code, is amended by striking out subsection (d) and inserting in lieu thereof the following:

"(d) The provisions of section 1097(j) of this title shall apply to a plan covered by this section.".

(2) Such section is further amended—

(A) in subsection (c)—

(i) by striking out "Except as provided in subsection (d), the following" and inserting in lieu thereof "The following"; and

(ii) by inserting below paragraph (3), flush to the left margin, the following:

"However, a person who is entitled to hospital insurance benefits under part A of title XVIII of the Social Security Act (42 U.S.C. 1395c et seq.) is not eligible for health benefits under this section."; and

(B) in subsection (g), by striking out "Section 1097(j) of this title shall apply to a plan

contracted for under this section, except that" and inserting in lieu thereof "Notwithstanding subsection (d) or any other provision of this chapter,".

(3) Section 1713(d) of title 38, United States Code, is amended by striking out "section 1086(d)(1)" and inserting in lieu thereof "the second sentence of section 1086(c)".

(b) APPLICATION OF AMENDMENTS.—Subsection (d) of section 1086 of title 10, United States Code, as amended by this section, shall apply with respect to health care benefits or services received by a person described in such subsection on or after October 1, 1992.

SEC. 8. COVERAGE FOR END-STAGE RENAL DISEASE.

(a) Section 1086 of title 10, United States Code, is amended by adding at the end the following new subsection:

"(i) In addition to the types of benefits authorized by section 1079 of this title to be provided under this section, health benefits shall be provided under this section for end-stage renal disease.".

SEC. 9. RECOUPMENT OF COSTS FOR CHAMPUS CARE FURNISHED PERSONS NOT ELIGIBLE FOR SUCH CARE.

Section 1086 of title 10, United States Code, as amended by section 7, is further amended by adding at the end the following new subsection:

"(j) The administering Secretaries may not recoup any cost of the health care furnished under this section to a person who was erroneously determined to be eligible to receive that care. The prohibition in the preceding sentence does not apply in the case of an error that was based on a misrepresentation of a material fact.".

SEC. 10. MEDICARE REIMBURSEMENT TO DEPARTMENT OF DEFENSE.

(a) DEMONSTRATION PROJECT REQUIRED.—The Secretary of Defense and the Secretary of Health and Human Services shall jointly conduct a demonstration project that provides for the Secretary of Health and Human Services to reimburse the Department of Defense for health care services furnished to medicare-eligible persons at a health care facility of the Department of Defense under chapter 55 of title 10, United States Code.

(b) REIMBURSEMENT AMOUNT.—The amount of the reimbursement paid under the demonstration project for any item or service provided at a health care facility of the Department of Defense may not exceed 85 percent of the amount of the reimbursement that would be paid to a provider of services for the applicable diagnosis-related group under title XVIII of the Social Security Act (42 U.S.C. 1395c et seq.).

(c) SOURCE OF REIMBURSEMENT PAYMENTS.—Payments under the demonstration project shall be made out of the Federal Hospital Insurance Trust Fund.

(d) PROJECT REQUIREMENTS.—(1) The demonstration project shall be conducted for a period of 4 years.

(2) At least 3, and not more than 7, health care facilities referred to in subsection (a) shall participate in the demonstration project.

(e) USE OF REIMBURSEMENTS.—The amounts paid to the Department of Defense under the demonstration project for health care services furnished at a health care facility of the department shall be available to the commander of that facility for the fiscal year in which the reimbursement is received and the following fiscal year. Such amounts shall be available for—

(1) furnishing health care services at that facility;

(2) expanding the amount and types of health care services furnished at that facility; and

(3) improving the efficiency of the use of space at that facility.

(f) REPORT.—(1) The Secretary of Defense and the Secretary of Health and Human Services shall provide by contract for a person outside the Federal Government to evaluate the results of the demonstration project.

(2) Not later than 1 year before the termination of the demonstration project, the person performing the evaluation required by paragraph (1) shall submit to Congress a report on the results of the project. The report shall contain—

(A) a discussion of the results of the projects;

(B) the person's conclusions regarding the advisability of providing for permanent implementation of a reimbursement procedure for health care services furnished at a health care facility of the Department of Defense similar to the procedure tested under the demonstration project; and

(C) any recommendations for legislation that the person considers appropriate.

(g) DEFINITION.—In this section:

(1) The term "medicare-eligible person" means a person who is eligible for benefits under part A of title XVIII of the Social Security Act (42 U.S.C. 1395c et seq.).

(2) The term "provider of services" has the meaning given that term in section 1079(j)(2) of title 10, United States Code.

SEC. 11. RISK-SHARING CONTRACT DEMONSTRATION PROJECT.

(a) DEMONSTRATION PROJECT REQUIRED.—The Secretary of Defense and the Secretary of Health and Human Services shall jointly conduct a demonstration project under which the Secretary of Defense enters into risk-sharing contracts with eligible organizations described in section 1876 of the Social Security Act (42 U.S.C. 1395mm) to furnish health care services to eligible persons.

(b) RISK-SHARING CONTRACTS.—To the maximum extent practicable (as determined by the Secretary of Defense), the provisions of section 1876 of the Social Security Act shall apply with respect to risk-sharing contracts under the demonstration project.

(c) CONTRACT PAYMENTS.—(1) Under contracts entered into under the demonstration project, the Secretary of Health and Human Services shall pay eligible organizations for health care services furnished to eligible persons under contracts entered into under the demonstration project. The amount paid for such services in the case of an eligible person may not exceed the per capita rate of payment that the Secretary pays for a relevant class of persons receiving health care services under a risk-sharing contract entered into under section 1876 of the Social Security Act.

(2) Payments under the demonstration project shall be made out of the Federal Hospital Insurance Trust Fund.

(d) OTHER PROJECT REQUIREMENTS.—(1) The demonstration project shall be conducted for a period of 5 years.

(2) The demonstration project shall be conducted in at least 2 areas where health care facilities of the uniformed services are being closed in connection with closures or realignments of military installations.

(e) REPORT.—(1) The Secretary of Defense and the Secretary of Health and Human Services shall provide by contract for a person outside the Federal Government to evaluate the results of the demonstration project.

(2) Not later than 1 year before the termination of the demonstration project, the person performing the evaluation required by paragraph (1) shall submit to Congress a report on the results of the project. The report shall contain—

(A) the person's conclusions regarding the effectiveness of using the medicare model of risk-sharing contracts for providing health care services to eligible persons; and

(B) any recommendations for legislation that the person considers appropriate.

(f) DEFINITION.—In this section, the term "eligible person" means a person who is entitled to health care in a facility of a uniformed service under section 1074(b) or 1076(b) of title 10, United States Code.

SEC. 12. COMPREHENSIVE STUDY OF THE MILITARY MEDICAL CARE SYSTEM.

Section 733 of the National Defense Authorization Act for Fiscal Years 1992 and 1993 (10 U.S.C. 1071 note) is amended—

(1) in subsection (b), by inserting after paragraph (2) the following new paragraphs:

"(3) A comprehensive review of the Federal employees health benefits program under chapter 89 of title 5, United States Code, in order to determine whether furnishing health care under a similar program to persons entitled to health care under chapter 55 of title 10, United States Code, would result in the effective provision of health care to such persons and would be cost effective.

"(4) A review of the system of the Department of Defense for processing claims relating to the furnishing of health care under chapter 55 of title 10, United States Code.";

(2) in subsection (d)—

(A) by redesignating paragraph (12) as paragraph (13); and

(B) by inserting after paragraph (11) the following new paragraph (12):

"(12) A discussion of the results of the review under subsection (b)(3) and the Secretary's recommendations of the basis of those results."; and

(3) in subsection (e)—

(A) by redesignating paragraph (5) as paragraph (6); and

(B) by inserting after paragraph (4) the following new paragraph (5):

"(5) A discussion of the results of the review under subsection (b)(4), a proposal for establishing a national system for the processing of claims referred to in such subsection, and a discussion of the administrative problems, if any, of establishing such a system, the estimated cost savings to be derived from the implementation of such a system, and the benefits expected to be derived under such a system by persons receiving such health care.".

SEC. 13. ALTERNATIVE HEALTH CARE DELIVERY METHODOLOGIES.

(a) CONTINUATION OF HEALTH CARE REFORM INITIATIVES.—(1) During fiscal years 1993 through 1996, the Secretary of Defense shall continue to test a broad array of reform options for furnishing health care to persons who are eligible to receive health care under chapter 55 of title 10, United States Code.

(2) The health care reform options tested in accordance with paragraph (1) shall include CHAMPUS alternatives, the CHAMPUS Reform Initiative, catchment area management, coordinated care, and such other options as the Secretary of Defense considers appropriate.

(3) During fiscal year 1994, the Secretary shall conduct a study of the health care reform options tested as described in paragraph (1). The study shall compare the cost effectiveness of such options and the extent to which the persons who received health

care under those options are satisfied with that health care. The Secretary shall report the results of the study to Congress.

(b) COORDINATED CARE MANAGEMENT INITIATIVE.—(1) The Secretary of Defense may not limit the eligibility of any member or former member of the Armed Forces, or any dependent or survivor of such personnel, to receive health care under chapter 55 of title 10, United States Code, on the basis of an election by such member or former member not to participate in the Coordinated Care Management Initiative of the Department of Defense.

(2) The Secretary may carry out the Coordinated Care Management Initiative at not more than 5 locations. All locations shall be in the United States. No State may be within the area of program coverage for more than 3 such locations. The area covered at a location may not include more than one State. No military installation may be within the area of program coverage for more than 3 such locations.

(3) The Secretary shall allocate to the Coordinated Care Management Initiative a sufficient amount of the appropriations made available to the Department of Defense for the furnishing of health care under chapter 55 of title 10, United States Code, to ensure meaningful results from the initiative.

(4) The goals established for the Coordinated Care Management Initiative shall include the following:

(A) A reduction in the administrative paperwork associated with the furnishing of health care.

(B) A reduction in the average period that dependents must wait for health care.

(5) Any study of the effectiveness of the Coordinated Care Management Initiative shall include an evaluation of the extent to which the initiative achieved the goals set forth in paragraph (4).

(c) CONTINUATION OF CHAMPUS REFORM INITIATIVE IN HAWAII AND CALIFORNIA.—(1) The Secretary of Defense shall ensure that a replacement or successor contract for the CHAMPUS Reform Initiative contract applicable to California and Hawaii is awarded in sufficient time for the contractor to begin to provide health care in California and Hawaii under the replacement or successor contract not later than August 1, 1993.

(2) The Secretary shall use competitive procedures for awarding a replacement or successor contract under paragraph (1).

(3)(A) Not later than June 1, 1994, the Secretary of Defense shall provide by contract for a person outside the Federal Government to perform a evaluation of the conduct of the CHAMPUS Reform Initiative in Hawaii and California. The evaluation shall cover each of the fiscal years during which the initiative is carried out in such States under the replacement or successor contract referred to in paragraph (1) and under the predecessor contracts. The evaluation shall include a comparison of the cost savings and claims experience resulting in each such fiscal year from carrying out the initiative in such States.

(B) Not later than 1 year after the date on which the contract for evaluation is entered into under subparagraph (A), the person making the evaluation shall submit to the Secretary of Defense and to Congress a report on the results of the evaluation.

(d) LIMITATION RELATING TO A CERTAIN CHAMPUS REFORM INITIATIVE CONTRACT.—(1) No health care services may be provided under CHAMPUS Reform Initiative contract number MDA903-R-0047 (including any extension of such contract) unless—

(A) the prime contractor under such contract is the contractor that was the prime contractor under such contract on January 1, 1992; and

(B) the subcontractors under such contract include each of the subcontractors who were subcontractors under that contract on that date.

(2) The limitation in paragraph (1) does not apply with respect to a contractor or subcontractor that is determined by the Secretary of Defense to have engaged in fraud or malfeasance in connection with the contract referred to in paragraph (1).

(e) DEFINITIONS.—In this section:

(1) The term "CHAMPUS" shall have the meaning given that term in section 1072(4) of title 10, United States Code.

(2) The term "CHAMPUS Reform Initiative" shall have the meaning given that term in section 702(d)(1) of the Department of Defense Authorization Act for Fiscal Year 1987 (10 U.S.C. 1073 note).

(3) The term "catchment area management" means the methodology provided for demonstration in accordance with section 731 of the National Defense Authorization Act for Fiscal Years 1988 and 1989 (10 U.S.C. 1092 note).

SEC. 14. MEDICAL AND DENTAL CARE FOR CERTAIN INCAPACITATED DEPENDENTS.

(a) EXCLUSION OF CERTAIN INCAPACITATED DEPENDENTS FROM CHAMPUS COVERAGE.—Section 1086(c) of title 10, United States Code, is amended—

(1) in paragraph (1), by inserting "and 1072(2)(I)" after "section 1072(2)(E)"; and

(2) in paragraph (2), by inserting "or 1072(2)(I)" after "section 1072(E)".

(b) APPLICABILITY OF EXCLUSION.—Section 1072(2) of title 10, United States Code, is amended—

(1) by striking out subparagraph (D) and inserting in lieu thereof the following:

"(D) an unmarried legitimate child, including an adopted child or stepchild, who—

"(i) has not passed his twenty-first birthday;

"(ii) has not passed his twenty-third birthday, is enrolled in a full-time course of study at an institution of higher learning approved by the administering Secretary and is, or was at the time of the member's or former member's death, in fact dependent on him for over one-half of his support; or

"(iii) is incapable of self-support because of a mental or physical incapacity that occurs while a dependent of a member or former member under the criteria of clause (i) or (ii) and is, or was at the time of the member's or former member's death, in fact dependent on him for over one-half of his support;";

(2) by striking out "and" at the end of subparagraph (G);

(3) by striking out the period at the end of subparagraph (H) and inserting in lieu thereof a semicolon and "and"; and

(4) by inserting after subparagraph (H) the following new subparagraph:

"(I) an unmarried legitimate child, including an adopted child or stepchild, who is incapable of self-support because of a mental or physical incapacity that did not exist while the child was a dependent of a member or former member under criteria of subparagraphs (D)(i) and (D)(ii) and is, or was at the time of the member's or former member's death, dependent on him for over one-half of his support.".

SEC. 15. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated for each of fiscal years 1993 through 1998 such sums as may be necessary for carrying out the provisions of this Act and the amendments made by this Act.

NATIONAL MILITARY FAMILY ASSOCIATION,
Alexandria, VA, May 13, 1992.

Hon. JOHN S. MCCAIN,
U.S. Senate,
Washington, DC.

DEAR SENATOR MCCAIN: Thank you for proposing the Military Health Reform Act of 1992. This legislation can be the basis for a defined, equitable, comprehensive Health Benefits Program for all military beneficiaries.

Your concern for all military beneficiaries, particularly those over 65 and those facing the loss of their benefits through base closure, is evident in the proposed legislation.

NMFA fully supports your efforts and we look forward to continuing our cooperative relationship.

Sincerely,

MARGARET V. HALLGREN,
President.

NON COMMISSIONED OFFICERS ASSOCIATION OF THE UNITED STATES OF AMERICA,
Alexandria, VA, May 12, 1992.

Hon. JOHN MCCAIN,
U.S. Senator, Russell Building, Washington, DC.

DEAR SENATOR MCCAIN: The Non Commissioned Officers Association of the USA (NCOA) is supportive of your proposal to reform the military health care system. The Association is pleased to lend its name as an advocate for the passage of such legislation. It's been needed for some years.

Anything the Association may do to assist is available at your call.

Sincerely,

MICHAEL F. OUELLETTE,
Deputy Director of Legislative Affairs.

ASSOCIATION OF THE U.S. ARMY,
Arlington, VA, May 12, 1992.

Hon. JOHN MCCAIN,
U.S. Senate,
Washington, DC.

DEAR SENATOR MCCAIN: The Association of the United States Army wishes to express its appreciation for your draft legislative proposal concerning reform of the Military Health Care System.

We support your initiative and believe that the proposed language will ultimately provide military dependents, retirees and their dependents and survivors with the health care they deserve. Your resolute effort on behalf of military medical beneficiaries demonstrates a desire to overcome high costs and inefficient use of services and facilities.

You can depend upon our continuing support throughout the legislative process to gain passage of the Military Health Reform Act of 1992.

Sincerely,

ERIK G. JOHNSON, Jr.,
Colonel, USA Retired,
Director of Legislative Affairs.

FLEET RESERVE ASSOCIATION,
Alexandria, VA, May 12, 1992.

Hon. JOHN MCCAIN,
U.S. Senate,
Washington, DC.

DEAR SENATOR MCCAIN: On behalf of the entire membership of the Fleet Reserve Association, I would like to thank you for drafting and submitting the legislation to reform the military medical system.

This is an item of great concern to both the active and retired members of the military community.

If I or the staff of the Administrative Headquarters can ever be of any assistance, please do not hesitate to contact us.

With sincere best wishes, I remain in Loyalty, Protection and Service,

WALLACE E. BAKER,
National President.

NATIONAL ASSOCIATION FOR UNIFORMED SERVICES, SOCIETY OF MILITARY WIDOWS,
Springfield, VA, May 12, 1992.

Hon. JOHN MCCAIN,
U.S. Senate,
Washington, DC.

DEAR SENATOR MCCAIN: In my position as Chairman and Co-Chairman of The Military Coalition's Medical Committee, it was a pleasure to work with you in the development of your proposal to reform the military medical system. Members of the Coalition's Medical Committee and this association appreciate very much your legislative proposal, which when enacted, would improve access to lifetime medical care for military retirees, including those over age 65, their dependents and survivors.

I would be pleased to assist you in the future as you continue your outstanding efforts to ensure military personnel and retirees receive earned benefits and entitlements that are considered part of their military compensation package.

Sincerely,

CHARLES C. PARTRIDGE,
Colonel, USA (Retired),
Legislative Counsel.

THE RETIRED OFFICERS ASSOCIATION,
Alexandria, VA, May 12, 1992.

Hon. JOHN MCCAIN,
U.S. Senate,
Washington, DC.

DEAR SENATOR MCCAIN: On behalf of the 380,000 members of The Retired Officers Association, including about 58,000 survivors, I want to express my since appreciation for your leadership in sponsoring health care reform. The initiatives you are proposing are critical first steps for improving access, continuity, and quality of care for military beneficiaries, regardless of age. Therefore, we strongly support your legislative proposal.

As we have discussed, the closure of military bases and the resultant loss of major military medical facilities has a traumatic effect on the military beneficiary population. For many retirees, who have retired in the proximity of military bases to take advantage of earned institutional programs like health care, commissaries and exchanges, loss of access to military treatment facilities imposes a financial hardship. For this reason, we consider it a leadership imperative to explore as many innovative ideas as possible to facilitate health care alternatives for military retirees, dependents and survivors.

We appreciate your consistent concern for the welfare of the military community and look forward to continue working with you on this vital program.

Sincerely,

PAUL W. ARCARI,
Colonel, USAF (Ret.),
Director, Government Relations.

IT'S OUTRAGEOUS!

On Mar. 12 Terry Cox offered gut-wrenching testimony during hearings before the House Appropriations Committee's Subcommittee on Defense. Cox, whose husband is a quadriplegic, had to declare bankruptcy and sell everything the couple owned to support her husband's medical care. Because much of the care Sgt. Cox received is now considered "custodial," which is not covered under CHAMPUS. CHAMPUS officials are taking the Coxes to court to recoup the $200,000 they reimbursed the Coxes in the past.

Subcommittee chairman Rep. John Murtha (D-Pa.) strongly protested DoD's action to Enrique Mendez, M.D., Assistant Secretary of Defense for Health Affairs, contending that it seemed patently unfair to seek repayment from the Coxes because the fault rested with CHAMPUS' poor management of the case and not with the Coxes.

Murtha went on to say, "We've excused the Defense Department of $79 million in Operation Desert Storm debt, but now the government is taking the Coxes to court to get $200,000. The court costs alone will be more than $200,000." Mendez told the subcommittee he would personally look into the matter to see if the Coxes' debt can be waived. It would be a travesty not to do otherwise!•

By Mr. EXON (for himself and Mr. BOREN):

S.J. Res. 302. A joint resolution proposing an amendment to the Constitution relating to the election of the President and Vice President of the United States; to the Committee on the Judiciary.

CONSTITUTIONAL AMENDMENT RELATING TO THE ELECTION OF THE PRESIDENT AND VICE PRESIDENT OF THE UNITED STATES

Mr. EXON. Mr. President, I rise to offer an amendment to the Constitution to eliminate the electoral college and permit the direct election of the Presidential ticket and assure that the American President has the support of the majority of those who vote.

The electoral college is a relic which has outlived its usefulness. It is time to do away with the electoral college and make every vote across the country count. The United States is now mature enough as a nation to elect it's own President.

The American people also agree. Over the years, public opinion has consistently favored the direct election of the President. With an exciting, potential three-way race for the White House in the offing, there can be no better time to take a very close look at the electoral process. Electoral arithmetic forces Presidential candidates to adopt special interest strategies to capture the electors in larger States and ignore the real problems of the Nation, especially the problems of smaller States. A system which makes all votes equal will encourage candidates to run their campaigns based on the national interest.

The electoral college is an antidemocratic institution. With its winner-take-all tradition, votes for opposing candidates in each State are essentially eliminated from consideration. A Presidential ticket in theory only needs to win the 11 largest States, even by the very narrowest margins and lose all other States even by significant margins to be elected; regardless of the total popular vote.

Mr. President, I say winner-take-all tradition because, there is nothing to legally bind electors to vote any particular way. The electoral college could, in theory, disregard the popular vote of the electorate and vote as the electoral college pleases.

Several times in American history, including in the 1988 election, one or two so-called faithless electors voted for candidates of their own choosing. In a close three-way race a coalition of faithless electors could create a great deal of mischief. While an occasional faithless elector will not threaten the outcome of an election, three times in our Nation's history, Presidents were elected without a popular mandate.

In 1824, Andrew Jackson received 43.1 percent of the popular vote and 37.9 percent of the electoral vote while his opponent, John Quincy Adams, received 30.5 percent of the popular vote and 32.1 percent of the electoral vote.

Since no candidate received a majority of the electoral vote, the election was thrown to the House of Representatives as directed by the Constitution, where John Quincy Adams secured the support of 13 State delegations winning over Andrew Jackson who had won the support of only 7 State delegations.

In 1876, Samuel Tilden received 50.1 percent of the popular vote and lost to Rutherford B. Hayes who won a one-vote majority in the electoral college.

The third case occurred in 1888. Grover Cleveland won 48.7 percent of the popular vote and 42 percent of the electoral vote, while his opponent, Benjamin Harrison, became President with only 47.9 percent of the popular vote and 58 percent of the electoral vote.

If the electoral college system is not changed, I suspect that within my lifetime, history will repeat itself. Indeed, in 20 Presidential elections, a 1-percent shift in the national vote could have changed the outcome of the election.

In 1976 the shift of a mere 10,000 votes in two States would have elected President Ford despite the 2 million popular vote margin won by Governor Carter. In the 1988 election the people gave then-Vice President Bush 54 percent of the popular vote and the electoral college gave the new President 79 percent of the electoral vote. It is only a matter of time before the Nation is again faced with misfire of the electoral college.

The proposed constitutional amendment I introduce today eliminates the electoral college and allows the people to choose their President. Under this proposal, if no Presidential ticket should receive at least 50 percent of the popular vote and the majority of the vote in at least one-third of the States, a run off election between the two highest vote-getters would be held.

This system will guarantee that the will of the people will prevail but at the same time will not expose the Nation to the regional factionalism feared by our Founding Fathers.

I have introduced this legislation in several previous Congresses. I do not

represent this proposed legislation to be the one and only way to bring more democracy to a Presidential election. I want to start a national examination of our electoral process as was done when similar legislation which I cosponsored was introduced in 1979 by Senator Birch Bayh of Indiana. I am especially delighted that the Nebraska State Legislature led by Lincoln Senator Dianna Shimek has recently reexamined the Presidential electoral process. The State of Nebraska has enacted a reform which allocated electors on a proportionate basis. The Nebraska system like Maine, will award an elector for each congressional district carried by a Presidential ticket and the winner of the State will then receive two bonus electors.

The Nebraska-Maine approach is a significant improvement in the current system. In my view the most democratic approach would be the change I recommended today. If, however, this legislation stimulates a serious review of the electoral college at the State level, this effort will be an important success.

Our Nation's constitutional history is one of granting increasing democratic power to the people. In 1776 our Founding Fathers declared their independence from the King of England. In 1787 the Constitution was adopted; in 1791 the Bill of Rights was ratified; in 1865 slavery was prohibited; in 1868 the vote was extended to former slaves; in 1919 the selection of the Senate was taken from the State legislatures and given directly to the people; in 1920 the vote was given to women; and in 1971 the right to vote was extended to 18, 19-, and 20-year-olds. Over our history, the Nation has never been satisfied with the democratic status quo. The direct election of the President simply continues our Nation's long march to improve and strengthen our democracy.

I look forward to the continued national discussion and the debate that the introduction of this proposed constitutional amendment will spark. In the last several days, Senators PRYOR and BOREN have introduced legislation for the direct election of the President and Vice President based on a 40-percent threshold as opposed to a 50-percent threshold that this bill champions. Senator PRYOR was a cosponsor of the legislation that I am introducing today in the last Congress. I welcome his addition to the debate on this important issue. I ask my colleagues to give this proposed constitutional amendment serious consideration. I welcome any comments and suggestions to change and improve this legislation.

Mr. President, I ask that the bill titled "Joint Resolution Proposing an Amendment to the Constitution Relating to the Election of the President and Vice President of the United States" be printed in the RECORD.

I also ask unanimous consent that several articles about the electoral college be inserted in the RECORD.

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

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

[From the Washington Post, Apr. 19, 1992]

THE FRAMERS AND ROSS PEROT

(By George F. Will)

Ross Perot's embryonic presidential candidacy is rekindling interest in the election of 1824—or, strictly speaking, of 1825.

Representative Dan Glickman (D-Kan.) worries about a "constitutional catastrophe," his odd description of the constitutional procedure for coping with the remote possibility that no candidate will win an electoral vote majority. Glickman, his lucidity crippled by his apprehension, says, "The election could be thrown into the Electoral College and could be thrown into the House of Representatives thereafter."

Steady, congressman. All elections are "thrown into the Electoral College." Thank God—or the Founders; much the same thing to me—for the Electoral College.

If November's popular vote does not produce an electoral vote majority for anyone, the House will select a president from among the top three electoral vote winners, each state's delegation casting one vote.

If that happens early in 1993, litigious liberals will ask the Supreme Court to declare the Constitution unconstitutional. They will say the court's "one man, one vote" ideology—all votes must be of equal weight—forbids Wyoming's delegation of one having weight equal to California's 52. (Real liberals consider the Senate—Vermont as weighty as Texas—unconstitutional.) But the House can select a president constitutionally, as it did on Feb. 9, 1825.

In 1824 there were four candidates—Gen. Andrew Jackson, Speaker Henry Clay, Secretary of State John Quincy Adams and Treasury Secretary William Crawford. But only five of the 24 states had all four on their ballots. Six states, including the most populous, New York, had no elections: Their legislatures selected the presidential electors. Of the 4 million white males eligible to vote, 365,863 (8 percent) did. Jackson got 38,149 more popular votes than runner-up Adams.

Clay finished fourth and so was out of contention in the House process. Then his presidential prospects were forever blighted by accusations of a "corrupt bargain" when he organized the House's selection of Adams and became Adams' secretary of state. (Adams did not officially receive a single popular vote in Clay's Kentucky, where the legislature favored Jackson.) The House process was not pretty. For example, the man who cast Missouri's vote sought Adams' reassurance that particular printers would get government business in Missouri.

Since 1825, there have been developments. Now there is a two-party system. And there is the winner-take-all allocation of states' electoral votes, a custom that bolsters the two-party system. (Deviationist Maine and Nebraska each select two presidential electors at large and the rest by congressional districts. Because both states have small, homogeneous populations, this will almost always have the same result as statewide winner-take-all.) Proportional allocation would incite multiple parties to splinter the electorate. Winner-take-all tends to shut out candidates like Perot whose support is not regionally concentrated. And regional concentration shuts a candidate out of the presidency.

Another Glickman anxiety concerns something that could happen even in any two-candidate contest. It is that one candidate might win an electoral vote majority while another is winning a majority or plurality of popular votes. That may have happened in three of the 42 elections for which we have popular vote totals, since 1824. One was in 1824. Perhaps two others were 1876 (Hayes with 47.95 percent beat Tilden with 50.97) and 1888 (Harrison with 47.82 percent beat Cleveland with 48.62). There is uncertainty because fraud on both sides probably involved more votes than the margins of victory.

But even when the electoral and popular vote winners are different, it is excessive to say the "national will" has been frustrated. On such occasions the nation's will is unemphatic.

If the Electoral College were abolished in favor of direct popular election, it would be theoretically possible for a candidate to win all of Alaska's 306,264 registered voters, lose all the other states by an average of 6,250 votes, and still win the popular vote by 14. But let's think about probabilities, not mere possibilities. The Electoral College system probably will remain the world's most successful method of picking a chief executive.

The 42 elections since 1824 have produced 15 presidents with mere pluralities, not majorities, of popular votes. But only four times has the winner been under 45 percent. They were 1824, before the party system evolved; 1860, when the nation was crumbling and Lincoln won with 39 percent; 1912, when a protean force, Teddy Roosevelt, split the Republicans and Wilson won with 41.8; 1968, when George Wallace helped hold Nixon to 43.4.

Even when the popular vote margin is waferthin, the winner-take-all electoral vote allocation tends to produce a winning margin that looks like national decisiveness. The Electoral College system does make possible the improbability that Glickman calls a "catastrophe." But the system bolsters the two-part system by discouraging independent candidacies that splinter the electorate. It generates moderate mandates for parties that seek a broad consensus through coalitions and accommodations.

The Founders wanted not just majority rule, they wanted rule by majorities of a particular character: moderation. Not being primitive men, the Founders did not aim for primitive majoritarianism.

UNUSUAL OPPORTUNITY FOR PEROT

The instinctive and passionate human curiosity to know the future drives us in many arenas. Even political ones.

One calculation is that Ross Perot's wildcard presidential candidacy this year could attract as much as 20 percent of the popular vote across the country in November. Even so, the Texan might not make a single mark in the only place where it really counts, the Electoral College.

But Nebraska is one of the few states where a strong, if concentrated, Perot showing could be reflected on the ancient college board. (All we're saying is that circumstances could make it happen.)

Our presidential elections are indirect, not direct. As every American is aware, it is the Electoral College—created by the Founding Fathers—whose members officially name the new president and vice-president.

The number of Electoral College electors from each state equals the total of that

state's national legislative representation. In Nebraska, we're talking about five people. They stand in for two senators and three House members.

When Perot supporters in Nebraska next month begin circulating their petitions to give Perot general election ballot position, those petitions also will carry the names and addresses of five people already designated as Electoral College electors pledged to Perot. It's just a formality, but a critical one.

Thanks to the 1991 Legislature, led by Lincoln Sen. DiAnna Schimek, Nebraska no longer follows the conventional "winner-take-all" feature of the Electoral College.

By way of illustration, let's imagine that Republican George Bush once again wins the total Nebraska popular vote, even if that's only a plurality; however, in the 2nd Congressional District, Perot individually attracts more votes than does either Bush or the Democratic nomines.

Nebraska's Electoral College vote then would not be 5-0 for Bush, but divided this way: Four for Bush, one for Perot.

If Perot topped the field in both the 1st and 2nd Districts yet still trailed in the Nebraska popular vote, the Nebraska Electoral College tally then would divide three for Bush and two for Perot.

Hey, we're not predicting this will come to pass. No ma'am. The example sketched above is strictly for widened educational purposes. Which is, of course, among the variety of primary justifications for newspaper editorials.

[From Roll Call, Mar. 12, 1992]

THE NIXON SCENARIO: HOW A DEMOCRAT CAN WIN PRESIDENCY

(By Charles E. Cook)

Veteran political analyst and former LBJ White House aide Horace Busby popularized a theory during the 1980s that a "Republican lock" on the Electoral College had developed.

A combination of Southern and Western states, he said, had grown so disillusioned with the Democratic party that obtaining the necessary 270 votes for an Electoral College victory was impossible.

Now, a revisionist view has developed. Busby, say the doubters, was exactly right—except during a recession. No less a political veteran than former President (and former Rep.) Richard Nixon (R-Calif) has weighed in on the debate.

In a previously unpublished Feb. 26 memorandum to longtime friend and confidant Roger Stone, Nixon writes, "My prediction at this time is that [President] Bush, without question, will win the popular vote because of his huge margins in the South. On the other hand, he could lose the electoral vote unless he holds Illinois and Ohio among the big states, other than those in the South."

In his analysis, Nixon points out that in 1988, while Bush won 79.2 percent of the Electoral College votes to 20.8 percent for former Massachusetts Gov. Michael Dukakis, the popular vote was a much closer 54 to 46 percent.

Nixon then argues that a shift of only 566,000 total votes in California, Illinois, Maryland, Missouri, Pennsylvania, Colorado, Connecticut, Michigan, Vermont, and New Mexico would have given Dukakis 161 additional electoral votes for a total of 273, three more votes than he would have needed to win the presidency.

Given the state of the economy, the desire for change, and the President's low job performance ratings, this is not at all an unrealistic scenario for this year's election.

Looking back at 1988, Nixon argues that Bush might have lost the race despite having a surplus of 5,574,000 votes nationwide, and asks, "Can you imagine what a field say the political scientists would have had if that had been the case!"

Nixon's singling-out of Illinois and Ohio as the keys to a Bush victory is a variation on his advice to President Ronald Reagan in 1984 to build a "firewall" of five states—Illinois, Michigan, Missouri, Ohio, and New Jersey—by spending a disproportionate amount of time and campaign resources in these states.

After a disappointing first debate performance, President Reagan may well have needed that firewall, but his second debate showing against former Vice President Walter Mondale was considerably stronger and he subsequently ended up winning the election easily.

S.J. RES. 302

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States within seven years from the date of its submission by the Congress:

"ARTICLE —

"SECTION 1. The people of the several States and the District constituting the seat of government of the United States shall elect the President and Vice President. Each elector shall cast a single vote for two persons who shall have consented to the joining of their names as candidates for the offices of President and Vice President.

"SECTION 2. The electors of President and Vice President in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature, except that for the electors of President and Vice President, any State may prescribe by law less restrictive residence qualifications and for electors of President and Vice President the Congress may by law establish uniform residence qualification.

"SECTION 3. The persons joined as candidates for President and Vice President having the greatest number of votes shall be elected President and Vice President, if such number be at least 50 per centum of the whole number of votes cast and such number be derived from a majority of the number of votes cast in each State comprising at least one-third of the several States. If, after any such election, none of the persons joined as candidate for President and Vice President is elected pursuant to the preceding paragraph, a runoff election shall be held within sixty days in which the choice of President and Vice President shall be made from the two pairs of persons joined as candidates for President and Vice President receiving the greatest number of votes in such runoff election shall be elected President and Vice President.

"SECTION 4. The times, places, and manner of holding such elections and entitlement to inclusion on the ballot shall be prescribed by law in each State; but the Congress may by law make or alter such regulations. The days for elections shall be determined by Congress and shall be uniform throughout the United States. The Congress shall prescribe by law the times, places, and manner in which the results of such elections shall be ascertained and declared. No such election, other than a runoff election, shall be held later than the first Tuesday after the first Monday in November, and the results thereof shall be declared no later than thirty days after the date on which the election occurs.

"SECTION 5. The Congress may by law provide for the case of the death, inability, or withdrawal of any candidate for President or Vice President before a President and Vice President have been elected, and for the case of the death of either the President-elect or the Vice President-elect.

"SECTION 6. Sections 1 through 4 of this article shall take two years after the ratification of this article.

"SECTION 7. The Congress shall have power to enforce this article by appropriate legislation."

Mr. BOREN. Mr. President, first, I thank my colleague from Nebraska for adding me as a cosponsor of the joint resolution which he just introduced which would have the effect of abolishing the electoral college.

As we approach this election year, we are reminded once again that there are circumstances which might create the possibility. We could have an election take place without a majority being won by one candidate in the electoral college. This creates great problems as we know. The election would, of course, then be thrown into the House of Representatives.

There is a question of whether or not the delegations of those States would be bound to vote for the candidate which received a majority or at least the leading candidate if no candidate received a majority in a particular State or whether the Members of the House of Representatives would vote their own personal preferences or party preferences. This is a real question and that is I think because of the circumstances again highlighted by the conditions in the country this year where we may have a third party candidate or Independent candidacy that might receive a significant number of votes, that we could then have a malfunction and, in essence, of the system with the electoral college unable to find a majority.

We could then have the Congress of the United States, the House of Representatives acting in a way in which the candidate that did not receive the most popular votes might become President of the United States.

Mr. President, I think in this particular period of history it would be intolerable to have someone sitting in the White House who did not lead in terms of the popular vote of this country. With all the tough problems that we have to face—budget deficits looming, the problem of economic opportunity for the next generation which we have discussed so many times in this Chamber, the fact that our share of the world market is shrinking, the fact that in the last decade we have replaced jobs in this country that averaged $440 a week with jobs that averaged $280 a week, with growing concern and alarm about the economic opportunities for the next generation, more divisions within our own society.

It is always far more difficult to bring about change, to bring about harmony and good relationships between people in times of stress. It is easier to talk about expanding the pie then it is to talk about dividing up a shrinking pie where there are winners and losers and we have seen the stresses that brought about change and challenge facing our country.

We have seen tragic expression of those stresses in our domestic lives, the life of our communities, particularly in the urban areas. We are reminded of the crisis we faced with just the events in the last few days, the tragic events, in Los Angeles and elsewhere across our country. We are dealing with these problems and if we are to rebuild the strength of this country, we must do it as a unified people, and it is extremely important, extremely important that the President of the United States have the moral authority and have the mandate from the people necessary to lead this country in a time of transition and change.

And, therefore, I do not believe that we should even leave open the possibility that someone might serve as President of the United States who did not receive the most votes in the popular election, that a person might serve as President who was not the leading candidate in terms of the support he received from the individual citizens of the United States when they went to cast their ballots in the election. Such a President would be crippled from the beginning. He or she would lack the authority, the sense of legitimacy that would come from receiving the most votes from the people themselves.

Mr. EXON. Mr. President, will the Senator from Oklahoma yield?

Mr. BOREN. I am happy to yield my colleague on my time.

Mr. EXON. Mr. President, I appreciate very much the very kind remarks that places exactly on point the need for this. If we do not take action on this in this election year or the next election year or the election year after that, somewhere on down the road there is going to be a calamity in this country based on what this Senator said when I made my remarks emphasized and driven home by the remarks made by my friend from Oklahoma.

We just had a situation with this 2 years ago right now in my State of Nebraska. We had a heavily contested race for the governorship in the primary. There were three candidates that were relatively close. The election came and went. All the precincts were reported. There were discrepancies as to what ballots should be counted. Because the laws of Nebraska were not clear, the courts so held that certain ballots were thrown out in certain counties because they were not initiated on the backside of the ballot by two of the election judges, in some cases some counties had one elected judge on the front of the ballot. There were all kinds of technicalities.

The eventual winner of the primary election on the Democratic Party won I believe by 30 votes, went on to be the elected Governor of the State of Nebraska in the fall.

But there are a lot of contentious attitudes about whether or not the people in charge of the election did their job in not clearly identifying what would happen.

The average person in the United States today does not begin to understand what the electoral college is all about. They really believe that if somebody is elected President of the United States and gets 1 more vote, 1 more legitimate vote than the other party, that individual should be elected President of the United States. That is not the way it is under the law today.

And I thank my friend from Oklahoma for emphasizing once again that this is the time we should begin to correct this and then not have people say when it happens the next time they should have done something about it.

I thank my friend from Oklahoma.

Mr. BOREN. I thank my colleague from Nebraska and commend him for looking ahead and taking this lead.

I agree with what he said. It would be a calamity. The average citizen believes he or she directly elects the President of the United States. They believe that. It is unthinkable to the vast majority of American people they should turn out and vote in the election and that the candidate who received the most votes might not become the President of the United States. That is exactly what could happen.

There have already been many analysts looking at the possible results of the election this year. We have had national polls showing a three-way split in the electorate, polls indicating that Mr. Perot, for example, now according to the latest public opinion polls have close to one third of the vote in the United States, that the candidates of the Democratic and Republican Parties, the likely nominees of the two parties each have about a third of the vote.

We could very easily have a situation where the majority would not be reached in the electoral college. It is too early to tell but that certainly is a possibility, and I think that is a possibility that is not acceptable and we should look ahead for once and we should take a course of action that we should have taken a long time ago in abolishing the electoral college.

So I commend my colleague from Nebraska, and I am pleased to join with him and add my name as a cosponsor of his resolution.●

By Mr. PELL (for himself, Mr. ADAMS, Mr. AKAKA, Mr. BIDEN, Mr. BINGAMAN, Mr. BRYAN, Mr. BURDICK, Mr. CHAFEE, Mr. COATS, Mr. CRANSTON, Mr. D'AMATO, Mr. DIXON, Mr. DODD, Mr. DURENBERGER, Mr. GLENN, Mr. GORE, Mr. GRASSLEY, Mr. INOUYE, Mr. JEFFORDS, Mrs. KASSEBAUM, Mr. KASTEN, Mr. LEAHY, Mr. LUGAR, Mr. MACK, Mr. METZENBAUM, Ms. MIKULSKI, Mr. NUNN, Mr. PRESSLER, Mr. ROCKEFELLER, Mr. STEVENS, Mr. THURMOND, Mr. WARNER, and Mr. WELLSTONE):

S.J. Res. 303. Joint resolution to designate October 1992 as "National Breast Cancer Awareness Month"; to the Committee on the Judiciary.

NATIONAL BREAST CANCER AWARENESS MONTH

Mr. PELL. Mr. President, I rise today to introduce a joint resolution to designate October 1992 as National Breast Cancer Awareness Month. I am especially pleased to be introducing this resolution with the support of 32 original cosponsors.

For the past few years, Mr. President, as I have introduced this resolution, I have had the grim task of reciting the latest statistics on breast cancer mortality. While the numbers are no longer a surprise, they are as alarming as ever.

In 1992, breast cancer will strike an estimated 180,000 women and kill about 46,000 women, 1,500 more than in 1991. Already the second leading cause of cancer death among women, breast cancer is likely to increase further as the population ages, since a woman's risk of developing breast cancer increases as she ages. In fact, the American Cancer Society estimates that a woman's lifetime risk of developing breast cancer, assuming an average life expectancy of 85 years, is one in nine.

Mr. President, many people do not realize that breast cancer also strikes men. About 1,000 men will develop breast cancer in 1992; about 300 men will die from the disease. While breast cancer among men is largely a hidden disease, for those men and their families, it is very real and very tragic.

The statistics are no better in my own State of Rhode Island. The American Cancer Society estimates that breast cancer will strike about 1,000 Rhode Island women in 1992, and that about 250 Rhode Island women will die of the disease. While these numbers remain flat from 1991, they were much too high then, and they are much too high now.

Unfortunately, Mr. President, we are no closer today to a cure for breast cancer than we were a year ago. And we still do not know its cause or causes, or how to prevent it.

That is the bad news.

But there is good news too, which we hope National Breast Cancer Awareness Month activities will highlight: We know that we can significantly reduce breast cancer mortality through early detection: Self-examination, clin-

ical examination by a qualified health care provider, and screening mammography. In fact, 50 years ago, the 5-year-survival rate for localized breast cancer was only 78 percent; now it is over 90 percent. The American Cancer Society estimates that the use of of a combination of early detection procedures can boost the 5-year-survival rate for localized breast cancer to nearly 100 percent.

Mr. President, we also know that despite the proven success of early detection and intervention, many women do not know how to self-examine, and some are afraid to do so. Some women do not seek a screening mammogram because they are afraid, either of the procedure itself, or of the diagnosis it might reveal. Still others do not seek a screening mammogram because of lack of access or cost, or because they simply do not know its vital importance.

Educating about early detection, addressing concerns about self-examination and mammography, teaching about how to live with and after breast cancer—these issues are what National Breast Cancer Awareness Month is all about. But perhaps most importantly, we should be sure to communicate the simple but crucial message that, while breast cancer can kill, it can also be conquered.

For the last 2 years, I have had the privilege of introducing similar resolutions, both of which became law. This year's resolution, if enacted into law, will mark the third time the Congress has authorized October as National Breast Cancer Awareness Month. I hope that this year all of my colleagues will recognize and support the efforts of health advocates across the Nation to reduce breast cancer mortality by joining with us to designate October 1992 as National Breast Cancer Awareness Month.

I ask unanimous consent that the resolution be printed in full at the end of my remarks.

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

S.J. RES. 303

Whereas breast cancer will strike an estimated 180,000 women and 1,000 men in the United States in 1992;

Whereas, assuming an average life expectancy of 85 years, a woman's lifetime risk of developing breast cancer is 1 in 9;

Whereas the risk of developing breast cancer increases as a woman grows older;

Whereas breast cancer is the second leading cause of cancer death in women, and will kill an estimated 46,000 women and 300 men in 1992;

Whereas the 5-year survival rate for localized breast cancer has risen from 78 percent in the 1940s to over 90 percent today;

Whereas most breast cancers are detected by the woman herself;

Whereas educating both the public and health care providers about the importance of early detection will result in reducing breast cancer mortality;

Whereas appropriate use of screening mammography, in conjunction with clinical examination and breast self-examination, can result in the detection of many breast cancers early in their development and increase the survival rate to nearly 100 percent;

Whereas data from controlled trials clearly demonstrate that deaths from breast cancer are significantly reduced in women over the age of 40 by using mammography as a screening tool;

Whereas many women are reluctant to have screening mammograms for a variety of reasons, such as the cost of testing, lack of information, or fear;

Whereas access to screening mammography is directly related to socioeconomic status;

Whereas increased awareness about the importance of screening mammography will result in the procedure being regularly requested by the patient and recommended by the health care provider; and

Whereas it is projected that more women will use this lifesaving test as it becomes increasingly available and affordable: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That October 1992 is designated as "National Breast Cancer Awareness Month", and the President is authorized and requested to issue a proclamation calling upon the people of the United States to observe the month with appropriate programs and activities.

Mr. GRASSLEY. Mr. President, I rise today as an original cosponsor of a joint resolution of Congress designating October 1992 as "National Breast Cancer Awareness Month."

I am painfully aware of the need to increase public awareness about breast cancer as a result of my wife, Barbara's personal victory over breast cancer several years ago. We believe early detection through a routine mammogram saved Barbara's life and is the key to saving the lives of other women who develop this disease.

Over the last 20 years, the risk of developing breast cancer has grown. In 1990, 1 woman in 10 could expect to develop breast cancer in the lifetime. This year, a woman's risk of developing breast cancer has increased to one in nine. This means that there will be 180,000 newly diagnosed cases of breast cancer this year alone.

In my State of Iowa, the American Cancer Society estimates that there will be 2,300 new cases of breast cancer in 1992, and that 600 of these cases will result in death. For women in Iowa, breast cancer comprises one-third of all cancer cases.

Despite advances in medical technology, we do not know the causes or cures for this disease, and even less is known about how to prevent it from developing. However, despite this fact and the dramatic statistics, it is important to point out that early detection and intervention can reduce mortality rates significantly. Research has shown that early detection of breast cancer by getting routine mammograms, can reduce breast cancer mortality by 30 percent. That is why it is so important for women to be aware of their risk and the opportunities for early detection. But to achieve this goal we need to enhance public awareness. The joint resolution that is being introduced today by Senator PELL is an important step in that direction. Women need to learn how to conduct self-examinations and they need to speak with their doctors to determine how often they should have a mammogram.

I am proud to be an original cosponsor of this joint resolution. It is my hope that our daughters and granddaughters will face a brighter future against this disease.

Mr. MACK. Mr. President, I am pleased to join my colleague, Senator PELL, as an original cosponsor of "National Breast Cancer Awareness Month." While I have cosponsored this resolution in the past, it is especially meaningful to me to take part in this legislative initiative this year.

Last September, my wife, Priscilla, came to me and said she found a lump in her breast during a routine self-examination. Immediately, my thoughts turned to what my life might be like without her by my side. I thought of my younger brother, Michael, who died of cancer at age 35. I thought of my mother and our daughter, who are both survivors of cancer. it was a very emotional moment.

After consultation with oncologists, it was determined that Priscilla could not simply undergo a lumpectomy. Rather, her cancer required a mastectomy. Just days before her surgery, she joined me in testifying before the House Committee on Energy and Commerce at a hearing commemorating the 20th anniversary of the National Cancer Act. I cannot express how very proud I was of her that morning.

On October 3, Priscilla underwent a mastectomy here in Washington. Fortunately, the surgery went well. However, her oncologist then told us she would need to undergo 6 months of chemotherapy. The side effects of chemotherapy were difficult—hair loss, intense nausea, and loss of energy and appetite just to name a few. However, through it all, she maintained a sense of humor, and a willingness to talk to other women about the importance of self-examination and regular early detection testing. Her prognosis today is excellent. She is living proof that early detection saves lives.

The American Cancer Society estimates that one in every nine women will develop breast cancer during her lifetime. Florida ranks third in the number of women with breast cancer. It is estimated that more than 11,000 women in my home State will develop breast cancer this year. It is also a grim fact that nearly 3,000 women in Florida will die from breast cancer in 1992.

However, there is room for hope. Leading oncologists have told me the

survival rate of all forms of cancer, including breast cancer, can be increased by as much as 50 percent simply through early detection and prompt treatment.

As my colleagues will recall, I have introduced the Cancer Screening Incentive Act, legislation to provide a means by which all Americans can take advantage of the early detection procedures available today. Low-income Americans have a higher rate of cancer incidence and a higher death rate from cancer, and my legislation addresses this.

I have personally met with many of my colleagues on both sides of the aisle about this important legislation. We currently have the bipartisan support of 32 Senate cosponsors. It has received the endorsement of such organizations as the American Cancer Society and the American Medical Association, as well as business and labor organizations. I would again urge my colleagues to carefully review this bill and add their names to the growing list of cosponsors.

I hope none of my colleagues and their families ever have to endure the experience my family has been through with cancer. It has been extremely difficult for our children, for our parents, and for our friends. However, Priscilla's bravery and commitment to help others while undergoing a personal struggle did not go unnoticed. Priscilla was selected to be the recipient of the 1992 American Cancer Society Courage Award. I was honored to be the other recipient of this award.

I am proud to join Senator PELL in introducing "Breast Cancer Awareness Month" and urge my colleagues to join us in this important lifesaving effort.

ADDITIONAL COSPONSORS

S. 405

At the request of Mr. MITCHELL, the name of the Senator from New Hampshire [Mr. SMITH] was added as a cosponsor of S. 405, a bill to amend the Harmonized Tariff Schedule of the United States to exclude certain footwear assembled in beneficiary countries from duty-free treatment.

S. 709

At the request of Mr. HATCH, the name of the Senator from Connecticut [Mr. LIEBERMAN] was added as a cosponsor of S. 709, a bill to amend the Internal Revenue Code to allow a deduction for qualified adoption expenses, and for other purposes.

S. 866

At the request of Mr. BREAUX, the name of the Senator from Mississippi [Mr. LOTT] was added as a cosponsor of S. 866, a bill to amend the Internal Revenue Code of 1986 to clarify that certain activities of a charitable organization in operating an amateur athletic event do not constitute unrelated trade or business activities.

S. 1002

At the request of Mr. SHELBY, the name of the Senator from Virginia [Mr. ROBB] was added as a cosponsor of S. 1002, a bill to impose a criminal penalty for flight to avoid payment of arrearages in child support.

S. 1129

At the request of Mr. MACK, the name of the Senator from Montana [Mr. BURNS] was added as a cosponsor of S. 1129, a bill to reduce unnecessarily burdensome financial institution paperwork and reporting requirements, and for other purposes.

S. 1537

At the request of Mr. BROWN, the name of the Senator from Kansas [Mrs. KASSEBAUM] was added as a cosponsor of S. 1537, a bill to amend the National Trails System Act to designate the American Discovery Trail for study to determine the feasibility and desirability of its designation as a national trail.

S. 1627

At the request of Mr. FORD, the names of the Senator from Alabama [Mr. HEFLIN] and the Senator from Montana [Mr. BURNS] were added as cosponsors of S. 1627, a bill to amend section 615 of title 38, United States Code, to require the Secretary of Veterans Affairs to permit persons who receive care at medical facilities of the Department of Veterans Affairs to have access to and to consume tobacco products.

S. 1885

At the request of Mr. BROWN, the name of the Senator from Arkansas [Mr. BUMPERS] was added as a cosponsor of S. 1885, a bill to reauthorize the Uranium Mill Tailings Radiation Control Act of 1978.

S. 2239

At the request of Mr. PRYOR, the name of the Senator from Maine [Mr. COHEN] was added as a cosponsor of S. 2239, a bill to amend the Internal Revenue Code of 1986 to provide additional safeguards to protect taxpayer rights.

S. 2262

At the request of Mr. LEAHY, the name of the Senator from Ohio [Mr. GLENN] was added as a cosponsor of S. 2262, a bill to make emergency supplemental appropriations to provide a short-term stimulus to promote job creation in rural areas of the United States, and for other purposes.

S. 2624

At the request of Mr. GLENN, the names of the Senator from New Mexico [Mr. DOMENICI], the Senator from Ohio [Mr. METZENBAUM], and the Senator from Maine [Mr. COHEN] were added as cosponsors of S. 2624, a bill to authorize appropriations for the Interagency Council on the Homeless, the Federal Emergency Management Food and Shelter Program, and for other purposes.

S. 2627

At the request of Mr. GRAMM, the name of the Senator from Mississippi [Mr. LOTT] was added as a cosponsor of S. 2627, a bill to ensure the preservation of the Gulf of Mexico by establishing within the Environmental Protection Agency a Gulf of Mexico Program Office.

S. 2639

At the request of Mr. NICKLES, the name of the Senator from North Carolina [Mr. HELMS] was added as a cosponsor of S. 2639, a bill to amend the Internal Revenue Code of 1986 to provide a partial exclusion of dividends and interest received by individuals.

S. 2671

At the request of Mr. GRAHAM, the names of the Senator from Missouri [Mr. BOND] and the Senator from Michigan [Mr. LEVIN] were added as cosponsors of S. 2671, a bill to amend title 23, United States Code, to make technical corrections.

S. 2699

At the request of Mr. DOLE, the names of the Senator from New Hampshire [Mr. RUDMAN], the Senator from New Hampshire [Mr. SMITH], and the Senator from Iowa [Mr. GRASSLEY] were added as cosponsors of S. 2699, a bill to extend the period for which unemployment benefits are payable under title I of the Emergency Unemployment Compensation Act of 1991, and for other purposes.

SENATE JOINT RESOLUTION 231

At the request of Mr. THURMOND, the names of the Senator from New York [Mr. D'AMATO], the Senator from Indiana [Mr. COATS], and the Senator from Maryland [Ms. MIKULSKI] were added as cosponsors of Senate Joint Resolution 231, a joint resolution to designate the month of May 1992, as "National Foster Care Month."

SENATE JOINT RESOLUTION 247

At the request of Mr. DOLE, the name of the Senator from Alabama [Mr. SHELBY] was added as a cosponsor of Senate Joint Resolution 247, a joint resolution designating June 11, 1992, as "National Alcoholism and Drug Abuse Counselors Day."

SENATE JOINT RESOLUTION 262

At the request of Mr. KASTEN, the name of the Senator from Ohio [Mr. GLENN] was added as a cosponsor of Senate Joint Resolution 262, a joint resolution designating July 4, 1992, as "Buy American Day."

SENATE JOINT RESOLUTION 270

At the request of Mr. THURMOND, the names of the Senator from North Dakota [Mr. CONRAD], the Senator from Hawaii [Mr. INOUYE], the Senator from Arizona [Mr. DECONCINI], the Senator from Montana [Mr. BURNS], and the Senator from New York [Mr. D'AMATO] were added as cosponsors of Senate Joint Resolution 270, a joint resolution to designate August 15, 1992, as "82d Airborne Division 50th Anniversary Recognition Day."

SENATE JOINT RESOLUTION 282

At the request of Mr. BOREN, the name of the Senator from North Da-

kota [Mr. CONRAD] was added as a cosponsor of Senate Joint Resolution 282, a joint resolution to provide for the expeditious disclosure of records relevant to the assassination of President John F. Kennedy.

SENATE JOINT RESOLUTION 295

At the request of Mr. DECONCINI, the names of the Senator from New Jersey [Mr. LAUTENBERG], the Senator from New York [Mr. MOYNIHAN], and the Senator from Maryland [Mr. SARBANES] were added as cosponsors of Senate Joint Resolution 295, a joint resolution designating September 10, 1992, as "National D.A.R.E. Day."

SENATE CONCURRENT RESOLUTION 118

At the request of Mr. GRASSLEY, the names of the Senator from Kansas [Mrs. KASSEBAUM], the Senator from South Dakota [Mr. PRESSLER], the Senator from Ohio [Mr. GLENN], and the Senator from Colorado [Mr. BROWN] were added as cosponsors of Senate Concurrent Resolution 118, a concurrent resolution declaring the ratification of the 27th Article of Amendment to the Constitution of the United States.

SENATE RESOLUTION 285

At the request of Mr. LIEBERMAN, the name of the Senator from Colorado [Mr. BROWN] was added as a cosponsor of Senate Resolution 285, a resolution calling for compliance with United Nations sanctions against Libya for harboring the suspects in the bombing of Pan Am flight 103, and for other purposes.

NOTICE OF HEARINGS

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. LEAHY. Mr. President, I would like to announce that the Senate Committee on Agriculture, Nutrition, and Forestry Subcommittee on Agricultural Research and General Legislation will hold a hearing on the utility of expanded lamb reporting services by USDA. The hearing will be held on Tuesday, June 9, 1992, at 10 a.m. in SR-332. Senator TOM DASCHLE will preside.

For further information please contact Wade Fauth at 224-2321

AUTHORITY FOR COMMITTEES TO MEET

SELECT COMMITTEE ON INTELLIGENCE

Mr. FORD. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on Wednesday, May 13, 1992, at 2 p.m., to hold a closed hearing on intelligence matters.

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

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. FORD. 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, May 13, 1992, at 2 p.m., to conduct a hearing on urban affairs, the recent violence in Los Angeles and the plight of inner cities.

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

SUBCOMMITTEE ON COMPETITIVENESS AND ECONOMIC OPPORTUNITY

Mr. FORD. Mr. President, I ask unanimous consent that the Small Business Subcommittee on Competitiveness and Economic Opportunity be authorized to meet during the session of the Senate on Wednesday, May 13, 1992, at 9:30 a.m. The subcommittee will hold a hearing on the effects of the real estate crisis on small business and local governments.

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

SUBCOMMITTEE ON MANPOWER AND PERSONNEL

Mr. FORD. 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, May 13, 1992, at 9 a.m., in open session, to receive testimony on the medical programs of the Department of Defense in review of S. 2629, the Department of Defense authorization request for fiscal year 1993.

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

SELECT COMMITTEE ON INDIAN AFFAIRS

Mr. FORD. Mr. President, I ask unanimous consent that the Select Committee on Indian Affairs be authorized to meet on May 13, 1992, beginning at 9:30 a.m., in 485 Russell Senate Office Building, on budgeting for the Indian School Equalization Program, 1991-93, to be followed by a markup on the Native Hawaiian Health Care Improvement Act beginning at 2 p.m.

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

SUBCOMMITTEE ON ENVIRONMENTAL PROTECTION

Mr. FORD. Mr. President, I ask unanimous consent that the Subcommittee on Environmental Protection, Committee on Environment and Public Works, be authorized to meet during the session of the Senate on Wednesday, May 13, beginning at 1:30 p.m., to conduct a hearing 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.

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

COMMITTEE ON VETERANS' AFFAIRS

Mr. FORD. Mr. President, the Committee on Veterans' Affairs would like to request unanimous consent to hold a hearing to consider employment and education legislation on May 13, 1992, at 10 a.m. in room 418 of the Russell Building.

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

SUBCOMMITTEE ON MEDICARE AND LONG-TERM CARE

Mr. FORD. Mr. President, I ask unanimous consent that the Subcommittee on Medicare and Long-Term Care of the Committee on Finance be authorized to meet during the session of the Senate on May 13, 1992, at 2 p.m. to hold a hearing on the challenge of providing long-term health care.

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

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. FORD. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate, 2 p.m., May 13, 1992, to receive testimony on S. 2656, the Petroleum Marketing Practices Act Amendments of 1992.

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

SUBCOMMITTEE ON MERCHANT MARINE

Mr. FORD. Mr. President, I ask unanimous consent that the Subcommittee on Merchant Marine, of the Committee on Commerce, Science and Transportation, be authorized to meet during the session of the Senate on May 13, 1992, at 10 a.m. on the reauthorization of Marad/Federal Maritime Commission.

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

COMMITTEE ON ENERGY AND NATIONAL RESOURCES

Mr. FORD. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate, 9:30 a.m., May 13, 1992, to consider pending agenda business, and any other items ready for consideration.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. FORD. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Wednesday, May 13, at 10 a.m. to hold a business meeting to markup S. 2532, legislation authorizing assistance to the former Soviet Union.

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

COMMITTEE ON LABOR AND HUMAN RESOURCES

Mr. FORD. Mr. President, I ask unanimous consent that the Committee on Labor and Human Resources be authorized to meet during the session of the Senate on Wednesday, May 13, 1992, at 10 a.m., for a hearing on the Freedom of Choice Act.

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

SUBCOMMITTEE ON FEDERAL SERVICES, POST OFFICE AND CIVIL SERVICE

Mr. FORD. 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, May 13, 1992, on S. 1981, reauthorization of the Office of Special Counsel.

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

ADDITIONAL STATEMENTS

ISRAELI INDEPENDENCE DAY

• Mr. SIMON. Mr. President, today I would like to congratulate Israel in the celebration of its 44th anniversary of independence last week. Since 1948, Israel has overcome enormous obstacles to be free and independent. Her continued vitality is directly related to the courage and resilience of the Jewish state and its citizens.

The American people can be proud of the support which the United States has provided to our democratic ally in the Middle East. This last year has witnessed some trying times in relations between the Israeli Government and the United States administration. Our relationship with Israel, however, is strong enough to weather this temporary setback. I believe that most people in both countries strongly support continued cooperation across the bilateral relationship.

During the cold war, Israel was vital strategic ally in the Middle East. Today, in a multipolar global environment, Israel remains a good friend and ally. Our challenge in this new era is to foster an even closer friendship with Israel on a broad range of issues. Israel ranks among the world's finest in the fields of medical research, irrigation techniques, and high technology industries. The potential for growth and prosperity in both of our countries from cooperation in these fields has only been partially realized.

Israel, however, still faces many challenges in the near future. By the end of 1991, some 380,000 Jews, primarily from the Soviet Union and Ethiopia, had immigrated to Israel. Hundreds of thousands of Jews remaining in the former Soviet Union may also choose to live in Israel. Israel will benefit for the skills and talents that these immigrants bring, but the country faces serious absorption problems. As the United States encouraged the resettlement of these Jews in Israel, we have a moral commitment to assist Israel with absorption through provision of loan guarantees.

Israel needs peace in order to prosper. Any resolution of the Middle East problem must guarantee Israel and her neighbors secure and recognized boundaries free from threats or acts of force. I hope that the peace process now underway may yield such a solution. I commend Secretary Baker and the participants in the process for the efforts they are making toward an understanding acceptable to all parties.

Israel has come a long way since the early months of 1948. The Israeli people have demonstrated the ability to overcome tremendous obstacles—they have survived hostile neighbors, built cities on swamps, and turned the desert green. An oasis of democracy in the region, Israel has set an example for other states in the area. I hope that democratic principles, observance of individual rights, and growth of free markets will come to characterize all countries in the region. I look to Israel to lead the way here, and extend my best personal wishes to the people and Government of Israel on their Independence Day.•

REV. KEVIN WAYNE COSBY

• Mr. McCONNELL. Mr. President, I rise today to recognize an outstanding Kentucky minister for his commitment to the black community in Louisville, his dedication to improving race relations, and his insight into social problems which plague our minority communities.

Rev. Kevin Wayne Cosby is the dynamic leader of Kentucky's fastest-growing black congregation at St. Stephen Baptist Church in western Louisville. Under Reverend Cosby's guidance, St. Stephen has grown sevenfold, from 300 to about 2,000 active members. He has earned the respect of many black leaders for the work the church has done to help the neighborhood where it is located—primarily by building a widely used family-life center.

When he accepted the pastorate of St. Stephen in 1979, Reverend Cosby found poverty and hopelessness in the surrounding community. He and his congregation decided to build institutions to help people in the neighborhood; the resulting activities and community involvement have been phenomenal. The church and the family-life center are now a focal point of the community for church members and nonmembers alike.

Reverend Cosby also possesses a vision for the future which addresses not only the social needs of Louisville's black community, but of the entire Nation. His vision includes cities containing strong, self-sustaining black communities where thriving businesses, active churches and vital schools flourish. Reverend Cosby also teaches a course on African-American religion at the University of Louisville. At St. Stephen, he initiated a program for 11 to 13-year-olds to improve their understanding of African culture.

While many Americans remain puzzled and distraught by the recent violence in Los Angeles, Reverend Cosby maintains an accurate reading of the situation, as well as a clearly defined view of what all of us can do to improve our inner cities and race relations nationwide.

Reverend Cosby outlined his views regarding the Rodney King verdict and subsequent riots in a recent column in the Louisville Courier-Journal. Please enter this column, as well as my comments into the RECORD.

The article follows:

INESCAPABLE SOLIDARITY

(By Kevin W. Cosby)

The recent events in Los Angeles have awakened the nation from its world of delusion and brought home the rage that has been festering in inner-city, African-American neighborhoods for decades. Since the Watts riots of 1965, the nation has been content to use Band-Aid remedies to correct the social and structural injustices that afflict the masses of African Americans.

The nation has never addressed the fundamental problems—the preservation of culture and economic empowerment. These are the issues that sparked the riots in Los Angeles and across the country. The Rodney King verdict was indeed the fuse, but the dynamite was the disdain for and the inability to recognize and respect African-American culture.

Since the Brown school-desegregation decision of 1954, integration has been the social goal of the major civil rights organizations and white liberals. However, the problem has been that integration has never been clearly defined. Integration has most often meant Anglo-conformity. This is the process by which African Americans take on the dress, language, food, values, sentiments, ideas and life-styles of Anglo-Americans. Anglo-conformity is based on the assumption that there is something defective in traditional African-American culture while Anglo-American culture is sacrosanct.

The lack of cultural diversity has handicapped African Americans in two ways. First, African Americans are judged in society based on how well they approximate the Anglo-American cultural norm. For example, educator Janice Hale states that the reason why African-American children are disproportionately labeled as educable mentally retarded and placed in special education classes is because they are forced to function and learn in a system that was designed for Anglo-Saxon, middle-class children. Second, Anglo-conformity has also resulted in African Americans in the middle and professional class having to sacrifice cultural identity and group solidarity with the masses of African Americans in order to integrate into mainstream America.

Integration has not translated into economic and social justice for the masses of African Americans. Integration has meant the selective assimilation of middle- and professional-class African Americans into Anglo-American society while the urban poor are simply left behind as the permanent inhabitants of desolate and abandoned inner cities. What the civil rights community does not want to come to grips with is how token integration has helped to facilitate the growth of the African-American poor. The incorporation of an African-American middle class into America's mainstream left the poor elements of the African-American community without leaders and institutions.

Visit any inner-city neighborhood across America, and you will find an absence of basic black-owned and controlled institutions like shopping centers, athletic centers, movie theaters, drug stores, restaurants, banks, schools, social service centers and other institutions that white and more affluent neighborhoods take for granted. These

institutions are important because they transmit values and place permanent, positive role models in the community.

One might ask, why would rioters destroy those few institutions they did have? The institutions that were targeted were not owned by the people who live in the communities. The economy of the inner city is controlled most often by people who drain the neighborhoods of their resources.

Prof. Harold Cruse of the University of Michigan, responding to the riots of the '60s, said that many mistakenly thought that Black Power meant "get the cops," "burn baby burn," "down with whitey," or "let's get the loot." Ironically, Richard Nixon understood the true message of the riots, and he conveyed them in an address in 1968, when he said:

"Much of the black militant talk these days is actually in terms far closer to the doctrines of free enterprise than to those of the welfarish '30s—terms of 'pride,' 'ownership,' 'private enterprise,' 'capital,' 'self-assurance,' 'self-respect' . . . what most of the militants are asking is not separation, but to be included—not as supplicants, but as owners, as entrepreneurs—to have a share of the wealth and a piece of the action. This is precisely what . . . the new approach ought to be. It ought to be oriented toward more black ownership, for from this can flow the rest—black pride, black jobs, black opportunity and yes, black power."

Every business that only takes from the African-American community without investing in the community is at risk because people will continue to rebel against injustice, inhumanity and feelings of disenfranchisement. Not only must businesses invest in the communities, but the people must be empowered to control the economy in their own communities.

Therefore, I call for the business community and the government to form partnerships with African-American institutions for the purpose of preventing the carnage displayed in the Los Angeles community.

For example, the St. Stephen Baptist Family Life Center is operating a rites of passage program; a child development center, tutorial service, computer literacy program, and other programs designed to empower the residents of the inner-city California community.

As a result of the services provided through the Family Life Center, 60 permanent jobs have been created. The employment and services provided through the Family Life Center have been created through grassroots initiatives independent of federal, state or local government. I am confident that if government and private industry would get involved, this model could be replicated in other neighborhoods on a much larger scale.

Dr. Martin Luther King, Jr., often spoke of the "inescapable network of mutuality" that exists between the haves and the have-nots. That is to say that if the strength of the strong is not at the disposal of the weak, then the weakness of the weak will eventually cross the fence and undermine the strength of the strong.

This is the true lesson to be learned from Los Angeles. Let us learn it also in Louisville.•

MARKING THE 84TH ANNIVERSARY OF THE U.S. NAVY NURSES

Mr. DODD. Mr. President, I rise today to salute the U.S. Navy nurses as they celebrate their 84th anniversary. The Nurse Corps has served this country dutifully and fearlessly since 1908. They are a unique group of individuals defined by their ability to provide care in a variety of settings, ranging from a field hospital in Korea to a ship on the Atlantic Ocean. In addition, these fine men and women act as ambassadors of goodwill all over the world.

Created by an act of Congress, the first members of the Nurse Corps were an elite group of young women called the Sacred Twenty. Under the leadership of Esther Voorhess Hasson, they laid the foundation for over eight decades of care and service. Today, there are over 3,000 active duty members and 2,500 Reserves.

Over the years the nurses have established a long record of achievement and excellence. The nurse corps has been involved in every major conflict since their inception. Time and time again, they selflessly put their lives in jeopardy to complete their line of duty. In World War I, of the four Navy crosses awarded to Navy nurses, three were awarded posthumously. In World War II, five nurses were captured by the Japanese in Guam and were interned for 6 months before repatriation. Eleven other nurses were captured in the Philippines and spent 37 months in internment camp.

Through these conflicts, the nurses have improved their skills and increased their importance to the Marine and Navy corps. In the Korean war, Vietnam war, and most recently, in Operation Desert Storm, the nurses served with distinction as consultants, analysts, resource managers and commanding officers.

Mr. President, I am proud that in my home State of Connecticut there are 42 active duty members of the Navy Nurse Corps assigned to the Naval Hospital in Groton. These men and women are to be congratulated for their sacrifice, dedication, and patriotism. I hope my colleagues will join me today to congratulate the Navy Nurse Corps for 84 years of service and wish them many more successful years in the future.•

CALHOUN COUNTY EMS: BEST IN THE NATION

• Mr. HOLLINGS. Mr. President, each year, hundreds of emergency medical service teams from across the country compete to be recognized as the best EMS unit in the country. This year, South Carolina's Calhoun County EMS won the top honor—a truly remarkable achievement in several respects.

Calhoun County's unit is the first small, rural EMS team to win the national competition, which is usually dominated by large, established, urban EMS services. The fact is, Calhoun County does not even have a 911 emergency number, and many of its rural roads are unnamed. Even more remarkable, Calhoun County EMS has only been in operation since 1990.

So this first-place award is an extraordinary tribute to the skill and professionalism of the 25 EMS technicians and paramedics of the Calhoun County unit, brilliantly led and organized by Bill Minikiewicz. It is also a tribute to the Calhoun County community, which has generously supported its EMS service, and enthusiastically embraced the programs and innovations created by Mr. Minikiewicz and his colleagues.

South Carolina takes special pride in the excellence of its EMS services. Indeed, it is amazing that three of the last four national EMS award winners have been from the State of South Carolina.

Mr. President, I just cannot speak too highly about these EMS professionals. They serve with great coolness and courage amidst some of the most horrific, high-pressure circumstances imaginable. I am sure I speak for all Senators when I say that they have earned our utmost respect and our deep appreciation.•

TRIBUTE TO DR. W.L. McDIVITT, PRESIDENT OF OTERO JUNIOR COLLEGE IN LA JUNTA, CO

• Mr. BROWN. Mr. President, I rise today to pay tribute to Dr. W.L. McDivitt, who is retiring as president of Otero Junior College in la Junta, CO, on July 1, 1992. In fact, "Dr. Mac" is the only president Otero Junior College has ever had.

Dr. McDivitt has been a leader of higher education at Otero Junior College for 40 years and has had a major influence on so many aspects of education in the Arkansas Valley and southeastern Colorado.

Beginning his career in higher education at the former La Junta Junior College as dean in August 1952, Dr. McDivitt became president of the renamed Otero Junior College on January 1, 1956.

When Dr. McDivitt began in 1952, there were only 89 students enrolled. Today, Otero Junior College has grown to almost 1,000 students. The growth in enrollment has been a remarkable feat considering the fact that population actually declined in southeastern Colorado over the past decades.

The campus has grown, too. Early in his presidency, a new center administration building was built as part of the old Works Project Administration [WPA] Program. A humanities building was erected later and further facilities were built especially for vocational education. Today, eight area high schools bus students to the Otero Junior College campus to take advantage of its vocational education facilities. High school students can now take part in the Central Arkansas Valley Occupational Center at Otero for instruc-

tion in computer science, welding, child care, automobile repair, building and trade skills, electronics, and nursing assistance.

One of Dr. McDivitt's most noteworthy accomplishments, though, may be the establishment of child care development services on campus. The program has received Federal funds for a Head Start Program and currently serves about 400 children and their families from Otero, Bent, Crowley, and Prowers Counties.

The staff, faculty, and students of Otero Junior College will deeply miss Dr. McDivitt, but the progress that has been made under his leadership will be remembered forever. The newly renovated W.L. and Mabel McDivitt Gymnasium will not only honor him for his many decades of service to the college, but will serve as a reminder of his countless contributions to the Otero Junior College campus.●

BUDGET SCOREKEEPING REPORT

● Mr. SASSER. Mr. President, I hereby submit to the Senate the budget scorekeeping report prepared by the Congressional Budget Office under section 308(b) of the Congressional Budget Act of 1974, as amended. This report serves as the scorekeeping report for the purposes of section 605(b) and section 311 of the Budget Act.

This report shows that current level spending exceeds the budget resolution by $6.5 billion in budget authority and by $6.1 billion in outlays. Current level is $2.9 billion above the revenue floor in 1992 and $0.7 billion below the revenue floor over the 5 years, 1992–96. Since my last report, dated May 5, 1992, the Congress has cleared for the President's signature S. 2378, a bill extending certain expiring veterans' programs.

The current estimate of the deficit for purposes of calculating the maximum deficit amount is $354.4 billion, $3.2 billion above the maximum deficit amount for 1992 of $351.2 billion.

The report follows:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, May 12, 1992.

Hon. JIM SASSER,
Chairman, Committee on the Budget, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The attached report shows the effects of Congressional action on the budget for fiscal year 1992 and is current through May 8, 1992. The estimates of budget authority, outlays, and revenues are consistent with the technical and economic assumptions of the Concurrent Resolution on the Budget (H. Con. Res. 121). This report is submitted under Section 308(b) and in aid of Section 311 of the Congressional Budget Act, as amended, and meets the requirements for Senate scorekeeping of Section 5 of S. Con. Res. 32, the 1986 First Concurrent Resolution on the Budget.

Since my last report, dated May 5, 1992, the Congress has cleared for the President's signature S. 2378, a bill extending certain expiring veterans' programs. This action changes the current level for budget authority and outlays.

Sincerely,

ROBERT D. REISCHAUER,
Director.

THE ON-BUDGET CURRENT LEVEL REPORT FOR THE U.S. SENATE, 102D CONG. 2D SESS. SENATE SUPPORTING DETAIL FOR FISCAL YEAR 1992 AS OF CLOSE OF BUSINESS MAY 8, 1992

[In millions of dollars]

	Budget authority	Outlays	Revenues
ENACTED IN PREVIOUS SESSIONS			
Revenues	.....	.....	853,364
Permanents and other spending legislation	807,567	727,184	.....
Appropriation legislation	686,331	703,643	.....
Mandatory adjustments [1]	(1,041)	1,105	.....
Offsetting receipts	(232,542)	(232,542)	.....
Total previously enacted [2]	1,260,314	1,199,389	853,364
ENACTED THIS SESSION			
Emergency unemployment compensation extension (Public Law 102–244)	2,706	2,706	.....
American Technology Preeminence Act (Public Law 102–245)	.....	.....	(3)
Technical Correction to the Food Stamp Act (Public Law 102–265)	(3)	(3)	.....
Further continuing appropriations, 1992 (Public Law 102–266) [4]	14,178	5,724	.....
Total enacted this session	16,884	8,430	(3)
PENDING SIGNATURE			
Extend certain expiring veterans' programs (S. 2378)	(4)	(4)	.....
Total current level	1,277,196	1,207,817	853,364
Total budget resolution [5]	1,270,713	1,201,701	850,501
Amount remaining:			
Over budget resolution	6,483	6,116	2,863
Under budget resolution	.....	.....	.....

[1] Adjustments required to conform with current law estimates for entitlements and other mandatory programs in the concurrent resolution on the budget (H. Con. Res. 121).

[2] Excludes the continuing resolution enacted last session (Public Law 102–145) that expired Mar. 31, 1992.

[3] Less than $500,000.

[4] In accordance with section 251(a)(2)(D)(i) of the Budget Enforcement Act, the amount shown for Public Law 102–266 does not include $107,000,000 in budget authority and $28,000,000 in outlays in emergency funding for SBA disaster loans.

[5] Includes revision under section 9 of the concurrent resolution on the budget (see p. S4055 of "Congressional Record" dated Mar. 20, 1992).

Note.—Detail may not add due to rounding.

THE CURRENT LEVEL REPORT FOR THE U.S. SENATE, 102D CONG. 2D SESS. AS OF MAY 8, 1992

[In billions of dollars]

	Budget resolution (H. Con. Res. 121)	Current level [1]	Current level +/− resolution
On-budget:			
Budget authority	1,270.7	1,277.2	+6.5
Outlays	1,201.7	1,207.8	+6.1
Revenues:			
1992	850.5	853.4	+2.9
1992–96	4,836.2	4,835.5	−.7
Maximum deficit amount	351.2	354.4	+3.2
Debt subject to limit	3,982.2	3,783.1	−199.1
Off-budget:			
Social Security outlays:			
1992	246.8	246.8	.....
1992–96	1,331.5	1,331.5	.....
Social Security revenues:			
1992	318.8	318.8	.....
1992–96	1,830.3	1,830.3	.....

[1] Current level represents the estimated revenue and direct spending effects of all legislation that Congress has enacted or sent to the President for his approval. In addition, full-year funding estimates under current law are included for entitlement and mandatory programs requiring annual appropriations even if the appropriations have not been made. The current level of debt subject to limit reflects the latest U.S. Treasury information on public debt transactions.

Note.—Detail may not add due to rounding.●

IN HONOR OF DOROTHY GOODWIN

● Mr. DODD. Mr. President, I rise today to recognize Dorothy Goodwin for her lifetime of service to the State of Connecticut. As a professional, a teacher, and a legislator, she has been committed to improving the quality of life for all people.

Dorothy was born in Hartford and educated at Smith College. As a young woman, she interned with the Bureau of Agriculture Economics in Washington, DC. Following this experience, she worked as an economic intelligence officer in India and as an agricultural economist in Japan. Upon her return to the United States, she returned to school and became the first woman to receive her Ph.D. in agricultural economics from the University of Connecticut. She taught economics at UCONN until 1974.

At the age of 60 she retired from her teaching job and ran for a seat on the Connecticut State Legislature, where she served for 10 years. As a legislator Dorothy was a strong supporter of education. One of her most notable accomplishments was the school equalization bill which distributed State aid to schools based on the relative wealth of each community, improving the educational opportunities available to the underprivileged. Dorothy was also the chairman of the Joint Committee on Education and was appointed to the Connecticut Commission of Higher Education for several years.

Throughout her tenure with the legislature, Dorothy was known as a statesman—someone dedicated to serve the best interests of the public. As an advocate for the underprivileged and someone concerned with improving access to education, she was nicknamed "the conscience of the assembly" by her colleagues.

Although Dorothy is retired from politics, she continues to be an active participant in the community. Recently, the Mansfield community recognized her years of outstanding service by renaming the Northwest School in her honor. Other awards she has received include the 1992 UCONN Award commemorating 100 Years of Women and the Wilbur Cross Award for contributions to the public humanities.

Dorothy Goodwin is a role model to all. The integrity, values, and diligence she exudes are unique. The town of Mansfield and the State of Connecticut are lucky to have such a talented resident.●

CONGRATULATING RABBI NACHUM MUSCHEL

● Mr. D'AMATO. Mr President, I rise today to honor an esteemed member of New York State's Jewish community, Rabbi Nachum Muschel. The city of Monsey, NY, is very fortunate to be home to the Adolph H. Schreiber Hebrew Academy of Rockland, known as

ASHAR. On Sunday, May 31, 1992, the academy will honor Rabbi Nachum Muschel at its 38th annual dinner. Rabbi Muschel will be retiring as dean of the school after serving 36 years.

During his tenure, Rabbi Muschel's teachings reached almost 2,000 students as well as their families. The rabbi is a man of character, courage, and compassion as evidenced by his survival in a Siberian internment camp. He also served as a supervisor of education at Yeshiva Univesity's Teachers Institute for Women. During the early 1950's, Rabbi Muschel envisioned an Orthodox community in the suburbs of New York City. He has invested his time and talent into building the community around ASHAR, and the institution has gained recognition on a national scale.

Since the 1950's, the Jewish people in Israel and elsewhere incurred many struggles in maintaining their identity. Rabbi Muschel has been a valuable man for the Jewish community in this regard and has done much to preserve the identity of his people.

I wish Rabbi Muschel and his family the best in the years to come. The Adolph H. Schreiber Hebrew Academy of Rockland and the Jewish community of New York will sorely miss his services.●

NEED A LIFT?

● Mr. STEVENS. Mr. President, in an effort to help the young people of this country, the American Legion has published its 41st edition of "Need a Lift?" It is one of the best informational handbooks I have seen on educational opportunities for scholarships, careers, and loans.

It is important for students to have as much information as is available about financial aid and scholarship opportunities. For that reason, I ask that section IV of this handbook covering Federal programs for loans and scholarships be printed in the RECORD.

The section follows:

SECTION IV—SOURCES OF SCHOLARSHIPS AND OTHER FORMS OF FINANCIAL AID AVAILABLE TO ALL STUDENTS

A. FEDERAL PROGRAMS (LISTED ALPHABETICALLY)

1. U.S. Department of Education provides the largest source of funding for financial aid programs. These programs are listed in the following paragraphs. Applications are available at postsecondary schools and high schools. The "Federal Student Aid Fact Sheet from the U.S. Department of Education, 1991-92" may be obtained by writing to Federal Student Aid Programs, P.O. Box 84, Washington, DC 20044. Federal student aid questions may be directed to the *toll-free* Federal Student Aid Information number: 1-800-4 FED AID.

a. College Work-Study Program (CWSP). This program provides on-campus and off-campus employment to undergraduate and graduate students enrolled in colleges and eligible postsecondary institutions who need financial aid to meet college expenses. The wage paid is at least the current Federal minimum wage, but it may also be related to the type of work and its difficulty. In arranging a job and assigning a work schedule, the aid administrator takes into account the student's health, class schedule and academic progress.

b. Pell Grant Program. Formerly called the Basic Grant Program, this program makes funds available to eligible students attending participating colleges, community/junior colleges, vocational schools, technical institutions, hospital schools of nursing, and other participating postsecondary institutions. To apply for the grant, an applicant must demonstrate need and be an undergraduate student enrolled on at least a halt-time basis. For the 1991-92 award period, individual awards will depend on program funding. The maximum award for the 1991-92 academic year was $2,400. To apply for a Pell Grant, a student must complete either the Federal form called "Application for Federal Student Aid" or one of several private or State need analysis applications which are used to determine eligibility for other sources of student aid: the Financial Aid Form (FAF) processed by CSS, the Family Financial Statement (FSS) processed by ACT, the Pennsylvania Higher Education Assistance Agency (PHEAA) form processed by PHEAA, the Student Aid Application for California (SAAC) processed by CSS, the Illinois State Scholarship Commission's form (AFSSA), processed by CSX or the Single file Form processed by USAF. Further information may be obtained from the Office of Student Financial Aid at the institution or a high school guidance counselor.

c. Perkins Loan (formerly National Direct Student Loan Program—NDSL). These loans are available to students enrolled at least half time (and in some cases less than half-time) in a regular program of study at a participating school and who demonstrate need for financial assistance. Aggregate loans may not exceed $18,000 for a graduate student including undergraduate loans; $9,000 for students who have not completed their bachelor's but have completed 2 years leading to a bachelor's degree; $4,500 for any other student. Repayment of the loan begins 9 months after a borrower ceases to carry at least one half the normal academic work load, and is to be repaid within 10 years. Your "grace period" may be different than nine months if you are less than a half-time student. Interest of 5% will begin at the time the repayment period begins. You may defer repayment or have portions of your loan canceled under certain conditions.

d. Plus Loans and Supplemental Loans for Students (SLS). PLUS loans are for parent borrowers. SLS loans are for undergraduate/graduate students. Interest rates are variable (maximum 12%). Like Stafford loans, they are made by a lender such as a bank, credit union, or savings and loan association. It is not necessary to demonstrate need. Parents, graduate students and independent undergraduates may borrow $4,000 per year. In exceptional circumstances, the financial aid administrator may authorize dependent undergraduates to apply for an SLS. All borrowers must begin repaying these loans within 60 days, unless the borrower is entitled to a deferment and the lender agrees to let the interest accumulate until the deferment ends. The negotiation of each loan is between the student and the lending institution. Individuals who desire more information or wish to initiate a loan should discuss the matter with the lender and the school financial aid administrator.

e. Stafford Loan (formerly Guaranteed Student Loan—GSL). This program provides loans to students for educational expenses, and is available from eligible lenders such as banks, credit unions, savings and loan associations, State agencies and schools. Students must be enrolled on at least a half-time basis in participating postsecondary institutions, ranging from vocational and technical schools to degree-granting institutions. All applicants must undergo a needs test. For new borrowers, the interest rate is 8 percent for the first 4 years of repayment and 10 percent after that. A 5 percent origination fee is charged, which will be deducted proportionately from each loan payment. The money is passed on to the Federal Government to help reduce the Government's cost of subsidizing these low-interest loans. Your lender may also charge you an insurance premium of up to 3 percent of the loan principal.

Loans must be repaid. Repayment normally is over a 5-10 year period. The amount of the student's repayment depends on the size of his or her debt. The more the student borrows, the higher the payment will be. Failure to repay on a timely basis can damage a person's credit rating and may lead to legal action to recover the debt.

Deferment of payment may be granted for a variety of reasons. Deferments are not automatic and must be applied for through your lender. Check with your lender for deferment information.

Depending on your need, you may borrow up to $2,625 a year, if you're a first or second-year undergraduate student; $4,000 a year, if you have completed 2 years of study and have achieved third-year status; $7,500 a year, if you're a graduate student. The total Stafford Loan debt you can have outstanding as an undergraduate is $17,250. The total for graduate or professional study is $54,750, including any loans made as an undergraduate.

f. Supplemental Educational Opportunity Grant [SEOG] Program. This grant program is for students with exceptional financial need (priority given to PELL grant recipients). Students must be enrolled as an undergraduate or vocational student in a regular program of study at an educational institution participating in the program. In some cases, awards may be made to less than half-time students. Graduate students are not eligible. The amount of the award may be up to $4,000 yearly. There are other Federal programs you can get information about from your State educational agencies. These programs are:

G. THE PAUL DOUGLAS TEACHER SCHOLARSHIP.

Encourages outstanding high school graduates to pursue teaching careers after they finish postsecondary education. Provides scholarships of up to $5,000 for each year of postsecondary education to students who graduate from high school in the top 10 percent of their class, and who meet other selection criteria their State educational agency may establish. Generally, students are required to teach two years for each year of scholarship assistance they receive. Check with your State Scholarship Agency for information.

H. THE ROBERT C. BYRD HONORS SCHOLARSHIP.

Students who demonstrate outstanding academic achievement and show promise of continued excellence may receive $1,500 for their first year of postsecondary education. These scholarships are based solely on merit, and are not renewable. Recipients are selected by the agency in the State responsible for supervising public elementary and secondary schools.

2. U.S. Department of Health and Human Services administers programs of assistance

for students enrolled in health professions programs.

a. Exceptional Financial Need Scholarship Program [IV-1] provides a scholarship to encourage students with exceptional financial need to pursue careers in medicine, osteopathic medicine, dentistry, optometry, podiatric medicine, pharmacy, or veterinary medicine. Applicants should be citizens, nationals or lawful permanent residents of the United States or District of Columbia, the Commonwealths of Puerto Rico, or the Marianna Islands, the Virgin Islands, Guam, the American Samoa, the Trust Territory of the Pacific Islands, the Republic of Palau, the Republic of the Marshall Islands and the Federated State of Micronesia. Scholarships will cover all or a part of the cost of tuition, and other reasonable educational expenses including fees, books, laboratory expenses and other costs of attending school. No service or financial obligation accompanies the scholarship. For information, write: Health Resources and Services Administration, Bureau of Health Professions, Division of Student Assistance, Parklawn Building, Room 8-38, 5600 Fishers Lane, Rockville, MD 20857. To apply for the program, contact the Director of Student Financial Aid at the school where you intend to apply for admission or where you are enrolled.

b. Program of financial assistance for disadvantaged health professions students is a program that provides financial assistance without a service or financial obligation to disadvantaged health professions students who are of exceptional financial need to pursue a degree in medicine, osteopathic medicine, or dentistry by providing financial support to help pay for their costs of education. Federal funds for this program are allocated to participating accredited health professions schools located in the United States and Puerto Rico. These schools are responsible for selecting the recipients of such assistance. You are eligible to apply if you are a citizen, national or lawful permanent resident of the United States or the District of Columbia, the Commonwealths of Puerto Rico or the Mariana Islands, the Virgin Islands, Guam, the American Samoa or the Trust Territory of the Pacific Islands, the Republic of Palau, the Republic of the Marshall Islands, and the Federated State of Micronesia; are accepted for enrollment or are enrolled in a participating health professions school as a full-time student; and are determined by your school's Financial Aid Director to be of "exceptional financial need" and to meet "disadvantaged" criteria.

Depending on funding available, a student may receive funds to cover the costs of tuition and other reasonable education expenses including fees, books, laboratory expenses and other costs of attending school.

To apply, contact the Director of Student Financial Aid at the school where you intend to apply for admission or where you are enrolled, or write to the address in (a) above.

c. The Health Education Assistance Loan (HEAL) Program is a federally insured loan program for eligible graduate students in schools of medicine, osteopathy, dentistry, veterinary medicine, optometry, podiatry, public health, pharmacy, chiropractic, or in programs in health administration, clinical psychology, or allied health.

Eligible Borrower—must be a citizen, national or permanent resident of the United States and accepted for enrollment as a full-time student, or already in full-time attendance and in good standing at an eligible HEAL school. Pharmacy students must have satisfactorily completed three years of training toward a pharmacy degree.

Eligible Schools—Accredited health professions schools are eligible to participate in the HEAL Program if the school has an agreement with the Secretary. Foreign schools are not eligible under the HEAL Program even though some are eligible for the Guaranteed Student Loan Program.

Eligible Lenders—Financial or credit institutions (including banks, savings and loan associations, credit unions, or insurance companies), State agencies, pension funds, eligible HEAL schools, and non-profit private entities designated by a State.

Loan Limitations—Medical, osteopathic, dental, veterinary, optometric or podiatric students may borrow up to $20,000 per year, not to exceed $80,000 for all years. Pharmacy, chiropractic, health administration, clinical psychology, public health or allied health students may borrow up to $12,500 per year not to exceed $50,000 for all years.

Loans may be used solely for tuition, other reasonable educational expenses, including fees, books, supplies and equipment, and laboratory expenses, reasonable living expenses, reasonable transportation costs that relate directly to borrowers' educational expenses, and the HEAL insurance premium.

Interest—The HEAL program does not provide a subsidy payment for interest. The amount of interest which may be charged to the borrower on the unpaid balance of the loan may not exceed the average bond-equivalent rate during the prior calendar quarter for 91-day Treasury bills sold at auction, plus three percent, rounded to the next higher ⅛ of one percent. Payment of principal and interest may be deferred while the borrower is a full-time student and during specific eligible periods of deferment. For more information contact the Director of Student Financial Aid at your school, or write to address in (a) above: Room 8-39.

d. The Health Professions Student Loan Program is a program of long-term, low interest loans to assist students having need for financial assistance to undertake the course of study required to become a physician, dentist, osteopathic physician, optometrist, pharmacist, podiatrist, or veterinarian. Funds are allocated to accredited schools of medicine, dentistry, osteopathic medicine, optometry, pharmacy, podiatric medicine, and veterinary medicine which are located in the United States and Puerto Rico, and which participate in the student loan program.

Each school participating in this program is responsible for selecting the recipients of loans and for determining the amount of assistance a student requires. Students applying for assistance under this program should apply through the school in which they have been accepted for enrollment or in which they are enrolled.

You are eligible to apply for a loan at a school that participates in the Health Professions Student Loan Program if you are:

1. A citizen, national, or a lawful permanent resident of the United States or the District of Columbia, the Commonwealths of Puerto Rico or the Marianna Islands, the Virgin Islands, Guam, the American Samoa, the Trust Territory of the Pacific Islands, the Republic of Palau, the Republic of the Marshall Islands, and the Federated State of Micronesia;

2. Accepted for enrollment or enrolled as a full-time student in a course leading to a degree of doctor of medicine, doctor of dental surgery or equivalent degree, doctor of osteopathic medicine, doctor of optometry or equivalent degree, bachelor of science in pharmacy or equivalent degree, doctor of pharmacy degree, doctor of podiatric medicine or equivalent degree, or doctor of veterinary medicine or equivalent degree; and

3. In need of the loan to be able to pursue the course of study.

Note: Students enrolled in schools of medicine or osteopathic medicine must demonstrate exceptional financial need.

Pre-professional students, interns, residents, and students seeking advanced training are not eligible for assistance under this program.

The maximum amount you may borrow for each school year is the cost of tuition plus $2,500 or the amount of your financial need, whichever is the lesser. The interest rate is five percent (5%) for all loans made on or after November 4, 1988.

For information, contact the Director of Student Financial Aid at your school, or write to the address in (a) above.

e. National Health Service Corps (NHSC) Scholarships [IV-2] are awarded to U.S. citizens enrolled or accepted for enrollment as full-time students in accredited U.S. schools in the Fields of Allopathic or Osteopathic Medicine, Dentistry, Nurse Practitioner Education (Post-Baccalaureate), Nurse Midwifery Education (Baccalaureate or Post-Baccalaureate) and Primary Care Physician Assistant Training (Baccalaureate or beyond). These scholarships include a monthly living stipend and payment of school tuition. Each year of scholarship support incurs a year of Federal service obligation. The minimum service obligation is 2 years.

The NHSC places full-time primary health care practitioners in selected federally-designated Health Manpower Shortage Areas of the United States. Virtually all of these practitioners owe service obligations of 2 to 4 years due to their participation in the NHSC Scholarship Program.

If appropriated funds are available, applications for competitive awards for the 1991-92 school year may be limited to students who have participated at their schools in the Federal "Scholarship Program for First-Year Students of Exceptional Financial Need."

The scholarship program is administered by the Bureau of Health Care Delivery and Assistance, Division of Health Services Scholarships. For further information write to: NHSC Scholarships, Parklawn Building, Room 7-18, 5600 Fishers Lane, Rockville, Maryland 20857. Telephone: (301) 443-1650, or for toll-free message tape, call 1-80-638-0824 (except Maryland).

f. National Health Service Corps Loan Repayment Program: [IV-2]. The NHSC Loan Repayment Program invites applications from licensed allopathic (M.D.) or osteopathic (D.O.) physicians in the specialties of family practice, obstetrics-gynecology, pediatrics, internal medicine, and osteopathic general practice.

This federal program pays up to $20,000 annually toward a participant's qualified medical education loans (including HEAL) in return for 3 or 4 years of full-time professional practice at an approved HNSC Loan Repayment Service Site in the USA. (Two-year agreements will pay up to $25,000 per year.) Over 200 positions are available, mainly at private, non-profit community health centers serving the poor, the homeless, and migrant farm workers and their families. Compensation packages are negotiable and compare favorably with similar physicians in the same geographic area. Matches to sites must be concluded by February 15, 1992 and employment begin no later than August 1, 1992.

For an application, a list of NHSC Loan Repayment Service Sites, and a complete de-

scription of the Program, write to: *Division of Health Services Scholarships, Room 7-18, Parklawn Building, 5600 Fishers Lane, Rockville, MD. 20857* or telephone during office hours: 1-301-443-1650.

g. National Health Service Corps Loan Repayment Program for Graduate Nurses [IV-2]

The National Health Service Corps (NHSC) Loan Repayment Program pays for each year of full-time salaried practice at an approved NHSC Loan Repayment Service Site, up to $20,000 (up to $25,000 for certain sites under contract to Indian Tribes) toward a participant's qualified Government and commercial health professions education loans.

Applicants must be nurses who are U.S. citizens, preferably in their last year of graduate training for the M.S.N. A signed NHSC Loan Repayment Contract must be submitted with application agreeing to practice at an approved Site for 2, 3, or 4 years. Preference for selection will be given those who have completed graduate training in certified family nurse practitioners, pediatric nurse or nurse midwives. For applications write to NHSC Loan Repayment Program for Graduate Nurses, Room 7-16, Parklawn Building, 5600 Fishers Lane, Rockville, Md. 20857.

h. Minority Access to Research Careers Program (MARC) Honors Undergraduate Research Training Awards. [IV-3] The Minority Access to Research Careers Program's Honors Undergraduate Research Training Program is designed to increase the number of well-prepared minority students who can compete successfully for entry into graduate programs leading to the Ph.D. in biomedical research. Its goal is also to help develop strong science curricula and research opportunities to prepare students for careers in biomedical research. A formal research experience for the recipient is an essential feature of the program. Summer study and research should be part of the overall training program at outstanding institutions or laboratories selected to enhance and supplement the trainee's formal course work and research training experience. The criteria for selection of trainees includes evidence that the candidate has clear potential to perform at a high level in the biomedical sciences and that the candidate demonstrates a determination to subsequently enter graduate programs leading to the Ph.D. degree. Applicants must be honor students in all four years of college. The college or university must have an enrollment drawn substantially from ethnic minority groups such as Am. Indians, Blacks, Hispanics, and Pacific Islanders.

Each school will make awards for stipend and tuition support for five or more students. The award may include travel expenses to one national meeting closely related to a project.

Graduates of this undergraduate program are then eligible to compete for a MARC Predoctoral Fellowship which supports 5 years of training toward either the Ph.D. or M.D./Ph.D. at any high quality graduate institution.

Applications may be filed by January 10, May 10 or September 10. Apply for information or application to: U.S. Department of Health and Human Services, National Institutes of Health, National Institute of General Medical Sciences, Westwood Building, Room 950, Bethesda, Maryland 20892.

3. Other U.S. Department of Health and Human Service Programs Are:

a. Commissioned Officers Student Training and Extern Program (COSTEP) [iv-4]. COSTEP is a recruiting device for Commissioned Corps of the Public Health Service (PHS) which offers excellent opportunities for students in health-related fields to get maximum benefit during free periods (31-120 days) of the academic year. Students may apply for assignments at any time during the year; however, the majority of students are hired for the summer period. To be eligible a student must have completed a minimum of one year of study in a medical, dental, or veterinary school; or have completed a minimum of two years of a professionally accredited baccalaureate program in the following course of study: dietetics, engineering, nursing, pharmacy, therapy, sanitary science, or medical record administration; or be enrolled in a masters or doctoral program in a health related field other than those mentioned above. The student must expect to return to college as a full-time student in an accredited field of study following completion of the COSTEP assignment. Students must be free of any obligation that would conflict with extended duty in the PHS Commissioned Corps, may not be a member of another unformed service nor owe a service obligation to another unformed service, and must meet the qualifications for appointment in the Commissioned Corps. These include being a citizen of the United States, meeting the physical standards of the corps, and being under 44 years of age. Transportation is paid to and from the location of the assignment. For applications, contact: Division of Commissioned Personnel, ATTN: COSTEP, 8201 Greensboro Dr. Suite 600 McLean, VA 29102

Deadline for applications: October 1 for assignments from January through April, February 1 for May through August, and May 1 for September through December. COSTEPs are commissioned as junior assistant health service officers in the Commissioned Corps of the PHS. The pay of a single COSTEP officer is $1,444.20 salary. $269.80 quarters allowance, $129.00 subsistence for a total of $1,863.00 per month. For COSTEP officers with dependents, the quarters allowance is $3393.30 for a total of $1,966.50 per month. The quarters and subsistence allowances are not taxable. COSTEP are eligible for medical and dental care while on duty and receive many of the benefits of commissioned officers. For additional information, you may call the COSTEP office at (703) 734-6855.

b. Professional Nurse Traineeship Program. [IV-5]. Professional nurse traineeships are available through participating training institutions to help registered nurses prepare to teach in the various fields of nurse training, to serve in administrative or supervisory capacities, to serve as nurse practitioners, or to serve in other professional nursing specialities requiring advanced training. Traineeships provide a living stipend (not to exceed $8,800) and tuition and fees as set by the participating training institution. Trainees are selected by the training institutions. Further information is available from: Division of Nursing, Bureau of Health Professions, Health Resources and Services Administration Room 5C26, Parklawn Bldg., 5600 Fishers Lane, Rockville, MD 20857. Students should request information through the Dean of Nursing at their institution. NOTE: this assistance is only for students studying at the master's or doctoral level or studying to become nurse midwives.

c. Nursing Student Loan Program. [IV-5.1] The program is intended to assist students to achieve careers in nursing by providing long-term, low-interest loans to help meet costs of education.

Federal funds for this program are allocated to accredited schools of nursing education. These schools are responsible for selecting the recipients of loans and for determining the amount of assistance a student requires. Students applying for assistance under this program should apply through the school in which they have been accepted for enrollment or in which they are enrolled.

You are eligible to apply for a Nursing Student Loan it you are a citizen, national, or a lawful permanent resident of the United States or the District of Columbia, the Commonwealths of Puerto Rico or the Marianna Islands, the Virgin Islands, Guam, the American Samoa, the Trust Territory of the Pacific Islands, the Republic of Palau, the Republic of the Marshall Islands and the Federated State of Micronesia; are accepted for enrollment or are enrolled as a full-time or half-time student in a course leading to a diploma in nursing, an associate degree in nursing, a bachelor's degree in nursing or an equivalent degree, or a graduate degree in nursing.

You may borrow $2,500 for an academic year, $4,000 for each of the final two years, or the amount of your financial need, whichever is the lesser. The total amount of student's loan for all years may not exceed $13,000.

In determining the amount of assistance you may require, the school considers: All financial resources available to you, including other sources of aid, such as scholarships or other repayable loans, and the costs reasonably necessary for attendance at the school.

The interest rate is five percent (5%) for all loans made on or after November 4, 1988. *To apply, contact the Director of Student Financial Aid at your school.*

4. The U.S. Department of Interior Administers a Program of Indian Tribal Grants. [IV-6.1] Over 45 Indian tribes have established their own grant programs to promote higher education for their members. Contacts for tribal assistance should be made through the U.S. Dept. of the Interior, Bureau of Indian Affairs, Washington, DC 20240, or through the Tribal Headquarters.

5. Indians Higher Education Grant Program. [IV-6] is a program for students who are members of a tribal group being served by the Bureau and who are enrolled in accredited institutions of their choice in pursuit of an undergraduate or graduate degree; must demonstrate financial need to the institution they are or will be attending. For information, write to: *Department of the Interior-BIA, Office of Education Programs, MS 3512, Code 522, 18th & C Street, NW., Washington, DC 20240.*

6. The U.S. Information Agency Sponsors: The Fulbright Teacher Exchange Program. [IV-7] Under the Mutual Educational and Cultural Exchange Act, qualified American educators may work in elementary and secondary schools abroad, and, in some instances, institutions of higher education in various countries. To be eligible, an applicant must be teaching currently as an elementary or secondary school teacher, college instructor, assistant, associate or full professor. Candidates must have at least a bachelor's degree, be a U.S. citizen at the time of application, proficiency in the language of the host country and have at least three years of successful full-time teaching experience. Two years are required for participation in summer seminars held in Italy and the Netherlands. Evidence of good health and stability also is required.

Round-trip transportation to some countries for those selected to participate may be provided. A maintenance allowance may also be provided, paid in the currency of the host

country, based upon that country's cost of living. For teachers participating in the Exchange Program, the successful applicant's U.S. salary is continued by the participant's own school. Seminar grants may include round trip transportation and tuition costs, but for some, the participants are responsible for their own maintenance expenses. Regional interviewing committees conduct preliminary screening of applicants. Annual application deadline date is October 15. Application forms can be obtained from and then submitted to the Teachers Exchange Branch, E/ASX, Room 353, U.S. Information Agency, 301 4th Street, SW., Washington, DC 20547.•

HONORING DONALD SCHUENKE AND NML

• Mr. KASTEN. Mr. President, at a time when the attention of America is finally being drawn to the plight of our inner cities, I think it is very important that we recognize those who are already making a difference for the better in these communities.

In Milwaukee, Northwestern Mutual Life Insurance Co. has announced that will contribute up to $500,000 to the rehabilitation of 50 homes in the west side of the city.

Donald J. Schuenke, the chairman and chief executive officer of Northwestern Mutual, also heads the inner city task force of the Greater Milwaukee Committee—a group of 175 civic leaders. Mr. Schuenke believes that home ownership is one of the keys to rescuing our inner cities—and he is doing what he can to make this happen.

I ask my colleagues to join me in applauding the efforts of this distinguished citizen. I further ask that an article on this subject in the Milwaukee Journal be included in the RECORD at the conclusion of my remarks.

The article follows:

[From the Milwaukee Journal, May 11, 1992]

WEST SIDE: NML OFFERS $500,000 FOR HOUSING

(By Marilynn Marchone)

Northwestern Mutual Life Insurance Co. announced Monday that it would contribute up to $500,000 to a project to rehabilitate 50 homes in Merrill Park on the near West Side in an effort to bolster home ownership there.

The grant is the largest NML has ever made to a housing program in Milwaukee and one of the largest housing grants ever by a private firm here.

The money will be given to Westside Conservation Corps, a 14-year-old neighborhood-based development agency that owns more than 80 single- and two-family houses in Merrill Park.

"We believe that home ownership is the cornerstone of a neighborhood, and we believe Merrill Park has an excellent chance to flourish if it's populated with more homeowners," said a statement from Donald J. Schuenke, Northwestern Mutual's chairman and chief executive officer.

RELATED PUSH BY GMC

In a related matter, the Greater Milwaukee Committee, a group of 175 key business and civil leaders, on Monday was to encourage its member companies to help employees buy houses in Milwaukee. Companies with more than 15,000 employees will be asked to take part, possibly helping provide down payments and/or closing costs.

Some companies, including Wisconsin Electric Power Co. and Wisconsin Gas, already have programs encouraging home ownership in certain areas of the city.

Schuenke, who heads the GMC's Inner City Task Force, said his company's program "is not an official part of the GMC effort [but] certainly dovetails with it."

Merrill Park is bounded by N. 27th St. on the east, N 35th St. on the west, W. Wisconsin Ave. on the north and Interstate 94 on the south.

Schuenke said NML had been developing the grant program for more than a year.

"We think we've come up with a solid plan," he said.

Westside Conservation Corps. will be the general contractor and will work on at least five homes at a time. Each house will be offered for sale when it is about halfway through the rehabilitation process.

Purchasers must live in the houses they are buying and attend the community group's Home Buyers Clinic, which helps potential homeowners with the purchase process and teaches them such skills as how to spot structural problems.

"Neighborhood crews will perform some of the tasks such as carpentry, drywall installation and painting," the statement from Schuenke says. "We strongly encourage them to hire minority-owned and staffed companies as subcontractors."

AVERAGE FIX-UP COST: $42,000

The average cost to rehabilitate a home is expected to be $42,000, said John T. Cleary, executive director of the Westside Conservation Corps. Commercial bank construction loans, a Community Development Block Grant from the City of Milwaukee and in-kind services contributed by Wisconsin Gas and Wisconsin Electric will cover about 80% of the cost, and NML will play the rest, Schuenke's statement says.

"We expect to grant the WCC an average of $8,500 per house," the statement says. "The average selling price per house will be $35,000."

The program is expected to take two years.

Northwestern Mutual is involved in other housing programs in the city as a grantmaker and investor, Schuenke said. The company sponsored two Habitat for Humanity homes at $25,000 apiece that were rehabilitated largely by company volunteers.

As an investor, NML contributed $1 million in long-term financing for Project Hope, a program of Wheaton Franciscan Services, to provide affordable housing on the Near North Side.

Last month, the company invested $1.5 million in Johnson Square, a project to convert six boarded-up buildings on the Near West Side into 179 apartments for low-income families.

And last week, Aurora Health Care, the parent company of Sinai Samaritan Medical Center, announced it would contribute 29 properties and $4.1 million to a housing rehabilitation effort spearheaded by Marquette University through its Campus Circle Project. That target area is adjacent to the Johnson Square project.•

NATIONAL SHERIFFS' WEEK—SENATE JOINT RESOLUTION 273

• Mr. SEYMOUR. Mr. President, on March 18, I joined with 21 of my colleagues to introduce Senate Joint Resolution 273, a resolution to designate the week of June 21 as "National Sheriffs' Week." Since then, 14 additional Senators have added their support for my resolution.

Again, I want to urge my colleagues to cosponsor this important legislation. This resolution will bring much deserved recognition to our Nation's sheriffs and county law enforcement officers, as well as enhance the public's knowledge of the important role our local sheriffs' departments play in our communities.

Mr. President, time is short. We must add 15 additional cosponsors before the end of May to ensure passage of the bill in time to properly honor these dedicated men and women of the law enforcement community. I ask that the text of my resolution be printed in the RECORD following my remarks.

The text of the joint resolution follows:

S.J. RES. 273

Whereas the members of the National Sheriffs' Association consistently endeavor to exhibit the highest standards of integrity in serving their communities and their country while devoting themselves to the cause of law and justice;

Whereas our Nation's sheriffs are committed to the development, implementation, and support of crime prevention projects at national, State, and local levels;

Whereas the National Sheriffs' Association is unwavering in its support of sheriffs and their employees throughout the United States in their efforts to discharge their law enforcement, corrections, and judicial responsibilities in a constitutional, effective, and professional manner;

Whereas our Nation's sheriffs are instrumental in planning and conducting programs designed to foster respect for the law by juveniles and to combat delinquency and unlawful behavior by youths;

Whereas the National Sheriffs' Association demonstrates its ongoing commitment to foster cooperation with public and private organizations dedicated to the reduction of crime and to the improvement of law enforcement, corrections, and other criminal justice activities throughout the United States;

Whereas for over 50 years, the National Sheriffs' Association has endeavored to develop and encourage the practice of the highest standards of personal and professional conduct among sheriffs and other law enforcement officers; and

Whereas the National Sheriffs' Association is holding its 1992 conference and exhibition in San Diego, California, from June 20 through 24, 1992, and it is expected to attract more than 3,000 persons to San Diego to participate in executive meetings, general educational seminars, and other activities: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the week commencing June 21, 1992, is designated as "National Sheriffs' Week". The President is authorized and requested to issue a proclamation calling upon the people of the United States to observe such week with appropriate ceremonies and activities, including programs designed to heighten the awareness of all citizens to the importance of our local sher-

iffs and county law enforcement officers in bringing peace to America's neighborhoods and streets.●

NATIONAL POLICE WEEK

● Mr. SIMON. Mr. President, I rise today to remind the Nation about the supreme sacrifice of life made by so many members of our law enforcement community. In March 1992 I rose to pay tribute to the National Law Enforcement Officers Memorial in Washington, DC, which was dedicated to the memory of the more than 12,500 officers who died in the line of duty throughout our Nation's history. We should especially remember the service of these dedicated public servants during National Police Week, May 10–16, 1992.

During the month of May, the Fraternal Order of Police has asked that police departments and communities across our Nation join them by displaying a blue ribbon on our automobiles in memory of our law enforcement officers who have been killed in the line of duty. This blue ribbon also will pay tribute to the survivors of these heroes and heroines as well as to all law enforcement officers who serve and protect our country every day. Even though unfortunate situations occur, such as in Los Angeles, most incidents involving police are handled professionally.

These simple blue ribbons are a symbol that a thankful Nation appreciates the continued service of our Nation's 500,000 law enforcement officers. I am proud to note that this blue ribbon project was born in my great State of Illinois. In 1991, blue ribbons were displayed in Illinois in memory of our law enforcement officers.

The State of Illinois was the first and only State to display the blue ribbon. The Fraternal Order of Police passed a resolution at their national convention in Pittsburgh last year that all FOP lodges throughout the country participate in the blue ribbon project. Our country often takes for granted the service of so many in protecting our communities. This simple gesture connotes our thanks.●

U.S. ARMY YUMA PROVING GROUND: A NATIONAL ASSET

● Mr. DECONCINI. Mr. President, one of the major lessons to be learned from the Persian Gulf war is that our fighting forces deserve the best equipment possible. Therefore we must continually upgrade our conventional weapon systems. Although our massive budget deficit requires us to reduce the size of the overall defense budget, it is imperative that we must fund the research and development of new technologies and maintain our capability to fully test these improvements under realistic conditions.

This is why I wish to discuss research and development activities at the U.S. Army Yuma Proving Ground [YPG], located along the Colorado River in southwestern Arizona. Yuma Proving Ground—roughly the size of Rhode Island—employs a work force of 2,000 civilian and military personnel.

A wide variety of military equipment is tested annually at the proving ground. Approximately 100 tests typically occur at any one time. Major testing categories include: aircraft armament; artillery and tank weapons; tracked and wheeled vehicles of all shapes, sizes, and types, and air delivery systems.

The installation offers a parched, arid environment closely resembling that of the Middle East. In testing equipment at the proving ground, Army personnel encounter nearly every problem that might be experienced in a harsh desert region. Yuma Proving Ground personnel routinely develop improved maintenance procedures and identify problem areas for correction.

The proving ground's longest running mission—difficult desert environmental testing—began during World War II under the aegis of Maj. Gen. George S. Patton who was preparing his troops for combat duty in the North African campaigns. That effort was highly successful and led to the expansion of the proving ground's mission throughout the years.

Yuma Proving Ground's remoteness and natural terrain provide the installation with several highly instrumented test areas. These include the 75,000-meter long Kofa Range for testing long-range artillery, tanks, mortars, mines, and other ordnance. The Cibola Range is the primary area for testing aircraft armament systems such as the successful Apache Helicopter Gunship Program, air delivery testing, and a variety of other manned and unmanned aerial vehicle tests. The Cibola Range is approximately 20 miles wide by 30 miles deep and features pinpoint space positioning and event imaging using laser trackers, high-speed video and global positioning receivers.

Yuma Proving Ground's unique Middle East cross country course, which replicates many of the primary terrain features found in the Persian Gulf region, adds to its other unique features to underscore the importance of realistic testing in the research and development mission. Artificial simulation methods, while cost effective and useful up to a point, simply cannot substitute for the real thing. Decades of experience have shown that if you want to find out what happens to military equipment in the desert, that's where you must test it. Surface temperatures exceeding 150° Fahrenheit literally fry unprotected electronic components. Minute particles of abrasive sand and dust sift through seals and filters into moving parts to cause accelerated wear. Liquids evaporate faster and, under long-term storage, ultraviolet radiation alters the chemical properties of nylons, rubbers, and plastics.

Many critical systems used during Operation Desert Storm were tested at Yuma Proving Ground, including the M–1 Abrams main battle tank, the Bradley fighting vehicle, the Apache helicopter, mine-clearing equipment, and much more.

In the years prior to the conflict, nearly 100,000 miles of stringent performance and durability testing were logged on the Abrams—the main component of America's modern armored force. The M–1 owes its excellent credentials, in part, to testing at YPG. When the tank first arrived at the proving ground for testing in 1981, it experienced problems caused by the desert environment. But years of realistic testing and continuous improvements have made it an extremely reliable vehicle that operates well in the desert.

During this year's Defense Appropriations Subcommittee hearings concerning the continuing role of the U.S. Army Yuma Proving Ground in future testing. The Secretary of the Army stated that:

> There are very limited facilities that we have anywhere in the United States to conduct the type of training that goes on at Yuma. Yuma has been in the past a very valuable facility for the Army.

Almost $60 million in military construction is slated to occur at the proving ground in fiscal year 1993 to accommodate the ammunition acceptance mission of the Jefferson Proving ground in Indiana which will be transferred to the Yuma Proving ground by fiscal year 1995.

Important test programs continue to be scheduled at the proving ground. The Marines are consolidating all light armored vehicle testing at Yuma Proving Ground and the British, Israeli, and Japanese Governments have recently completed test programs at the installation. The Technical Research and Development Institute of the Japanese Defense Agency is currently developing a 155 mm artillery projectile which will be tested at Yuma.

Emerging technologies to be tested at the proving ground include: work on a new liquid propellant for U.S. artillery; "fire and forget" artillery and missile rounds which will allow fired submunitions to independently target and destroy individual targets, and field testing of electric gun technology which will offer tank and ship-based weapons a revolutionary increase in firepower by propelling munitions faster, farther, and safer than by existing methods. Yuma Proving Ground is at the forefront of these innovative and exciting technologies.

The Army and the other branches of America's military face the challenge of operating in nearly any climate on the face of the globe. Realistic environ-

mental testing is absolutely necessary to ensure equipment reliability and, thereby, to save lives. Information gathered from testing at Yuma ensures the proper design of military hardware and identifies required maintenance procedures to be incorporated into manuals for use by soldiers in the field. This commitment to rigorous testing certifies America's solemn commitment to military excellence to its soldiers, its citizens, and its allies around the world.

I applaud the hard work of the men and women at the Yuma Proving Ground and their dedication and service to their Nation and its defense.●

ORDERS FOR TOMORROW

Mr. FORD. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in recess until 8:45 a.m., Thursday, May 14; that following the prayer, the Journal of proceedings be deemed approved to date and the time for the two leaders be reserved for their use later in the day; that there then be a period for morning business, not to extend beyond 10:30 a.m., with Senators permitted to speak therein for up to 5 minutes each; that immediately after the Chair's announcement, Senator HEFLIN be recognized to speak for up to 10 minutes, to be followed immediately by Senator PRYOR for up to 30 minutes; Senators GLENN and NUNN for up to 20 minutes each, and Senators ROTH and LEAHY for up to 10 minutes each; further that at 10:30 a.m., morning business be closed and the Senate resume consideration of S. 250, the motor-voter bill; that upon conclusion of the vote on the motion to table the Kasten amendment, the Senate then stand in recess until 1:30 p.m.

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

RECESS UNTIL 8:45 A.M. TOMORROW

Mr. FORD. Mr. President, I see no other Senator wishing to speak, and if there be no further business to come before the Senate, I now ask unanimous consent that the Senate stand in recess as previously ordered.

There being no objection, the Senate, at 6:55 p.m., recessed until Thursday, May 14, 1992, at 8:45 a.m.

NOMINATIONS

Executive nominations received by the Senate May 13, 1992:

DEPARTMENT OF STATE

DAVID J. DUNFORD, OF ARIZONA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE SULTANATE OF OMAN.

ROBERT F. GOODWIN, OF MARYLAND, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO NEW ZEALAND, AND TO SERVE CONCURRENTLY AND WITHOUT ADDITIONAL COMPENSATION AS AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO WESTERN SAMOA.

MARILYN MCAFEE, OF FLORIDA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF GUATEMALA.

IN THE ARMY

THE FOLLOWING NAMED OFFICER REAPPOINTMENT 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

LT. GEN. WILLIAM G. PAGNOIS, [redacted] U.S. ARMY.

THE U.S. ARMY RESERVE OFFICER NAMED HEREIN FOR APPOINTMENT IN THE RESERVE OF THE ARMY OF THE UNITED STATES IN THE GRADE INDICATED BELOW, UNDER THE PROVISIONS OF TITLE 10, UNITED STATES CODE, SECTIONS 593(A), 3371 AND 3384:

To be brigadier general

COL. JAMES J. SULLIVAN, [redacted]

IN THE NAVY

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 vice admiral

VICE ADM. JOHN A. BALDWIN, JR., U.S. NAVY, [redacted]

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 vice admiral

VICE ADM. FRANCIS R. DONOVAN, U.S. NAVY, [redacted]

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 vice admiral

VICE ADM. JAMES G. REYNOLDS, U.S. NAVY, [redacted]

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 vice admiral

VICE ADM. JAMES D. WILLIAMS, U.S. NAVY, [redacted]

THE FOLLOWING 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. (LH) NORMAN W. RAY, U.S. NAVY, [redacted]

IN THE AIR FORCE

THE FOLLOWING AIR NATIONAL GUARD OF THE U.S. OFFICERS FOR PROMOTION IN THE RESERVE OF THE AIR FORCE UNDER THE PROVISIONS OF SECTIONS 593 AND 8379, TITLE 10 OF THE UNITED STATES CODE. PROMOTIONS MADE UNDER SECTION 8379 AND CONFIRMED BY THE SENATE UNDER SECTION 593 SHALL BEAR AN EFFECTIVE DATE ESTABLISHED IN ACCORDANCE WITH SECTION 8374, TITLE 10 OF THE UNITED STATES CODE. (EFFECTIVE DATE FOLLOWS SERIAL NUMBER)

LINE OF THE AIR FORCE

To be lieutenant colonel

MAJ. MILTON E. AMES JR., [redacted] 12/1/91
MAJ. JAMES F. BAIRD, [redacted] 12/13/91
MAJ. JACK D. BRADY JR., [redacted] 12/7/91
MAJ. ANDRES F. CONTRERAS, [redacted] 12/19/91
MAJ. JAMES R. COOPER, [redacted] 11/12/91
MAJ. CLAUDE J. EICHELBERGER, [redacted] 12/7/91
MAJ. JAMES R. IRISH, [redacted] 12/13/91
MAJ. CONRAD W. KRABBENHOFT, [redacted] 12/12/91
MAJ. DAVID D. LINDSEY, [redacted] 11/26/91
MAJ. BRENT W. MARLER, [redacted] 12/10/91
MAJ. THOMAS S. MARTIN, [redacted] 12/3/91
MAJ. ANDREW F. MCRORIE III, [redacted] 12/16/91
MAJ. LOUIS J. PAWLIK, [redacted] 12/19/91
MAJ. TIMOTHY R. RUSH, [redacted] 11/22/91
MAJ. RONALD A. WESTBROOK, [redacted] 12/5/91

JUDGE ADVOCATE GENERALS DEPARTMENT

To be lieutenant colonel

MAJ. CHARLES W. PEDERSEN, [redacted] 12/2/91

CHAPLAIN CORPS

To be lieutenant colonel

MAJ. ROBERT L. NISSLY, [redacted] 11/16/91
MAJ. EDWIN A. QUALMANN, [redacted] 12/14/91
MAJ. JAMES R. REED, [redacted] 12/7/91

MEDICAL CORPS

To be lieutenant colonel

MAJ. ALAN R. BLOOM, [redacted] 12/7/91
MAJ. GREGORY T. RALEY, [redacted] 12/8/91
MAJ. PHILIP E. STEEVES, [redacted] 12/7/92

NURSE CORPS

To be lieutenant colonel

MAJ. ANNE M. ADAMS, [redacted] 12/8/91
MAJ. MAJORIE H. DEARTH, [redacted] 11/25/91
MAJ. RICHARD H. SLOAN, [redacted] 12/6/91

DENTAL CORPS

To be lieutenant colonel

MAJ. MICHAEL A. REOTT, [redacted] 12/8/91

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR PROMOTION IN THE RESERVE OF THE AIR FORCE UNDER THE PROVISIONS OF SECTIONS 593 AND 8379, TITLE 10 OF THE UNITED STATES CODE. PROMOTIONS MADE UNDER SECTION 8379 AND CONFIRMED BY THE SENATE UNDER SECTION 593 SHALL BEAR AN EFFECTIVE DATE ESTABLISHED IN ACCORDANCE WITH SECTION 8374, TITLE 10 OF THE UNITED STATES CODE. (EFFECTIVE DATE FOLLOWS SERIAL NUMBER)

LINE OF THE AIR FORCE

To be lieutenant colonel

MAJ. RONALD E. BAKER, [redacted] 1/9/92
MAJ. JEFFREY W. BARNES, [redacted] 12/11/91
MAJ. THOMAS R. BEAM, [redacted] 1/12/92
MAJ. ELLIS D. BOLING, [redacted] 12/15/91
MAJ. TOD M. BUNTING, [redacted] 1/27/92
MAJ. RANDY L. BUSHORE, [redacted] 12/11/91
MAJ. STEPHEN E. COUCHMAN, [redacted] 1/23/92
MAJ. DARRYL S. ENGLISH, [redacted] 12/19/91
MAJ. KENNETH R. FREEMAN, [redacted] 1/17/92
MAJ. MARC M. GUTTMAN, [redacted] 12/27/91
MAJ. THOMAS F. HAASE, [redacted] 1/16/92
MAJ. WILLIAM J. HALLAM, [redacted] 1/25/92
MAJ. WILLIE D. HARRIS II, [redacted] 1/28/92
MAJ. MARTIN V. HILL II, [redacted] 1/17/92
MAJ. HENRY H. HOLT, [redacted] 9/17/91
MAJ. THOMAS P. JONS, [redacted] 12/12/91
MAJ. DAVID D. KIRTLEY, [redacted] 1/28/92
MAJ. JOSEPH B. LOGISZ, [redacted] 1/11/92
MAJ. BENJAMIN C. MCLEAN, [redacted] 1/12/92
MAJ. NEIL J. MILES, [redacted] 1/11/92
MAJ. LOUIS NAVARRO, [redacted] 1/28/92
MAJ. RICHARD C. PFAFF, [redacted] 1/2/92
MAJ. DAVID M. REIN, [redacted] 12/13/91
MAJ. STEVEN D. SCHWANINGER, [redacted] 1/15/92
MAJ. RANDOLPH C. SHEPARD, [redacted] 1/25/92
MAJ. ARBIE TURNER JR., [redacted] 1/28/92
MAJ. RAY A. TURNER JR., [redacted] 1/27/92
MAJ. FRANK D. TUTOR, [redacted] 1/10/92
MAJ. ARTEMUS N. WERTS, [redacted] 12/6/91

JUDGE ADVOCATE GENERALS DEPARTMENT

To be lieutenant colonel

MAJ. BRUCE E. VANDERVEN, [redacted] 1/15/92
MAJ. STEVEN K. YOUNG, [redacted] 1/11/91

MEDICAL SCIENCE CORPS

To be lieutenant colonel

MAJ. DON E. TRIMBLE, [redacted] 12/20/91

MEDICAL CORPS

To be lieutenant colonel

MAJ. STEPHEN D. RICHARDS, [redacted] 1/11/92
MAJ. ROBERT E. THOMPSON, [redacted] 1/4/92

NURSE CORPS

To be lieutenant colonel

MAJ. LESLIE D. DYSARD, [redacted] 12/20/91

IN THE NAVY

THE FOLLOWING LIEUTENANT, U.S. NAVY, RETIRED, TO BE REAPPOINTED PERMANENT LIEUTENANT FROM THE TEMPORARY DISABILITY RETIRED LIST, PURSUANT TO TITLE 10, UNITED STATES CODE, SECTION 1211:

GEORGE P. FIORE

THE FOLLOWING LIEUTENANT, U.S. NAVY, RETIRED TO BE REAPPOINTED PERMANENT LIEUTENANT FROM THE TEMPORARY DISABILITY RETIRED LIST, PURSUANT TO TITLE 10, UNITED STATES CODE, SECTION 1211:

ROGER L. WERBELOW

THE FOLLOWING NAMED DISTINGUISHED NAVAL GRADUATES TO BE APPOINTED PERMANENT ENSIGN IN THE LINE OR STAFF CORPS OF THE U.S. NAVY, PURSUANT TO TITLE 10, UNITED STATES CODE, SECTION 531:

JON E. BILLINGSLEY	DONALD L. GARCIA
CORY S. BIRKEMEYER	HUGH A. GILLAM, JR.
MICHAEL K. BLECH	JEFFREY L. JOHNSON,
CHRISTOPHER J. BUBASH	SCOTT A. KARTVEDT
KEITH A. BURKHARDT	ERIC D. STURGILL
JOHN J. CUMMINGS	RANDOLPH J. TUPAS

THE FOLLOWING FORMER U.S. NAVY OFFICER TO BE APPOINTED PERMANENT COMMANDER IN THE MEDICAL CORPS OF THE U.S. NAVAL RESERVE, PURSUANT TO TITLE 10, UNITED STATES CODE, SECTION 593:

DOUGLAS B. MCMULLEN

THE FOLLOWING MEDICAL COLLEGE GRADUATE TO BE APPOINTED PERMANENT COMMANDER IN THE MEDICAL CORPS OF THE U.S. NAVAL RESERVE, PURSUANT TO TITLE 10, UNITED STATES CODE, SECTION 593:

JOHN R. AHLERING

THE FOLLOWING NAMED U.S. NAVY OFFICERS TO BE APPOINTED PERMANENT COMMANDER IN THE MEDICAL CORPS OF THE U.S. NAVAL RESERVE, PURSUANT TO TITLE 10, UNITED STATES CODE, SECTION 593:

GARELD W. ANDERSON
WILLIAM A. BOWLER
RONALD J. ESCUDERO
JAMES J. GALLO
JAMES E. SNYDER
TIMOTHY B. WATSON

THE FOLLOWING U.S. NAVY OFFICER TO BE APPOINTED PERMANENT COMMANDER IN THE DENTAL CORPS OF THE U.S. NAVAL RESERVE, PURSUANT TO TITLE 10, UNITED STATES CODE, SECTION 593:

MARK W. BIOLO

THE FOLLOWING NAMED U.S. NAVY OFFICER TO BE APPOINTED PERMANENT COMMANDER IN THE LINE OF THE U.S. NAVAL RESERVE, PURSUANT TO TITLE 10, UNITED STATES CODE, SECTION 593:

MICHAEL L. CRAMER

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE OF GENERAL WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, UNITED STATES CODE, SECTION 601(A):

To be general

LT. GEN. DAVID M. MADDOX, xxx-xx-x..., U.S. ARMY.

IN THE AIR FORCE

THE FOLLOWING CADETS, UNITED STATES AIR FORCE ACADEMY, FOR APPOINTMENT AS SECOND LIEUTENANTS IN THE REGULAR AIR FORCE, UNDER THE PROVISIONS OF SECTIONS 9353 (B) AND 531, TITLE 10, UNITED STATES CODE, WITH DATES OF RANK TO BE DETERMINED BY THE SECRETARY OF THE AIR FORCE.

JAMES T. ABERNETHY, JR, xxx-x...
JOSEPH M. ACCARDO, xxx-x...
ORLANDO A. ACOSTA, xxx-x...
PAUL E. ADAMS, xxx-x...
MICHAEL P. AERSTIN, xxx-x...
JASON R. AHLGREN, xxx-x...
ANTHONY J. AJELLO, JR, xxx-x...
LISA D. AKERS, xxx-x...
MARK A. ALBINO, xxx-x...
DAVID J. ALBRECHT, II, xxx-x...
LEWIS E. ALFORD, III, xxx-x...
CYNTHIA K. ALLEN, xxx-x...
DANIEL L. ALLEN, JR, xxx-x...
THADDEUS P. ALLEN, xxx-x...
WALTER C. ALLEN, II, xxx-x...
NATHAN A. ALLERHEILIGEN, xxx-x...
MATTHEW W. ALLINSON, xxx-x...
RAYMOND I. ALVES, xxx-x...
STEVEN C. AMMONS, xxx-x...
LEIGHTON T. ANDERSON, JR, xxx-x...
MONTE D. ANDERSON, xxx-x...
STEVEN E. ANDERSON, xxx-x...
STEWART G. ANDERSON, III, xxx-x...
THEODORE J. ANDERSON, xxx-...
TIMOTHY W. ANDERSON, xxx-x...
CHRISTOPHER T. ANTHONY, xxx-x...
GRADY A. ARKIN, xxx-x...
JASON R. ARMAGOST, xxx-x...
JAMES T. ARNETT, JR, xxx-x...
JONATHAN D. ARNETT, xxx-x...
CHRISTINE R. ATKINS, xxx-x...
ROBERT J. ATKINS, xxx-x...
JOEL E. ATKINSON, xxx-x...
TAFT O. AUJERO, xxx-x...
AMY L. AUKEMA, xxx-...
SCOTT J. BABBITT, xxx-x...
JEREMY O. BAENEN, xxx-x...
ARTHUR F. BAGOMOLNY, II, xxx-...
RICHARD J. BAILEY, JR, xxx-x...
TIMOTHY S. BAILEY, xxx-...
BRANDON E. BAKER, xxx-x...
DONALD C. BAKER, xxx-x...
GILBERT W. BAKER, xxx-x...
BRADLEY C. BALL, xxx-x...
DAVID BALLEW, xxx-x...
ANTHONY E. BAMSEY, xxx-x...
MICHAEL A. BANKS, xxx-x...
JAMES W. BARBER, xxx-x...
ERIC J. BARELA, xxx-x...
MICHAEL D. BARG, xxx-x...
BRANDI S. BARHAM, xxx-x...
MARK A. BARONI, xxx-x...
CHASE C. BARRETT, xxx-x...
STEPHEN P. BARROWS, xxx-x...
JEFFREY M. BASS, xxx-x...
ANDREW J. BATES, xxx-x...
JONATHAN M. BAUGHMAN, xxx-x...
STEPHEN J. BAUMGARTE, xxx-x...
SCOTT A. BAUNE, xxx-x...
DAVID L. BEAVER, xxx-x...
DOUGLAS J. BECK, xxx-x...
THOMAS R. BECKER, xxx-x...
MATTHEW R. BECKLEY, xxx-x...
NEIL P. BEGALMAN, xxx-x...
JOEY C. BELANO, xxx-x...
THOMAS W. BENDER, III, xxx-x...
KRISTINE M. BERGEMANN, xxx-x...
DANIELLE E. BERNARD, xxx-x...
GRETCHEN V. BERRY, xxx-...
NORMAN P. BERTKE, xxx-x...
GREG D. BIGLEY, xxx-x...
DON D. BIRDWELL, xxx-x...
SHAWN L. BLACK, xxx-x...
DOUGLAS F. BLACKLEDGE, xxx-x...
KAREN P. BLAINE, xxx-x...
MARK H. BLAKE, xxx-x...
BARRY A. BLANCHARD, xxx-x...
BRETT R. BLANK, xxx-x...
JENNIFER A. BLOCK, xxx-x...
JAMES A. BLOIR, 5148856
THEODORE B. BLOOMER, xxx-x...
TAMMY J. BODTKE, xxx-x...
DEAN G. BOERRIGTER, xxx-x...
JENNIFER L. BOLLINGER, xxx-x...
DAVID W. BOND, xxx-...
LESLIE W. BONDE, JR, xxx-x...
NICHOLE L. BONGEN, xxx-x...
JAMES R. BOOKHART, JR, xxx-...
EUGENE A. BOOTH, JR, xxx-x...
LUIS A. BORGEN, xxx-x...
OLEG BORUKHIN, xxx-...
WILLIAM K. BOSCH, xxx-x...
JOHN C. BOSTWICK, xxx-x...
JEFFREY D. BOUMA, xxx-x...
SCOTT L. BOUSHELL, xxx-x...
PAUL S. BOVANKOVICH, xxx-x...
CORY W. BOWER, xxx-x...
ERIK T. BOWMAN, xxx-x...
MARK H. BOYD, xxx-...
ROOSEVELT F. BOYLAND, JR, xxx-x...
EDWARD J. BRACE, JR, xxx-...
ANDREW J. BRACKEN, xxx-x...
CHRISTINA D. BRAGDON, xxx-x...
TROY A. BRASHEAR, J, xxx-x...
DEAN E. BRAUNBECK, xxx-...
FREDERICK C. BRAVO, xxx-...
STEVEN J. BREEZE, xxx-x...
LOUIS W. BREMER, xxx-x...
CHAD S. BREMMON, xxx-x...
BRANDIS D. BRENDERA, E, xxx-...
WILLIAM O. BRENTON, xxx-...
JOSEPH D. BREWER, xxx-x...
WILLIAM D. BREWER, xxx-x...
ALEXANDER W. BRID, xxx-x...
DONALD R. BRIDGES, xxx-x...
YUSEF D. BRIDGES, xxx-x...
PATRICK R. BRIEN, xxx-x...
EDWARD S. BRODERICK, JR, xxx-...
BOBBIE J. BROWN, xxx-x...
BRANDON D. BROWN, xxx-...
RICHARD J. BROWN, xxx-x...
RONALD E. BROWN, xxx-x...
MARK T. BRULE, xxx-...
GLENN R. BRUNNER, xxx-x...
MICHAEL A. BRUZZINI, xxx-x...
ALBERT D. BRYSON, xxx-x...
JAMES E. BUCK, xxx-x...
LANCE R. BUNCH, xxx-...
JEFFREY S. BURDETT, xxx-x...
JOSHUA C. BURGESS, xxx-x...
MICHAEL S. BURKE, xxx-x...
STEVEN J. BURNS, xxx-x...
CHRISTIAN F. BURTON, xxx-x...
THOMAS F. BURTSCHI, xxx-x...
CAROL BUSH, xxx-x...
BRENT B. BUSS, xxx-x...
JERRELL S. BUTLER, xxx-x...
WADE C. BUXTON, xxx-...
ROBERT J. BYRON, xxx-x...
PAUL D. CAIRNEY, xxx-x...
KENNETH D. CALLAHAN, xxx-x...
JAMES H. CAMARENA, xxx-x...
BARBARA CAMERON, xxx-x...
DONALD J. CAMPBELL, xxx-x...
ANTHONY B. CAPOBIANCO, II, xxx-...
CHRISTOPHER P. CAPUTO, xxx-x...
BRIAN E. CARBAUGH, xxx-x...
MICHAEL R. CARDOZA, xxx-x...
SCOTT H. CARDOZO, xxx-...
ERIN L. CARMICHAEL, xxx-x...
BRIAN L. CARR, xxx-x...
MATTHEW B. CARROLL, xxx-x...
MICHELLE T. CARSON, xxx-x...
STEPHEN T. CARSON, xxx-x...
GREG W. CASA, xxx-x...
JOHN J. CASEY, IV, xxx-x...
MARK K. CASEY, xxx-x...
EUGENE G. CASSINGHAM, xxx-x...
THOMAS E. CAVANAUGH, xxx-...
JOSEPH R. CDEBACA, xxx-...
BRYAN K. CESSNA, xxx-x...
DAVID C. CHANEY, xxx-x...
DANIEL J. CHARBONNEAU, xxx-x...
KEVIN M. CHARRON, xxx-x...
HASTINGS M. CHASE, xxx-x...
ALLYSON C. CHAUVIN, xxx-x...
SAMUEL J. CHESNUT, IV, xxx-...
VINCENT J. CHIOMA, xxx-x...
DAVID B. CHISENHALL, JR, xxx-x...
JASON J. CHRIST, xxx-x...
TERRY L. CHRISTIANSEN, xxx-x...
DEAN CIBOTTI, xxx-x...
MATTHEW C. CICCARELLO, xxx-x...
EDWARD C. CILKE, xxx-x...
JOHN L. CLARE, III, xxx-x...
ANNE L. CLARK, xxx-x...
MICHAEL J. CLARK, xxx-...
CHRISTINA M. CLAUSNITZER, xxx-x...
JASON E. CLEMENTS, xxx-x...
WILLIAM F. CLINCHARD, xxx-x...
PHILIP A. CLINTON, xxx-x...
ERIC T. COBBE, xxx-...
PETER J. COHEN, xxx-...
CHRISTOPHER R. COLBERT, xxx-x...
CHRISTOPHER L. COLCLASURE, xxx-x...
BARRY W. COLE, xxx-x...
HERMAN A. COLE, III, xxx-x...
STAN G. COLE, xxx-...
JAMES E. COLEBANK, xxx-x...
ANTHONY E. COLEMAN, xxx-x...
BRIAN D. COLLINS, xxx-x...
RANDALL O. COLTRIN, xxx-x...
JASON C. COLVIN, xxx-x...
KEITH A. COMPTON, JR, xxx-x...
VERNON W. CONAWAY, xxx-...
JOHN P. CONMY, xxx-...
CHRISTOPHER P. CONNELL, xxx-...
SIDNEY S. CONNER, xxx-x...
MICHAEL A. CONNOLLY, xxx-x...
CHRISTOPHER A. CONNOR, xxx-x...
BLAIR W. CONROY, xxx-x...
GREGORY A. COOK, JR, xxx-x...
ROBERT J. COOK, xxx-x...
WENDY D. COOK, xxx-...
BRYAN S. COON, xxx-x...
CHARLES J. COOPER, xxx-x...
DARYL E. COOPER, xxx-x...
JAMES A. COPHER, xxx-x...
CHARLES S. CORCORAN, xxx-x...
SUZANNE M. COREJ, xxx-x...
ROBERT S. COREY, xxx-x...
JOHN M. COSGROVE, xxx-...
LAURA J. COSTANTINO, xxx-x...
KELLY A. COSTIGAN, xxx-x...
ELIZABETH A. COSTILLA, xxx-x...
SHERMAN L. COTTRELL, xxx-x...
MICHAEL S. COURINGTON, xxx-x...
STEVEN M. COX, xxx-x...
CHRISTOPHER P. COZZI, xxx-x...
TODD A. CRAIGIE, xxx-x...
CATHERINE L. CRAWFORD, xxx-x...
REBECCAH L. CREECH, xxx-x...
ANDREW A. CRUM, xxx-x...
ALBERTO E. CRUZ, xxx-x...
ENRIQUE A. CRUZ, xxx-x...
KEVIN P. CULLEN, xxx-x...
WILLIAM C. CULVER, xxx-x...
MICHAEL W. CUMMINGS, xxx-x...
JEFFREY R. CUOIO, xxx-x...
SEAN T. CURRAN, xxx-x...
KENT S. CURRIE, xxx-x...
JONATHAN B. CUSHMAN, xxx-x...
PATRICK W. DABROWSKI, xxx-x...
PATRICK J. DANAHER, xxx-x...
DONALD J. DAVIS, xxx-x...
NICOLE A. DAVIS, xxx-x...
THOMAS E. DAVIS, xxx-x...
CHRISTOPHER J. DAWSON, xxx-x...
MARGARET J. DAWSON, xxx-x...
MICHAEL J. DEAN, xxx-x...
BRIAN J. DELAMATER, xxx-x...
DONNA M. DELANGO, xxx-x...
CHARLES J. DELAPP, II, xxx-x...
JERRY R. DEMAIO, xxx-x...
THOMAS E. DEMPSEY, III, xxx-x...
LEA L. DENNIE, xxx-x...
MARK M. DERESKY, xxx-x...
JULES F. DESAMOURS, xxx-x...
LARUE R. DEWALD, III, xxx-x...
DANIEL H. DEWENTER, xxx-x...
JOHN H. DEYARMON, xxx-x...
GARY N. DEYOUNG, xxx-x...
CHRISTOPHER D. DILLIS, xxx-x...
DAVID A. DILLMAN, xxx-x...
STEVE A. DINZART, xxx-x...
ROBERT J. DITTMAN, xxx-x...
JAMES E. DITTUS, xxx-x...
BRANDON K. DOAN, xxx-...
THOMAS W. DOBBS, xxx-x...
JERRY T. DODD, III, xxx-x...
MICHAEL A. DODSON, xxx-x...
SHAWN T. DONAHEY, xxx-x...
JOHN W. DOOLITTLE, II, xxx-x...
MAXIM K. DORNBUSCH, JR, xxx-x...
PETER W. DOTY, xxx-x...
ROBERT A. DOWNEY, xxx-x...
NORMAN A. DOZIER, xxx-x...
THOMAS G. DRAPE, xxx-x...
MARY J. DROZDOWSKI, xxx-x...
JAMES D. DRYJANSKI, xxx-x...
TERRY S. DUNCAN, xxx-...
BRUCE S. DUNN, xxx-x...
JAMES W. DUNN, xxx-x...
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MICHAEL G. RICKARD, xxx-x...
ELAINE J. RILEY, xxx-x...
SHELLEY A. RIPPLE, xxx-x...
REGAN T. RITCHIE, xxx-x...
MICHAEL H. RIVERS, xxx-x...
JOSEPH M. RIZZUTO, xxx-x...
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ERIC B. ROBERSON, xxx-x...
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CHRISTOPHER S. ROGOWSKI, JR xxx-x...
MICHAEL K. ROKAW, xxx-x...
RICHARD B. ROLLER, xxx-x...
J. R. ROLLINS, xxx-x...
RICHARD M. ROSA, xxx-x...
ANDREW P. ROSS, xxx-x...
BRADLEY G. ROSS, xxx-x...
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JAMES R. RUFFING xxx-x...
TREVOR A. RUSH, xxx-x...
JOHN H. RUSSELL, xxx-x...
SUNCHLAR M. RUST, xxx-x...
ALLEN C. RUTH, xxx-...
ERIK D. RYDBERG, xxx-x...
MATTHEW B. RYTTING, xxx-x...
JADE R. SADOSTY, H. xxx-x...
MANUEL F. SAENZ, xxx-...
ROBERT D. SAGRAVES, xxx-x...
TRACY J. SAILER, xxx-x...
BENNETT T. SAMUELS, xxx-x...
FRANK J. SANCHEZ, xxx-x...
GEOFFREY S. SANDERS xxx-x...
TROY L. SANDERS, xxx-x...
DORAL E. SANDLIN, xxx-x...
BRIAN P. SANFORD, xxx-x...
JOSEPH E. SAPERE, xxx-x...
ROSS S. SAUTER, xxx-x...
KELLY D. SCHAEFER, xxx-x...
JOSEPH W. SCHAEFFER, xxx-x...
MARC D. SCHALLER, xxx-...
ANTHONY W. SCHENK, xxx-...
SCOTT J. SCHENO, xxx-x...
ARNOLD L. SCHOENFELD, xxx-x...
JOHN P. SCHOEPPNER, III xxx-x...
FRANK D. SCHORZMAN, xxx-x...
JAY H. SCHUELER, xxx-x...
PAUL J. SCOTT, xxx-x...
TAYLOR W. SCOTT, C. xxx-x...
ROBERT J. SEIFERT, xxx-x...
DAVID A. SEITZ, xxx-x...
TIFFANY L. SELNESS xxx-x...
SCOTT C. SELZ, xxx-x...
DAVID M. SENA, xxx-...
BYEONGSOOK SEO, xxx-x...
DAVID A. SERATT, xxx-x...
GREGORY T. SHAFFER, xxx-x...
TROY D. SHAFFORD, xxx-x...
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DAVID R. SHEPLER, xxx-...
LYLE D. SHIDLA, xxx-x...
JAMES S. SHIGEKANE, xxx-x...
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SCOTT W. SILVA, xxx-x...
CHARLES T. SIMMONS, xxx-x...
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ERIK L. SIMONSEN, xxx-x...
ANTHONY G. SIMPSON, xxx-x...
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OMAR J. SIMPSON, xxx-x...
DOUGLAS S. SIRK, xxx-...
JAMES B. SKIPWORTH, xxx-x...
ANGELA K. SLAGEL, xxx-x...
JEREMY T. SLOANE, xxx-x...
MARK H. SLOCUM, xxx-x...
ROBERT D. SMALLWOOD, JR xxx-x...
CHARLES L. SMITH, III xxx-x...
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MICHELLE R. SMITH, xxx-...
NATHAN A. SMITH, xxx-...
ROBERT E. SMITH, II xxx-x...
SCOTT A. SMITH, xxx-...
STEPHEN F. SMITH, JR xxx-x...
SUSAN E. SMITH, xxx-x...
WILLIAM G. SMITH, xxx-x...
MICHAEL D. SNAPP, xxx-x...
MATTHEW O. SNYDER, xxx-x...
HERMAN SO, xxx-x...
CHU H. SOH, xxx-...
TOMAS J. SOHAYDA, xxx-x...
JEFFREY S. SOMERS, xxx-x...
SEAN K. SORENSON, xxx-x...
GREGORY J. SOUKUP, xxx-x...
DAVID M. SOUZA, xxx-x...
WILLIAM S. SPAGNA, III xxx-x...
WILLIAM A. SPANGENTHAL, xxx-x...
BRADLEY R. SPOMER, xxx-x...
TREVOR D. STAIGER, xxx-x...
JEFFREY W. STAMP, xxx-x...
MICHELE A. STANG, xxx-x...
JASON T. STANLEY, xxx-...
BILLY L. STARKEY, B. xxx-x...
WILLIAM N. STEELE, III xxx-x...
AARON W. STEFFENS, xxx-x...
CONRAD R. STEGEMAN, xxx-x...
MARK A. STEGER, xxx-x...
CINDY D. STEIN, xxx-x...
ANDREW J. STELMACK, xxx-x...
RONALD D. STENGER, xxx-x...
RODNEY A. STEPHAN, xxx-x...
MARK A. STEPHENS, xxx-x...
MICHAEL S. STEVENSON, xxx-x...
SAMUEL D. STEWART, xxx-x...
SUZANNE P. STOKES, xxx-x...
STEVEN A. STOLLY, xxx-x...
JOHN P. STONE, xxx-x...
TIMOTHY M. STONG, xxx-x...
WILLIAM J. STRAUS, III xxx-x...
JENNIFER Y. STREBECK xxx-x...
SUZANNE M. STREETER, xxx-x...
KRISTIN M. STREUKENS, xxx-x...
TROY L. SULLIVAN, III xxx-x...
TIMOTHY J. SUNDVALL, xxx-x...
DAVID K. SUTTON, xxx-x...
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BRAD A. SWEZEY, xxx-x...
DEREK A. TAGGARD, xxx-...
JESSICA C. TALBERG, xxx-x...
JAMES W. TANIS, xxx-x...
DAVID W. TANNER, xxx-x...
VINCENT M. TARANTINO, xxx-x...
DAVID J. TATE, xxx-x...
FRED D. TAYLOR, xxx-x...
JOELYN E. TAYLOR, xxx-x...
JOHN D. TAYLOR, xxx-x...

MICHAEL E. TENNEY, xxx-x...
MATTHEW W. TERPSTRA, xxx-x...
MARCUS D. TERRY, xxx-x...
RONALD J. TEWKSBURY, II xxx-x...
ALISA M. THOMAS, xxx-x...
BOBBY J. THOMAS, JR xxx-x...
IAN O. THOMPSON, xxx-x...
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ROBERT M. TOBLER, xxx-...
MARK S. TOPOLSKI, xxx-x...
THOMAS D. TORKELSON, xxx-x...
TIMOTHY J. TOWNSEND, II xxx-x...
BRIAN M. TOY, xxx-x...
MICHAEL J. TRAVIS, xxx-x...
STERLING E. TREE xxx-x...
JOHN W. TRESLER, xxx-x...
KYRIACOS S. TSIRCOU xxx-x...
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ERIC A. UJFALUSY xxx-x...
DONALD W. UNWIN, xxx-x...
THOMAS S. URBAN, xxx-x...
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ANTHONY E. VALERIO, xxx-x...
TIEM J. VAN, L xxx-x...
RACHEL E. VANLANDINGHAM, xxx-x...
STEPHEN J. VANLANDINGHAM, xxx-x...
DEREK D. VARBLE, xxx-xx...
CARL D. VEGAS, xxx-x...
PETER C. VEHLOW, xxx-x...
JOHANN R. VERRET, xxx-x...
MICHAEL W. VETTER, xxx-x...
EDUARDO E. VEVE, xxx-...
ROBERT A. VICKERS, xxx-x...
KAREN L. VIOLET, xxx-x...
CHRISTINE M. VISCO, xxx-x...
JEFFREY A. VISH xxx-x...
ERIC A. VITOSH, xxx-...
MICHAEL V. WAGGLE, xxx-x...
TODD S. WALDVOGEL, xxx-x...
CHRISTIAN E. WALLACE, xxx-x...
JAMES WALLACE, xxx-...
HOWARD T. WALLER, xxx-x...
BRADLEY J. WARD, xxx-x...
DONNA M. WARD, xxx-...
SCOTT C. WARD, xxx-...
JAMES E. WARMA, H xxx-x...
JEFFREY E. WARMKA xxx-x...
BRIAN P. WARREN, xxx-x...
RONALD B. WARREN, xxx-x...
AARON C. WATSON, xxx-x...
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CHRISTOPHER A. WEBER, xxx-x...
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THEODORE G. WEIBEL, xxx-x...
MICHAEL T. WEISS, xxx-x...
SUSAN L. WENDT, xxx-x...
BRADLEY R. WENSEL, xxx-x...
CRAIG J. WENZ, xxx-x...
EDWARD J. WERNER, xxx-x...
KIMBERLY A. WERTHMAN, xxx-x...
KEVIN G. WESTBURG, xxx-x...
CHAD H. WHITE, xxx-x...
JASON D. WHITE, xxx-x...
SAMUEL G. WHITE, III xxx-x...
SHELDON G. WHITE, xxx-x...
JEFFREY S. WHITEMAN, xxx-x...
JULIE M. WHITMAN, xxx-x...
STEPHEN A. WHYTE, xxx-x...
ROBERT A. WIEMAN, xxx-x...
SCOTT D. WIERZBANOWSKI, xxx-x...
LANCE R. WIKOFF, xxx-x...
PETER C. WILEY, II xxx-x...
CHRISTOPHER S. WILKOWSKI, xxx-...
BENJAMIN G. WILLIAMS, xxx-x...
ELIZABETH A. WILLIAMS, xxx-x...
PAUL N. WILLIAMS, xxx-...
RASHEAD J. WILLIAMS, xxx-x...
MARK L. WILLIAMSON, xxx-...
JACQUES J. WILSON, xxx-x...
JOHN H. WILSON, xxx-x...
KEVIN A. WILSON, xxx-x...
TODD V. WILSON, xxx-x...
WILLIAM J. WILSON, xxx-x...
WILLIAM V. WINANS, xxx-x...
MARK L. WINNS, xxx-x...
LYNN H. WINWARD, xxx-x...
GARY L. WITOVER, xxx-...
CHRISTOPHER D. WOLF xxx-x...
JASON D. WOLF, xxx-x...
KATHERINE H. WOLF, xxx-x...
STEVEN M. WOLF, xxx-x...
WILLIAM M. WOLFE, xxx-x...
JOSEPH L. WOOD, xxx-x...
JON C. WOZNIAK, xxx-x...
CHRISTIAN E. WRIGHT xxx-x...
MATTHEW R. YAKELY, xxx-x...
SCOTT D. YANCY, xxx-x...
SHANON R. YATES, xxx-x...
MATTHEW H. YETISHEFSKY xxx-x...
DAVID K. YOUNG, JR xxx-x...
DAVID T. YOUNG, xxx-x...
JEFFREY M. YOUNG, xxx-x...
RANDY K. YOUNG, xxx-...
JENNY E. YUNG, xxx-x...
TIMOTHY A. ZACHARIAS xxx-x...
DENNIS K. ZAHN, xxx-x...
ROBERT R. ZERBE, xxx-x...
ROBERT W. ZID, xxx-x...

WITHDRAWALS

Executive messages transmitted by the President to the Senate on May 13, 1992, withdrawing from further Senate consideration the following nominations:

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR REAPPOINTMENT 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

LT. GEN. DAVID M. MADDOX xxx-xx-x... U.S. ARMY

THE U.S. ARMY RESERVE OFFICER NAMED HEREIN FOR APPOINTMENT IN THE RESERVE OF THE ARMY OF THE UNITED STATES IN THE GRADE OF BRIGADIER GENERAL, WHICH WAS SENT TO THE SENATE ON MARCH 12, 1992:

To be brigadier general

COL. JAMES C. SULLIVAN, xxx-xx-x...

HOUSE OF REPRESENTATIVES—*Wednesday, May 13, 1992*

The House met at 2 p.m. and was called to order by the Speaker pro tempore [Mr. DONNELLY].

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
May 13, 1992.

I hereby designate the Honorable BRIAN DONNELLY to act as Speaker pro tempore on Wednesday.

THOMAS S. FOLEY,
Speaker, House of Representatives.

PRAYER

Rabbi Rachmiel Liberman, rabbi of Congregation Lubavitch Synagogue, and president of the Rabbinical Board of New England, Boston, MA, offered the following prayer:

We have recently read in the Weekly Bible Portion read at synagogue services, God's command to Moses, "That they shall make for Me a Sanctuary, and I will dwell within them." Our sages teach us that the term I will dwell within them, instead of the usual form I will dwell within it, means that God will dwell within the heart of each and every person, when he or she strives to build a sanctuary for God.

God of heaven and of the Earth, King of the universe, we are assembled here today in the Capitol, with the men and women who have been chosen by the citizens of the United States of America, to represent them in government; and in them, millions of people have placed their faith and confidence to make decisions and to pass laws on behalf of their families in vital matters pertaining to life, safety, health, security, education, harmony, and peace of mind.

Help us to remember that the future before us is dynamic. Everything we do will affect it. The dawn of each day brings with it a new frontier, if only we shall recognize it.

We beseech You, O mighty God to grant us clear vision, that we may know where to stand and what to stand for.

Help us to realize that it is better to fail for a cause that will ultimately succeed, than to succeed in a cause that will ultimately fail.

Strengthen and sustain us to overcome our shortcomings, and may we all enjoy peace, tranquillity, and brotherly love for all mankind. And help us to build a sanctuary, so that You will dwell within us, and within those whom we have chosen to lead us in government. Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

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

Mr. MCNULTY led the Pledge of Allegiance as follows:

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

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Saunders, one of his secretaries.

RABBI RACHMIEL LIBERMAN

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

Mr. DONNELLY. Mr. Speaker, it is an honor to introduce to my colleagues Rabbi Rachmiel Liberman of Quincy, MA, in my district, who delivered the opening prayer today in the House Chamber.

Rabbi Liberman has been spokesman and spiritual leader for the Jewish community across the Commonwealth of Massachusetts for several years. For over 13 years, he has been the executive director of the Jewish Educational Center located in Brookline, MA, which also has several affiliated branches nationwide.

Serving on the Governor's Commission of Chaplains in State institutions, Rabbi Liberman has been influential in drafting several pieces of pertinent legislation which have benefited every member of the religious community. Most notable was a consumer protection provision signed by then Governor Michael Dukakis in 1990 coined the "Kosher Law," in which food and other grocery products must be explicitly labeled with details of its ingredients.

A man of many skills and responsibilities, Rabbi Liberman has taken each and every post appointed to him and served the public with enthusiasm and intelligence. A dedicated public servant, he currently serves as president of the Rabbinical Board of New England—a task that bears great weight and importance as he represents several rabbis around the New England States.

Mr. Speaker, it is with great admiration and respect that I am able to host Rabbi Liberman on his visit to the House of Representatives.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Hallen, one of its clerks, announced that the Senate had agreed to Senate Resolution 295.

S. RES. 295

Resolved, That the Archivist of the United States be, and he is hereby, requested to communicate to the Senate, without delay, a list of the States of the Union whose legislatures have ratified the article of amendment to the Constitution of the United States proposed to the States in 1789 as the second article of amendment to the Constitution, on the effective date of laws varying the compensation of Members of Congress, with copies of all the resolutions of ratification in his office.

SEC. 2. That the Archivist communicate to the Senate copies of all resolutions of ratification of said amendment which he may hereafter receive as soon as he shall receive the same, respectively.

SEC. 3. The Secretary of the Senate shall provide a copy of this resolution to the Archivist of the United States and to the House of Representatives.

The message also announced that the Senate disagrees to the amendments of the House to the bill (S. 323) "An act to require the Secretary of Health and Human Services to ensure that pregnant women receiving assistance under title X of the Public Health Service Act are provided with information and counseling regarding their pregnancies, and for other purposes," agrees to the conference asked by the House of Representatives on the disagreeing votes of the two Houses thereon, and appoints Mr. KENNEDY, Mr. HARKIN, Mr. ADAMS, Mr. HATCH, and Mrs. KASSEBAUM, to be the conferees on the part of the Senate.

REQUEST TO CONSIDER ON TODAY OR ANY DAY THEREAFTER H.R. 5132, DIRE EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT, 1992, FOR DISASTER ASSISTANCE TO MEET URGENT NEEDS BECAUSE OF CALAMITIES SUCH AS THOSE WHICH OCCURRED IN LOS ANGELES AND CHICAGO

Mr. WHITTEN. Mr. Speaker, I ask unanimous consent that it shall be in order today, Wednesday, May 13, 1992, or any day thereafter, to consider in the House, the bill (H.R. 5132) making dire emergency supplemental appropriations for disaster assistance to meet urgent needs because of calamities such as those which occurred in Los Angeles and Chicago, for the fiscal year ending September 30, 1992, and for other purposes, that all points of order against provisions in the bill and against its consideration be waived, and that debate be limited to 1 hour, the time to be equally divided and controlled by the gentleman from Pennsylvania [Mr. MCDADE] and myself, and that the previous question shall be considered as ordered to final passage without intervening motion except one motion to recommit with or without instructions.

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

Mr. SENSENBRENNER. Mr. Speaker, reserving the right to object, I would like to ask either the gentleman from Mississippi [Mr. WHITTEN] or the gentleman from Michigan [Mr. TRAXLER] if this unanimous-consent request would allow me to offer an amendment that would prohibit the use of either FEMA or SBA funds to pay for expenses relating to cleaning up after the man-made disaster in Chicago.

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

Mr. SENSENBRENNER. I yield to the gentleman from Michigan.

Mr. TRAXLER. Mr. Speaker, I would advise the gentleman from Wisconsin that under the rules of the House that would be a legislation on an appropriation bill, in my judgment, and any Member could rise in opposition to the gentleman's amendment.

Mr. SENSENBRENNER. Mr. Speaker, further reserving the right to object, the amendment which I have drafted says none of the funds appropriated by this act shall be used for grants or loans relating to the Chicago freight tunnel flood of April 1992. That is not authorization, that is a prohibition, and would an amendment that is so drafted be in order under the gentleman from Michigan's unanimous-consent request?

Mr. TRAXLER. Mr. Speaker, if the gentleman would yield again, I would say to the gentleman that it is my understanding that the way in which the motion is presented to us, by unanimous consent, that the gentleman's amendment would not be in order.

Mr. SENSENBRENNER. Mr. Speaker, further reserving the right to object, I am wondering if the gentleman from Mississippi [Mr. WHITTEN] or the gentleman from Michigan [Mr. TRAXLER] would amend the unanimous-consent request so that I can offer such an amendment and the House can debate and vote on such an amendment, because the issues presented by what I feel is gross negligence on the part of the Chicago municipal government are considerably different than the issues presented by providing disaster assistance to Los Angeles. It seems to me that commingling the Chicago and Los Angeles issues would really prevent the House from working its will.

Mr. SMITH of Iowa. Mr. Speaker, will the gentleman yield to me?

Mr. SENSENBRENNER. I yield to the gentleman from Iowa.

Mr. SMITH of Iowa. Mr. Speaker, I have seen several stories in the paper, and there was a handout sent to all Members' offices today that talked about this bill being relief for Chicago and Los Angeles. This bill does not in any way change the basic law. To qualify, applicants for disaster assistance will have to qualify under the rules in the basic law, so if they cannot qualify under that, and there are many limitations in the law, then they will not get the aid.

Mr. SENSENBRENNER. Further reserving the right to object, I have seen the report of the Committee on Appropriations on this bill, and it specifically mentions both Chicago and Los Angeles. Los Angeles, it attempts to quantify the amount that would be made available, but at the end of the third paragraph on page 3 of the committee report it says, "In addition, the recent flood in the city of Chicago has been declared a disaster, for which total cost estimates have not yet been generated," and my concern is that dealing with Chicago may very well be premature, since this appears to grant Chicago an open-ended check. I do not think that is a good idea.

Mr. SMITH of Iowa. Mr. Speaker, will the gentleman yield further?

Mr. SENSENBRENNER. I yield to the gentleman from Iowa.

Mr. SMITH of Iowa. Mr. Speaker, that does not change the law at all. The basic law is still there. Applicants possibly could be eligible for an economic injury loan in some instances, because it was not their fault that there was an injury to their business.

□ 1410

But, FEMA would be the agency that comes in with the Government programs when a disaster is declared.

Mr. SENSENBRENNER. Further reserving the right to object, it appears from the news clippings that I have seen from Chicago newspapers that the city of Chicago was responsible for this, and it seems to me that the taxpayers of the city of Chicago rather than those in Iowa, and Wisconsin and elsewhere should end up footing the bill. And I would just like to be able to offer an amendment to allow the House to be able to debate and vote on this subject, because again the issues relating to Chicago are much different than the issues relating to Los Angeles, and we ought to be able to debate and vote on them separately.

Mr. SMITH of Iowa. I want to say to the gentleman once more that we do not change the basic law at all. it might be that if some Chicago merchant, through no fault of his own suffered a disaster, he would therefore be eligible for an economic injury loan. But there is nothing changed in the law by this bill to exclude other cities or to change the eligibility for other disaster loan or grant programs.

Mr. SENSENBRENNER. Further reserving the right to object, I yield to the gentleman from Michigan.

Mr. TRAXLER. I thank the gentleman and am grateful for him yielding.

Let me see if I can get this in order for us, because if one only reads the bill title one comes away with an idea that we are making an appropriation here for Los Angeles and Chicago, and that is sort of the half truth. The rest of the story is that the appropriation, as the gentleman knows, goes into the account, and the account is used to pay out money on all disasters that the President has declared as disasters under existing law. This bill adds no legislative authority. It does not expand one sentence or add one bit of power or grant one bit of additional relief that has been present in the disaster assistance programs throughout the decade. All the bill does is to add money to the several accounts that provide for disaster relief.

The President of the United States saw fit to declare Chicago a Federal disaster area. I might say the Congress did not do that. And incidentally, the President declared Los Angeles a disaster also, as he does every disaster in order for it to be funded under the authorizing legislation.

Mr. SENSENBRENNER. Further reserving the right to object, did I hear the gentleman from Mississippi's unanimous-consent request correctly that amendments to this bill would be prohibited when it is considered?

Mr. TRAXLER. The gentleman is correct.

Mr. SENSENBRENNER. Further reserving the right to object, that means that once this bill passes, any input the Congress, which has the power of the purse, would have on whether any of this money would go to Chicago would be gone.

Mr. TRAXLER. Will the gentleman yield?

Mr. SENSENBRENNER. Further reserving the right to object, I yield to the gentleman from Michigan.

Mr. TRAXLER. I appreciate the gentleman's question. Let me see if I can give an answer to it.

Under the law, the President has designated Chicago as a disaster. Under current law, the city of Chicago is eligible for every bit of assistance that is available for any other disaster area. The Congress has not intervened either in recent years, or to my knowledge at any point ever, to challenge a President's designation of a particular phenomenon as a national disaster, which does not mean that the Congress could not in legislation set aside the President's determination.

I would caution the gentleman before he proceeds, and I would not ever tell my good friend how to proceed, of course, but let me just say that there has existed here I think in this past week a marvelous sense of comity that heretofore in prior weeks, months, perhaps years has not existed between the President and the legislative branch. And if there is anything good to come out of the situation in Los Angeles, or perhaps one could even say Chicago, it is the sense now on the part of the Congress and the President that we had better work together on a few things around here, even if it is a Presidential election year.

Mr. SENSENBRENNER. Further reserving the right to object, let me say that my problem is that the disaster in Los Angeles is attempting to bootstrap along the money for Chicago, which I feel is absolutely unwarranted given the incompetence and gross negligence on the part of the Chicago municipal government. All I am asking for is the ability to offer an amendment that would say that none of the funds that are appropriated by this act should be used for Chicago. We can debate what happened here, we can debate whether or not it is good public policy to do that, and we can have a vote on that. That is all I am asking for.

I yield to the gentleman from Michigan.

Mr. TRAXLER. Let me say to the gentleman that as a Member who seeks to accommodate the national concerns, as does the gentleman from Wisconsin, of course, and the national interests, I think it is extremely unwise for this Congress to begin to examine the basis for every disaster that a President of the United States has declared. And I would just encourage my friend to carry his fight down to the White House and not the floor of this House.

Mr. SENSENBRENNER. Further reserving the right to object, finally, the Congress holds the power of the purse, and this is the appropriations bill that will provide the money for this. I think we ought to be able to debate this issue at this time, because it is the only opportunity we have.

The Appropriations Committee can go to the Rules Committee and seek a rule. We can bring this bill up under the normal order of business.

Mr. Speaker, I object.

The SPEAKER pro tempore (Mr. McNULTY). Objection is heard.

TAIWAN MUST STOP DRAGGING ITS FEET ON VRA

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

Mrs. JOHNSON of Connecticut. Mr. Speaker, the industrial strength and economic security of this country have been built on the strong foundation of hard work and technological excellence. A number of critical industries, like machine toolmaking and bearing manufacturing are key components of our industrial base, and without vital competition such manufacturers are in jeopardy of losing their leadership position in world markets.

Last year, many of us worked hard to extend the Voluntary Restraint Agreements with Japan and Taiwan and were pleased when the President ordered a 2-year extension last December.

After lengthy negotiations, the Japanese signed the VRA extension last month, and I commend them for their willingness to compromise and deal in good faith.

Unfortunately, the same cannot be said of the Taiwanese. For reasons that are becoming increasingly indefensible, Taiwan has chosen not to participate in a meaningful way, and has held up the negotiation process for over 4 months. Mr. Speaker, the original VRA's expired in December 1991. It is now May 13. Delays like this are understandable in international negotiations if the controversy is great and the issues complex. That is not the case with machine tool VRA's, and I strongly urge the Taiwanese, with whom we have had in the past healthy, mutually beneficial relationships, to complete this negotiating process at once, and agree with the United States and Japan on a new VRA extension for machine tools.

THE CHICAGO DISASTER

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

Mr. HAYES of Illinois. Mr. Speaker, as a resident of the city of Chicago I want to respond at least to some of the things that were said. I want it clearly understood that the situation that resulted in the disaster, the flood that occurred in the city of Chicago, responsibilty has not yet been fixed as to who was at fault.

When you have an infrastructure underneath a city as we do in downtown Chicago, 90 years old, and water starts coming in under it, and the river water starts pouring in, this is exactly what happened that caused some of the structures to decay underneath.

And it is not just buildings that were hurt. There were people who had jobs and were laid off as a result of what occurred.

One of the things we ought to understand is that the Vice President of the United States came to Chicago, he visited this disaster, he reported to the President what the situation was and what had occurred, and this resulted in this declaration of Chicago being a disaster area before the situation occurred in California. I want that clearly understood. They are both disaster areas and the Federal Government ought to help them.

□ 1420

FEDERAL REGULATION IS A HIDDEN TAX ON AMERICAN BUSINESSES AND ON CONSUMERS

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

Mr. THOMAS of Wyoming. Mr. Speaker, Federal regulation is a hidden tax on American business and, of course, on American consumers.

Federal regulation costs somewhere in the neighborhood of $450 billion a year. Reports from the Joint Economic Committee say that environmental regulation costs $115 billion, safety regulation nearly $30 billion, economic regulation as much as $250 billion, and paperwork burden alone $100 billion.

Common sense tells us this money could be reinvested creating jobs and enhancing productivity, but the Congress has not used common sense in attempting to eliminate risk.

Congress has so burdened business with rules that they are spending all of their profits to comply rather than building jobs and contributing to the communities.

Obviously all regulation is not bad, but stifling overregulation is and must be stopped. In the coming weeks, I am going to point out examples of excessive regulation and how we can be encouraged rather than stifle business.

BANKING REFORM

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

Mr. McMILLEN of Maryland. Mr. Speaker, yesterday the FDIC proposed a good idea: risk-based deposit insurance.

In the public's eyes, there is no difference between a well-capitalized bank and an insolvent bank. The cost and coverage of insurance is the same, and there are no incentives for either

depositors or managers to exercise restraint. This is how we ended up with the S&L debacle.

As I have said time and time again, reform is desperately needed in our deposit insurance system. Unfortunately, the banking reform bills we considered last fall did not address the real problem: the pricing of deposit insurance.

For the first time, however, the FDIC proposed assessing banks on a risk basis. While certain large banks—who are a risk to the U.S. taxpayer—will end up paying higher rates, the majority of all banks, large and small, will be rewarded for their soundness.

If this action by FDIC infuses some market pressure into the system, then the whole question of firewalls and safeguards which were so contentious in last year's bank reform debate becomes much less important.

I applaud the FDIC and compliment Bill Taylor for his vision.

IN SUPPORT OF H.R. 2056, THE SHIPBUILDING TRADE REFORM ACT

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

Ms. SNOWE. Mr. Speaker, today, this body will vote on the future of shipbuilding in America. The choice is a simple one—oppose the motion to recommit H.R. 2056, the Shipbuilding Trade Reform Act, and provide our domestic shipbuilding industry with a chance to compete, or support the motion and allow the industry to smother under the weight of heavily subsidized foreign competition.

In 1981, the United States eliminated its direct subsidy for the shipbuilding industry. Since that time, the industry has lost 40 shipyards and 120,000 jobs. The culprit for this decline is not expensive American labor or overpriced equipment. The culprit is foreign shipbuilding subsidies, subsidies which today reduce the price of foreign vessels by an average of 25 percent or more.

Mr. Speaker, H.R. 2056 has the right prescription to remedy unfair trade practices. This legislation sends a powerful message that we want free trade. It targets foreign governments by providing a strong disincentive for international shipping merchants to purchase ships manufactured in their countries. And it only seeks to address future subsidies; all existing ships can continue doing business in U.S. ports unaffected.

Mr. Speaker, there is no question that American shipyards can compete in a free market, and our competitors know it. That's why they oppose the bill before us, and that is why we should suport it.

USE FOREIGN AID TO CARE FOR OUR COUNTRY

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

Mr. TRAFICANT. Mr. Speaker, there is no question, Chicago and Los Angeles need help. The question is: Where do we get the money?

I recommend to Congress that we take the money from foreign aid. My bill, H.R. 4189, would take $7 billion from foreign aid, redirect $4 billion of it back to the cities and counties in the form of revenue sharing, and then send $3 billion directly to our schools.

Folks, our kids need skills. Our cities are in deplorable, dangerous conditions, ready to explode right in our faces. But for some reason our Government turns its back on America's needs but continues to pay homage to every sacred cow program overseas.

I say that is un-American, that is disgusting, and that is dangerous. The mood of our cities is dangerous.

I say that we should not raise taxes, we should not raise the deficit. Let us take $7 billion from foreign aid and take care of our country, and Congress would be wise to hold a hearing on that bill.

APPOINTMENT OF ADDITIONAL CONFEREES ON H.R. 4990, RESCINDING CERTAIN BUDGET AUTHORITY

The SPEAKER pro tempore (Mr. MCNULTY). Without objection, the Chair appoints the following additional conferees on the part of the House on the bill (H.R. 4990) rescinding certain budget authority, and for other purposes: Messrs. ROYBAL, DIXON, and REGULA.

There was no objection.

SUPPORT URGED FOR ARCHER MOTION TO RECOMMIT SHIPBUILDING TRADE REFORM ACT

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

Mr. LEWIS of Florida. Mr. Speaker, the House today votes on the Shipbuilding Trade Reform Act which contains the repeal of the boat user tax.

This so-called user fee does not benefit boaters but is used for increased Government spending. I opposed this fee originally and have fought for its repeal.

Unfortunately, the Democratic leaders are holding the repeal of this tax hostage to their shipping trade restriction bill, admitting they do not have the votes for passage.

Frankly, Mr. Speaker, I resent this attempt to buy my vote. Florida conducted over $33 billion of foreign trade in 1991, and this bill will result in harm to our entire economy.

The blackmail will not work. I will not support legislation which will affect Florida in this manner.

We will have a chance to strike this job-killing language and repeal the boat tax. Vote for the Archer motion to recommit.

NEW ECONOMIC COURSE CRITICAL FOR SURVIVAL OF WORKING AMERICANS

(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, what we need today is an economic recovery package and a long-term economic policy that will improve the business climate, put people back to work and offer working middle-class Americans the prospect of rising living standards. The current course, pursued for more than a decade, offers little that is promising.

Last Monday the Census Bureau released a report that said the percentage of full-time workers who earned less than $12,000 annually grew sharply in the last decade, as the wealthiest citizens in this country grew richer.

According to a story in the New York Times, 12 percent of full-time employees earned less than $12,000 in 1979. By 1990, that number had increased to 18 percent—a 50-percent increase—and now, almost 1 in 5 workers. In the 1960's, the number of full-time, working poor people decreased; in the 1970's, it stayed the same; but now, in the 1980's, the numbers are rising sharply.

Full-time American workers are growing rapidly poorer. What kind of legacy is that? What values underlie policies that are indifferent to the declining reward for work?

Every weekend, I meet workers in Connecticut who have seen their salaries shrink, who find it harder and harder to provide for their families. To make matters worse, many of these workers must pay for their own health insurance—if they have insurance at all.

Mr. Speaker, I am troubled that almost 1 in 5 workers—full-time workers putting in 35 and 40 hours a week—now barely earn a living wage. That is hardly a beacon for the millions of unemployed or for those who want to go from welfare to work.

Mr. Speaker, good economic policy should work for average Americans, not just the wealthy. I urge the Congress and the President to get to work, because working Americans need to see us take a new course.

ENACT A TURBO ENTERPRISE ZONE FOR BLIGHTED AREAS

(Mr. COX of California asked and was given permission to address the House

for 1 minute and to revise and extend his remarks.)

Mr. COX of California. Mr. Speaker, the devastation caused by the riots, the looting, and the gang violence in south central Los Angeles command and demand our urgent attention. We will be giving it just that in the next 48 hours.

Thus far, however, most of the solutions that have been advanced are simply reprises of the hoary and tired deficit financed wealth redistribution schemes that have already failed our cities so miserably.

The Great Society programs did not cause the riots in Los Angeles. But it did not stop them either.

It is time for us to exercise some intellectual energy to do something better for our cities and for employment in the future.

HUD Secretary Jack Kemp's enterprise zone proposals make a great deal of sense, but they may take a few years to work. It is time for us now to enact a turbo enterprise zone for the blighted areas of Los Angeles hardest hit by the riots and the looting. Specifically what I will be proposing with a number of my colleagues is a zero-tax-rate regime, no sales tax, no property tax, no payroll withholding tax, and no income tax for 5 years in these areas of Los Angeles. The costs? Forgone revenues from an area now producing none. The benefits 5 years down the road? An area that will rival Hong Kong for economic enterprise, and that will then, at a modest tax rate, produce wealth with the rest of America.

□ 1430

AMERICA NEEDS AN URBAN AGENDA

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

Mr. MAZZOLI. Mr. Speaker, I just came away from a luncheon meeting at which Louisville Mayor Jerry Abramson and leading mayors of this Nation discussed with the Democratic leadership the fashioning of an urban legislative agenda.

America is, Mr. Speaker, an urban nation. Eighty percent of us live on 2 percent of our Nation's land. The rural areas and the beautiful suburban areas of our Nation could not exist healthily if the cities are sick. Our cities are sick, and an urban agenda is needed to make them well.

And what would such an agenda consist of? Well, certainly for starters there is a 1992 program of the U.S. Conference of Mayors called the emergency jobs and antirecession initiatives, which includes everything from targeted fiscal assistance to accelerated public works. But, there are other programs, including the enterprise zones and the Weed and Seed Program.

One way or the other, Mr. Speaker, there is a need for an urban agenda. In fashioning that agenda, the views and the observations of the Nation's mayors ought to be very carefully considered.

REPUBLICANS CARE ABOUT URBAN PROBLEMS

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

Mr. ROHRABACHER. Well, Mr. Speaker, finally after the riots in Los Angeles, people are beginning to focus on our urban areas and the urban problems that we have.

What do we see in our urban areas? We see broken families, unemployment, desperation. We see crime and drugs and alcohol abuse. All of these things are rampant in our inner cities.

Now, there are those on the other side of the aisle who would like us to believe that Republicans do not care about those problems. Well, we do care about those problems, and I care a great deal about those human beings who are suffering. That does not mean that these problems were caused by a lack of welfare spending in Republican administrations. Anyone who buys that story will go and buy the Brooklyn Bridge.

There are people who are telling us that we eliminated the CETA Program, and that contributed to the problems; yet the CETA Program was replaced with the Jobs Training Partnership Act, which was more focused on those very poor people who needed the help.

Other people will suggest we needed more AFDC, more welfare payments, which would have caused more broken homes and more desperation.

No, what we need are values in this country and help for those people in the inner cities by giving them jobs, by creating investment that will create a better environment, by tough law enforcement, nonracially biased law enforcement, which will permit those people to live in peace and harmony.

We need enterprise zones, urban homesteading. These have been the policies of the Reagan years. These have been the policies of the Republican administration that have been stifled by the Democrats who control the House of Representatives.

USING MOTHERHOOD TO FIGHT FOR CHILDREN'S LIVES

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

Mr. HALL of Ohio. Mr. Speaker, last Sunday was Mother's Day. Ironically, it was also Infant Mortality Awareness Day.

It is sad that the day for honoring motherhood also observed the tragedy of infant death. Every year, thousands of children die because their mothers do not get adequate prenatal care.

But, in tragedy there is hope. One form of hope is the Community Health Advocacy Program or CHAP. CHAP identifies a community's natural leaders, and gives them basic health education and training.

By learning the importance of prenatal care and breast feeding, women become advocates who teach others. As a result, more mothers are able to make informed decisions about their own health, and the health of their unborn children. This link between service providers helps to reduce infant mortality rates.

Programs like CHAP cost very little, Mr. Speaker, but save a lot—and in more than just money. Programs like CHAP save lives.

DISTRICT OF COLUMBIA PRAISED FOR MOUNT PLEASANT ACTIONS

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

Mr. BLILEY. Mr. Speaker, I believe that when you do something right that action should be recognized and credit should be given. That is why today I would like to praise the District of Columbia, Police Chief Fulwood, Mayor Kelly, and particularly the citizens and community leaders of the Mount Pleasant neighborhood.

Working together to take and maintain control of the streets of their neighborhood and helped by a too rare display of restraint by the media, a local but potentially volatile situation in Mount Pleasant was controlled and calm and order prevailed.

I want to praise the police and the government of the District for not overreacting and stirring up a situation which was entirely unrelated to recent national events which have distressed all of us. I especially want to thank and praise the citizens and leaders of the neighborhood who were determined that this incident would not be allowed to become something it was not and lead to a major disturbance and destruction of their neighborhood.

You have all shown the rest of us how to properly keep matters in perspective and take control of your own streets so that a few unruly or intoxicated individuals cannot destroy a community by their irresponsible behavior.

WHO GETS ARRESTED?

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

Mr. WASHINGTON. Mr. Speaker, I came over to speak about what was in the morning Washington Post, but let me comment on my fellow friend from

the bow tie caucus, the gentleman from Virginia.

First of all, I agree with everything the gentleman said about Washington, DC. This time they have done something right and they need to be patted on the back and we need to find more examples like that. We need to work together on behalf of cities.

This is not a Republican or a Democratic issue, because we all have to live together in these cities and we will either live together in these cities or these cities will no longer exist.

I also applaud the Los Angeles Police Department for the swift and speedy action in bringing to justice the alleged perpetrators of the violence that we all watched and condemned on television.

There is no reason to drag an unarmed motorist who has done nothing, nothing at all to these people, these heathens and criminals in the community and beat him across the head. That bothered me as much as did the tape of Rodney King itself. They are both damnable, despicable acts, and we who were elected to public office and call ourselves leaders should stand up and call them that. Otherwise, there will be no liberty and no justice for all in this country.

One thing that struck me odd, though, was that Daryl Gates went to the scene to arrest one individual. I did not see Daryl Gates anywhere around when it was time to arrest those police officers.

If we are going to send one signal, have the police chief go and arrest criminals who beat up on a motorist, but have him go and arrest police officers who beat up on citizens.

We do not pay police officers to do that in our society.

SUPPORT FOR PRESIDENT BUSH'S EXTENSION OF THE MORATORIUM

(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, I commend the work of President Bush in fighting the war against unreasonable regulatory burdens. He announced last week that the moratorium in new Federal regulations would be extended by another 4 months.

The President has made the reauthorization of the Paperwork Reduction Act central to his regulatory reform effort. Nowhere is the regulatory burdened more evident and more unnecessary than in the area of paperwork requirements.

The cost of complying with unneeded paperwork and red tape resulting from information collection requests by the Federal Government cost businesses as much as $330 billion per year, with $100 billion of that falling on small businesses.

The Congress must work with the President in his efforts to reduce the Federal regulatory burden by passing a strong Paperwork Reduction Act. The act would give the Office of Information and Regulatory Affairs the teeth it needs to weed out excessive regulations that fail to meet the cost/benefit test, thereby saving our economy billions of dollars.

THE DEFICIT AND FUTURE GENERATIONS

(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, I do not often speak on the House floor, but when I do I hope the folks back home will hear me.

In the next few weeks, hopefully, we will be considering a balanced budget amendment.

I have also come out in support of an enhanced line-item veto, two tough, tough budget matters, but let me tell my people at home, they want services that are in our budget today, but they do not want new taxes.

What I would like to do today is challenge the media in each of our areas across this country to tell the people what our debt is, close to $4 trillion, to tell the people what our deficit is, $350 billion, and to tell the people that about 60 percent of our budget this year will go to entitlements and interest. Entitlements such as Medicare, Medicaid, Social Security, veterans' benefits, and interest on the debt—about 16 percent—that will go for no services, tell our people as we deal with these tough budget matters, trying to balance the budget, that they are going to have to face some tough decisions with us.

Mr. Speaker, we have got to think about the next generation.

SCIENCE DOES NOT BACK UP THE CATASTROPHIC VIEW OF GLOBAL WARMING

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

Mr. DELAY. Mr. Speaker, 20 years ago environmentalists began worrying about climate change, but not global warming. On the cover of one book published back then were two ominous questions: Has the next ice age already begun? Can we survive it?

A blurb on the back cover by Stephen Schneider, who was in town last week to talk about warming, warned 20 years ago that the threat of cooling "could be as awesome as any we might face, and that massive worldwide actions to hedge against that threat deserve immediate consideration."

Now environmental extremists call for massive worldwide actions to hedge against global warming.

The extremists' proposals to stop global warming will be enormously expensive, and we better be awfully certain about the science before we proceed. But many aspects of the global climate system remain unknown.

Those scientists that look at the temperature records of the past, rather than trying to predict the future with computer models, find little evidence to back up global warming theories. And the better the data, the less evidence there is of a future environmental catastrophe. The best quality evidence, data collected by satellite over the past several years, provides no support for all the stories we've been told in the media.

Mr. Speaker, we need to make policy based on solid science, not the scare stories dreamed up by environmental extremists.

□ 1440

WE WASTE MORE TIME INVESTIGATING HISTORY, NOT LEARNING ANYTHING

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

Mr. APPLEGATE. Mr. Speaker, it is not any wonder that we cannot get anything done here in the Congress; we waste more time investigating history and not learning anything.

Now we are investigating a 30-year assassination of President Kennedy. And what is the result of that going to be? More bucks in the pockets of Oliver Stone.

So, next it is going to be Bobby Kennedy. Maybe we can investigate that one, or Martin Luther King, or maybe we could revisit Watergate and, if time allows, maybe we can go back and take a look at the Iran-Contra fiasco. And then, if we have time, we can recheck the bounced checks.

Of course, if we start to look at the economy and health care and jobs and inequity in trade, we should do it, but if it gets too boring then maybe we can go back and check into finding out whether John Wilkes Booth really did Lincoln in.

EXPORTS TO DEVELOPING COUNTRIES SEEN AS KEY TO U.S. ECONOMIC GROWTH

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

Mr. BEREUTER. Mr. Speaker, in my export 1 minute today I would like to stress the importance of expanding economies in developing countries for U.S. export growth.

Mr. Speaker, for 5 years now, the growth in U.S. exports has led overall U.S. economic performance by growing three times as fast as gross domestic

product each year. The trade deficit, last February, reached its lowest monthly figure in 12 years largely on the growth of U.S. exports. Many economists believe that a key factor in the U.S. recovery from a recession is the future growth in U.S. exports.

However, Mr. Speaker, that growth probably will not come from traditional United States markets like Japan and Great Britain. Instead, future growth of U.S. exports may become increasingly dependent on the expanding economies of the world's developing countries.

The evidence of this important change already exists. Last Sunday, the New York Times contained an article entitled. "American Exports to Poor Countries Are Rapidly Rising," and according to the article, in January and February nonindustrialized countries bought the highest percentage of American exports since 1982.

Mr. Speaker, the potential appetite for U.S. exports in developing economies must not be overlooked. A couple of weeks ago, this Member stood on this floor and spoke about the potential for U.S. food exports in Southeast Asia; however, I am not just talking about food exports. The New York Times article recognized the extremely important fact that U.S. exports of manufacturing goods to these countries is on the rise.

In fact, Mr. Speaker, while the United States may be losing market share to nations like Japan in highly visible items such as consumer goods including VCR's and TV's, the United States remains the leading producer of goods used to build nations, like telephone company switches, trucks, commercial aircraft, and personal computers.

Mr. Speaker, I make this point about the potential for U.S. exports to developing countries today because this Member is concerned that recent U.S. trade policy initiatives from some of our colleagues overlook the importance of these growing particular economies to U.S. economic prosperity. Attempts to unilaterally protect U.S. industries from international competition could unwittingly deny access of U.S. capital goods to these growing markets. And, Mr. Speaker, these capital goods exports are a bright spot, in an otherwise dim world economy. Congress must remember that fact in its actions.

BELLOWS AIR FORCE STATION

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

Mr. ABERCROMBIE. Mr. Speaker, our Armed Services Committee is completing its work today on the 1993 Defense Authorization Act.

Among other provisions, this measure requires the Defense Department to justify its retention of Bellows Air Force Station on the island of Oahu.

Currently, that installation is vastly underutilized—1,500 acres of prime beach front property with no compelling national security interest.

Meanwhile, Hawaii's 1 million people suffer one of the most painful affordable housing shortages in the Nation.

That is why Bellows should be returned to the State of Hawaii. We need Bellows for affordable housing and other community needs. I have worked ceaselessly to help provide hundreds of housing units for military personnel. I am only seeking equal treatment for Hawaii's people.

Federal law requires that lands ceded to the United States by Hawaii be returned to the State when no longer needed for Federal purposes.

Certainly, Mr. Speaker, Bellows Air Force Station fits that description exactly.

Let us play fair and support this first step to return Bellows to the people of Hawaii.

REPLACE PRESIDENTIAL ELECTION FUND CHECKOFF WITH A NATIONAL DEBT FUND CHECKOFF

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

Mr. DUNCAN. Mr. Speaker, today I am introducing legislation that would eliminate the Presidential election fund checkoff on our tax returns and replace it with the national debt fund checkoff.

Americans are sick of seeing millions go to unknown fringe candidates who maybe get only a few hundred votes in any State. They want this ridiculous ripoff stopped. With the national debt of $4 trillion and losses of $1 billion a day on top of our present debt, the people want something done before we crash.

Mr. Speaker, my legislation was suggested by a constituent of mine, Bob Williamson, in a letter to the editor of the Knoxville News-Sentinel.

Mr. Speaker, this bill would replace the taxpayer subsidy to all sorts of Presidential candidates with a box in which taxpayers could write any dollar amount to go directly toward paying our national debt. The fund could be used only to pay on the national debt, and not for any other purpose.

Most people could contribute only very small amounts, but some would make large contributions. It would certainly not wipe out our national debt by itself, but it would help and it would do a lot more good than will millions going to negative and wasteful Presidential campaigns.

WE SHOULD CONSIDER THE BILL TO HELP OUR NATION'S SECOND AND THIRD LARGEST CITIES

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

Mrs. COLLINS of Illinois. Mr. Speaker, I was in my office watching the monitor, and was surprised when I thought we were working on H.R. 5132, but I learned—and I think I saw—that the gentleman from Wisconsin [Mr. SENSENBRENNER], prevented us from considering this important piece of legislation at this point in time.

Mr. Speaker, H.R. 5132 would make emergency appropriations for disaster assistance to my congressional district as well as for the riot-torn city of Los Angeles. This disaster was caused by a weakened wall that allowed the Chicago River to flow into downtown Chicago.

Mr. Speaker, I hope all of us will realize that Chicago's disaster was not a man-made disaster, as the gentleman from Wisconsin claimed, and that all of our cities in America are old; as are our towns, et cetera. Similar disasters can happen because all of the infrastructure in America now is in a weakened condition.

When we think about dams, bridges, tunnels, highways and roads, and canals, we do not just talk about the city of Chicago or New York; we talk about all of America.

I hope this kind of thing will not happen again in the future.

Mr. Speaker, it was 1 month ago today that a weakened wall along the Chicago River collapsed into a little used freight tunnel under Chicago's Loop to cause the largest disaster the city has seen since Mrs. O'Leary's cow began the great fire of 1871. Billions of gallons of water subsequently flooded into the basements of downtown Chicago buildings, effectively shutting down all business activity in the Loop for several days, not only at such Chicago institutions as the Board of Trade, the Mercantile Exchange, and Marshall Fields, but also at hundreds of small businesses who depend on the daily flow of commuters for their livelihoods. Businesses which were already soaked under the weight of the recession, Mr. Speaker, are now even more hard pressed to continue operating after finding the Chicago River flowing through their basements.

While I commend Mayor Daley and the legions of city workers for their efforts in plugging the leak, it is imperative that emergency Federal funds are appropriated to help these businesses, and the city, cope with this most unfortunate disaster. Millions of dollars of valuable city funds have had to be diverted to fight the flood, seriously straining city coffers. Furthermore, estimates have calculated property damage alone at over $300 million and total business losses could well top $1 billion.

Mr. Speaker, it was inevitable that we would sooner or later have to consider a bill to help our Nation's second and third largest cities, or any city for that matter, cope with disasters of such magnitude. For too long, cities have

been forced to wage a two-front war against the decay of our infrastructure, and the fraying of the social fabric of our inner city neighborhoods. While the destruction in Chicago was much different in nature than that in Los Angeles, both are representative of the lack of attention to urban problems during the past decade. The Federal-local partnership that once existed has been all but eradicated throughout the 1980's, forcing local governments to ration vital funds, put off much needed repair jobs and public works projects, and eliminate many valuable services altogether.

Now is not the time for political darts or blame shifting, Mr. Speaker. The situation in our inner city communities has simply grown too desperate to allow partisan politics to rule the day. I am willing to work with President Bush and Secretary Kemp to help rebuild Chicago and Los Angeles, and every other American city that has suffered from the abject neglect of the 1980's, and I am pleased that the President seems to have finally, after much prodding, refocused his attention to domestic concerns.

I urge my colleagues to support this emergency legislation.

THE SITUATION IN BOSNIA

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

Mr. WOLF. Mr. Speaker, what is going on in Bosnia today is a disgrace.

I want to commend Senator DOLE and those in the Senate who sent a letter to President Bush, asking for stronger action on behalf of the Bush administration and I want to share that letter with my colleagues. I also want to commend the Bush administration for recalling Ambassador Zimmerman from Belgrade.

In September, Congressman CHRIS SMITH and I were in Croatia, and visited the cities of Vukovar and Osijek which were under seige by the Yugoslavian Army. Now the Serbian forces of Slobodan Milosevic are doing the same thing today in Bosnia that they did in Croatia.

I personally think that we should withdraw most-favored-nation status from Yugoslavia, from Serbia. A New York Times editorial today reports that Croatia's Franjo Tudjman's henchmen from Bosnia cut a deal with their Serbian counterparts at a secret meeting in Austria, snatching their own piece of Bosnian territory. This is very disturbing news and if true, and if Tudjman cooperates with Milosevic in any way at all with regard to persecuting and killing the people in Bosnia, then that would be a great disappointment to the people of Croatia and the United States.

Many of us in this Congress supported Tudjman and strongly supported the good and decent people of Croatia in their quest for freedom and democracy. Because of this support, it is important that Tudjman stand up and support Bosnia, allowing Christians, those of the Jewish faith and the Moslem faith to live together in peace in Bosnia.

The letter referred to, follows:

U.S. SENATE,
OFFICE OF THE REPUBLICAN LEADER,
Washington, DC, May 12, 1992.

The PRESIDENT,
The White House,
Washington, DC.

DEAR MR. PRESIDENT: We are writing to you to express our deep concern about the tragic situation in Bosnia-Hercegovina, and to urge that the United States take a more active role in trying to bring this bloody conflict to an end.

We commend you on today's decision to recall our Ambassador to the former Yugoslavia, Warren Zimmermann. In view of the continued aggression by Serbian forces against Bosnia-Hercegovina, we hope that this move will be swiftly followed by a decision to impose comprehensive sanctions on Serbia. In addition, we support ongoing U.S. efforts to unseat "Yugoslavia" at the Conference on Security and Cooperation in Europe.

However, we believe that much more must be done and quickly. Some of us met this week with the Foreign Minister of Bosnia-Hercegovina, Mr. Haris Silajdzic, who told of the wholesale destruction of his newly independent country and its occupation by Serbian forces. In four weeks, the Serbian army's brutal onslaught has left nearly 700,000 people homeless and thousands wounded, missing or dead. In our view, Mr. Silajdzic raised an idea that merits immediate exploration, namely the creation of a "security zone" around the capital of Sarajevo. This zone would provide a safe haven for refugees, while allowing for the delivery of desperately needed humanitarian aid. In addition, the establishment of a security zone would ensure the continued functioning of the legitimate government of Bosnia-Hercegovina.

We hope that you will give this matter your immediate consideration. It is our understanding that Foreign Minister Silajdzic discussed this concept in detail with Deputy Secretary Eagleburger. Even if the United States does not wish to become directly involved in such an operation, we could encourage the European Community and/or the United Nations to further explore this proposal.

Thank you for your attention to this vital matter.

Sincerely,

Claiborne Pell, Bob Dole, Alfonse D'Amato, Slade Gorton, Alan J. Dixon, Dennis DeConcini, Orrin Hatch, Larry Pressler, John McCain, Connie Mack, Joe Lieberman, Donald Riegle.

SOME CAUSES OF AND AFTERMATH OF THE RODNEY KING VERDICT

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

Ms. PELOSI. Mr. Speaker, for 2 weeks, starting with the Rodney King verdict, we have been experiencing a terrible trauma in our country with the eruption of racial tension and frustration, much of that springing from the last decade of neglect in our country.

The President responded by blaming it on the Great Society, blaming it on Lyndon Johnson.

Mr. Speaker, Lyndon Johnson gave us the Great Society, President Bush has given us the great divide—the terrible divide, the division in our society, where the Reagan and Bush economic policies have widened the gap between the rich and the rest of us in this country. This disparity has been bad economics.

It has produced a terrible budget deficit and an even worse social deficit.

How can we ever make up, in the minds and bodies of the real victims, the small children of America, the neglect that they have been victims of in the past decade?

□ 1450

So, Mr. Speaker, I think the lesson of Los Angeles should be that we should work together to build a more just society in order for us to build family and make our country strong again.

NONESSENTIAL OBSERVERS COSTING 800,000 AMERICAN TAX DOLLARS

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

Mr. JOHNSON of Texas. Mr. Speaker, I am outraged.

Let us talk about Brazil.

Why in the world is our Federal Government paying for more than 300 people to boondoggle to Rio de Janeiro next month? I understand we are sending 25 to 30 official delegates to next month's Earth summit, and that is legitimate, but at an extra cost of 800,000 American tax dollars we are sending about 300 conference watchers.

Come on, Mr. Speaker. I cannot imagine any conference that requires 300 nonessential observers from one single country. American taxpayers are fed up with this type of boondoggling. It is wasteful, and it is wrong.

Let us use some common sense. Let us put away the $1,400 plane tickets and take a serious stab at balancing the Federal budget, and I have to commend some of my colleagues on the other side for recommending a balanced budget as well. It is time we got to work here in this Congress.

URBAN AGENDA URGENTLY NEEDED

(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, we all are too familiar with the aftermath of the Rodney King trial and the resulting verdict. Many of the leading legal experts agree that the Rodney King case was already decided, and

lost, when the presiding judge moved the site of the trial to a mostly all-white, suburban community in Simi Valley, CA, with a black population of less than 2 percent. This change of venue, as it is known, was clearly the turning point in this case. The trial was moved to Simi Valley to avoid pretrial publicity because of the political situation in Los Angeles, which was too volatile. But the irony is that those jurors in Simi Valley were just as likely to have formed opinions since they more than likely saw the same videotape that all of us in the world witnessed, and the same jury was more likely to identify with the four police officers, who were all white, and they knew that they were all white, and probably agreed with them early on, and formed their opinions before the trial was presented in the court.

Mr. Speaker, the sixth amendment guarantees an impartial jury of the State and district wherein the crime is committed. Although the reference is not explicit as to venue, it does specify the location from which the jury should be selected. Mr. Speaker, I call upon my colleagues to take a closer look at what is happening, and let us move this urban agenda that this administration is talking about, and let us bring a bipartisan urban agenda whereas we can respond to the urban and rural problems of all Americans in this country so we will not be faced with similar situations.

SAVE AMERICAN JOBS—SUPPORT H.R. 2056

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

Mrs. BENTLEY. Mr. Speaker, today this body is taking up H.R. 2056, a bill long overdue and one which can go a long way toward placing U.S. shipyards on a level playing field with their competitors throughout the world. What this bill does basically is to remove the Government competition in the form of subsidies that exist in foreign yards. In other words, each U.S. yard bidding in the commercial world would be bidding against private enterprise rather than a foreign government which is much more fair and the way to go if we are to preserve this critical industry in this country.

Mr. President, I urge my colleagues to support H.R. 2056 and save American jobs.

REPEAL THE BOAT USER FEE

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

Mr. ECKART. Mr. Speaker and my colleagues, today is a classic example once again of the process frustrating the will and the interests of many people who follow the deliberation of this body on a matter of no small import to thousands of men and women in my district which borders the Lake Erie shoreline. I am talking, of course, about the repeal of the boat user fee, a matter first concocted in the minds of President Ronald Reagan and Budget Director Stockman in 1991. It was originally intended, of course, to try to upgrade the amount of money and the facilities available to the operation of the U.S. Coast Guard. It was rejected continuously by this institution through votes on the floor, and in our Budget Committee it nonetheless became part of the 1990 budget agreement, and oh what a silly idea it was.

Imagine charging someone to float their canoe. Imagine charging someone to be rescued by a government agency that they thought was there for that fact to begin with from time immemorial.

Unfortunately, Mr. Speaker, the repeal of the boat user fee is linked to another provision of the bill dealing with shipyard construction and the cost of those constructed ships visiting American ports. While they may, in fact, be meritorious, the fact is we need to repeal the boat user fee, support the motion of the gentleman from Texas [Mr. ARCHER], separate the two and repeal a silly tax that should not have been leveled on the American taxpayers to begin with.

AUTHORIZING CORRECTIONS IN ENROLLMENT OF S. 838, CHILD ABUSE, DOMESTIC VIOLENCE, ADOPTION, AND FAMILY SERVICES ACT OF 1992

Mr. OWENS of New York. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the Senate concurrent resolution (S. Con. Res. 116) to authorize corrections in the enrollment of S. 838.

The Clerk read the title of the Senate concurrent resolution.

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

Mr. DREIER of California. Mr. Speaker, reserving the right to object, I will not object, but I ask the gentleman from New York to explain his unanimous-consent request.

Mr. OWENS of New York. Mr. Speaker, will the gentleman yield?

Mr. DREIER of California. I yield to the gentleman from New York.

Mr. OWENS of New York. Mr. Speaker, after passage of the Child Abuse, Domestic Violence, Adoption, and Family Services Act of 1992 in early April, it was discovered that there was some ambiguity regarding the effective date of the amendments relating to the distribution of funds under the child abuse general programs. The administration asked for a clarification, and we agreed that a clarification was necessary.

At the same time, it was discovered that through a drafting error, parents were inadvertently deleted from the stipulated membership of the State Multidisciplinary Task Force on Children's Justice.

This resolution, which has received bipartisan support, would correct these problems.

Mr. DREIER of California. Mr. Speaker, I thank my friend, the gentleman from New York [Mr. OWENS], for his very cogent explanation.

Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the Senate concurrent resolution, as follows:

S. CON. RES. 116

Resolved by the Senate (the House of Representatives concurring), That in the enrollment of the text of the bill (S. 838) to amend the Child Abuse Prevention and Treatment Act to revise and extend programs under such Act, and for other purposes, the Secretary of the Senate shall make the following corrections:

(1) In section 116(a)(4) of the bill—

(A) by adding "and" after the semicolon in subparagraph (C); and

(B) by striking out subparagraph (D) and all that follows and inserting in lieu thereof the following new subparagraph:

"(D) by striking out 'handicaps;' in subparagraph (F), and inserting in lieu thereof 'disabilities'.".

(2) In section 117 of the bill—

(A) by inserting "(a) IN GENERAL.—" before "Section 114(a)"; and

(B) by adding at the end thereof the following new subsection:

"(b) DELAYED EFFECTIVE DATE.—Paragraph (2) of section 114(a), as amended by subsection (a), shall become effective on October 1 of the first fiscal year for which $30,000,000 or more would be available under subsection (a)(2)(B)(ii) of such section 114 (if such subsection were in effect), and until such fiscal year, the second and third sentences of section 114(a) (as in effect prior to the amendment made by such subsection (a)) shall continue in effect.".

(3) In section 124(2)—

(A) by striking out subparagraph (a); and

(B) by redesignating subparagraphs (B) and (C) as subparagraphs (A) and (B), respectively.

The Senate concurrent resolution was concurred in.

A motion to reconsider was laid on the table.

PROVIDING FOR CONSIDERATION OF H.R. 2056, SHIPBUILDING TRADE REFORM ACT OF 1992

Mr. BONIOR. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 443 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 443

Resolved, That at any time after the adoption of this resolution the Speaker may, pur-

suant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 2056) to amend the Tariff Act of 1930 to require that subsidy information regarding vessels be provided upon entry within customs collection districts and to provide effective trade remedies under the countervailing and antidumping duty laws against foreign-built ships that are subsidized or dumped, and the first reading of the bill shall be dispensed with. After general debate, which shall be confined to the bill and the amendments made in order by this resolution and which shall not exceed one hour, with thirty minutes to be equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means, and with thirty minutes to be equally divided and controlled by the chairman and ranking minority member of the Committee on Merchant Marine and Fisheries, the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider an amendment in the nature of a substitute consisting of the text printed in the report of the Committee on Rules accompanying this resolution as an original bill for the purpose of amendment under the five-minute rule, said substitute shall be considered as having been read, and all points of order against said substitute for failure to comply with the provisions of clause 7 of rule XVI and clause 5(a) of rule XXI are hereby waived. No amendment to said substitute shall be in order except the amendment printed in section 2 of this resolution, to be offered by Representative Gradison of Ohio, which shall be debatable for not to exceed thirty minutes, equally divided and controlled by the proponent and a Member opposed thereto, and all points of order against said amendment are hereby waived. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text by this resolution. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. An amendment to be offered by Representative Gradison of Ohio: "Strike section 107. Make such conforming changes as are necessary.".

□ 1500

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

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

Mr. Speaker, today we meet to consider the Shipbuilding Trade Reform Act of 1992.

The bill is intended to ensure fair trade in the commercial shipbuilding and repair industry. It includes new trade remedies against subsidized foreign-built commercial vessels.

But the bill does more than that.

It also rights a wrong.

It repeals an unfair and deceptive tax: The so-called user fee on boats.

Who pays that fee?

Ask anyone who lives in Michigan. We live in a State surrounded by water. Water has shaped our history and defines our character.

It certainly shapes our recreation. For many people in Michigan, boating is a way of life.

We are talking about people working in the tool and die plants, storeowners, mechanics, sixth grade teachers. We are talking about lots of retired people—people who have worked hard all their lives and finally have time to call an afternoon their own.

Not rich people. Hard-working, middle-income families.

We are talking about people who, because they live along a lake or a river, have invested in a small boat with a little outboard motor, so they can spend Sunday afternoons fishing with their children or grandchildren, or maybe just sitting alone to watch the light fade.

And what do they find on those Sunday afternoons?

Their fuel tax has gone up.

Their FCC license fee has gone up.

The State regulatory fees have gone up.

Then, 2 years ago we got this.

They told us it was a user fee. But the proceeds won't go to the Coast Guard.

Not a dime goes to the Coast Guard.

Not a dime benefits boaters.

The only people using this user fee is the administration—to conceal the true size of the deficit.

If the administration needs to tax people, there are some people who should be taxed.

Millionaires. But the President vetoed the millionaire surtax.

CEO's of the big corporations. He vetoed that too.

Mr. Speaker, we fought against this tax for 10 years.

It is an outrage.

This solution—repealing it in stages—isn't perfect. I wish we could abolish the tax today.

But eventually, this bill will accomplish repeal.

I urge my colleagues to join me in voting for it.

In our haste to lighten the load for the rest of America, let's not throw the recreational boater overboard.

Mr. Speaker, House Resolution 443 makes it in order to consider in the Committee of the Whole the bill H.R. 2056, the Shipbuilding Trade Reform Act of 1992.

The rule provides for 1 hour of general debate controlled equally by the Committee on Ways and Means and the Committee on Merchant Marine and Fisheries.

The rule makes in order an amendment in the nature of a substitute consisting of the text printed in the report to accompany the rule as an original bill for the purpose of amendment.

The rule waives clause 5(a), rule XXI and clause 7, rule XVI against the substitute.

The rule makes in order only one additional amendment to the bill which may be offered by Mr. GRADISON of Ohio.

The rule waives all points of order against the Gradison amendment.

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

Mr. Speaker, I urge my colleagues to support the rule and the bill.

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

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

Mr. Speaker, once again we are faced with a closed rule, which has become the norm over the past couple of years. There are probably some in this institution who are unfamiliar with what was once a commonly used practice known as the 5-minute rule. In fact, the open rule is so rare that academic discussions of that process have shifted from political scientists to historians.

While the public continues to clamor for more openness in Congress, the Rules Committee continues to keep the legislative process in the dark.

The committee even went to far as to censor the C-SPAN television cameras from an open meeting on the rescission bill last week. This was a terrible mistake that I hope will never happen again.

With regard to H.R. 2056, this rule does make in order the Gradison amendment to strike the directed scoring provisions. However, the rule does not permit amendments to strike any or all the sections in title I. As a result, Mr. Speaker, I strongly oppose this rule.

But let me add that I have the highest regard for the gentleman from Florida [Mr. GIBBONS], and his commitment to free trade. He and I have worked together on a wide range of trade issues over the years, including the fast-track legislation on the North American Free Trade Agreement. As the sponsor of H.R. 2056, his intentions clearly are admirable.

Proponents of the legislation—and I recognize that there are some on this side of aisle as well—believe that the threat of barring foreign-built ships from U.S. ports will bring our European trading partners to the negotiating table.

It is true that the Europeans unfairly subsidize their shipbuilding industries, to the detriment of U.S. shipbuilders. But I do not agree with the argument that the administration needs this bill as a bargaining chip in multilateral negotiations.

A bargaining chip is effective if it is credible, and there are two reasons why I have doubts that H.R. 2056 will be seen as credible by our European trading partners. First, the President will veto the bill in its current form because it violates the General Agreement on Trade and Tariffs and could lead to retaliation.

Second, holding hostage the pocketbooks of American consumers does not make a credible bargaining chip. As the American Association of Port Authorities pointed out in a letter, H.R. 2056 "could cost more U.S. jobs than it saves" and "would lead to higher costs to consumers since payments by shipowners would be passed on to shippers, raising the costs of goods."

Many of those goods, Mr. Speaker, are export goods, which means that increases in ocean freight rates will mean lost markets to U.S. exports, lost jobs, and lower economic growth.

The USTR's office believes this trade distortion practice can be better dealt with through the multilateral OECD negotiations, and I agree.

If we cannot solve this subsidy dispute through those negotiations, then the administration can use existing section 301 retaliation authority. Through this process, we can target foreign shipbuilders, rather than American shipowners, consumers, and exporters.

Of course, not all of H.R. 2056 is bad. Title II of the bill repeals the Coast Guard recreational boat user fee, and I strongly support that provision. That's why, if we are unsuccessful in defeating this rule, I will be supporting the motion to recommit that will be offered by the gentleman from Texas [Mr. ARCHER].

That motion to recommit will allow us to repeal the user fee without having the provision held hostage to protectionist legislation. In the meantime, Mr. Speaker, this is a closed rule, and I urge my colleagues to vote against it so that the House can work its will on this measure.

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

Mr. BONIOR. Mr. Speaker, I yield 1 minute to the gentleman from Florida [Mr. GIBBONS].

Mr. GIBBONS. Mr. Speaker, first I want to thank the gentleman from California [Mr. DREIER] for those nice things he said about me. I appreciate them very much.

Mr. Speaker, let me say the reason we asked for a closed rule on this is that we are amending the 1930 Tariff Act. If Members will recall the history of the closed rule, it began after the Congress' experience with the 1930 Tariff Act, which probably had to be the height of logrolling that Congress ever participated in. We just do not want to see that happen again.

□ 1510

That is why we have used closed rules on tariff bills ever since. The administration has been negotiating for some 3 years on ship subsidies. They have worn out three negotiators, and they are never going to get any success out of these negotiations in the current situation. I am very attuned to international negotiations on trade. We have no leverage to take to the negotiating table. We have no subsidies. We have had no shipbuilding subsidies for 11 years. This bill is about jobs and against subsidies. We must pass this bill in order to have any successful negotiations on this issue.

Mr. BONIOR. Mr. Speaker, I yield 3 minutes to the gentleman from Ohio [Mr. TRAFICANT].

Mr. TRAFICANT. Mr. Speaker, I support the rule, and I support the bill. I support the repeal of this boat user tax. It makes sense. However, I want to direct myself to another area of comments, and that is our shipbuilding industry.

In 1981 America said:

> We are going to play straight, fair and square, no more subsidies. We want an open, fair, free shipbuilding industry throughout the world.

We did it, and our competition lied to us. They continued to subsidize their shipbuilding industry with grants and low-interest loans. They allowed cartels. They even bought and owned some of those factories. They kicked in money for research and development, but Uncle Sam stayed out.

The litany is clear. We lost 120,000 jobs in our country. Now, without this legislation from the gentleman from Florida [Mr. GIBBONS], we will lose another 200,000 jobs by the turn of the century. The truth of the matter is, when it has come to shipbuilding Uncle Sam has turned into Uncle Sucker.

I have taken on and I have questioned some of the trade programs of our House, and I have at times disagreed with Chairman GIBBONS. I want to say today that Chairman GIBBONS recognizes what has to be done. He has taken the courage to do it. I am glad to be able to support this bill. I think he is doing what is right.

Just remember this. Since 1987, a short 5 years, Japan has subsidized their shipbuilders with $1.3 billion, South Korea with $1.1 billion, and Germany with $1.5 billion. You will lose another 200,000 jobs in this country.

I support the rule, I support the bill, and I am proud today, Mr. Chairman, who has questioned some of the policies, to say "right on" to the gentleman from Florida, and thank him for the time.

Mr. DREIER of California. Mr. Speaker, I yield myself such time as I may consume to respond to my friend, the gentleman from Ohio.

I have a letter here from the National Coal Association. They talk about the threat of jobs lost. They say in their letter that,

> In the competitive international coal market any increase in ocean freight rates will mean lost markets to U.S. coal exporters. In turn, this means lost jobs at the coal mines and lost jobs to those who are involved in the coal export chain, such as transporters and equipment suppliers.

I know my friend from Ohio will be very concerned about that.

Mr. Speaker, I yield 2 minutes to the eloquent gentlewoman from Maryland [Mrs. BENTLEY].

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

Generally, Mr. Speaker, I oppose closed rules, and in a deliberative body such as Congress, free and open debate means little without the chance for amendments.

However, having said this, I urge my colleagues to support this rule because the shipbuilding industry of the United States of America needs this bill. Enemies of U.S. competitiveness cannot be allowed to win on a procedural matter. No nation can survive as a military or economic superpower without having a fleet, and no fleet can be sustained without shipyards. Our shipyards are dying, victims of aggressive subsidies to foreign yards by foreign governments.

Negotiations on this issue have been underway with the foreign governments for more than 3 years, by the U.S. Special Trade Representative, with no indication that they intend to change their position. Our shipyards, with their greatly diminished work force, are looking to us for a remedy, which this bill provides.

As for the rule, it allows for an amendment to strike section 107, with its CBO scoring language. The rule also permits a motion to recommit with instructions to strike title I, or in other words, the rule permits ample opportunity for free traders to gut the bill and the shipbuilding industry of the United States.

Let us support the rule, debate the merits, pass the bill, and save a critical industry. Save American jobs.

Mr. DREIER of California. Mr. Speaker, I yield 5 minutes to my friend and classmate, the gentleman from New York [Mr. MCGRATH].

Mr. MCGRATH. Mr. Speaker, I rise in support of H.R. 2056, the Shipbuilding Trade Reform Act.

There is no good reason for not supporting this bill, if you believe, as I do, that we in Congress have a moral obligation not to countenance unfair trading practices that damage American industry and destroy American jobs.

Nearly 3 years of trade talks, aimed at ending foreign shipbuilding and repair subsidies in the industrialized nations of the OECD, collapsed in April. This means that nothing has been achieved to correct the unfair trade practices that are keeping American shipyards out of the commercial ship construction and repair market. American shipyards are worse off than they

were when the talks began, and their future has gotten even more bleak.

H.R. 2056 is now the only option available to pressure foreign governments to stop their shipbuilding and repair subsidy practices before the entire U.S. shipbuilding base is destroyed and another 180,000 Americans are unemployed.

Fairness is not something the U.S. commercial shipbuilding industry has been treated with over the past decade. Before 1981, half the ships constructed in American yards were for the commercial market. This market situation changed rapidly when the U.S. Government unilaterally discontinued the commercial construction subsidy program for U.S. shipbuilders. At the same time, Governments in Japan, South Korea, and Europe were formulating the most substantial subsidies provided for any industry in the world. The effect of these government actions was to obliterate the commercial shipbuilding market in the United States.

In June 1989, the U.S. industry filed a petition under section 301 of the Trade Act targeting foreign subsidy practices. This petition highlighted the fundamental unfairness of forcing unsubsidized American shipyards to compete against heavily subsidized foreign yards. American yards were unrealistically expected to compete against hundreds of millions of dollars in government grants and direct cash infusions to keep the foreign yards going, as well as billions of dollars in government-subsidized loans. These and other kinds of foreign government subsidies allowed the yards to price ships well below the cost of production for nearly a decade.

We must right the wrong that has been done to American shipyards, but we do not have much time left in which to do it. According to workload projections for new Navy ships, by 1998 there will only be a couple of shipbuilding yards left in the United States. H.R. 2056 can reverse this inevitability by forcing an end to the foreign subsidies that are keeping U.S. yards out of the commercial market.

The entire private shipyard base, shipyard supplier industries, and 180,000 American workers are counting on us to pass H.R. 2056 the Shipbuilding Trade Reform Act and to oppose any move to destroy the bill by referring it back to committee. Passage of this bill will bring trade and jobs to the shipbuilding and repair market, and provide foreign governments with the incentive to end their massive subsidies.

Mr. BONIOR. Mr. Speaker, I yield 5 minutes to the gentleman from Maine [Mr. ANDREWS].

□ 1520

Mr. ANDREWS of Maine. Mr. Speaker, we have heard a lot of talk about the trade imbalance, competitiveness, the ability of our workers to compete with workers around the world, the imbalance in trade exports versus imports. I can tell Members what one of the fastest growing exports that we have in the United States is, and that is jobs, American jobs, good jobs, and there are lots of reasons why that is, some legitimate and some illegitimate. But I will tell Members one of the most illegitimate reasons for the loss of jobs in this country is when a worker looks to his or her Government, and instead of seeing that Government fighting for them and their jobs and their families they see a government sitting on its hands, shutting its mouth, refusing to take a stand not for unfairness on behalf of the worker but fairness for that worker, a level playing field, opportunity so that workers in the United States can compete fairly with workers around the world.

I sit on the Armed Services Committee, Mr. Speaker, and I sit on the Seapower and Strategic and Critical Materials Subcommittee, and this issue is not just an economic issue, it is a national defense issue, because I can tell Members from all of the testimony that I have heard that because our shipbuilding industrial base is being destroyed by unfair competition, the defense and security of the United States is at risk.

I want to quote from our Navy Secretary, Lawrence Garrett, who came to our committee and said the following:

> A keystone of our ability to build and maintain a Navy is our infrastructure and our industrial base. America's strategic advantage, I submit, depends fundamentally on a healthy, productive, innovative, and competitive national industry. We simply cannot afford to drive our defense industrial base—especially our vital shipbuilding industry—offshore.

Mr. Speaker, ever since 1981, the United States has been sitting on its hands with respect to protecting that industrial base by insisting upon fair competition with our shipbuilders. We have allowed foreign shipbuilders, the Japanese, the Germans, the Koreans to subsidize their shipyards and their workers so that they could systematically destroy our shipyards and the jobs for our workers. Since that day in 1981, when we established that policy of sitting on our hands while our workers lost their jobs, this happened: 120,000 jobs were lost. Now we learn that if we continue to sit on our hands and not stand by our workers we can expect an additional 180,000 jobs to be lost.

Let us understand what we are talking about. We are talking about fairness, we are talking about a level playing field. The shipyard workers at Bath Ironworks in my district are the best in the world. They can compete for commercial contracts with anyone in the world. But, Mr. Speaker, they cannot compete with entire governments, they cannot compete with the subsidies that foreign shipyards are receiving for their shipyards and their workers.

It simply is not fair; it is not right. But what is worst of all is the fact that our Government continues to sit on its hands and let this unfair subsidy, and let this destruction of jobs in our shipbuilding industrial base go on and on and on.

The time has come, Mr. Speaker, and I am so glad that the time has finally come on the floor of this House when Members of this Congress are going to be asked to take a stand. Are you or are you not for fairness with our shipbuilding industry? Are you or are you not for fairness when it comes to jobs in our vital shipbuilding infrastructure? Are you or are you not for the American worker?

I support this rule, and I support this bill because it gives us a chance to take a stand.

Ladies and gentleman, our economy is at stake, the defense of this Nation is at stake, and basic fairness is at stake for the workers in shipyards all across the United States. I would ask that we support this rule, that we go on to support this vitally important legislation, and that we stand by the workers and the shipyards of our country.

Mr. DREIER of California. Mr. Speaker, I yield myself such time as I may consume simply to respond to my friend from Maine by saying that he said what we like to regularly say on this side, "Fairness, fairness, fairness." My friend said it three times as he came to the end of his statement, and he said, "I support this rule."

This is a closed rule. It is unfair to the process, and I hope our colleagues will recognize that.

Mr. Speaker, I yield 5 minutes to the gentleman from Michigan [Mr. DAVIS], the distinguished ranking Republican on the Committee on Merchant Marine and Fisheries.

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

Mr. Speaker, this is a very important piece of legislation. As Members know, it has two very important issues in it. I am going to talk principally about the elimination of the boat user fee, but I want to talk just for a minute about the original idea behind the Gibbons bill, which is to make sure that the American shipbuilding industry is able to survive. And there is no question I do not think in anybody's mind that the American shipbuilding industry has been hurt tremendously.

I happen to have two shipbuilding companies in my congressional district, as well as a number of suppliers that do a lot of work for the shipbuilding industry, and they are hurt tremendously. So I would strongly urge all Members to support this bill. There are a lot of people out there who are laid off. One of my companies, as an example, used to employ 1,000 people. Right now they are down to less than 100. That tells me that we need to take

some dramatic action to help improve the shipbuilding industry in this country.

So again, I strongly urge that we do support this bill.

But let me now talk about another very important issue that is part of this bill, and it is very important to the over 4 million boaters in this country who have been saddled with what is called a user fee, but really is an unfair tax. And I must tell Members that I appreciate the help of a lot of national organizations who have been instrumental in starting this grassroots drive to get us to the point where we actually have an opportunity to appeal the boat user fee today.

Boat U.S. and the Marine Retailers Association are just a couple of examples of some of the people who have pounded and pounded on this issue and told the Congress and told the American people how unfair this particular tax is. I especially appreciate the way Boat U.S. has constantly told the boaters in this country about this issue.

There are some facts I think that are important for the American people to become aware of. I think many times when we think about boaters we think of boaters as wealthy people who go around and spend all of their time on 50-foot yachts. That, of course, is simply not true. Fifty-two percent of all of the boaters in this country earn less than $35,000 per year, and 74 percent of all of the boaters earn less than $50,000 per year. So it is something that is enjoyable to millions of people, and there are 4.1 million people in this country who have been affected by this extremely unfair user fee tax.

There are right now 279 cosponsors of the repealer bill, H.R. 5344, and there is a companion bill on the Senate side introduced by Senator BREAUX, S. 843, which has 39 cosponsors, and we have been working closely with the Senate Commerce Committee. When this bill passes, and it will to repeal the boat user fee, we expect that we will have an opportunity to negotiate with the Senate whether they put the repealer bill on the Coast Guard authorization bill or wherever they do it, and we are going to be able to repeal that fee this year.

□ 1530

There are lots of reasons why this particular user fee has not worked, and right now we find that there are many people who are trying to get their decal but find that it takes, in some instances, if you are sending a check in, up to 5 weeks before you get the decal back. Many times, if you purchase it through your credit card, it takes up to 4 weeks.

What does that mean to a person who lives on the Great Lakes or who lives any place in this country and wants to buy a decal for their boat? The way the system works now, if I sent in today and asked for a decal and said, "I am going to send you a check," I would have to wait 5 weeks before I would get it. Technically I am subjected to being fined $5,000 by the U.S. Coast Guard if I do not have that decal.

We are now trying to work that out, and the particular way that we are going to eliminate this fee I will explain when we get on the bill itself, because there is not enough time for me to explain it now. But I intend to explain how the repealer is going to work very shortly.

Mr. DREIER of California. Mr. Speaker, I yield 2½ minutes to the gentleman from Alaska [Mr. YOUNG], the ranking Republican on the Committee on Interior and Insular Affairs.

Mr. YOUNG of Alaska. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, I would like to echo the words by the gentleman from Michigan [Mr. DAVIS] and his comments about the repeal of the boat user tax. It was a very unfortunate thing in 1986 when this passed, actually during the budget considerations last year. It was a tax on individuals that own every boat, and we have tried every method to try to repeal this, and we finally hopefully will succeed today.

I would like to also talk about the comments by the gentleman from Maine about fairness and about the merchant marine industry in our Nation. I can suggest that this is a good bill; I am not happy with the rule, but I think the bill has some merit.

But I would also like to say after 20 years in this House and working on the Committee on Merchant Marine and Fisheries and working on maritime legislation, I do not think we are much closer today than we were before. This bill is a step in the right direction. But I do not think it will accomplish everything we should really be accomplishing in this body.

Every other nation that has a viable maritime fleet actually has a correct cabotage law. That means that a percentage of the products which are imported, a percentage of the products which are exported have to be on that nation's flag ships. We eliminated that many years ago, and that was very unfortunate. Every time we have tried to reinstate the cabotage laws in this body to any significant degree, we are booed down supposedly for the consumer, but it has cost thousands of jobs not only in the shipyard areas but the maritime industry itself, and the crewmen and the captains and the mates, and that is wrong.

We now, I believe, are ranked eighth in the world as far as maritime ability. We were No. 1 in 1945. We have gone down from that time and have continued to go down until we finally, in this Congress, say we are the largest importer and one of the largest exporters in all the world, and yet we bring our products to this shore for our consumers on foreign-flag bottoms, and we export them on foreign-flag bottoms. That is an incorrect position for this Nation to be in.

It is absolutely time for us to have a strong maritime industry, not through being subsidized, but by having the cargo to carry once we build the ships, and then we will go back up to the lead as we should be.

Mr. DREIER of California. Mr. Speaker, I yield 2½ minutes to the distinguished gentleman from Pennsylvania [Mr. SCHULZE], the distinguished chairman of the congressional sportsmen's caucus.

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

Mr. Speaker, I rise in strong support of H.R. 2056, the Shipbuilding Trade Reform Act.

For 3 years our trade negotiators have worked for free trade in the global shipbuilding market to no avail.

In 1989, the United States shipbuilding industry filed a section 301 trade petition targeting the massive subsidies of Japan, South Korea, Germany, and Norway.

After Ambassador Carla Hills received assurance from these and other European governments that they were prepared to negotiate an end to their trade distorting practices, the industry was asked to withdraw its petition, which it did.

Based on the responsiveness of these foreign governments, Ambassador Hills assured American shipyards that an agreement could be achieved by March 1990.

Regretably, that deadline, along with four others, came and went with no trade agreement in hand. Then in April of this year, our industry and the USTR were dealt a serious blow when the Government of Japan, European governments, and South Korea walked out of the negotiations.

After 3 years of trying, we are no closer to the elimination of shipbuilding subsidies than we were when the effort began.

As the U.S. industry waited patiently for a trade agreement, shipyards continued to close and thousands of workers were added to the unemployment lines. Passage of H.R. 2056 now constitutes the only means to send a message to foreign governments that America will no longer tolerate subsidies which injure American companies and cost American workers their jobs.

Without this bill, there will be no chance of ever getting an agreement to stop these practices, and another American industry will fall victim to unfair foreign trade practices.

American yards do not want subsidies for themselves; they just want the opportunity to complete in a free market. I will vote for H.R. 2056 and

against the motion to strike title one. I strongly urge my colleagues to do the same.

Mr. Speaker, my colleagues, we deal a lot in symbolism here. That is what we are doing here. We have to send a very strong message. This is not protectionism. This is a vote for free, fair, and open trade.

Mr. DREIER of California. Mr. Speaker, I yield 2 minutes to the gentleman from Michigan [Mr. UPTON].

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

Mr. Speaker, I represent thousands of folks who live along the shores of beautiful Lake Michigan and among the hundreds of small, inland lakes like Paw Paw Lake, Klinger Lake, and Sister Lakes; and rivers like the Kalamazoo.

I have spoken to many of my boaters back home and they have relayed to me that there is perhaps only one greater frustration than being out in the middle of a lake on a scorching hot day, with all of your food and cold pop gone, no fish biting, and your outboard motor not starting—and that is having to pay a boat tax masquerading as a user fee—dumb.

But you see, Mr. Speaker, my constituents are not dumb. They know fully well that the revenue raised by the so-called user fee does not go toward Coast Guard activities—it goes to the general treasury where it is used to fuel more out-of-control Federal spending. Furthermore, they know that this tax does not even apply to those bodies of water where there is no Coast Guard presence—not even buoys.

My constituents work hard all week so that they can take their boats out on the welcoming waters of Lake Michigan and relax with their families. Let us not deceptively tax them for this one simple pleasure.

I voted against this tax which was tucked away in the 1990 Budget Act, and since day one I have cosponsor the bill which repeals this tax, and I urge all of my colleagues to vote to repeal this tax today—now.

Mr. DREIER of California. Mr. Speaker, I yield 2 minutes to the gentleman from California [Mr. CUNNINGHAM], a hard-working member of the Committee on Merchant Marine and Fisheries.

Mr. CUNNINGHAM. Mr. Speaker, I rise in strong support of H.R. 2056.

Mr. Speaker, I serve on the Committee on Merchant Marine and Fisheries, and I also have a lot of shipbuilding and ship repair interests within my district.

The last ship that was being built in the United States was the *R.J. Pfieffer* that just set sail about 30-some days ago.

□ 1540

That is the last commercial ship being built within the United States, and yet I have heard Members ask, "Well, why can't we hold off on this?"

How long do we have to hold off? There are no ships being built within the United States. The trade subsidies, the anticompetitiveness, the unfair trade practices exist.

Now, I support free trade, but this is not free trade if we allow foreign shipbuilders and ship repair facilities to accept subsidies and turn that back.

I have heard the argument that it is our unions that cause inflated prices. That has been disproven. It is not the unions. It is not our workers, but when Japan subsidizes its shipbuilding by $3 billion it is very difficult to make up that difference. Our shipbuilders cannot compete. We need H.R. 2056 to protect our workers.

Mr. Speaker, I would ask my colleague when they talk about the creation of jobs, when they ask about the support of minorities, because in my district I have 70 percent of my constituents who are minorities, and the majority of the staffs and the workers who work in those shipyards are minorities. These are the middle-class people. These in many cases are the lower ranked people within the economic atmosphere.

If you do not support this bill, those are the folks we are going to be hurting, the blue collar, the middle American, the hard-working American who needs those jobs.

What happens is that countries like Japan do not have a government. They have business that runs their Government. We need to do the same thing and treat our industries more like business, and this bill does that.

Mr. BONIOR. Mr. Speaker, I yield 3 minutes to the gentleman from Virginia [Mr. MORAN].

Mr. MORAN. Mr. Speaker, I would like to rise today to join my colleagues in strong support for the Shipbuilding Trade Reform Act of 1992.

The shipbuilding and repair industry is one of the largest employers in the Commonwealth of Virginia. If the industry is allowed to die, the cost to the people of my district and my State will be overwhelming. Thousands of workers will lose their jobs and over 150 businesses in Virginia will either be closed or severely weakened.

If we allow our shipbuilding and repair industry to die, the cost in my State will be high, but the cost for our Nation as a whole will be even higher. If we lose our shipbuilding base—which is expected to happen by 1998—we will lose over 180,000 jobs across this country and will lose our competitive edge in both commercial and military shipbuilding technology. The potential cost to our security, however, is incalculable.

The root of our demise in the shipbuilding industries lies in foreign shipbuilding subsidies. Dollar for dollar, pound for pound, foreign ships simply cannot compete with those built in the United States. We build better ships and we can sell those ships for less than our competitors. But we cannot compete against unfair trading practices and we cannot compete against foreign governments which subsidize their shipbuilding industries.

The reason to subsidize shipbuilding is simple. Every dollar spent on shipbuilding adds $3 to the local economy. Every job created in shipbuilding industries creates three associated jobs. Yet in 1981, we decided to eliminate our subsidies without insisting that our major competitors do the same. Eleven years later—after 40 American shipbuilding yards have closed down and 120,000 American shipbuilding jobs have been exported to Europe, Korea, and Japan—we are forced to reevaluate our policy and reconsider the importance of the shipbuilding industry to the United States.

The bill we are considering today does not resubsidize the shipbuilding industry. It does not force American taxpayers to prop up a declining industry. It only seeks to level the international playing field and to allow our ships to compete with those built overseas. There are negotiations going on today which would accomplish these goals and obviate the need for this legislation. But that treaty could be years away and in the meantime, our industry will continue to whither and die.

I urge my colleagues to join me in protecting our shipbuilding industry and in voting for H.R. 2056 today.

Mr. BONIOR. Mr. Speaker, I yield 30 seconds to the gentleman from California [Mr. PANETTA], the chairman of our Committee on the Budget.

Mr. PANETTA. Mr. Speaker, I would just want to comment with regard to the repeal of the boat fees that are contained in this legislation.

I think while there are different views about whether or not these fees were responsible in the first place, I think it would have been irresponsible to have repealed this provision without replacing these revenues.

What we do include in here in order to replace the revenues are fees with regard to electronic access to the Federal Maritime Commission. So it is not just a question of repealing the boat fees. It is replacing them with other revenues so that in the end we do not simply add it to the deficit. For that I commend the committee for their action on that particular feature.

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

Mr. Speaker, I urge opposition to this rule. It is a closed rule—restrictive—once again following that long line, and I hope my colleagues will all join in closing this out and we can go back upstairs and try to close out a rule which will be fair so that every Member may have a chance to have their amendments considered.

Mr. BONIOR. Mr. Speaker, I yield 2 minutes to the gentleman from Mississippi [Mr. TAYLOR].

Mr. TAYLOR of Mississippi. Mr. Speaker, I rise in strong support of H.R. 2056.

In my lifetime our Nation has gone from the world's second greatest maritime power to a Nation that is now 24th in the world of commercial shipbuilding.

In 1980, our Nation was building about 80 ships a year. Shortly thereafter, President Ronald Reagan recommended, and unfortunately this Congress approved the end of the shipbuilding subsidies in the United States of America. Unfortunately, it was the end of subsidies only in the United States of America.

You see, we ranked 24th in the world of commercial shipbuilding, but 16 countries in line ahead of us get some form of foreign aid from the United States. As a matter of fact, the cumulative total of that is $3,820,000,000 in foreign aid that those 16 countries, that build more ships than we do, get in foreign aid.

Additionally, nine of the countries ahead of us in line receive substantial U.S. troop presence in their countries which again reduces their defense costs at the expense of the American taxpayer, for a total of over 300,000 American men and women in uniform protecting these countries so that they can free up money so that they can subsidize shipbuilding in their countries.

In other words, we have subsidized other countries so they can subsidize their shipbuilding, so that they can put 300,000 American workers out of work.

I would prefer to bring that to subsidies, Mr. Speaker, but that does not seem to be the temperament of this Congress, and the next best thing to that is seeing to it that we no longer subsidize those countries that subsidize their shipbuilding.

I think the Gibbons bill is at least an avenue to do that.

I also support removal of the boat-user fees.

I see this bill as a very effective means of accomplishing these two goals.

Mr. DREIER of California. Mr. Speaker, I am happy to yield 2 minutes to the gentleman from Wisconisn [Mr. PETRI].

Mr. PETRI. Mr. Speaker, I thank my colleagues for their courtesy, and I thank the gentleman for yielding me this time.

Mr. Speaker. I want to state my strong support for today's efforts to do away with the so-called Coast Guard user fee.

You know, it is entirely understandable why the public distrusts Congress. Just consider the false advertising which comes with the title of Coast Guard user fee.

First of all, it is not really a user fee at all. Rather, it is a tax.

User fees are supposed to help fund services which people receive. But the Government has done everything in its power to include waterways under the so-called user fee requirements which receive no real services from the Coast Guard whatsoever.

Further, user fees are commonly justified as necessary to enhanced the services which the users supposedly receive. But this is not the case even where the Coast Guard operates. And this is because the money does not go to the Coast Guard at all, but rather to the Treasury.

It is false to call this a Coast Guard user fee. Rather, a more correct title would be the Congress' annoying nothing for something fee.

This tax is doubly slick because, first, it is mislabeled; and second, because its supporters would have us conclude that only rich people own boats.

But nationwide, 52 percent of all boaters earn less than $35,000 per year, and 74 percent of boaters earn less than $50,000 per year. This is not boat user fee—it is a middle-class tax, a middle-class tax masquerading as a fee on the wealthy.

It is also a tax that specifically impacts Wisconsin's east coast. And I have to tell you, the boat owners and the businesses which depend on boating and tourism are paying plenty of taxes already. They are right to be angry that Congress singled them out for special treatment, while dressing up the effort in deceptive rhetoric. That is why I am keeping faith with the people of Wisconsin by insisting on repeal of the so-called user fee—which in reality is Congress' annoying nothing for something fee.

□ 1550

Mr. DREIER of California. Mr. Speaker, once again I will ask that my colleagues vote "no" on this rule. It is a restrictive closed rule.

Mr. Speaker, I am happy at this time to yield back the balance of my time.

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

Mr. Speaker, I hope that my colleagues will vote "yes" on the rule and "yes" on the bill, and we can then send this piece of legislation to the Senate and then to the President and the President can, on his day of relaxation in Maine, get in his boat, sail off the shore and thousands and thousands of Maine people can greet him on the ocean and cheer him on and wave and thank him for signing what they would consider, I think a very important piece of legislation.

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

The SPEAKER pro tempore. (Mr. MCNULTY). Without objection, the previous question is ordered on the resolution.

There was no objection.

The SPEAKER pro tempore. The question is on the resolution.

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

Mr. DREIER 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 290, nays 125, not voting 19, as follows:

[Roll No. 119]

YEAS—290

Abercrombie	Dwyer	Lehman (CA)
Ackerman	Early	Lehman (FL)
Alexander	Edwards (TX)	Lent
Anderson	Emerson	Levin (MI)
Andrews (ME)	English	Lewis (GA)
Andrews (NJ)	Erdreich	Lipinski
Andrews (TX)	Espy	Livingston
Annunzio	Evans	Lloyd
Anthony	Fawell	Long
Applegate	Fazio	Lowery (CA)
Aspin	Feighan	Lowey (NY)
Atkins	Fish	Luken
Bacchus	Flake	Machtley
Barnard	Foglietta	Manton
Bateman	Ford (MI)	Markey
Beilenson	Ford (TN)	Martinez
Bennett	Frank (MA)	Matsui
Bentley	Frost	Mavroules
Berman	Gaydos	Mazzoli
Bevill	Gejdenson	McCloskey
Bilbray	Gephardt	McCurdy
Blackwell	Geren	McDade
Boehlert	Gibbons	McDermott
Boehner	Gilman	McGrath
Bonior	Glickman	McHugh
Borski	Gonzalez	McMillen (MD)
Boucher	Gordon	McNulty
Boxer	Gradison	Mfume
Brewster	Guarini	Miller (CA)
Brooks	Gunderson	Mineta
Browder	Hall (OH)	Mink
Brown	Hall (TX)	Mollohan
Bruce	Hamilton	Montgomery
Bustamante	Hammerschmidt	Moody
Byron	Harris	Moran
Callahan	Hayes (IL)	Murphy
Camp	Hayes (LA)	Murtha
Campbell (CO)	Hefner	Nagle
Cardin	Hertel	Natcher
Carper	Hoagland	Neal (MA)
Carr	Hochbrueckner	Neal (NC)
Chapman	Horn	Nowak
Clay	Horton	Oakar
Coleman (TX)	Hoyer	Oberstar
Collins (IL)	Hubbard	Obey
Collins (MI)	Huckaby	Olin
Condit	Hughes	Olver
Conyers	Hunter	Ortiz
Cooper	Hutto	Orton
Costello	Jefferson	Owens (NY)
Cox (IL)	Jenkins	Owens (UT)
Coyne	Johnson (SD)	Packard
Cramer	Johnston	Pallone
Cunningham	Jones (GA)	Panetta
Darden	Jones (NC)	Pastor
Davis	Jontz	Patterson
de la Garza	Kanjorski	Payne (NJ)
DeFazio	Kaptur	Payne (VA)
DeLauro	Kennedy	Pease
Dellums	Kennelly	Pelosi
Derrick	Kildee	Penny
Dicks	Kleczka	Perkins
Dingell	Kopetski	Peterson (FL)
Dixon	Kostmayer	Peterson (MN)
Donnelly	LaFalce	Petri
Dooley	Lancaster	Pickett
Dorgan (ND)	Lantos	Pickle
Downey	LaRocco	Poshard
Durbin	Laughlin	Price

Quillen	Sikorski	Thornton
Rahall	Sisisky	Torres
Rangel	Skaggs	Torricelli
Ravenel	Skeen	Towns
Ray	Skelton	Traficant
Reed	Slattery	Traxler
Richardson	Slaughter	Unsoeld
Ridge	Smith (FL)	Valentine
Ritter	Smith (IA)	Vander Jagt
Roe	Smith (NJ)	Vento
Roemer	Snowe	Visclosky
Rose	Solarz	Volkmer
Rostenkowski	Spence	Washington
Rowland	Spratt	Waters
Roybal	Stallings	Waxman
Russo	Stark	Weiss
Sabo	Stenholm	Weldon
Sanders	Stokes	Wheat
Sarpalius	Studds	Whitten
Savage	Swett	Williams
Sawyer	Swift	Wilson
Saxton	Synar	Wise
Scheuer	Tallon	Wolpe
Schroeder	Tanner	Wyden
Schulze	Tauzin	Yates
Schumer	Taylor (MS)	Yatron
Serrano	Taylor (NC)	Young (AK)
Sharp	Thomas (GA)	

NAYS—125

Allard	Goss	Myers
Allen	Grandy	Nichols
Archer	Green	Nussle
Armey	Hancock	Oxley
Baker	Hansen	Paxon
Ballenger	Hastert	Porter
Barrett	Hefley	Pursell
Barton	Henry	Ramstad
Bereuter	Herger	Regula
Bilirakis	Hobson	Rhodes
Bliley	Holloway	Riggs
Broomfield	Hopkins	Rinaldo
Bunning	Houghton	Roberts
Burton	Hyde	Rogers
Campbell (CA)	Inhofe	Rohrabacher
Chandler	Ireland	Ros-Lehtinen
Clinger	Jacobs	Roth
Coble	James	Schaefer
Coleman (MO)	Johnson (CT)	Schiff
Combest	Johnson (TX)	Sensenbrenner
Coughlin	Kasich	Shaw
Cox (CA)	Klug	Shays
Crane	Kolbe	Shuster
DeLay	Kyl	Smith (OR)
Dickinson	Lagomarsino	Smith (TX)
Doolittle	Leach	Solomon
Dornan (CA)	Lewis (CA)	Stearns
Dreier	Lewis (FL)	Stump
Duncan	Marlenee	Sundquist
Eckart	Martin	Thomas (CA)
Edwards (OK)	McCandless	Thomas (WY)
Ewing	McCollum	Upton
Fascell	McEwen	Vucanovich
Fields	McMillan (NC)	Walker
Franks (CT)	Meyers	Walsh
Gallegly	Michel	Weber
Gallo	Miller (OH)	Wolf
Gekas	Miller (WA)	Wylie
Gilchrest	Molinari	Young (FL)
Gillmor	Moorhead	Zeliff
Gingrich	Morella	Zimmer
Goodling	Morrison	

NOT VOTING—19

AuCoin	Hatcher	Parker
Bryant	Kolter	Roukema
Clement	Levine (CA)	Sangmeister
Dannemeyer	Lightfoot	Santorum
Dymally	McCrery	Staggers
Edwards (CA)	Moakley	
Engel	Mrazek	

□ 1612

The Clerk announced the following pair:

On this vote:

Mr. Dymally for, with Mrs. Roukema against.

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

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

So the resolution 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. ROSTENKOWSKI. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks, and include therein extraneous material, on H.R. 2056.

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

There was no objection.

COMMUNICATION FROM CHAIRMAN OF COMMITTEE ON PUBLIC WORKS AND TRANSPORTATION

The SPEAKER pro tempore laid before the House the following communication from the chairman of the Committee on Public Works and Transportation, which was read and, without objection, referred to the Committee on Appropriations:

COMMITTEE ON PUBLIC WORKS AND TRANSPORTATION,
Washington, DC, April 30, 1992.

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

DEAR MR. SPEAKER: Enclosed are copies of resolutions adopted by the Committee on Public Works and Transportation on April 30, 1992. These resolutions authorize studies of potential water resources projects by the Army Corps of Engineers in accordance with the provisions of section 4 of the Act of March 4, 1913.

Sincerely,

ROBERT A. ROE,
Chairman.

There was no objection.

NATIONAL YOUTH APPRENTICESHIP ACT OF 1992—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 102–329)

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 Education and Labor and ordered to be printed:

To the Congress of the United States:

I am pleased to transmit herewith for your immediate consideration the "National Youth Apprenticeship Act of 1992." Also transmitted is a section-by-section analysis.

This legislation would establish a national framework for implementing comprehensive youth apprenticeship programs. These programs would be a high-quality learning alternative for preparing young people to be valuable and productive members of the 21st century work force. Although this framework has been designed to be comprehensive and national in scope, it is also flexible enough to allow States to customize the model to economic, demographic, and other local conditions.

I am proposing this legislation in order to promote a comprehensive approach for helping our youth make the transition from school to the workplace and strive to reach high levels of academic achievement. The lack of such an approach is one very important reason that a significant proportion of American youth do not possess the necessary skills to meet employer requirements for entry level positions.

There is widespread agreement that the time has come to strengthen the connection between the academic subjects taught in our schools and the demands of the modern, high-technology workplace. Work-based learning models have proven to be effective approaches for preparing youth at the secondary school level.

Under my proposal, a student could enter a youth apprenticeship program in the 11th or 12th grade. Before reaching these grades, students would receive career and academic guidance to prepare them for entry into youth apprenticeship programs. Particular programs may end with graduation from high school or continue for up to an additional 2 years of postsecondary education. In addition to the high school diploma, all youth apprentices would earn a certificate of competency and quality for a postsecondary program, a registered apprenticeship program, or employment.

A youth apprentice would receive academic instruction, job training, and work experience. The program is intended to attract and develop high-quality, motivated students. Standards of academic achievement, consistent with voluntary, national standards, will apply to all academic instruction, including the required instruction in the core subjects of English, mathematics, science, history, and geography. Students also would be expected to demonstrate mastery of job skills.

My proposal provides for vigorous involvement at the Federal, State, and local levels to ensure the success of the program. It also requires that employers, schools, students, and parents promise to work together to achieve the program goals. Enactment of my proposal will result in national standards applicable to all youth apprenticeship programs. Thus, upon completion of the program, the youth apprentice will have a portable credential that will be recognized wherever the individual may go to seek employment or pursue further education and training.

I believe that the time has come for a national, comprehensive approach to work-based learning. The bill I am proposing would establish a formal process

in which business, labor, and education would form partnerships to motivate the Nation's young people to stay in school and become productive citizens. It will provide American youth the opportunity to gain marketable and portable skills while establishing a relationship with a prospective employer.

I urge the Congress to give swift and favorable consideration to the National Youth Apprenticeship Act of 1992.

GEORGE BUSH.

THE WHITE HOUSE, *May 13, 1992.*

SHIP BUILDING TRADE REFORM ACT OF 1992

The SPEAKER pro tempore. Pursuant to House Resolution 443 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 2056.

□ 1615

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 2056) to amend the Tariff Act of 1930 to require that subsidy information regarding vessels be provided upon entry within customs collection districts and to provide effective trade remedies under the countervailing and antidumping duty laws against foreign-built ships that are subsidized or dumped, with Ms. PELOSI in the chair.

The Clerk read the title of the bill.

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

Under the rule, the gentleman from Illinois [Mr. ROSTENKOWSKI] will be recognized for 15 minutes, the gentleman from Texas [Mr. ARCHER] will be recognized for 15 minutes, the gentleman from North Carolina [Mr. JONES] will be recognized for 15 minutes, and the gentleman from Michigan [Mr. DAVIS] will be recognized for 15 minutes.

The Chair recognizes the gentleman from Illinois [Mr. ROSTENKOWSKI].

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

Madam Chairman, I rise in support of H.R. 2056, the Shipbuilding Trade Reform Act of 1992. This legislation is designed to ensure fair international trade in the commercial ship building and repair industry by enacting new trade remedies against subsidized and dumped foreign built commercial vessels. No such trade remedies are available under current law. The bill also provides for a phased repeal of the recreational vessel user fee beginning in fiscal 1993. It would offset this loss of revenue by charging a small computer access fee through fiscal year 1995 for access to the Federal Maritime Commission's organized tariff data.

Madam Chairman, the U.S. ship building industry has been virtually shut out of the global commercial ship building market since the U.S. Government terminated subsidies to our shipyards in 1981 without insisting that foreign governments do likewise. Our industry, which had then to rely primarily on the construction of vessels for the U.S. military, lost a third of its capacity and nearly 60,000 jobs in the 1980's. Another 60,000 jobs were lost in industries that supply materials and equipment to the shipyards.

The U.S. shipyards that survived the 1980's by building and repairing ships for the U.S. Navy now find that this business is also in jeopardy as our defense budget is reduced. Indeed, it is estimated that, unless U.S. shipyards return to the global commercial market, an additional 180,000 Americans could lose their jobs by 1998. However, if U.S. shipbuilders are to compete in the commercial market, they must be able to compete on a level playing field and not be forced to compete against huge foreign government subsidies.

We have waited patiently since July 1989 for the administration to try to negotiate rules on shipbuilding subsidies in the OECD. Those negotiations have broken down and there is no indication they will ever resume. Unfortunately, the administration has never offered any alternative to the hope that there may be an international agreement someday. The U.S. ship building industry can no longer afford to wait. The time for legislative action has arrived.

Madam Chairman, the Committee on Ways and Means worked carefully with Chairman JONES and the Committee on Merchant Marine and Fisheries in fashioning this legislation. Both committees made substantial changes to the bill as it was introduced in order to address the legitimate concerns raised by those who expressed misgivings about the bill, particularly U.S. shipowners and operators, and U.S. ports. By making the bill apply only to ships built after the date of enactment, by clarifying to which foreign shipyards the bill will apply, by altering the provisions on repair subsidies, and by making a number of technical changes, I believe that the two committees were able to craft a piece of legislation that takes into account the interests of all segments of the maritime industry.

Madam Chairman, it is important that we maintain a viable ship building industry in this country. For that reason, this legislation deserves the support of the House. I hope that my colleagues will join me in supporting this bill today.

Because there is no report for H.R. 2056 as it is being considered by the House, I am attaching an explanation of the bill and anticipate that this explanation will be treated as legislative history.

EXPLANATION OF AMENDMENT TO H.R. 2056 (SHIPBUILDING TRADE REFORM ACT OF 1992)

I. LEGISLATIVE BACKGROUND

Background of H.R. 2056

H.R. 2056 was reported on November 4, 1991 (H. Rept. 102-284, Part 1), by the Committee on Ways and Means ("Ways and Means"), and was sequentially referred to the Committee on Merchant Marine and Fisheries ("Merchant Marine"). Merchant Marine ordered the bill reported on March 6, 1992, with an amendment as a substitute (H. Rept. 102-284, Part 2). As originally reported by Ways and Means, H.R. 2056 would amend the Tariff Act of 1930 to require that a document certifying that a vessel is subsidy free be provided as a condition of entry of that vessel into customs collection districts and to provide remedies under the countervailing and antidumping laws against foreign-built ships that are subsidized or dumped.

Summary of H.R. 2056 as reported by Merchant Marine

Merchant Marine approved five changes to H.R. 2056. First, with respect to the provisions of H.R. 2056 that provide trade remedies against subsidized and dumped foreign commercial ships, the bill as reported by Merchant Marine includes a number of changes related to the effective date, a listing by the Secretary of Commerce of subsidized foreign shipyards, repairs, agreements with foreign nations, and certain maritime promotion programs.

Second, as reported by Merchant Marine, the bill includes a phased repeal, beginning in fiscal year 1993, of the annual Coast Guard recreational boat user fee ("boat user fee") imposed by section 10401 of the Omnibus Budget Reconciliation Act of 1990 ("1990 Act").

Third, as reported by Merchant Marine, the bill includes a provision intended to raise offsetting revenues for the phased repeal of the boat user fee by imposing a fee on persons directly or indirectly electronically using certain tariff information available from the Federal Maritime Commission ("FMC"), effective on June 1, 1992 (the "FMC access fee").

Fourth, as reported by Merchant Marine, the bill establishes a Strategic Sealift Fund ("Sealift Fund") in the Treasury. Amounts raised by the FMC access fee in excess of FMC requirements for the electronic data base would be credited to the Sealift Fund to be available for future authorizations for U.S. sealift requirements.

Fifth, as reported by Merchant Marine, the bill expands the definition of vessels eligible for the capital construction fund provisions of the Merchant Marine Act, 1936 and the Internal Revenue Code of 1986 to include certain vessels constructed or reconstructed in foreign ports.

Substitute amendment to H.R. 2056

On April 1, 1992, Ways and Means authorized the Chairman to offer a substitute amendment ("the amendment") to the provisions of H.R. 2056 as reported by Merchant Marine and Ways and Means. On April 29, 1992, the Committee on Rules adopted a rule on H.R. 2056, to allow the amendment to be considered as original text for consideration of H.R. 2056.

The amendment is summarized in Part II following. The amendment does not include the Merchant Marine provisions relating to the Sealift Fund or the capital construction fund.

II. SUMMARY OF THE AMENDMENT

Title I—Fair Trade for the Commercial Shipbuilding and Repair Industry

Title I of the amendment generally includes the provisions of Title I of H.R. 2056 as reported by Merchant Marine.

The purpose of Title I of the amendment is to amend the Tariff Act of 1930, as amended, to ensure fair international trade practices in the commercial shipbuilding and repair industries by establishing trade remedies against commercial ships constructed in subsidized foreign shipyards and, in some cases, dumped on the world shipping market after construction. The amendment requires the master of any self-propelled, sea-going vessel weighing at least 100 tons to present a construction subsidy certification to the U.S. Customs Service as a condition of formal entry of the vessel. Entry of the vessel would be denied without the presentment of the certification. This document would certify that any construction or reconstruction of the vessel meets one of seven requirements which ensures that the vessel is, in essence, subsidy-free or was constructed prior to the date of enactment of the bill. The Secretary of Commerce is required to establish and maintain a list of foreign subsidized shipyards (the "black list"). Any ship not built in a shipyard on the "black list" would be automatically entitled to a construction subsidy certification.

Title I also provides a separate method for dealing with foreign repair subsidies under which the owner or master of a vessel must file with the U.S. Customs Service a repair subsidy declaration upon entry of the vessel. If the repair were performed in a subsidized foreign shipyard on the "black list" maintained by the Secretary of Commerce, a surety in the amount of two times the value of the repairs must be filed to cover the eventual duties that would have to be paid to offset the amount of the subsidy.

Title I establishes procedures for obtaining certifications, and for investigations by the Secretary of Commerce to ascertain whether a subsidy, in the context of this certification requirement or the repair declaration, has been granted or provided to a particular vessel. False certifications or declarations may lead to civil and criminal penalties under section 436 of the Tariff Act, as well as payment to the U.S. Treasury for the amount of subsidy received.

Title I also amends Title VII of the Tariff Act of 1930, as amended, to authorize the application of countervailing or antidumping duties to purchases of dumped or subsidized vessels by U.S. persons.

Title II—Revenue Provisions

Title II of the amendment provides a phased repeal of the boat user fee and includes an FMC access fee to provide sufficient offsetting revenues to the repeal of the boat user fee.

Boat user fee

The amendment modifies the boat user fee repeal schedule under H.R. 2056 as reported by Merchant Marine, and provides a phased repeal of the boat user fee in fiscal years 1993 and 1994. After fiscal year 1994, the boat user fee is completely repealed.

FMC access fee

The amendment modifies the FMC access fee under H.R. 2056 as reported by Merchant Marine by increasing the fee from 35 cents per minute to 46 cents per minute. As modified, the FMC access fee is effective June 1, 1992–September 30, 1995. The revenues from the FMC access fee are retained in the General Fund.

III. EXPLANATION OF THE AMENDMENT

Title I—Fair Trade for the Commercial Shipbuilding and Repair Industry

Congressional Findings and Purpose (Sec. 102)

Section 102(a) sets forth the findings by Congress related to foreign shipbuilding subsidies. These findings include:

(1) That Congress terminated funding for the last direct subsidy program for U.S. shipyards, the Construction-Differential Subsidy Program, in 1981.

(2) That the international shipbuilding market is distorted by many forms of foreign subsidies.

(3) That existing U.S. trade laws provide limited remedies to counter foreign shipbuilding subsidy practices which distort free and fair trade.

(4) That a multilateral agreement to eliminate shipbuilding subsidies is the best means of providing fair international competition.

Section 102(b) states that the purpose of the title is to ensure fair trade in the commercial shipbuilding and repair industry by enacting new trade remedies against subsidized and dumped foreign-built commercial vessels.

Subsidized Shipyard List and Required Vessel Entry Documentation Regarding Construction and Repair Subsidies (Sec. 103)

Present law

Part II of Title IV of the Tariff Act of 1930, as amended, (19 U.S.C. 1431 et seq.) establishes the rules and procedures for the report, entry, and unlading of vessels and vehicles. Sections 431–432 of that Act provide the requirements for manifests. Sections 433–435 of that Act provide the requirements for arrival and entry of American and foreign vessels. Under these provisions, the general rule is that the master of any foreign vessel, or of any American vessel arriving from a foreign port or place, arriving within the limits of any customs collection district is required, within 48 hours, to make formal entry of the vessel at the customhouse.

Section 436 of that Act sets forth penalties for violations of arrival, reporting, and entry requirements. It is unlawful to fail to report on arrival; to present any forged, altered, or false document, paper, or manifest to a customs officer without revealing the facts; to fail to make entry; or to fail to comply with, or violate, any regulation prescribed under these sections. Violators shall be liable for a civil penalty of $5,000 for the first violation, and $10,000 for each subsequent violation, and any vessel used in connection with any such violation is subject to seizure and forfeiture. In addition, any master who intentionally commits any violation is, upon conviction, liable for criminal penalties of a fine of not more than $2,000, or imprisonment for one year, or both.

Explanation of Provisions

Tariff Act amendments

Section 103(a) amends the Tariff Act of 1930 (19 U.S.C. 1431 et seq.) by adding sections 435A–435D to that Act.

Section 435A—Listing of subsidized shipyards

New section 435A(a) of the Tariff Act of 1930 requires the administering authority to establish a list (the "black list") of those foreign shipyards that receive or benefit from, directly or indirectly, a subsidy for the construction or repair of vessels.

Section 103(b) of the amendment provides transitional provisions for this listing. Under section 103(b), the initial list will contain those foreign shipyards in those countries which are being subsidized by their governments, including specifically those shipyards in those countries which are parties to OECD Working Party 6. Those shipyards will remain on the "black list" until either the foreign country signs a trade agreement with the United States which provides for the elimination of subsidies or the administering authority, after an investigation, publishes a new list of shipyards which are subsidized under section 103(b)(2).

New section 435A(b) allows the administering authority to conduct an investigation when there is reason to believe that a foreign shipyard receives or benefits from, directly or indirectly, a subsidy for the construction or repair of vessels. If a foreign shipyard is found to be receiving subsidies, it is added to the list.

New section 435A(c) requires the administering authority to make a determination after an investigation as to whether the shipyard that was investigated receives or benefits from, directly or indirectly, any subsidy for the construction or repair of vessels. If a positive determination is made that a foreign shipyard is the beneficiary of a subsidy, the administering authority is required to add the shipyard to the "black list", notify the shipyard of its inclusion on the "black list", and publish notice of that determination and listing the Federal Register.

New section 435A(d)(1) allows the administering authority to add a shipyard to the list prior to the investigation under 435A(b) or the determination under 435A(c) if it has a "reasonable basis to suspect" that a shipyard may be receiving a subsidy. This "emergency listing" is followed by an investigation which must be completed in 90 days. (See section 435A(d)(2).)

The decision to place a shipyard on the list on an emergency basis is not reviewable prior to completion of the investigation. (See section 435D(b).) Whether the shipyard is placed on the list after the investigation under section 435A(b) or after the investigation under section 435A(d)(2), a shipyard has the right to have that determination reviewed by the administering authority under section 435(A)(e).

New section 435A(f) allows a foreign shipyard to request reconsideration of a listing based on changed circumstances. However, the applicant has the "burden of persuasion" and may not make more than one application per year. The applicant shipyard may only be removed from the list if the foreign shipyard has proved that it does not receive a subsidy or the country in which the shipyard is located has signed an appropriate bilateral agreement that provides for the immediate elimination of construction and repair subsidies.

New section 435A(g) requires the administering authority to place a foreign shipyard on the "black list" for a minimum of five years if the foreign shipyard or its government provide the administering authority with false or misleading information during an investigation or if any new subsidies are implemented.

New section 435A(h) allows a civil action against the United States Government for failure to use due diligence in conducting an investigation or in listing a subsidized shipyard on the "black list".

Section 435B—Construction subsidy certification required of vessels

New section 435B(a) of the Tariff Act of 1930 requires the master of a vessel to deposit with the appropriate customs officer, at the time of making formal entry of the vessel under section 434 or 435, a construction subsidy certification for the vessel. Pre-

sentment of a subsidy certification is an affirmative requirement for formal entry of the vessel; if no certification is presented to the customs officer, then entry of the vessel must be denied.

New section 435B(b) provides the standards for the issuance of a construction subsidy certification. The construction subsidy certification must either be issued by the administering authority (i.e., the Secretary of Commerce, who makes similar subsidy determinations under the countervailing duty law) in response to an application for a subsidy certification filed under subsection (b)(3), or be in such form as the administering authority shall prescribe and signed by the vessel's owner or builder. The certification must also attest that any construction subsidy carried out with respect to the vessel meets at least one of the following seven conditions:

(A) No subsidy was granted or otherwise provided with respect to the construction;

(B) The construction was carried out with the benefit of one or more subsidies all of which were granted or otherwise provided before date of enactment;

(C) The construction was carried out pursuant to a specific contract entered into before October 16, 1991;

(D) The construction was carried out with the benefit of one or more subsidies that were granted or otherwise provided during the 2-year period beginning on date of enactment, but an amount equal to the value of each such subsidy was repaid before the second anniversary of such date of enactment to the agency that granted or otherwise provided the subsidy;

(E) The construction was carried out with the benefit of one or more subsidies that were granted or provided on or after date of enactment, but an amount equal to the value of such subsidy (reduced by any amount repaid under (D)) has been paid to the U.S. Treasury;

(F) The construction was carried out in a foreign country which is a signatory to a trade agreement with the United States that provides for the elimination of construction subsidies for vessels; or

(G) The construction was carried out in a shipyard that, at the time of contracting for construction of the vessel, was not on the list established under section 435A(a) (i.e., the "black list").

New section 435B(c) provides that, if the Secretary of the Treasury has reason to believe that an unlawful act under section 436 of the Tariff Act of 1930, as amended, with respect to the construction subsidy certification has been committed, the Secretary shall undertake such investigation as may be necessary to ascertain whether action against the master or the vessel, or both, is warranted. Furthermore, the Secretary shall inform the administering authority if he discovers, during the course of his investigation, that the vessel in question does not meet the certification requirements of the law.

New section 435B(d) deals with the issuance of construction subsidy certifications by the administering authority. Application for a subsidy certification may be made by the owner or lessee of a vessel, or the builder of a vessel. Applications shall be made to the administering authority and must be accompanied by such supporting documentation as required for the purposes of establishing the eligibility of the vessel for such certification. The administering authority shall decide within 90 days of receiving any application whether to issue or deny the subsidy certification. Such decision shall be made publicly available. If an application for a subsidy certification is denied or conditioned, the administering authority must provide the applicant with a written statement of the reasons for the denial or condition. The applicant may, within 14 days thereafter, request a review by the administering authority under subsection (e)(3).

New section 435B(e) sets out the procedures for determinations and reviews relating to construction subsidy certificates. The administering authority shall, on the basis of either information available to it, information provided by the Secretary of Treasury, or petition from an interested third party, initiate a preliminary investigation to decide whether there is reasonable cause to believe that a vessel does not meet the construction subsidy certification requirements. If the administering authority determines that the construction subsidy certification requirements have not been met, the administering authority shall set forth in the determination what corrective action must be taken. (Usually, this will entail payment in the amount of the subsidy to the U.S. Treasury.) The builder of the vessel shall be primarily responsible, and the vessel owner or operator secondarily responsible, for taking any corrective action. Until such corrective action is taken and a valid construction subsidy certification for the vessel is issued, neither that vessel, nor any other vessel that is owned or leased by the owner of that vessel may arrive at, or remain, at any port or place in the United States.

Section 435C—Declaration of repair subsidies required of vessels for entry

New section 435C provides a procedure for determinations of repair subsidies separate from the procedure used for construction subsidy certifications made under section 435B. This is because repairs are made to vessels which are currently engaged in commerce, as contrasted to vessels to be built that have not yet entered into commerce. Section 435C is designed to achieve the same objectives for repair subsidies as section 435B is designed to achieve for construction subsidies, without requiring vessels to be tied up in port while the repair subsidy determinations are made.

New section 435C(a)(1) requires the owner or master of a vessel to deposit with the U.S. Customs service a repair subsidy declaration on the entering vessel. The declaration will provide information on repairs to the vessel since the last entry, the name of the foreign shipyard, and the value of the repairs. If the repairs were made in a shipyard on the "black list," then the owner or master is required to file a surety in the amount of two times the value of the repairs. Upon the filing of the surety, the vessel is free to clear customs as originally scheduled. A preliminary determination of the actual amount owed is made by the administering authority within 30 days after the application by the vessel owner. At any time before the preliminary finding is made, an interested party may file information with the administering authority regarding the validity or accuracy of the information provided by the master or the vessel's owner. Both the owner or an interested party may petition for review within 15 days after the preliminary finding. A "final" repair determination is made within 30 days of the petition for review. Payment is required within 30 days after the final repair determination.

Section 435D—Definitions and administrative provisions related to determinations and reviews under sections 435A, 435B, and 435C

The amendment establishes, within new section 435D(a), definitions for terms used.

Subsection (a)(1) provides a definition of the term "administering authority" as the officer of the United States responsible for determining under Subtitle A of Title VII (the countervailing duty law) whether subsidies are provided with respect to imported merchandise. This means the Secretary of Commerce.

Subsection (a)(2) provides a definition of the term "construction" to include reconstruction.

Subsection (a)(3) provides a definition of the term "interested party" to include a person that engages in ship construction in the United States; a certified union or recognized union or group of workers which is representative of an industry that engages in ship construction in the United States; a trade or business association, a majority of whose members engage in ship construction in the United States; and an association, a majority of whose members is composed of interested parties described in the previous three categories with respect to ship construction.

Subsection (a)(4) defines the term "foreign shipyard" to include a ship construction or repair facility located in a foreign country that is directly or indirectly owned, controlled, managed, or financed by a foreign shipyard that receives or benefits from a subsidy.

Subsection (a)(5) provides a definition of the term "subsidy" which includes eight types of policies and practices that directly or indirectly support shipbuilding and repair activities.

New section 436D(b) details the hearing and review procedures applicable to determinations and reviews made under the section relating to the listing of subsidized shipyards (section 435A), the construction subsidy certifications (section 435B), and the repair determinations (section 435C). Procedures for judicial review are contained in the existing section 516(a) of the Tariff Act of 1930 (19 U.S.C. 1516a) and are incorporated by reference.

New section 436D also contains provisions on proprietary information, verification of information, and best information available which incorporate by reference the standards and procedures currently followed by the administering authority in its antidumping and countervailing duty investigations under Title VII of the Tariff Act.

Transitional amendments

Section 103(b)(1) of the amendment provides that all shipyards, including those shipyards in those countries that are parties to OECD Working Party 6, are deemed to be on the initial list prescribed under section 435A of the Tariff Act of 1930 unless the administering authority determines by clear and convincing evidence that a foreign shipyard does not receive or benefit from subsidies. These shipyards remain on the "statutory" list until a new list is published after an investigation or until these countries sign an appropriate trade agreement with the United States.

Section 103(b)(2) of the amendment requires the administering authority to conduct an investigation of all foreign shipyards within the first 120 days and make a determination as to whether or not they receive or benefit from, directly or indirectly, a subsidy for the construction or repair of vessels.

If a shipyard is determined to be the beneficiary of any subsidy, notification of that determination must also be published in the Federal Register.

Section 103(c) of the amendment delays the effective date of new section 435A(h) of the Tariff Act of 1930, which provides for civil actions against the United States government for failure of the administering authority to investigate a foreign shipyard, make a determination as to whether that shipyard is the beneficiary of a subsidy, and add that shipyard to the "black list".

Section 103(d) of the amendment clarifies that new section 435C of the Tariff Act of 1930 only applies to repairs made to a vessel under a contract entered into after the date of enactment of the bill.

Conforming Amendments (Sec. 104)

Section 104 of the amendment makes conforming amendments to sections 434 and 436 of the Tariff Act of 1930 consistent with the objectives and provisions of the rest of Title I.

Treatment of Vessels Under the Countervailing and Antidumping Duty Laws (Sec. 105)

Present law

Title VII of the Tariff Act of 1930, as amended, authorizes the imposition of antidumping or countervailing duties on foreign merchandise that is being sold at less than its fair value or is subsidized, when such imports are causing material injury to a domestic industry. Under the Tariff Act of 1930, vessels are not considered "merchandise", and "entry" of vessels is different than "entry" of merchandise.

Explanation of provision

Section 105(a) of the amendment adds a new section 771C to the Tariff Act of 1930, providing for special rules in applying the antidumping and countervailing duty authorities to foreign-made vessels.

For purposes of Title VII of the Tariff Act, the term "vessel" is defined as any vessel of a kind described in heading 8901 or 8902.00.00 of the Harmonized Tariff Schedule of not less than 100 gross tons, as measured under the international convention on tonnage measurement of ships, 1969. The amendment further provides that vessels are deemed to be merchandise for purposes of Title VII.

In applying the antidumping and countervailing duty authorities, a vessel shall be treated as "sold for importation into the United States" when a U.S. person enters into a contract for the construction, repair, or purchase of the vessel from the builder. A vessel sold for importation into the United States shall be treated as being "offered for entry for consumption under the tariff laws" at the time of its first arrival at a port or place in the United States, regardless of where the vessel is registered or documented.

Section 105(b) provides that these new antidumping and countervailing duty provisions apply only to vessels built or repaired under a contract entered into after the date of enactment of the bill.

The amendments under section 105 would be effective upon date of enactment. In order for antidumping or countervailing duties to be assessed upon sales of foreign-made vessels, there must first be an investigation initiated under Title VII of the Tariff Act, and the requisite affirmative determinations made by the International Trade Commission and the administering authority. Consistent with existing rules and procedures under Title VII of the Tariff Act, future entries (i.e., first arrivals at a port or place in the United States after construction, reconstruction, or repair) would then be subject to the posting of estimated duties and final assessment of duties.

United States Construction Subsidy Programs (Sec. 106)

Section 106 of the amendment amends the Merchant Marine Act of 1936 to allow various capital formation and acquisition programs for U.S.-flag vessels to be used in foreign shipyards, as well as U.S. shipyards, if the vessel is not built with the aid of a foreign subsidy. Under the amendments made by section 106:

(1) U.S.-flag liner vessels built without the aid of subsidy in a foreign shipyard under a contract entered into after October 16, 1991, will be allowed to carry government-impelled cargoes without waiting three years;

(2) U.S.-flag vessel owners will be eligible for operating-differential subsidies if their vessels are built in a foreign shipyard without the aid of a subsidy under a contract entered into after October 16, 1991; and

(3) U.S.-flag vessels owners will be eligible for Title XI loan guarantees on vessels built in a foreign shipyard without the aid of subsidy under a contract entered into after October 16, 1991.

However, the Secretary of Transportation would have to give priority consideration to vessels built for the coastwise trades over vessels built for foreign commerce.

Cost Estimate (Sec. 107)

Section 107 of the amendment provides the cost estimate of Title I. This cost estimate shows no increase in the budget deficit as a result of Title I.

Title II.—Revenue Provisions

Present Law

Boat user fee

Under the 1990 Act, the Secretary of Transportation is directed to establish a "fee or charge" to be collected annually in fiscal years 1991–1995 from owners or operators of "recreational vessels" greater than 16 feet in length. The boat user fee is to be imposed as follows: (a) for vessels of greater than 16 feet but less than 20 feet, not more than $25; (b) for vessels of 20 feet but less than 27 feet, not more than $35; (c) for vessels of 27 feet but less than 40 feet, not more than $50; and (d) for vessels of 40 feet or more, not more than $100.

The Coast Guard issued rules implementing the boat user fee, at the maximum levels allowed under the 1990 Act, effective July 31, 1991.[1] Subject to several exemptions provided by the 1990 Act and/or by the Coast Guard rules, the boat user fee applies to vessels operated on the navigable waters of the United States where the Coast Guard has a presence. Among the exempt vessels are: manually powered boats (e.g., canoes, kayaks, and rafts), sailboards, vessel tenders, unpowered houseboats, and vessels of nonprofit organizations.

Revenues from the boat user fee are deposited in the General Fund of the Treasury as offsetting receipts for Coast Guard activities.

FMC tariff data

Water common carriers in United States foreign and domestic offshore shipping are required to file tariffs with the Federal Maritime Commission. These tariffs and service contracts are currently filed on paper.

In recent years, the FMC has been designing a computer system to allow water common carriers to file the tariffs electronically. This computer system is known as the Automated Tariff Filing and Information System ("ATFI"). The electronically filed tariff information will be the information currently required to be filed under section 8(a)(1) of the Shipping Act of 1984 (46 App. U.S.C. 1707), and includes all rates, charges, classifications, rules and practices assessed by a carrier between all points or ports on a route and any through transportation rate a carrier has established.

It is understood that the FMC plans to sell this tariff data to persons in bulk. Commercial vendors then could resell the information to carriers, shippers, and freight forwarders. The information also could be obtained from the FMC by remote computer access.

Reasons for Change

It is believed that the boat user fee should be repealed to the extent possible without increasing the budget deficit. Because offsetting revenues have to be provided under the "pay-as-you-go" provisions of the 1990 Budget Act, the amendment replaces the revenues from a phased repeal of the boat user fee with sufficient revenues from an FMC access fee.

Explanation of Provisions

Boat user fee (sec. 201)

The amendment modifies the boat user fee repeal schedule under H.R. 2056 as reported by Merchant Marine, and provides a phased repeal of the boat user fee, beginning in fiscal year 1993. Under the amendment for fiscal years 1993 and 1994, the boat user fee is to be imposed under the following schedule—[2]

Boat length, and amount of fee

Fiscal year 1993:

More than 21 feet, but less than 27 feet, not more than $35/year; 27 feet, but less than 40 feet, not more than $50/year; 40 feet or more, not more than $100/year.

Fiscal year 1994:

More than 37 feet, but less than 40 feet, not more than $50/year; 40 feet or more, not more than $100/year.

The boat user fee is completely repealed after fiscal year 1994 (i.e., after September 30, 1994).

FMC Access Fee (Sec. 202)

Imposition of fee

The amendment modifies the FMC access fee under H.R. 2056 as reported by Merchant Marine by increasing the fee from 35 cents per minute to 46 cents per minute, in order to provide sufficient revenue to offset the phased repeal of the boat user fee and to prevent a possible sequester under the pay-go provisions of the Budget Act.

The amendment requires that water common carrier tariffs be filed electronically not later than June 1, 1992, and imposes a fee of 46 cents for each minute of remote computer access to the information in the ATFI. Purchases of the entire database in the ATFI will be allowed. If the purchased information (or access thereto) is then used by the purchaser, resold or otherwise disseminated ("secondary use"), the 46 cents per minute fee applies for each separate computer access to the information. There is no charge for filing of the tariffs with the FMC. Federal agencies using this information are exempt from the fee.

The FMC access fee will expire after September 30, 1995.

The revenues from the FMC access fee in excess of the amounts necessary for FMC administrative costs are to be retained in the General Fund, as offsetting budget receipts.

[1] See *Federal Register*, July 1, 1991.

[2] Boats with lengths less than the smallest category will not be subject to the boat user fee.

Repayable advances

The Secretary of the Treasury is to make available to the FMC, as a repayable advance in fiscal year 1992, not more than $4 million, to remain available until expended, for FMC use in completing and upgrading the capacity of the ATFI system. Such repayable advances are to be repaid (with interest) to the Treasury not later than September 30, 1995.

Effective Date

The phased reduction of the boat user fee begins on October 1, 1992, and the fee is completely repealed after September 30, 1994.

The provision imposing the FMC access fee is effective on June 1, 1992.

IV. BUDGET EFFECTS OF THE AMENDMENT

The Congressional Budget Office (CBO) has submitted the following cost estimate for the proposed substitute amendment to H.R. 2056.

In summary, CBO indicates that Title I of the amendment has no effect on budget receipts. Title II would result in a net increase in budget offsetting receipts of $466 million over fiscal years 1992-1996 from the phased repeal of the boat user fee and the imposition of the FMC access fee.

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, April 7, 1992.

Hon. DAN ROSTENKOWSKI,
Chairman, Committee on Ways and Means, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the attached cost estimate for H.R. 2056, the Shipbuilding Trade Reform Act of 1991. Because enactment of H.R. 2056 would affect direct spending, we have provided an attachment with the estimate required by clause 8 of House Rule XXI.

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

Sincerely,

ROBERT D. REISCHAUER,
Director.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

1. Bill number: H.R. 2056.

2. Bill title: The Shipbuilding Trade Reform Act of 1991.

3. Bill status: As approved by the House Committee on Ways and Means on April 1, 1992.

4. Bill purpose: Title I of H.R. 2056 would mandate the creation of a list of foreign shipyard that receive or benefit from subsidies on the construction or repair of vessels. The bill also would require all vessels to present a subsidy certification issued by the Secretary of Commerce in order to enter a U.S. port. To receive the certification, the owners, lessees, or builders of the vessel would have to verify that the vessel meets at least one of seven conditions. First, in the construction, reconstruction, or repair of the vessel, no subsidy was granted. Second, no subsidy was granted after the date of enactment of H.R. 2056. Third, the construction occurred pursuant to a specific contract entered into before October 16, 1991. Fourth, a subsidy was granted after the date of enactment, but repaid to the subsidizing authority before the second anniversary of enactment of the bill. Fifth, a subsidy was granted after enactment, but an amount equal to the subsidy was paid to the U.S. Treasury. Sixth, the foreign country in which the construction was undertaken has signed with the U.S. a trade agreement in which that country agreed to eliminate shipbuilding subsidies. Seventh, the vessel was constructed in a shipyard that, at the time of the contracting was not on the list of foreign shipyards receiving subsidies.

Title I would apply a broad definition of subsidy that includes, but is not limited to, loans and loan guarantees, grants, export credits, preferential tax treatment, debt forgiveness, and official support for such things as investment. If certification is denied after final review by the Department of Commerce, no vessel owned or leased by the owner would be able to enter or remain in a U.S. port unless a payment is made to the U.S. Treasury in the amount of the subsidies. The builder of the vessel (or individual involved in repairs) would be primarily responsible for the payment. The vessel owner or operator would be secondarily responsible.

H.R. 2056 also would make subject to antidumping and countervailing duties all vessels that are constructed, reconstructed, or repaired in a foreign country and sold to, owned by, or leased by a U.S. citizen. At present, vessels are not subject to these duties. The amount of duties would be determined by the Department of Commerce, and the Customs Service would collect them.

Title II of H.R. 2056 would provide for a phased repeal of Section 2110(b) of Title 46, United States Code, which requires the Secretary of Transportation to impose certain fees on recreational boaters. Beginning in fiscal year 1993, fees for vessels of 21 feet or less would be repealed. Charges for vessels of 37 feet or less would be repealed beginning in 1994. For both years, fees for other vessels would remain unchanged. Beginning in 1995, all fees would be repealed.

Section 202 of the bill would establish a new user fee for public access to the Federal Maritime Commission's (FMC's) Automated Tariff Filing and Information System (ATFI). All tariffs and essential terms of service contracts that are required to be filed with the FMC would have to be filed electronically in accordance with a specified schedule beginning on June 1, 1992. (Currently, such documents are filed with the commission on paper. Electronic filing has been initiated by the commission under existing authority, but conversion to the new system has not yet been completed.) Once approved, the filed documents will become part of the ATFI data base and available for retrieval.

Beginning on June 1, 1992, section 202 would remove existing restrictions on public retrieval and use of ATFI data or information and impose a fee of $0.46 per minute on such usage. In addition to the per-minute user fee, there would be a charge for bulk copies of the ATFI database to cover duplication, distribution, and other related costs. No fees could be imposed under the bill after September 30, 1995.

Finally, subsection (g) of this section would specify the budgetary treatment for the ATFI fees and any related costs. For fiscal year 1992, the Secretary of the Treasury would be directed to make available to the FMC a repayable advance of up to $4 million to finance whatever initial expenditures are required to implement the bill. In addition, beginning that year, the FMC would retain fees sufficient to cover annual operating and related expenses (including the repayment of any amounts borrowed in 1992). Any advances made to the FMC would have to be prepaid (with interest) by September 30, 1995. The balance of the fees collected would be deposited in the general fund of the U.S. Treasury as offsetting receipts.

5. Estimated cost to the Federal Government: Title I. Revenues could be generated in the form of payment to the U.S. Treasury in the amount of the foreign subsidies or to the Customs Service in the form of antidumping or countervailing duties. However, CBO is unable to estimate the effect on receipts of these provisions of H.R. 2056 because information on future shipbuilding subsidies and on the implementation of the provisions in the bill is insufficient. Therefore, for purposes of pay-as-you-go considerations, CBO estimates that the effect on receipts of these provisions of H.R. 2056 in fiscal years 1992 through 1995 would be zero.

Title II. The phaseout of boat fees would result in the loss of offsetting receipts in each of fiscal years 1993 through 1995 (after which the authority to collect such fees will expire). The total amount lost over this period, $394 million, would be more than offset by the new ATFI user fees imposed by section 202. (CBO estimates that new fee collections through 1995 would total $860 million.) The net budgetary impact of H.R. 2056 is summarized in the following table:

[By fiscal year, in millions of dollars]

	1992	1993	1994	1995	1996	1997
Estimated budget authority and outlays:						
Repeal of boat fees	0	94	139	161	0	0
ATFI fees	0	−190	−285	−385	0	0
Total	0	−96	−146	−224	0	0

The outlay effects of this bill fall within budget function 400.

Basis of Estimate: The net budgetary impact of the bill would be a gain of $466 million in offsetting receipts over the 1993-1995 period. In each of the fiscal years during this period, the new receipts would exceed losses from the repeal of boat fees.

For purposes of this estimate, CBO has assumed that H.R. 2056 will be enacted by June 1992. Details and other assumptions are discussed below.

Repeal of Recreation Boat Fees. The loss of receipts from the repeal of recreation boat fees is estimated to result in additional budget authority and outlays of $94 million in fiscal year 1993 and a total of $394 million through 1995 (after which the authority to collect such fees will expire). The estimate of forgone receipts is based on the fiscal year 1993 budget resolution baseline, adjusted for the modified collection schedule contained in H.R. 2056. The baseline includes receipts of $143 million in 1993, $152 million in 1994, and $161 million in 1995. The estimated number of vessels in each size category used to determine collections under the fee schedules specified in this bill is based on Coast Guard boating safety statistics.

ATFI Fees. CBO estimates that section 202 would bring in $860 million over the 1993-1995 period. Annual receipts would be about $190 million in fiscal year 1993, growing to $385 million by 1995, over and above the costs of operating the system. After 1995, the authority to collect fees under this bill would expire.

For purposes of this estimate, CBO has assumed that ATFI will be ready for electronic tariff filing by June 1, 1992, and that further system upgrades will be made during the following several months. Because of the June 1, 1992 effective date for tariff filing, gross collections would be quite small in fiscal year 1992 and are estimated to be fully offset by additional FMC spending to upgrade the ARFI system. Also, estimated receipts for 1993 and 1994 reflect initially low retrieval usage until large users have implemented the necessary communications and processing systems. As more tariff users become

aware of the ARFI service, receipts would continue to grow, reaching $385 million by 1995. Receipts have been estimated on the basis of information obtained from the Federal Maritime Commission, its ATFI contractors, and other commercial tariff services.

6. Pay-as-you-go considerations: The Budget Enforcement Act of 1990 specifies pay-as-you-go procedures for legislation affecting direct spending or receipts through 1995. CBO estimates that the enactment of H.R. 2056 would result in a decrease in outlays of $96 million in 1993, $146 million in 1994, and $224 million in 1995. Title I of the bill may also result in a revenue increase, but CBO cannot estimate the amount of any such increase. For pay-as-you-go purposes, CBO estimates the additional receipts to be zero.

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

8. Estimate comparison: None.

9. Previous CBO estimate: On October 29, 1991, CBO prepared a cost estimate for H.R. 2056, as ordered reported by the House Committee on Ways and means on October 16, 1991. That version of the bill was similar to title I of this version.

On June 13, 1991, CBO prepared a cost estimate for H.R. 534, a bill to amend title 46, United States Code, to repeal the requirement that the Secretary of Transportation collect a fee or charge for recreational vessels, as ordered reported by the House Committee on Merchant Marine and Fisheries on June 12, 1991. On October 22, 1991, a cost estimate was prepared for H.R. 534, the Recreational Boat User Fee Relief Act, as ordered reported by the House Committee on Ways and Means on October 22, 1991. Both of these bills contained similar provisions to those included in title II of H.R. 2056. The CBO estimate for H.R. 2056 reflects differences in the provisions regarding schedules for ATFI implementation and the repeal of boat user fees.

Finally, on March 6, 1992, CBO prepared a cost estimate for H.R. 2056 as ordered reported by the House Committee on Merchant Marine and Fisheries on February 27, 1992. Title I of that bill included a provision on withdrawals form private capital construction funds for the acquisition, construction, or reconstruction of qualified vessels. The substitute for H.R. 2056 approved by the House Committee on Ways and Means does not include this provision. The CBO estimate has been revised to reflect this difference, as well as changes to title II, including modifications in the schedule for repeal of recreation boat fees and an increase in the ATFI fee to $0.46.

20. Estimate prepared by: Deborah Reis (226-2860) and John Stell.

11. Estimate approved by: C.G. Nuckols, Jr., Assistant Director for Budget Analysis.

CONGRESSIONAL BUDGET OFFICE ESTIMATE[1]

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

[1]An estimate of a proposed substitute to H.R. 2056 as approved by the House Committee on Ways and Means on April 1, 1992. This estimate was transmitted by the Congressional Budget Office on April 7, 1992.

[By fiscal year, in millions of dollars]

	1992	1993	1994	1995
Change in outlays	.....	−96	−146	−224
Change in receipts	(1)	(1)	(1)	(1)

[1]H.R. 2056 could increase receipts, but CBO cannot estimate the magnitude of the increase so no change in receipts is shown.

□ 1620

Madam Chairman, I reserve the balance of my time.

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

Madam Chairman, it's very unfortunate that H.R. 2056 comes before us today with two unrelated provisions merged in a way that could assure failure for both. One is a harmful effort to construct penalties for foreign shipbuilding subsidies—the other is the repeal of the onerous recreational boat user fee that our constituents have been demanding since 1990.

The President has vowed to veto the bill because of the harmful effects of the shipbuilding provisions and the unacceptable method of scoring this title for budget purposes. Unless we act to separate title I from the boat user fee repeal in title II, both are doomed.

I intend to offer a motion to recommit the bill with instructions to report back the bill immediately with only the repeal of the boat user fee included.

A vote for my motion will be the only certain chance Members will have to vote for a clean repeal of the user fee this year.

Title II of H.R. 2056, which the motion to recommit preserves, contains a phased repeal of the user fee on recreational boats.

Title II, standing alone, is self-financed and does not rely on directed scorekeeping, it satisfies all requirements of the budget agreement.

I must say a word about the shipbuilding subsidies title of this bill.

Although well-meaning in its attempt to rid the world of government subsidies for shipbuilding and repairs, U.S. ports and shipowners will be unfairly penalized for practices over which they have no control.

Under this bill, all ships entering U.S. ports must have a certificate saying that they were not built or repaired in a shipyard that benefited from any foreign government subsidy.

If the shipowner himself has been unable to calculate all possible subsidies, or if emergency repairs are made after certification, then a penalty must be paid or the ship is denied entry.

I am particularly concerned about the adverse effect on U.S. ports.

Thousands of jobs nationwide are at stake if this title becomes law.

Achieving an international agreement that governs unfair shipbuilding subsidy practices is a goal we all share. We must give our negotiators a chance to succeed by using all the leverage of our trade laws. However, punishing ourselves is not the answer.

Madam Chairman, to summarize, the two unrelated provisions before us should never have been packaged into one bill. By merging the two titles, we kill the needed repeal of the boat user fee and penalize our ports and shipowners for the practices of foreign governments. We must separate these provisions by voting for my motion to recommit and guaranteeing repeal of the boat user fee.

Madam Chairman, I reserve the balance of my time.

Mr. GIBBONS. Madam Chairman, I yield 1 minute to the gentleman from Michigan [Mr. DINGELL], the chairman of the Committee on Energy and Commerce.

Mr. DINGELL. Madam Chairman, I thank my good friend, the gentleman from Florida [Mr. GIBBONS] for yielding time to me. I strongly support the Shipbuilding Trade Reforms Act.

I urge my colleagues to do likewise. Foreign subsidies are not simply destroying our country's ability to build ships, they will do it now and will do it strongly and quickly unless we do something about this.

We have seen American shipyards closing down from coast to coast. It is time we do something to see to it that we protect that essential industry.

I would urge my colleagues to support that American industry, the defense of this country, our national security by supporting the legislation.

Madam Chairman, I rise in support of the Shipbuilding Trade Reform Act. Foreign subsidies are not just threatening to destroy our country's capability to build ships. They will succeed unless we do something about it now.

By 1998, we will not have an American shipyard base. The yards will have closed down. Another 180,000 Americans will be out of work, and the companies that supply the shipyards with materials and equipment will be seriously harmed. Some will have to shut down altogether.

This is not an alarmist statement. It is reality. Within 6 years, foreign subsidies will have destroyed our country's ability to build the ships that are the backbone of the Navy.

Why? Because the collapse of the Iron Curtain has changed our defense priorities, and the Navy's requirements for new ships for the remainder of the decade will not keep American yards in business.

American shipyards have to build commercial ships again, or they will not survive. But commercial shipbuilding will be denied to them as long as foreign governments continue to destroy the market with billions of dollars of subsidies.

Massive foreign subsidies drove American yards out of the market in the 1980's. Foreign subsidies are keeping American yards out of the market in the 1990's.

Obviously, if we lose our shipbuilding and repair base, our country's economic health will suffer. That is why 21 labor unions and various organizations such as the American Iron Steel Institute support this legislation. That is why over 2,000 American companies across the country are looking to us in Congress to pass this bill.

These companies include some of the largest in the United States that carry on business in almost every State of the Union, such as General Electric, B.F. Goodrich, and Westinghouse. That is why a vote in favor of this bill

and against any motion to recommit is a vote for the American economy and American jobs.

Mr. ARCHER. Madam Chairman, I yield 3 minutes to the gentleman from Illinois [Mr. CRANE].

Mr. CRANE. Madam Chairman, I thank my distinguished colleague for yielding time to me.

Madam Chairman, no one disagrees that foreign shipbuilding subsidies are distorting the world market and having an unfair impact on U.S. shipbuilders. No one disagrees that the process of international negotiations in this area has been fraught with frustration, and so far, less than satisfactory results. Yet H.R. 2056 is a punitive response whose effect will bypass guilty foreign governments and instead hit U.S. ship owners and operators, as well as a great many other Americans whose livelihoods depend on trade.

I urge my colleagues to reject H.R. 2056 as an unworkable, dangerous response which will hurt U.S. interests much more than it will help.

H.R. 2056 would prevent ships built or repaired at a government subsidized shipyard from entering a U.S. port unless the operator can successfully certify to the Commerce Department that an amount equal to the subsidy has been repaid to the foreign government or to the U.S. Government. As a practical matter, the sanctions in H.R. 2056 threaten to put U.S. owners and operators out of business by requiring that they do the work of the U.S. Government of investigating and interrogating shipbuilders as to what complicated subsidy schemes foreign shipbuilders may have received in the past.

Also, H.R. 2056 would prohibit any vessel in a fleet from calling on U.S. ports if just one of the fleet's vessels was repaired in a foreign yard which may have received some sort of indirect subsidy. Even if the owner could ascertain and measure this subsidy, this bill assumes the operator has control over what part of the world his ship will be in when repairs are required—on its face an absurd requirement.

During committee consideration of this bill much testimony was received that the effect of these restrictions would be the development of a two-tiered freight system. Cargoes to and from the United States would be charged at a much higher rate due to the limited number of vessels willing and able to enter U.S. ports. American consumers would shoulder higher prices for imported products. U.S. exporters, too, would become increasingly less competitive in world markets due to the higher cost of moving their products abroad. In addition, there is also the possibility of foreign governments retaliating against U.S. exports.

Another predictable result, brought to our attention by those representing port areas all over this country, is the diversion of cargo to nearby ports in Canada and Mexico where the bureaucratic certification procedures contained in H.R. 2056 would not be required. Operators of ships will make every effort to avoid U.S. ports if they are personally responsible for subsidy information which they have no possible way of confirming.

Madam Chairman, the only fair solution to the problem of foreign ship building subsidies is a multilateral one which can be enforced against the guilty foreign governments and the foreign shipbuilders. This legislation has served a useful purpose in bringing expanded attention to a difficult problem. But to pass this bill today goes too far in pushing a response which will injure innocent Americans while not bringing us any closer to a solution.

The OECD talks are stalled at present, but negotiators have made significant progress, and will ultimately achieve an agreement. U.S. negotiators have indicated to me that they are considering several options which will increase prospects for a negotiated solution. Acting unilaterally, by fiat, in the manner of H.R. 2056, will not accomplish the intended result. I urge my colleagues to reject H.R. 2056.

Mr. JONES of North Carolina. Madam Chairman, I yield myself such time as I may consume.

Madam Chairman, the best means to eliminate shipbuilding subsidies is through multilateral negotiations. But, after 3 years of fruitless talks, negotiations to end subsidies are at an impasse. The Shipbuilding Trade Reform Act of 1992 was born out of frustration with the pace of these negotiations. Even the administration is no longer optimistic about the possibility of reaching a successful conclusion to the international neogitiatons since it doesn't appear that all of the parties are serious about reaching an agreement. Therefore, a legislative response is called for.

Congress is not going to sit by and watch other countries dictate the fate of our shipbuilding industry. H.R. 2056 and the Oil Pollution Act of 1990 were initiated for the same reason—the legitimate interests of the United States will be protected by unilateral legislative action when international safeguards fail.

Concerns have been raised about the potential impact this bill may have upon vessel owners, ports, and shippers. The changes we have made to the original bill address the most serious of these concerns.

First, we clarify that the requirements in the bill are truly prospective; they apply only to new vessels and repairs made after the date of enactment.

Second, if the United States signs an agreement with another country to eliminate shipbuilding subsidies, the terms of the bill will not apply to vessels built in that country.

Third, the bill eliminates the U.S.-build requirements in many U.S. laws that discriminate against nonsubsidized foreign shipyards. We cannot force foreign governments to eliminate their subsidy programs while maintaining our subsidy programs. Under the bill, foreign-built U.S.-flag vessels will be eligible for constructive guarantees and operating-differential subsidies, and be eligible to transport Government cargoes immediately.

Finally, our amendments require the Secretary of Commerce to investigate foreign shipyards and publish a "black list" of all those that are subsidized. If a vessel owner chooses to have a vessel built or repaired in one of the shipyards on this list, the owner will know in advance, before he enters the contract, that the subsidy will have to be repaid. To prevent ships from being tied up and commerce coming to a halt, the bill allows vessel owners to post a bond sufficient to cover any repayment of repair subsidies from which they have benefited. Later, when the amount of the subsidy is determined, it can be taken out of the bond.

We have successfully enacted laws to fight unfair shipping practices, and I believe that we must do the same with unfair shipbuilding practices.

We cannot allow foreign governments to put American workers out of work.

We cannot allow foreign governments to continue to distort free market forces in international shipbuilding.

We cannot allow foreign governments to be the cause of the loss of our industrial base.

And, we cannot allow foreign governments to compromise our national security by causing our defense shipbuilding industry to be driven out of business.

Another aspect of this bill will also correct a serious policy mistake.

Eleven years ago, President Reagan proposed a so-called "user fee" for recreational boaters. Beginning in 1981, Congress rejected this proposal over and over again, but by 1989, we were compelled to concede defeat. Today, we have the opportunity to reclaim our ground.

There are few in Congress who are unaware of the extreme unpopularity of these fees. They are unpopular because they are unfair. What is more they do not secure any services for boaters. They are not used to support Coast Guard activities. They are a tax in disguise, not a true user fee. And, boaters already pay more than their fair share through marine fuel taxes and excise taxes on fishing equipment.

These fees were imposed to raise revenue and help balance the budget. Ironically, both goals have been illusive. Less than $39 million has been raised in a scheme that was supposed to raise over $700 million. The deficit continues to soar while the Coast Guard acts as tax collector.

To offset the loss of boat fee revenue, the bill establishes a fee for access to information contained in computers at the Federal Maritime Commission.

Today, I expect that this House will repudiate this unfair tax on recreational boaters, but, even with this victory, the battle is not over. The gentleman in the White House has yet to be convinced that this tax must go.

In conclusion, I strongly support H.R. 2056.

□ 1630

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

Mr. DAVIS. Madam Chairman, Title I, known as the Shipbuilding Trade Reform Act of 1992, is designed to force foreign countries to stop subsidizing their domestic shipyards to the detriment of our U.S. shipyards and our U.S. steel industry. Since we stopped subsidizing our shipyards in 1981 we have lost a third of our capacity and nearly 60,000 jobs. We lost another 60,000 jobs in industries that supply material and equipment to the shipyards.

Madam Chairman, if foreign subsidies continue, it will cost this country 180,000 more jobs. Jobs held by skilled Americans, jobs that once lost will never be recovered. All that our shipyards and the surviving American workers are asking for is a chance to bid on ship contracts in an unsubsidized world market.

I know the administration opposes H.R. 2056—supposedly because they think it violates the GATT. What they have not told you is that they have been negotiating an agreement that is virtually identical in effect to H.R. 2056. Unfortunately, the negotiations have broken down—not because of something the U.S. is doing—but simply because these other countries don't want to give up their subsidies. Our negotiators really should want this bill to pass. It will make their negotiations easier.

Title II of this bill contains a phased repeal of the Coast Guard recreational boat tax. I have been working for over a year with my colleagues on the Merchant Marine and Fisheries Committee to repeal this unfair tax, with the support of over 280 Members of the House. I am extremely pleased that we have worked out the budgetary problems surrounding the boat tax repeal, and that we are sending this bill to the other body.

Section 201 of H.R. 2056 repeals the Coast Guard boat tax beginning October 1, 1992, for boats 21 feet in length and under. Over 70 percent of recreational boats are in this category. On October 1, 1993, the tax is repealed for boats 37 feet in length and under. On October 1, 1994, the tax is completely repealed.

Section 202 of the bill establishes a user fee for computer access to the new automated tariff filing and information system maintained by the Federal Maritime Commission. The automated tariff system contains tariffs, or shipping rates, filed by vessel operators with the Federal Maritime Commission and organized into a rate-quoting system. The Congressional Budget Office and the Office of Management and Budget estimate that the receipts from this user fee fully offset any loss to the Treasury resulting from the repeal of the Coast Guard boat tax.

Madam Chairman, I think most Members agree with me that singling out recreational boaters to pay a tax was a mistake. I urge my colleagues to correct the mistake and vote in favor of this bill to repeal the Coast Guard recreational boat tax.

Madam Chairman, I reserve the balance of my time.

Mr. JONES of North Carolina. Madam Chairman, I yield 1 minute to the gentleman from Florida [Mr. FASCELL]

Mr. FASCELL. Madam Chairman, I rise to comment on legislation that would amend the Tariff Act of 1930 to require that ships that are built or repaired in shipyards subsidized by foreign governments repay the subsidy or risk being prohibited from docking at U.S. ports. Although I can understand the thinking behind such a bill, I do not feel that this is a matter to be handled legislatively. Such a bill would have a devastating impact on the cruise and cargo industries which are important to the economy of south Florida.

I feel that the most effective way of eliminating subsidies is through international agreement. The 103-nation General Agreement on Tariffs and Trade has already complained that the trade practices of the United States are protectionist and that they violate GATT's objectives. The U.S. Trade Representative has been negotiating with members of the Organization for Economic Cooperation and Development [OECD] to reduce shipyard subsidies to zero. I think a more effective and better advised method of eliminating subsidies would be to encourage an acceleration of these negotiations.

Another unwelcome effect of this legislation would be to turn shipowners into enforcement officers against those foreign governments which are providing the subsidies. The administration of this bill would be costly and ineffective.

This bill will cause many ships to bypass U.S. ports and dock in nearby foreign ports. This will have an undesirable domino effect on the many business related to the shipping industry. For example, Americans taking cruises will fly directly to Caribbean ports, thereby bypassing our cities' hotels, restaurants, and shops. In addition, when the ships need to restock or be cleaned, they will do this in foreign ports, not ours. This will almost certainly have a debilitating effect on our State's economies. Cruise lines, for instance, employ over 33,000 people in Florida.

Attempts have been made to soften the blow of such a bill by including amendments such as one to grandfather ships that received such subsidies prior to October 16, 1991. While this clause is a valiant attempt to rectify at least some of the wrongs wrought by such legislation, this amendment will only ensure that older, less modern ships use U.S. ports. As soon as a ship is repaired and receives a foreign subsidy, it will not longer be allowed to approach our shores and will choose new ports of call in foreign lands.

For all these reasons, I therefore urge our colleagues to reject this bill. Let us encourage the members of OECD to continue their negotiations to eliminate foreign subsidies.

Mr. GIBBONS. Madam Chairman, I yield 2 minutes to the gentleman from Maryland [Mr. CARDIN].

Mr. CARDIN. Madam Chairman, I thank the chairman for yielding time to me, and congratulate the committees for bringing this bill forward. I fully support it.

Fifteen years ago Maryland had nearly 7,000 workers in major commercial shipyards. Today less than 600 jobs remain in Baltimore, as one yard struggles to stay in business doing repair work. Nationwide 40 shipyards have closed and 120,000 jobs have been lost in the last two decades. These jobs, these highly skilled family wage jobs, were lost as the United States in 1981 unilaterally did away with Federal subsidies for shipbuilding while asking nothing of our competitors in return.

As other nations continued offering generous subsidies and the United States imposed no restraints, commercial shipbuilding in this Nation virtually ceased. There is no clearer, more direct case of a domestic industry being injured by unfair foreign subsidies.

U.S. shipbuilders have played by the rules and been patient while the U.S. Trade Representative pursued unilateral talks to level the playing field, but talks began in 1989 and there has been very little progress. Even our ever-optimistic trade negotiators have been discouraged and no further talks are scheduled.

Where the impact of foreign subsidies is so clear and the harm to U.S. shipbuilders is so devastating, we must send an essential message abroad, and to all manufacturers in this Nation as well: We are serious about fair competition. Only passage of this legislation will send that message.

Shipbuilders in Baltimore and across the Nation can compete in the construction of advanced technology, high-value ships. Let us give them the chance. Let us pass the bill.

Mr. ARCHER. Madam Chairman, I yield 2 minutes to the gentleman from Washington [Mr. CHANDLER], a respected member of the Committee on Ways and Means.

Mr. CHANDLER. Madam Chairman, I rise today in opposition to the Shipbuilding Trade Reform Act because business as usual is once again winning out over fairness.

In this legislation, there are two important issues that effect the daily lives of people living in Washington State.

The first issue, and one that appears to be drawing most of our attention

today, is the so-called repeal of the boat-user fee.

Madam Chairman, when I first joined with boatowners in Washington State to fight the boat-user fee, we made it clear that full repeal of the user fee was our intention.

Phasing out the user fee, instead of fighting for full repeal, may appease those who want to avoid a messy fight, but to boatowners in Washington State it looks like congressional shenanigans.

I call it business as usual.

If you don't believe that boatowners are committed to full repeal, let me quote from this month's issue of Yachting magazine:

We have always opposed the user fee and have continuously called for its immediate and full repeal—not tomorrow, not next year, not the year after, but now! Any other action, including HR 2056 is unacceptable.

I agree.

While it may be politically expedient to urge support of a phaseout, it simply is Congress continuing to play games.

Last year, the Ways and Means Committee forwarded to the floor a complete repeal of the user fee. Nothing happened—the Democrats failed to schedule consideration by the House.

Then, I, along with the majority of House Members, sent a letter to the Speaker requesting that H.R. 534 be scheduled for consideration by the House. Again, nothing.

Now, we have before us a shell of the original bill to repeal the user fee.

Yes, it's discriminatory; yes, it's wrong, and yes, it's an attempt by some to wiggle out of the responsibility of repealing the user fee.

Full repeal of the boat-user fee is the only solution to this problem.

My opposition to this legislation doesn't end with the boat-user fee.

With respect to the shipbuilding subsidy provisions, continued subsidies to foreign shipbuilders and other obstacles to trade set up by governments clearly pose a serious disadvantage to U.S. shipbuilders.

I share the view that effective action is needed to end foreign shipbuilding subsidies throughout the world. An end to subsidies will provide the U.S. shipbuilding industry a fair and level playing field.

The Shipbuilding Trade Reform Act of 1991, however, is simply the wrong approach to eliminate trade-distorting practices in the shipbuiding sector.

This legislation will clearly have a detrimental affect on our Nation's overall trade competitiveness.

In Washington State, where one in five jobs relies on trade, this legislation will work to the disadvantage of all concerned parties and result in a decline in our Nation's balance of trade.

I am particularly concerned with the very real prospect that because of this legislation, ships that usually unload their cargo in the Pacific Northwest will divert to Vancouver, B.C., to avoid the certification requirements.

During committee consideration of this measure, I offered an amendment to address these concerns.

While my amendment was not accepted, the committee did agree to request the International Trade Committee to conduct an investigation on the economic effects of enactment of the Shipbuilding Trade Reform Act of 1991.

In particular, the investigation will evaluate the adverse affects that U.S. ports, exporters, and importers will be subjected to following enactment of this legislation.

This ITC study will be of significant value to the Congress and the public in recognizing that H.R. 2056 is not the appropriate means to end subsidies.

Madam Chairman, in short, H.R. 2056 is the wrong bill to address both shipbuilding subsidies and Coast Guard user fees. I urge my colleagues to support the Archer motion to recommit. The Archer motion will strike out the antitrade, antijob provisions of this legislation. A vote for the Archer motion is a vote to preserve our nation's trade competitiveness.

Mr. DAVIS. Madam Chairman, I yield two minutes to the gentleman from Virginia [Mr. BATEMAN].

Mr. BATEMAN. Madam Chairman, I rise in support of the Shipbuilding Trade Reform Act. This bill amends antidumping and countervailing duty laws to bring commercial ships under the same international trade protections afforded other U.S. products. It also allows the imposition of duties on subsidized vessels constructed after enactment of this bill and requires publication of a list of subsidized shipyards.

The bill also repeals the odious boat-user fee that we foisted on unsuspecting boatowners in the 1990 budget agreement.

This bill is necessary and is more than a decade overdue. In 1981, we cut off U.S. Government assistance to commercial shipbuilding but did nothing to discourage the massive subsidies used by foreign governments to sustain their commercial shipbuilding capability. This left American yards to compete without Government assistant in a market heavily distorted by foreign government subsidies.

Our yards could not match foreign subsidies and since commercial work had accounted for half of their workload, the industry suffered severe economic hardships. Over 40 U.S. yards were forced to close and 120,000 American shipyard and shipyard-supplier employees were put out of work.

Now we have the opportunity to complete the job we started in 1981 and end foreign subsidies. Passage of this bill will keep the entire U.S. shipyard industrial base from collapsing—and save the jobs of 180,000 Americans. If we do not act, our shipbuilding base—an important component of our military readiness—will be threatened by the lack of commercial work.

The Navy plans to build only five ships a year for the remainder of this decade—that is not enough to keep U.S. yards alive. Unless American yards are given the chance to compete for commercial ship contracts in an unsubsidized world market, we will only have one or two yards left in this country within 6 years.

The jobs lost will not be easily replaced. The skills of highly trained designers, engineers, and builders cannot be produced over night. It takes time and money to recoup lost skills in shipbuilding. Passage of the Shipbuilding Trade Reform Act shows that Congress is serious about protecting those skills, those American workers and our defense preparedness.

U.S. yards can build commercial ships at competitive prices in a market undistorted by subsidies. My State, the Commonwealth of Virginia, is home to Newport News Shipbuilding, the largest shipyard in the United States. During the last decade it has been building the finest military ships in the world. It has acquired up-to-date technology and has made production process improvements, as have other U.S. yards. However, these improvements will be useful only if our yards have fair access to international markets.

U.S. military ships are complex and labor intensive. For that reason, the near term commercial new construction markets for American yards are high-technology ships requiring extensive outfitting. These market niches include double hull tankers, chemical carriers, liquefied natural gas tankers, and cruise ships.

Unfortunately, foreign subsidies are heavily used in these market niches. For instance, Carnival Cruise's Holland-America Lines has three ships on order at Italy's state-owned shipyard conglomerate for use in the U.S. cruise market. If these vessels fly the Italian flag, the Government of Italy will provide a 58-percent subsidy. That is $464 million on the $800-million contract price.

Likewise, the French Government is subsidizing a $1.2 billion contract for five LNG tankers under construction at a French yard. Is it any surprise, then, that both France and Italy were among the European nations that walked out on the OECD shipbuilding trade talks? We cannot, in good conscience, continue to let foreign subsidy practices like these stand.

Like many of you I would have preferred to see an international ship building agreement rather than being forced to legislate this issue. However, after 3 years of negotiations, no agreement was forthcoming and now we must act.

We are faced with the prospect of losing our ability to build the ships the Nation depends on for its commerce

and defense. To prevent that from happening, vote for H.R. 2056 and vote against foreign subsidies.

I am extremely pleased that this bill also includes the repeal of the boat-user fee. I was the first cosponsor of legislation to repeal the fee and would have sponsored a bill if Mr. DAVIS had not introduced H.R. 534.

I regret that H.R. 2056 phases out the fee rather than repealing it outright, but it appears that this is the best we can do and we should do it now.

The services provided by the Coast Guard to recreational boaters are basic public safety services that are a general government obligation, not a service provided to a privileged class. Therefore, those services should be paid for out of general funds not by a fee levied on individual boaters.

Recreational boaters are already subject to other specific Federal fees including excise taxes on sport fishing equipment and motor boat fuels. Unlike the new fee, those funds go toward fishery restoration and boating safety programs—programs that are of benefit to particular user groups. It simply isn't fair to add another tax to U.S. boaters to pay for basic safety protection. Boaters are already paying their fair share.

Please vote for this bill. It protects American workers from unfair competition from foreign governments, and it protects American boatowners from unfair taxes imposed by their own Government.

□ 1640

Mr. JONES of North Carolina. Madam Chairman, I yield 2 minutes to the gentleman from North Carolina [Mr. LANCASTER].

Mr. LANCASTER. Madam Chairman, I rise in support of the Shipbuilding Trade Reform Act. This is a bill for American industry and for American jobs. Without it, more than 180,000 Americans—many of them in my district—will be put out of work, and the United States will lose its ability to build and repair ships. For the same reason, I oppose any move to recommit, striking title I of the bill.

A decade of massive foreign subsidies in the tens of billions of dollars has severely handicapped our shipyards. American industries should not have to battle alone against foreign governments, but that is exactly what the U.S. shipbuilding industry has been forced to do.

The administration made a big mistake in 1981 when it abruptly and unilaterally terminated its only subsidy program for U.S.-built ships without insisting that foreign governments do likewise. In effect, the administration said that it was OK for foreign governments to use subsidies to prop up their shipyards while the yards underpriced their ships by as much as 45 percent of their production costs. Obviously, American yards could not compete against such tactics.

The result was the complete collapse of commercial shipbuilding in the United States. Between 1985 and 1991, U.S. yards received no orders for seagoing merchant ships of 1,000 tons or more. Between 1981 and 1991, at least 16 major U.S. new construction yards and 27 major U.S. repair yards closed down. Employment dropped from 187,000 shipyard workers in 1980 to 127,000 in 1992. In addition, at least another 60,000 jobs were lost in the American industries that supported the shipyards.

Now, with the planned cutbacks in Navy ship construction, most remaining U.S. shipbuilders will be out of business in 6 years, and another 180,000 American jobs will be exported overseas. That is why enactment of the Shipbuilding Trade Reform Act is so urgent. U.S. shipyards and shipyard workers must be given the opportunity to compete for contracts in an unsubsidized international commercial market. H.R. 2056 is the only viable option that is left to us to pressure foreign governments to stop their shipbuilding and repair subsidies.

In the last analysis, we must ask ourselves, in preserving foreign subsidies and other unfair foreign trading practices worth the loss of a critical American manufacturing industry, its supplier industries, and 180,000 American jobs? I say no. I urge you to join me in voting for the Shipbuilding Trade Reform Act.

Mr. ARCHER. Madam Chairman, I yield 2 minutes to the gentleman from Florida [Mr. SHAW].

Mr. SHAW. Madam Chairman, I thank the gentleman for yielding this time to me.

There is no dumber tax, I think, that was ever passed by this Congress than the user fee, which I think is going to be a tremendously popular repeal taken by this body. However, there is no reason in the world why this was mixed up with the Shipbuilding Trade Reform Act of 1992.

I have listened to speaker after speaker come to the well and talk about how we do not encourage or do not want to have to compete against a subsidized industry in other countries. True. I can go along with that. But we are living in the real world.

These boats have been constructed in countries who have subsidized their construction, and that is a fact of life. Anybody in this Congress today who has a port in their district, or is dependent upon a port in an adjacent district, had better vote for the motion to recommit, which is a straight, clean repeal of the user fee, which all of us want to do, and gets rid of the other portions, which has absolutely nothing to do with this bill.

In south Florida, for instance, Members heard my colleague, DANTE FASCELL, come up and talk about the Port of Miami. I want to talk about the Port of Everglades, which is the second busiest cruise port in the United States, second only to Miami. These boats are not going to come and these ships are not going to come in and pay the onerous rebate that we are talking about for getting rid of the subsidy that they received when they were built. They are simply going to go to the Bahamas, and what is this going to do to the balance of trade? More Americans will be spending more time overseas. They are going to be leaving out of Nassau, they are going to be leaving out of Jamaica, and when Cuba opens up they are going to be leaving out of Cuba. These ships are going to find these areas where they can compete, and this is where the market is going to be, and they are going to leave the State of Florida. And if each and every Member who has a port in their own district can find a similar situation, they will find a situation where we are going to be the greatest reformers here in this country, and we are going to find ourselves competing with our hands tied behind us, and we will not compete. Trade will simply leave this country.

Mr. GIBBONS. Madam Chairman, I yield myself 30 seconds.

Madam Chairman, I just want to speak about the port issue. The cruise ship operators came down to Florida and threatened our people saying they were going to pull out if this bill passed. That is ridiculous. They are not going to pull out. Florida is where they get their good customers.

But they frightened our port operators down there, and it is reflected in the speeches of some of my colleagues here today.

This bill only applies to ships that are constructed after the effective date of this act. It does not apply to all of the cruise ships that are out there operating now, and it will take about another 5 years after this act is enacted before we will ever get another cruise ship operating anywhere in the world.

Mr. DAVIS. Madam Chairman, I yield 2 minutes to the gentleman from Texas [Mr. FIELDS].

Mr. FIELDS. Madam Chairman, I rise in strong opposition to H.R. 2056, and I urge each of my colleagues to vote "no" on this misguided legislation.

While no one supports foreign shipyard subsidies, H.R. 2056 is the wrong approach to this serious problem. This bill will not end foreign subsidy practices. In fact, it does not even affect the foreign government which provided the subsidy or the foreign shipyard that received it.

Instead, this legislation unfairly penalizes innocent shippers who receive no subsidy and whose only apparent offense is that they obtained a ship or repairs from a foreign shipyard that is allegedly subsidized.

Under the terms of this bill, every vessel arriving at a U.S. port will have

to certify that it was not built or repaired in a foreign shipyard that received government assistance.

If a vessel is unable to satisfy this requirement—even if it had emergency repairs—then the owner of the vessel must either repay any subsidies received by the shipyard or risk having his entire fleet declared ineligible to use U.S. port facilities. This draconian approach is neither fair nor appropriate. It is also not effective because foreign governments will simply disguise their subsidy payments or find creative ways to evade this bill.

Sadly, the proponents of this legislation are punishing the wrong party because they are either unwilling or unable to penalize those who are the direct recipients of these subsidy payments.

Furthermore, I am deeply concerned that we are moving this legislation in a reckless manner. In less than 3 weeks, the International Trade Commission will issue a report detailing the impacts that H.R. 2056 will have on our economy. Its findings are essential to our deliberations, and I regret we are debating this bill before, rather than after, we have the benefit of this knowledge.

Madam Chairman, H.R. 2056 will not stop foreign subsidies. These practices will continue abroad and the U.S. economy will pay the price. Our products will not be exported, our ports will lose business, cargo will be diverted, our vessels will be idle, and thousands of Americans will lose their jobs. Instead of this flawed approach, I have advocated that the issue of foreign subsidies be resolved in either international negotiations, by amending our trade laws to make section 301 relief mandatory, or by simply prohibiting the importation of products from those countries which are subsidizing their shipyards. Any of these approaches would produce positive results without destroying our economy.

While international negotiations are long, arduous, and do not always produce the desired result, it is premature to write off these negotiations and to simply throw up our hands in disgust. As I have suggested, there are far better ways to solve this problem than H.R. 2056.

As a member of the House Merchant Marine and Fisheries Committee, I find it tragic that this legislation pits shipbuilders against ship operators. Instead of fighting against each other, I would hope one day we could put aside special interest legislation and work together to revitalize this critical sector of our economy.

Madam Chairman, there are over 45 major organizations which have expressed strong opposition to H.R. 2056. These include: the AFL-CIO Maritime Committee; the American Association of Port Authorities; the American Institute of Merchant Shipping; the American Maritime Congress; the American Petroleum Institute; the International Council of Cruise Lines; the International Longshoremen's and Warehousemen's Union; the International Organization of Masters, Mates, and Pilots; the National Coal Association; the Travel and Tourism Government Affairs Council; and the Port of Houston Authority.

While each of these groups have raised persuasive arguments against H.R 2056, I was particularly impressed by the testimony of the Port of Houston Authority, which noted that:

> This bill is not the answer. Any action that erects barriers to the free movement of vessels in international trade is simply not acceptable to the public port industry.

As a Representative of the Port of Houston, I am well aware of the fact that 126 million tons of cargo moved through our port facilities in 1991, and that Houston ranks first in the United States in foreign waterborne commerce.

The Port of Houston contributes $3 billion annually to the economy of this Nation. It provides jobs and livelihood to some 138,000 Texans. These jobs are at stake if this bill is approved, and I will not sit idly by while thousands of tons of cargo are diverted to foreign ports.

This legislation is so bad that even the hometown paper of the author of this bill, the Tampa Tribune, wrote that, "The Gibbons proposal would punish ports, businesses, and consumers for the sake of one industry. There must be a better way to revive American shipyards. The bill should be scuttled."

Finally, Madam Chairman, the moment of truth has arrived for the recreational boat fee.

I intend to support the Archer motion to recommit because it is the only way we will succeed in removing this burden on 4 million Americans. Make no mistake. Unless this motion is approved, there is little, if any, likelihood that this fee will be repealed. We must not allow the repeal of the recreational boat fee to be held hostage by the misguided baggage of the Gibbons proposal.

Madam Chairman, I support the removal of foreign subsidies and the restoration of a level playing field for our U.S. shipyards. H.R. 2056, however, is not the answer.

This legislation, which is designed to assist one industry at the expense of many others, not only does not solve the subsidy problem, but it will cost American jobs, damage our trade, cripple our ports, undermine our maritime industry, and invite massive retaliation from our foreign trading partners. In short, H.R. 2056 is the wrong medicine for the shipyard patient and, by taking this prescription, thousands of Americans will suffer greatly.

The bill simply does not go to the source of the problem—foreign shipbuilders and the governments that assist them. Instead, it places the burden entirely on innocent shipowners, who had nothing to do with the subsidies in the first place.

Madam Chairman, I urge an "aye" vote on the Archer motion to recommit and, failing that, a resounding "No" on H.R. 2056.

□ 1650

Mr. JONES of North Carolina. Madam Chairman, I yield 2 minutes to the gentleman from Massachusetts [Mr. STUDDS].

Mr. STUDDS. Madam Chairman, I listened carefully to what my friend, the gentleman from Texas [Mr. FIELDS], had to say, and while I do not share his conclusion with respect to title I of the bill, he does speak the truth when he says that this is yet the most recent reminder of the miserable experience we have had over the years of a maritime industry split and rent amongst and between itself.

We have, I am painfully aware, the divisions within the merchant marine community over this legislation, and I share the dream annunciated by the gentleman from Texas that there will come a time hopefully in the next Congress when we can end this annual thing we go through here of having to stand between feuding factions and perhaps bring together an industry in ways that we have not done before.

But, in the meantime, with respect to the problems at hand, which has been well described by those who have spoken in favor of the bill, I frankly do not see any other mechanism to address it or any other way to send a message that I think needs to be sent.

I would hope that Members would vote to retain title I of the bill. We have tried to improve on it, and we will try to continue to try to do so in the legislative process.

With respect to the user fee, I do not think there is much disagreement on this floor. This was a bad idea when it was first promulgated by the Reagan administration. It is a bad idea now. It is not a very well disguised tax. I am surprised to find this administration having trouble with its lip reading in this regard.

There is no justification of it of any kind. It does not even go to the Coast Guard. It just simply disappears into the General Treasury. It has no support anywhere in the country, and is basically a middle-class tax.

I thought that the President had spoken very clearly on that subject before.

I urge the Members to support the bill in its entirety.

Mr. ROTH. Madam Chairman, will the gentleman yield?

Mr. STUDDS. I am happy to yield to the gentleman from Wisconsin.

Mr. ROTH. I agree with the gentleman that the repeal of the recreational boat tax is very important.

There is one glaring omission in this bill, and that is the luxury tax. That has taken thousands of jobs out of our country.

Mr. STUDDS. I agree with the gentleman. Unfortunately we do not have jurisdiction over it in the Committee on Merchant Marine and Fisheries, or the gentleman would see that in the bill, too.

Mr. ROTH. Well, somebody around here must have jurisdiction, because that is something that we could correct in the bill now, because that is something that means a lot of jobs.

Mr. STUDDS. I concur with the gentleman completely.

Mr. DAVIS. Madam Chairman, I yield 2 minutes to the gentleman from New York [Mr. LENT].

Mr. LENT. Madam Chairman, it is a pleasure to rise in support of H.R. 2056, the legislation designed to address the impacts of foreign shipbuilding subsidies.

This legislation is intended to stop foreign countries from providing subsidies to their shipyards that result in unfair cost differences for the construction and repair of commercial vessels.

Madam Chairman, I am firmly committed to the ultimate objective of solving this shipbuilding subsidy problem through international negotiations but since that effort has not succeeded for the last several years, I believe that it is time for Congress to act.

H.R. 2056 will provide some help to our American ship building industry. However, no one should assume that this bill will solve all the problems. Our private ship building companies must recognize that they have to renovate their facilities and become more efficient or else even if foreign subsidies are ended they will still be unable to compete in the world market.

Madam Chairman, this legislation represents a true compromise. It establishes a system to eliminate subsidies—but it also sets up a process that will give ship owners a degree of certainty in dealing with foreign shipyards that will enable them to make corporate financial decisions with regard to the construction and repair of their vessels.

I am aware that some shipowners object to the bill placing a burden on them to pay back any subsidy if the foreign shipyard refuses to pay it back to its own government. However, under the bill, if a shipowner elects to contract with a subsidized shipyard for a new vessel, even knowing the limitations of this bill, that shipowner will be able to include the cost of repaying the subsidy in his mortgage on the ship and finance that cost over the 25-year life of the ship. He will also have the time between placing the order for construction of the ship and the date of its delivery to arrange this financing.

In addition, the Members of this House should be aware of the fact that this bill eliminates existing burdensome and costly statutory provisions that require U.S.-flag vessels to be built in American shipyards in order to take advantage of the Operating-Differential Subsidy Program, the Cargo Preference Program, and the title XI Loan Guarantee Program for ship construction. Changing these statutory requirements will be a direct benefit to the shipowners and will also conform our U.S. laws to the agreements already reached by the United States Trade Representative and the foreign governments during the OECD multilateral negotiations.

Madam Chairman, not only does this bill address the unfairness of our private shipyards having to compete against foreign governments and all their subsidy money, but it is also truly a jobs bill. Merchant Marine and Fisheries Subcommittee at our M/M Subhearing the Shipbuilders Council of America testified that since 1981 over 40 American shipyards have closed with a loss of over 60,000 shipyard jobs and another 60,000 from related marine equipment and supporting industries. If this bill—or something like it—is not enacted, the shipbuilders tell us that up to 189,000 more taxpaying American citizens will lose their jobs when additional shipyards and the associated industries are forced to close.

Consequently, as I indicated, this legislation will go a long way toward meeting the ultimate goals and objectives that we all share, to help the American shipbuilding industry and simultaneously provide relief to U.S. flag vessel owners from other statutory burdens imposed upon them.

Madam Chairman, I also want to indicate my support for title II of H.R. 2056, the repeal of the Coast Guard user fee on recreational boats. This tax is an unfair, additional burden on the owners of recreational boats whose only fault is that they use a boat for recreation rather than a beachfront cottage or mountain home. The boat owners do not get any benefit from this tax since none of the money raised goes to the Coast Guard. These boaters are already paying their fair share in fishing equipment and motorboat fuel taxes.

In conclusion, H.R. 2056 is a good bill that deserves the support of the Members of this House.

Mr. GIBBONS. Madam Chairman, I yield 1 minute to the gentleman from Maryland [Mr. MCMILLEN].

Mr. MCMILLEN of Maryland. Madam Chairman, I rise today in favor of H.R. 2056, Shipbuilding Trade Reform Act of 1991. It is imperative that our Nation maintain a viable shipbuilding industry, and this bill is a step in that direction.

The unilateral elimination of U.S. subsidies back in 1981 decimated the commercial shipbuilding industry in the United States. While I generally consider myself an advocate of free trade, I recognize the realities of the international market place in such areas. Eliminating domestic subsidies, while foreign shipyards continue to their subsidy programs, has led to the elimination of domestic jobs and contributed to the demise of our industrial base.

H.R. 2056 is a reaction to these unwise actions of yesteryear, and it is a necessary step toward reinfusing some balance in the ship building industry before more jobs are sent overseas. With the collapse of the OECD shipbuilding negotiations to end unfair foreign ship building subsidies, it has become imperative for Congress to step in and address the issue with a legislative remedy.

Of particular noteworthiness, this legislation also contains the repeal of the so-called Coast Guard user fee. The repeal of the fee has been one of my top priorities since its enactment as part of the 1990 budget agreement. I have cosponsored legislation to repeal the user fee, and I have also sponsored legislation to provide an extended grace period in 1991 for boaters to comply with the law.

Basically, the user fee is a tax. The term user fee misleads people into thinking that the funds collected will go to help pay for Coast Guard services. This is simply not true. The revenue goes directly into the U.S. Treasury, with no designation, and is a cynical attempt to balance the budget on the back of American boaters. It is a tax, plain and simple.

As many of you know, the fee was adopted at the insistence of the Bush administration during the 1990 budget negotiations. The fee has consistently been a part of the last two administrations' budget packages over the last 10 years. This subterfuge is simply aimed at bringing revenue into the Federal Treasury without increasing taxes.

Unfortunately, it has not worked. For various reasons—ranging from delayed implementation, to the fact that it is just a bad idea—there has been massive noncompliance. Through May 1 of this year, the Coast Guard has collected only a fraction of the $130 million in projected revenue. Only 15 percent of the 4.1 million boaters subject to the tax have purchased a decal.

I can only imagine that the massive noncompliance of U.S. boaters will entail—aside from the serious shortfall in funding—a considerable amount of antagonism between Coast Guard personnel and irate boaters. This situation does not benefit anyone. It is a waste of limited Coast Guard resources, and a source of aggravation to boaters.

Madam Chairman, getting back the first part of this legislation, let me reiterate the point that this H.R. 2056 is a reaction to unwise decisions and events over the last 12 years. While I support the legislation, I have heard at

great length from seafaring labor, U.S. ports, longshore labor, and others about potential implications over the enactment of the bill. A number of relevant points have been raised, and I am sympathetic to many of these concerns.

I realize that many of the issues were addressed in committee activity, but there remains strong opposition to the specific approach embodied in the bill. If alternative approaches can be found which more directly penalize foreign governments who provide subsidies, or the shipyards which receive the subsidies, this should be explored. One approach which has been suggested would entail a mandatory section 301 investigation and proceeding. This idea may have some merit.

Again, these are important issues regarding the future U.S. shipbuilding capacity, and, consequently, the future of the U.S. industrial base. We cannot continue the present policy of benign neglect. I urge my colleagues to support this effort.

Mr. DAVIS. Madam Chairman, I yield 2 minutes to the gentlewoman from Maryland [Mrs. BENTLEY].

Mrs. BENTLEY. Madam Chairman, I thank the gentleman for yielding me time.

Madam Chairman, I rise in support of H.R. 2056. Last year, JOE GAYDOS and I introduced similar legislation, H.R. 2709, which is cosponsored by 80 of our colleagues. I commend the gentleman from Florida for recognizing the need for such legislation, and for taking the lead on the Ways and Means Committee with this bill.

Enough is enough, Madam Chairman, in 1981, we unilaterally terminated commercial subsidies to American shipyards. And in Maryland, two of our yards have closed in the meantime. Unfortunately, our trade competitors did not follow our lead. Instead, the Governments of Japan, Korea, and Europe poured billions of dollars into their shipyards to capture greater market share.

Today, there is no such thing as free trade in the commercial shipbuilding and repair industry. This is the most distorted market in the world.

The subsidies of these governments reduce the price per ship by an average of 25 percent. No company—regardless of its competitiveness—can compete against such a price advantage provided to foreign shipyards by their governments.

American shipyards can compete with any company in the world but they cannot successfully compete with foreign governments.

Madam Chairman, the average labor rate for American shipbuilders is $15.50 an hour. Seven countries—Germany, Norway, Denmark, Netherlands, Italy, France, and Japan—pay their shipyard workers more. In fact, the hourly labor rate in Germany is $11 an hour higher than in the United States. Shipyards in these countries can pay their workers more and still win contracts because of government subsidies. The annual average subsidy provided by Japan is $1.3 billion; by Korea, $1.1 billion; and by Germany, $1.5 billion. By comparison, U.S. shipyards receive zero subsidies.

With the magnitude of foreign government intervention, it is no wonder that commercial shipbuilding in this country has collapsed.

It is time for foreign governments to recognize that we will no longer condone foreign subsidy practices which are destroying American industries—which are denying Americans jobs.

Enactment of H.R. 2056 will bring free and fair competition to the shipbuilding and repair marketplace. It also will send a very clear message to foreign governments that the United States is willing to fight unfair trade practices which have crippled America's shipyards.

American shipyards, suppliers, and workers are asking only for an opportunity to compete fairly.

Let us put America back to work. Let us pass H.R. 2056 while there is still an American shipbuilding, repair, and supplier industry left.

I urge my colleagues to vote for H.R. 2056 and vote against a motion to recommit. A vote for Mr. ARCHER'S motion is a vote for foreign subsidies.

Mr. GIBBONS. Madam Chairman, I yield 1 minute to the gentleman from Maryland [Mr. HOYER].

Mr. HOYER. Madam Chairman, I thank the gentleman for yielding me this time.

Madam Chairman, I rise today in support of H.R. 2056, the Shipbuilding Trade Reform/Boat User Fee Repeal Act.

I believe this legislation has many important provisions which my colleague, the gentlewoman from Maryland [Mrs. BENTLEY], has spoken of.

As a Member from a delegation which represents nearly 4,600 miles of tidal coastland, I want to express my strong support for those provisions of this legislation which will repeal the Coast Guard user fee.

□ 1700

As I stated almost a year ago when the effort to repeal these user fees first started, the term "user fee" is inaccurate. This term implies that the vessel owners are paying for a service which they use. In fact, it has been stated time and time again that the revenue collected from this fee will be used to help reduce the deficit. While I am fully supportive of efforts to reduce the deficit, I cannot support an action that unfairly singles out one group.

Although many of us would have liked to see a complete repeal of this fee last summer, our budget rules did not permit this. The compromise agreement now before us represents the best chance to repeal the Coast Guard user fee. This legislation will exempt 70 percent of all boaters from this fee next year, it will exempt all boats under 37 feet in 1994, and all other boats by 1995. Let us start this repeal now, and let us give relief to our country's 4.1 million recreational boaters.

Mr. ARCHER. Madam Chairman, I yield 2 minutes to the gentleman from New Jersey [Mr. SMITH].

Mr. SMITH of New Jersey. Madam Chairman, I rise today to urge my colleagues to support the Archer motion to recommit H.R. 2056, the Shipbuilding Trade Reform Act of 1992.

The Archer motion would recommit this measure with instructions to strike title I, the controversial portion of the bill dealing with shipbuilding subsidies.

If passed, the Archer motion would give the Members their only clear chance to repeal the so-called boat user fee without any complications whatsoever.

Madam Chairman, after an almost interminable wait, the House finally can do away with the boat user fee. I have been a strong supporter of H.R. 534, and was pleased that a compromise was finally reached between the Merchant Marine and Fisheries Committee and the Ways and Means Committee to repeal the boat fees; however, boatowners and I have had extensive conversations with boatowners in Monmouth County and Ocean County in my area and have sat around and talked to them about how this has impacted upon them. They will surely be disappointed that the user fee repeal was linked to the doomed shipbuilding subsidies provisions.

Title I, as we all know, is veto bait. Without the Archer motion, the user fee repeal will never see the light of day, and that would be most unfortunate and unnecessary.

I just hope that we will not foul the sails today, Madam Chairman. The boat user fee could finally be on its way to repeal if we support the Archer motion and separate the phased repeal compromise from the shipbuilding subsidies.

Mr. JONES of North Carolina. Madam Chairman, I yield 2 minutes to the gentleman from Louisiana [Mr. TAUZIN].

Mr. TAUZIN. Madam Chairman, I want to thank the chairman of the full committee, my colleague, the gentleman from North Carolina [Mr. JONES].

I want to particularly congratulate the gentleman from Florida [Mr. GIBBONS] for his fine work and for the efforts to bring this issue into focus.

We ought not to have to pass this bill. If the negotiators had done their job, if they would do their job today, it would end this awful mess of foreign subsidies and we would not be in a situation pitting shipyards against those

who own and transport with those ships that come into the United States and leave our ports for foreign shores; but unfortunately, our negotiators have not concluded a fair treaty and we are left with a situation where foreign subsidies are stealing away American jobs and dealing the shipyards of America a blow that some may never recover from.

But I particularly want to highlight what I consider the best feature of this bill, and that is the part that does repeal this so-called boat user fee. It is not a fee. It is a tax. What boatowners get for the payment of this tax is a decal which they stick on their boats.

The money, as someone said, does not go to the Coast Guard. It goes to the U.S. Treasury, and on top of that the Coast Guard has to spend some awfully precious dollars that they ought to be using for search and rescue, fisheries enforcement, environmental cleanup, and all the other many things that Coast Guard does for us and our people. Instead, they are taking those precious dollars and diverting them away to collect this tax which boatowners across America are rightfully objecting to paying every day, every hour, every week.

Repealing that awful tax ought to be something this House, this Congress, accomplishes this year. If we do not accomplish it in this bill, we ought to keep fighting until we add it to some bill that does in fact get a Presidential signature down the line.

I want to remind the Members of the House that this ought not to be the last effort at repeal. Every chance we get, we ought to attach that repeal to another piece of legislation.

Mr. GIBBONS. Madam Chairman, I yield myself 30 seconds.

Madam Chairman, I want to correct the people over on my right who oppose this and say the only chance to rescue the boatowner fee is to separate the boatowner fee from this piece of legislation.

Now, that is just absolutely, totally false.

Let me read you from the Executive Office of the President, addressed to the Congress, dated April 29, 1992, the following statement, and I have it here for anybody who wants to examine it and I hope you will correct your statements, and I read this:

> The Administration strongly objects to the repeal of the boat user fee.

How clear can it be that your argument is entirely mistaken.

Mr. ARCHER. Madam Chairman, I yield myself 1 minute in order to respond to my friend, the gentleman from Florida.

The administration strongly supports my motion to recommit and has sent a strong veto signal on the title that relates to the shipbuilding subsidies.

Mr. GIBBONS. Madam Chairman, I yield myself an additional 30 seconds.

Madam Chairman, nothing could be further from the truth. This is a statement of administration policy from the Executive Office of the President, and the title of it is "H.R. 2056, Shipbuilding Reform Trade Act, GIBBONS, Democrat of Florida and 30 others."

Now, it is straightforward. It says, "The Administration strongly objects to the repeal of the recreational boat user fee." But it goes on and tells why they object to it.

Your boat user fee standing alone is just as much veto bait as anything else, and I hope the gentleman will correct his argument.

Mr. JONES of North Carolina. Madam Chairman, I yield such time as he may consume to the gentleman from Georgia [Mr. JENKINS].

Mr. JENKINS. Madam Chairman, I rise in support of the Shipbuilding Trade Reform Act. After nearly 3 years of negotiations in the OECD, the administration has failed to produce an agreement to end foreign shipbuilding and repair subsidies. The future of the American industry rests in the balance. It is time for Congress to act.

Over the past 10 years, foreign subsidies have decimated the American shipbuilding and repair industries, and have caused serious injury in the shipyard supply business as well. Foreign subsidies have already cost 120,000 American jobs, and if we do not act now, could result in the loss of another 180,000 jobs by 1998.

Before 1981, U.S. shipyard business was evenly divided between commercial and military work. U.S. Government assistance to our industry ended in 1981, and it was not long after that U.S. shipyards lost their commercial business to their heavily subsidized foreign competitors. Annual shipbuilding subsidy budgets average $1.5 billion in Germany, $1.3 billion in Japan, and $1.1 billion in South Korea, the countries whose shipyards have by far the largest share of worldwide commercial ship construction business.

Today, American shipyards rely primarily, if not exclusively, on military construction contracts. Prior to 1991, the last order placed for a commercial ship with a U.S. yard was in 1984. And now, of course, military requirements are shrinking. Only five new ships per year will be built for the Navy during the remainder of the 1990's.

This is not enough work to keep America's shipyards in business. Unless our shipyards can make the transition from military to commercial application—unless there is a market in which they can compete—they will go under. And if they go under, we also run the risk of losing our capacity to meet future military needs.

American yards are not asking for Government financial assistance. They are asking us to fight for rules of fair play, rules that will assure a free and fair market in which they can compete. Passage of H.R. 2056, the Shipbuilding Trade Reform Act, will help give them that chance. That is why I will vote yes on passage and will oppose any motion to recommit.

Mr. JONES of North Carolina. Madam Chairman, I yield 2 minutes to the gentleman from California [Mr. HUNTER].

Mr. HUNTER. Madam Chairman, this is an interesting situation that our administration has placed us in.

First, the President and his administration reject the use of subsidies for American yards, and now we reject the appeal of subsidies for foreign yards.

Basically, the message that we received is that we have to live with this unfairness.

Now, I think this bill acknowledges a basic truth, and I want to commend the authors of this bill. The truth is that no foreign nation is going to repeal a commercial advantage that they hold unless there is some leverage placed against them. This bill places leverages against foreign subsidized yards and their governments. That is the key.

Now, American shipyard workers, including shipyard workers in San Diego and other parts of this great Nation, are now going to have a chance to build the ships that fly the American flag and that carry American goods, and that is a good thing.

I understand that the President has sent a veto message. I think that is absolutely the wrong thing for this President to do. The United States needs more ships built by Americans flying the American flag. We need less foreign lobbyists representing their interests in Washington, DC, and having an effect on legislation like this.

My message to the President is, "Mr. President, don't listen to the foreign lobbyist. Don't listen to the foreign interests. This bill is one in which American interests are maximized. Please sign it."

Mr. GIBBONS. Madam Chairman, I yield such time as he may consume to the gentleman from Massachusetts [Mr. DONNELLY].

Mr. DONNELLY. Madam Chairman, I thank, the gentleman for yielding time to me, and I rise in strong support of H.R. 2056.

Madam Chairman, I rise in strong support of H.R. 2056, the Shipbuilding Trade Reform Act. Passage of this legislation will send a strong message to the administration and to our trading partners after 3 long years of attempts by domestic shipbuilders to resolve this problem.

Madam Chairman, in 1989, the Shipbuilders Council of America filed a 301 petition seeking relief from subsidy practices of Japan, South Korea, West Germany, and Norway in the shipping industry. Later that year, the shipbuilders agreed to withdraw that petition, with the understanding that the U.S. Trade Representative would enter into multilateral negotiations with the other countries to end their subsidy practices.

Three years and four deadlines later, negotiations not only aren't moving forward—in fact, the other nations have committed an additional $4.5 billion in subsidies. The United States ended its subsidies in the early 1980s.

American shipbuilders cannot compete against these unfair subsidies. My district is living proof of that fact. The shipyard in Quincy, MA—the heart of the 11th Congressional District—has been virtually shut down due in large part to foreign competition. This is a shipyard that has a proud tradition. Tomorrow, Ron Adams, a teacher in Quincy, MA, will be honored for a video he produced documenting that proud tradition. The video describes the role of women working at the shipyard during World War II.

H.R. 2056 would generally deny access to U.S. markets to ships constructed with the use of foreign subsidies after the date of enactment of the legislation. Access could be granted if the subsidy had been repaid to the granting authority within 2 years of enactment, or if the amount of the subsidy were paid to the U.S. Treasury.

The bill provides generous transition rules. It doesn't apply to subsidies that exist today. It doesn't apply to subsidies that were provided before enactment of the legislation. It doesn't apply to vessels on which construction was carried out pursuant to a contract entered into before October 16, 1991, the date that the Committee on Ways and Means approved this legislation.

This bill will send a message to our foreign trading partners that the Congress and America's shipbuilders are serious about ending unfair subsidies. We ask only for a level playing field, and H.R. 2056 is the best guarantee that a level playing field will be achieved.

□ 1710

Mr. DAVIS. Madam Chairman, I yield 2 minutes to the gentleman from Alabama [Mr. CALLAHAN].

Mr. CALLAHAN. Madam Chairman, I rise in support of H.R. 2056. I am particularly pleased there are two vital issues to the people of south Alabama. I come from a community with one of the largest and most successful ports in America.

I rise in support of section 1, phase I, and section 2, phase II. It is only because we have section 2 in this bill because we attached it to section I.

So we are here today with the best of both worlds, an opportunity for us to provide jobs in the boatbuilding, shipbuilding industry, to revitalize the shipbuilding industry in America, to provide desperately needed jobs in America and at the same time to remove this onerous tax that was imposed in the 1990 Budget Reconciliation Act.

Let me tell you here today I wonder what the people of Japan are thinking, because American yards are competing against the Japanese yards. Let me just tell you the contrast: The Japanese, in the past several years, have built 518 commercial ships, while the United States has built only 3. The difference is that the Japanese order book is so large that they average $1.3 billion a year in subsidies to Japanese shipbuilding.

How can we compete with those terms? What this bill does, it makes America, puts us on the same level playing field with Japan and at the same time revitalizes our industry and repeals this onerous tax. What more could you ask? We have been asking the Committee on Ways and Means and we have been asking this Congress for literally years to repeal this tax. Suddenly, when we have an opportunity to repeal the user tax, they will tell us, "Let us recommit this, let's strip this out, this shipbuilding part out, and let's give you an opportunity to vote on something that we should have given to you years before."

I ask you to join with me today and defeat the Archer recommendation of recommittal and vote for this package of bills.

Madam Chairman, I rise today in support of H.R. 2056, the Shipbuilding Trade Reform Act. I am particularly pleased that two issues of vital importance to the people of south Alabama are addressed by this measure. Specifically, title I of the bill would stop foreign governments from unfairly subsidizing their shipbuilding industries—a practice that has stymied shipbuilding in this country during the past decade. And title II would phaseout the onerous user fee that was imposed by the 1990 Budget Act on recreational boatowners. Both efforts are vitally needed.

Madam Chairman, as I see it, the choice we have to make today is simple. Do we vote to save the U.S. shipbuilding industry or not? Do we save 180,000 American jobs or not?

For 3 years, the United States has attempted to negotiate an international agreement to stop shipbuilding and repair subsidies by foreign governments. Unfortunately, our trading partners are only interested in protecting their domestic industries, and foreign shipyard subsidizing has continued at the expense of the United States shipyard and shipyard supplier base. As a result, American yards are currently building only three commercial ships, after going for 7 straight years without a commercial contract. In contrast, Japan, the world's leading commercial shipbuilding country has 518 commercial ships on order.

I have to wonder if Japan's order book would be so large if the government did not budget an average of $1.3 billion a year in shipbuilding aid, or if it hadn't allowed Japanese yards to sell their ships at prices significantly below their production costs, or if the Government hadn't created programs and provided funding to help Japanese yards improve their technology and modernize their unproductive facilities? I believe the answer is no. Unfair practices such as these have caused the collapse of commercial shipbuilding in the United States. They have forced over 40 major U.S. shipyards to close, and put 120,000 Americans out of work. I ask my colleagues, do we continue to stand by and let this happen or do we pass H.R. 2056 and stop these practices today?

Another reason we must adopt H.R. 2056 is because it addresses the controversial boat user fee. Although I am disappointed that we are not voting on a straight repeal of the tax, I understand a phaseout is the best we can do at this time.

Boatowners in this country already pay their fair share of taxes. And, this is indeed a tax, not a user fee as it has been mislabeled. User fee implies that the funds are used for the benefit of a particular user group. But the fees collected when a boatowner purchases a Coast Guard decal do not go to improve Coast Guard services or provide new ones. It goes into the general fund budget—it's a tax.

Madam Chairman, I urge my colleagues to support H.R. 2056 and to vote against the Archer motion to recommit. Let's vote today to stop both unfair competition from foreign governments and unfair taxation of recreational boatowners.

Mr. ARCHER. Madam Chairman, I yield 2 minutes to the gentlewoman from Nevada [Mrs. VUCANOVICH].

Mrs. VUCANOVICH. Madam Chairman, later we will be considering a motion to recommit offered by Mr. ARCHER.

Title I of H.R. 2056 would require a United States or foreign vessel operator to certify that the vessel has not been repaired or constructed with foreign subsidies prior to entering a U.S. port.

These requirements would seriously harm our domestic coal industry's ability to compete in the international marketplace.

As ranking member of the Interior Subcommittee on Mining and Natural Resources, I am opposed to these provisions.

Purchasers of over 100 million tons of U.S. coal in 40 countries rely on our Nation's supply of this high quality low cost source of energy.

Will the countries that now purchase our coal do without this supply? Of course not.

They will go elsewhere and once again our economy will suffer because of ill-conceived notions by this Congress that we can repeal the law of supply and demand.

Madam Chairman, the repeal of the boat user fee portion of this bill is an important component of this bill. That is another reason that I support the motion to recommit; that is, separating these two items.

Madam Chairman, I urge support for the motion to recommit offered by my colleague, the gentleman from Texas [Mr. ARCHER].

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

Madam Chairman, I am ready to close for this side. I want to say that there are some simple truths here. First of all, this bill only applies to ships that are constructed after the effective date of the bill. So it does not do all the horrible things that some people conjure up.

Second, if we do not pass this bill we will continue to discriminate against

180,000 workers, who are the only American workers, the only workers in the United States, who are not protected against subsidies. Every other American worker, every other American business, is protected against subsidies—except shipyard workers and their shipyards.

That is unacceptable.

Why do we need this bill? We need it to help us get an international agreement to get rid of shipbuilding subsidies. We have had no subsidies for 11 years, and that has been a disaster—our unilateral disarmament in that area.

In that time, we have lost several hundred thousand jobs in the shipbuilding industry and the supplying industries. We simply cannot continue down that track.

The shipbuilding people tried to bring a trade action under section 301 and were asked to work with the administration at the negotiating table. They have waited for 3 long years while the administration has gone to the bargaining table time and time again to try to get an international agreement. But we have no leverage because we have nothing to trade in that international agreement. This bill will give us some leverage to try again to get an international agreement to get rid of these harmful subsidies, these disastrous subsidies.

American workers cannot compete against the subsidies of foreign governments. It is just impossible. Foreign shipyards continue to bid the price down on ship contracts until they get the contract and we get nothing because we cannot subsidize and we should not subsidize.

The administration has worn out three sets of negotiators trying to negotiate with our trading partners, but they just sit back and laugh.

We will never get an international agreement in the current circumstances. I hope you will respect the experience that I have had in international negotiations. Unless we have something we can take to the bargaining table to move the negotiations forward, there will be no agreement.

The main governments who keep subsidizing their shipyards are the Germans, the French, and the Italians. They have shown no intention of giving up their subsidies. Asian countries have come to us and signaled that they are ready to give up their subsidies and enter into an agreement with us.

It is us against the European community, the Germans, the French and the Italians, and they will subsidize until there is not a single job left in America if we don't move decisively.

Why should we treat the 180,000 workers who now labor honestly in our shipyards, and not give them the same protection under our unfair trade laws that every other American worker receives?

There is absolutely no reason to single out these people for this sacrifice. This bill will not harm our foreign trade. I hope you will believe me on that. No one has fought harder in this Congress than I for open foreign trade. I think I understand it. You may not agree with me, but I think I undersand it. Nobody is a freer trader than I, not even the President of the United States. And I believe this is in keeping with free-trade practices.

However, free trade is not subsidized trade, free trade is not dumped trade. This bill gives every worker in our shipyards and every shipyard owner the same type of protection against unfair competition that every other American is afforded to help him retain his job in this country.

It is ridiculous to argue that this bill is going to be vetoed, but that a selfstanding bill repealing boat-user fee will not be vetoed. The administration says here in two letters that I have, not just one but in two letters that I have, one dated April 28, and one dated yesterday, from the Executive Office of the President: "The Administration strongly objects to the repeal of the boat user fee."

In light of that, I cannot accept Mr. ARCHER's argument saying, "Oh, you can get the boat user fee passed by the President if you just pull the subsidy matter out of it." It will not work, it will not work. And I hope that Mr. ARCHER will not continue to make that fallacious argument.

Mr. ARCHER. Madam Chairman, I yield myself the balance of my time.

Madam Chairman, I would say to my friend from Florida that I do not know which of us can better speak for the President of the United States or for this administration, but a veto threat does lie against title I. A veto threat does not lie against title II. Those are the simple facts that exist today.

Madam Chairman, I yield back the balance of my time.

Madam Chairman, how much time do I have remaining?

The CHAIRMAN. The gentleman from Texas [Mr. ARCHER] has 1 minute remaining.

Mr. ARCHER. Madam Chairman, I yield such time as he may consume to the gentleman from Wyoming [Mr. THOMAS].

Mr. THOMAS of Wyoming. Madam Chairman, I thank the gentleman for yielding this time to me. I rise in support of the Archer substitute.

Mr. ARCHER. Madam Chairman, I yield back the balance of my time.

Mr. JONES of North Carolina. Madam Chairman, I yield back the balance of my time.

□ 1720

The CHAIRMAN. The gentleman from Michigan [Mr. DAVIS] has 2½ minutes remaining.

Mr. DAVIS. Madam Chairman, I yield the balance of my time to the gentleman from Florida [Mr. GOSS] who has been a staunch opponent of the boat-user tax and fought side by side with many of us who have been trying to repeal it.

Mr. GOSS. Madam Chairman, I thank the gentleman from Michigan [Mr. DAVIS] for yielding this time to me.

Madam Chairman, it has been a long voyage trying to repeal the recreational boat-user fee, but, thanks to the persistence of the Committee on Ways and Means and the Committee on Merchant Marine and Fisheries, I think we are finally getting to home port. Anyone who has tracked the evolution of this tax would certainly be mystified by its unfairness. But even more bewildering to the people of the United States is the process we have had to endure to wipe the mistake from the books.

Madam Chairman, nothing about this tax ever made sense. Neither the fees, the fines, the collection and distribution scheme, nor the requirement that the Coast Guard take time out from its regular duties to enforce this tax; none of that ever made any sense. But the most ludicrous part of all of this was the expectation that this so-called tax would raise $750 million over a 5-year period. In actuality, when we factor in the cost to the Coast Guard of $6.7 million so far to collect this tax, it has only raised a total of $38 million.

The Coast Guard, as we all know, is an agency that is mightily overcommissioned these days. Right now today it is heavily employed dealing with the Haitian problem along with many other missions.

Madam Chairman, I hope my colleagues remember their overwhelming vote last year for repeal when 412 Members of this body went on record to say this tax was a mistake. Numbers like that would suggest smooth sailing on the course to repeal. Also, with regard to the veto question, actually repeal has been somewhat of a stormy process. But I think, thanks to the persistence, the creativeness and the imagination of the gentleman from Michigan [Mr. DAVIS] primarily, it looks like we are getting there.

H.R. 2056 is not cement shoes, but it is the best way to sink the boat-user fee. I urge my colleagues to support title II of H.R. 2056 and repeal a nonsensical tax. I realize there is an issue with regard to title I, which has been adequately debated, I believe.

With regard to the statement about the administration in opposition, I will only say that the statement that I read from the administration, that "We believe it is unfair to the general taxpayers to bear the entire cost of the Coast Guard services," which puzzles me mightily because they do, by constitutional mandate, bear the cost of the armed services——

Mr. DAVIS. Madam Chairman, will the gentleman yield?

Mr. GOSS. I yield to the gentleman from Michigan.

Mr. DAVIS. Madam Chairman, I might note that we have been talking about the letter today, and the gentleman from Texas [Mr. ARCHER] is right. What the letter says is that the administration opposes the repeal of the boat-user fee, but it does not say that they would repeal it, and I believe the strong commitment from this Congress, the vote that we had that the gentleman referred to, strongly will send a message to the President of the United States on the boat-user fee. He will in fact sign the bill if it gets to his desk.

Ms. PELOSI. Madam Chairman, I rise today in support of H.R. 2056, The Shipbuilding Trade Reform Act. It is imperative that we put our Nation's shipbuilders on an equal footing in the international shipbuilding and ship repair markets. H.R. 2056 would accomplish this by addressing the inherent inequalities in foreign governments subsidizing their own shipyards while U.S. shipyards receive no subsidization.

Cuts in defense spending, the recession and unfair foreign subsidization have contributed to the devastation of our Nation's shipyards over the last couple of years. Today, the Shipbuilding Trade Reform Act provides this body with the opportunity to demonstrate leadership and conviction in support of an important American industry. How can we ask our constituents and the business community to trust our leadership if we stand by and allow unfair foreign trading practices to ruin our industries here at home?

Madam Chairman, my colleagues who support this bill and I would prefer this issue to be resolved through an international agreement. However, absent any leverage, the U.S. Trade Representative [USTR] has been unable to make any progress on foreign shipyard subsidization. By passing this legislation, we provide protection for our shipyards and arm the USTR with ammunition to take back to the negotiating table.

Our colleague, Congressman ANDREWS, spoke eloquently earlier today about the quality of shipyard workers in his district and their ability to compete with any other workers in the world. However, as he mentioned, our Nation's shipyard workers are not asked to compete with just foreign shipyards and foreign workers, but are asked to compete with foreign governments as well.

Madam Chairman, the shipyard worker in my district also can compete with workers across the globe. In fact, I am confident that they would come out aead in any competition with foreign shipyard workers. However, they cannot come out ahead when we make them compete with their arms tied behind their backs.

It is time to realize that our past efforts on behalf of our shipyards have been ineffective. It is time to chart a new bold course and pass the Shipbuilding Trade Reform Act.

Mr. CAMP. Madam Chairman, I rise today to express my wholehearted support for repeal of the so-called Coast Guard boat user fee.

My State of Michigan has nearly 800,000 of the Nation's 16.2 million registered boats, which is more than any other State. I rise on behalf of the more than 76,000 boaters of Michigan's 10th District and their need to be heard on this issue. This is not a user fee, its a simple tax on the middle-class citizen who uses his or her boat for pleasure or recreation. The money involved does not go to the Coast Guard. It goes to mask the true size of our escalating Federal deficit. Had I been in Congress when this was included in the 1990 budget agreement, I would have surely opposed the Budget Act on this measure alone.

As a cosponsor of the original legislation that would repeal the user fee, I express my desire to see this body pass legislation that will not damage our trade relationships and still this unnecessary tax. Therefore, I support the effort to recommit H.R. 2056 in order to separate the two unrelated parts so that we can pass the repeal of the user fee on its own merits and avoid a possible Presidential veto.

Ms. OAKAR. Madam Chairman, I rise today in support of legislation to repeal the boat user fee. I want to commend Chairman JONES of the Merchant Marine and Fisheries Committee for bringing this legislation to the floor within the confines of the Budget Enforcement Act, and urge my colleagues to support repealing this unfair fee.

The boat user fee was enacted as part of the 1990 budget agreement simply in order to raise revenues. Americans are not loath to pay their fair share of taxes, Madam Chairman, but the operative word is, "fair." None of the revenues from the boat user fee would go toward improving the Coast Guard or other services available to the boating community in our Nation. Moreover, under the 1990 agreement, the boating community not only had to contend with the boat user fee, but also an increase in the gas tax and a 10-percent luxury tax on new boats. I was proud to cosponsor legislation to repeal the boat user fee, and am pleased to see it before the House today.

We are very fortunate in my hometown of Cleveland to have the beautiful recreational and commercial resource of Lake Erie, many area lakes and rivers, and a strong boating community. In fact, Madam Chairman, my homestate of Ohio ranks eighth in the Nation in retail boating sales. The boat user fee signified another attempt to unfairly single out the boating industry. I applaud the movement to repeal the boat user fee for the thousands of boaters in my area, and urge my colleagues to support it.

Mr. VANDER JAGT. Madam Chairman, I rise today in support of repealing the current boat use fee which was unfairly imposed on our Nation's boat owners, solely for the purpose of adding revenue to the general fund to balance an out-of-control budget. I thought then, and now, that controlling spending is the proper solution, not burdening our citizens with onerous taxes on what little leisure time we leave after covering the cost of government and the debt we have already created.

Michigan has more registered boats than any other State in the Union and I represent over 200 miles of shoreline along Lake Michigan. Needless to say, my constituents have been outraged over this tax and I was pleased to cosponsor this fine legislation, introduced by our colleague, Congressman DAVIS, to repeal the fee.

I commend the Committee on Merchant Marine and Fisheries for their continued efforts on this particular issue. While that committee was able to identify an alternative revenue source, a true user fee for a service government provides to the private sector. Because the so-called user fee, in law, is properly identified as the tax that it is, I personally was delighted to work within the Committee on Ways and Means to further our repeal effort. While it has been much too slow in coming, I am very pleased that we have finally arrived at a moment in time that will hopefully grant relief to our constituents from this unfair tax.

As all of you are well aware, and as I have noted, I am a strong supporter of the pay-as-you-go provision of the deficit reduction agreement. In this particular case, the tax imposed by the Omnibus Budget and Control Act was totally uncalled for and unfair to the hundreds of thousands of recreational boaters that already pay more than their fair share of taxes and fees. We are grateful to our colleagues on the Committee on Merchant Marine and Fisheries for their work, their cooperation, in ridding our Nation of this oppressive tax.

I opposed this boat tax in 1990 and continue to oppose it today, and it is my hope that this body will see fit to support the repeal and end this discrimination against our constituents who fish and sail, who take a moment's respite on our Nation's rivers, lakes, and waters. I urge my colleagues to vote in favor of title II of the bill and commend my colleague and ranking minority member, the gentleman from Texas [Mr. ARCHER], for his leadership in providing the opportunity to focus on this tax and to free our Nation's boaters from this burden.

Mr. HERTEL. Madam Chairman, I rise to support the repeal of the Coast Guard boat user fee. As we can now clearly see, this fee was an indirect way of raising taxes without providing increased services. I was opposed to this fee prior to its enactment. Since it was enacted, I have fought to push this repeal legislation through the Merchant Marine and Fisheries Committee. Today, I am glad to see that this important legislation has finally made it to the floor for consideration by the full House of Representatives.

The State of Michigan has far more recreational boats than any other State, and even more than a number of States combined. This fee increases the already disproportionate outflow of tax dollars from Michigan. Boaters are furious, and with good reason. Boaters and fishermen pay nearly $300 million per year directly to the Federal Government in a variety of fuel, fishing, and other taxes. Now they are saddled with this additional fee, which is nothing more than another tax. To add insult to injury, this user fee goes directly into the U.S. Treasury, rather, than directly to the Coast Guard.

I have always been opposed to unfair taxes and tax increases for the middle class, and this user fee is both of those. This tax hits middle-income boaters harder than anyone. The repeal of this tax is long overdue; in conjunction with the luxury tax, this tax has hurt recreational boaters, put craftsmen out of work, destroyed the demand for new boats, and disrupted the entire market for American-crafted recreational boats. I urge my colleagues to vote to repeal this unfair tax and to breathe a little life into our staggering boat industry.

Mr. GILCHREST. Madam Chairman, I rise today in support of H.R. 2056. This legislation does two very important things: It repeals the onerous boat user fee and it moves to level the playing field for our shipbuilding industry. The former is not controversial, and I applaud the efforts of both chairmen in repealing this ill-conceived tax. The latter is more controversial, and I will focus on that.

Free trade, by definition, is trade which is not subject to government interference. I support free trade, as I believe open markets maximize competition and consumer choice while minimizing prices.

But the essential message of free trade is that government interference distorts markets; tariffs, quotas, nontariff barriers, and yes, subsidies, are all distortions. The purposes of this legislation is not to create a distortion, but rather, to eliminate one or at least offset its effects.

I am aware that many American industries cry protectionism because they do not want to compete; in this case we are responding to the needs of an industry that just wants a chance to compete, free from the influence of government policies. The bill does not retroactively punish any boatowner or shipping company; its effects are purely prospective.

Many of my colleagues, whose opinions I value and whose positions I share, will argue that this bill will jeopardize our future trade negotiations with the countries in question. However, this industry has exhausted every other free trade option. They have filed section 301 actions, but to no avail. International negotiations have proven fruitless. If this Congress will not act to compensate for the effects of foreign government intervention in the marketplace, we have no basis from which to negotiate, and our partners have no incentive to listen.

Madam Chairman, this bill represents a reasonable effort on the part of the Congress to allow a domestic industry to compete internationally. In removing the effects of foreign government intervention we are not stifling free trade, but rather, taking the first steps toward it.

Mr. HUGHES. Madam Chairman, I rise in support of H.R. 2056, the Shipbuilding Trade Reform Act.

There is a serious imbalance in the commercial shipbuilding and repair industry. Current U.S. law and U.S. trade agreements fail to provide adequate protections for U.S. shipbuilders from the effects of foreign unfair trade practices, particularly subsidies.

These trade practices render it impossible for American shipbuilders to compete with foreign subsidized shipyards for commercial shipbuilding and repair business. The American shipbuilding industry clearly needs some way to respond to this unfair competition.

Ideally, the President and his trade negotiators are in the best position to provide leadership on this issue. However, several years of negotiations in the Organization for Economic Cooperation and Development [OECD] for an international agreement to end foreign subsidies have been unsuccessful. Indeed, further negotiations have been indefinitely postponed.

Consequently, this bill imposes a unilateral solution to the problem. While this is not the ideal way of achieving compliance and may well not achieve the goal of a level playing field, we must make it clear to those countries which subsidize their shipbuilding industry that the United States does not intend to tolerate the trade imbalance as well as to encourage continued international negotiations for a strong, effective multilateral agreement.

While the bill does not satisfy all interests, it does address several areas of legitimate concern. In particular, the bill grandfathers all vessels in service prior to the date of enactment with respect to previous construction and repair subsidies.

I am also pleased that the bill requires the Department of Commerce to publish a blacklist of shipyards which receive subsidy. This will give vesselowners who intend to bring their vessels into U.S. ports advance notice of payback requirements before they enter into construction contracts.

I also strongly support the provision in the bill to repeal the boat user fee. I, along with my colleagues, have been opposed to this user fee since 1981, when President Reagan first introduced the measure and have been working toward its repeal since its implementation after passage of the 1990 Budget Reconciliation Act. It is, plain and simple, a tax against a select group of individuals.

The fee unjustly targets an already heavily taxed segment of our population. Indeed, recreational boaters pay approximately $175 million into the Wallop-Breaux fund, through taxes and fees on fishing equipment, motorboat fuel, and imported watercraft.

Furthermore, the recreational vessel fee is deposited directly into the general fund and does not guarantee a single service from the Coast Guard.

In addition, the impact on recreational boaters is tremendous. Indeed, prior to increased fuel costs, New Jersey's 1990 boater registration declined by 14,000 boats. The majority of the recreational boaters have simply not been able to afford to participate in one of the more popular sports for the State of New Jersey. Recreational boating is an important industry and a healthy source of pleasure for the citizens of my home State.

Therefore, I continue to oppose the imposition of these user fees and commend the leadership of both the Merchant Marine and Fisheries and the Ways and Means Committees for their perseverance in attempting to repeal the unfair tax.

I believe H.R. 2056 will have a positive effect on America's shipbuilding trade and I strongly urge my colleagues' support for its passage.

Mrs. UNSOELD. Madam Chairman, I rise in support of this bill.

H.R. 2056 reflects congressional frustration over the failure of our negotiators to eliminate foreign shipyard subsidies.

In 1981, the shipbuilders filed an unfair trade petition under section 301 of the Trade Act seeking United States action against the shipbuilding subsidies of Japan, South Korea, Germany, and Norway. The U.S. Trade Representative [USTR], however, managed to convince the shipbuilders to withdraw their petition to allow multilateral negotiations to end shipbuilding subsidies of other nations.

Today—after 3 years of polite talk—foreign shipyard subsidies continue. None of the established deadlines for agreements were met and, in fact, broke down again a couple of weeks ago. No future talks are planned.

That is why we are here today. The administration has failed and Congress must decide what kind of message it wants to send to the administration and the world shipbuilding community. Are we going to brush aside the fact that foreign shipyards remain one of the most highly subsidized in the world and are we prepared to watch the demise of the U.S. shipyard industry?

Opponents of this bill argue it is protectionist legislation that will hurt U.S. interests. Hearing these arguments, Madam Chairman, reminds me of the debate over legislation to end the foreign large-scale drift net fisheries. The administration opposed that legislation for the same reasons. But this House rejected those arguments and passed a very tough bill. As a result, we sent the signal that we were serious about ending large-scale drift net fishing, the administration got the message, the Japanese came to the table, and an agreement was reached.

Passing H.R. 2056 could have the same effect. This is not final approval and I must say that, I, too, have some serious questions over this bill. For example, if this bill is signed by the President, will it result in the diversion of United States origin or destination cargo from Washington State to Canadian ports?

When the Ways and Means Committee reported this bill, the committee also asked the International Trade Commission to conduct an investigation on the likely economic effects of its enactment. A report is due within the next several weeks and will be of significant value to the Congress before this bill should be sent to the President.

Unfortunately, we are being asked to move forward today without all of the information we need and we are faced with a difficult vote. I wish this legislation was not necessary. I wish the U.S. shipbuilding industry was not threatened with the loss of another 100,000 American jobs. An international agreement to end subsidies would be preferable. But 3 years of talks have failed. The administration again appears willing to yield to foreign policy considerations at the expense of U.S. interests. This was their position on drift nets and log exports. Once again, I am prepared to send the signal that this is unacceptable.

Ms. SNOWE. Madam Chairman, I rise in strong support of H.R. 2056 the Shipbuilding Trade Reform Act, and in opposition to any attempts to strike provisions of the bill. I am an ardent supporter of title II to repeal the recreational boat user fee. The boaters of America already pay their fair share for services, and they should not be burdened with yet another tax. But I will focus my comments today on the shipbuilding title which has generated so much controversy.

It seems that whenever a trade issue comes to the floor for debate, this body is divided over questions of whether U.S. trade policies will be free or protectionist. While these questions may have some legitimacy on other issues, any such questions with regard to H.R. 2056 pose a false dilemma. Today, we must address a situation in which good faith efforts by the United States during the past decade to open the international market for shipbuilding

have been met with complete resistance from our competitors. The reason for this stonewalling is simple: Certain countries are trying to protect their interests and, in the case of shipbuilding, that means maintaining massive Government assistance programs to keep the prices of their goods artificially low.

Let's look at the real reasons why the U.S. shipbuilding industry has lost 40 shipyards and 120,000 direct and related jobs since 1981. In 1981, the United States eliminated its construction differential subsidies for the domestic shipbuilding industry—a clear and potent gesture that the United States was willing to make big concessions to open the international shipbuilding market to free competition. But other nations around the world haven't followed suit. They've kept their subsidy programs firmly in place. Since 1987, the world's three largest shipbuilding nations—Japan, South Korea, and Germany—have spent more than $1 billion each on annual subsidies to their shipbuilders. These foreign subsidies reduce the price of the vessels by an average of 25 percent or more.

Can anyone expect the U.S. shipbuilding industry to compete with this kind of unfair government support? The international marketplace has been laced with an impassable obstacle course for U.S. manufacturers, while our competitors have been reaping a windfall of State sponsorship.

Despite the gross inequities in the international playing field, the United States demonstrated good faith once again in 1989, by organizing multilateral negotiations with other shipbuilding nations. In the course of these negotiations, the administration and the U.S. industry agreed to abolish existing programs that might be construed as indirect subsidies. We also agreed to make concessions on the Jones Act domestic shipping program which actually provides little business to U.S. shipyards, but which might be interpreted as an indirect subsidy. When placed along side of the elimination of direct subsidies in 1981, these examples show clearly that the United States has gone out of its way to encourage truly free trade.

What has been the result of these efforts? U.S. Trade Representative Carla Hills initially set a 1990 deadline for making progress in the multilateral negotiations; that deadline passed without meaningful action on the part of our trading partners. Subsequently, four more deadlines have expired without progress. Now, it appears that the negotiations may have collapsed. The European Community pulled out in April. Last December, Japan stated that it would be unable to sign an agreement on unfair pricing. While our trading partners have stammered and stonewalled, our shipbuilding industry—the only industry not covered by U.S. unfair trade laws—has been smothered by the subsidized competition.

If nothing is done to rectify this imbalance, what will be left for American shipyards—the military? For fiscal year 1992, the Navy announced plans to build 10 ships per year over a 6-year period. In fiscal year 1993, however, the Navy has come back with a plan for only five ships over 6 years. Unless the U.S. industry is allowed to reenter the commercial market, it stands to lose 180,000 direct and industry-related jobs by 1998. Before the elimination of the U.S. direct subsidy in 1981, commercial vessels accounted for 50 percent of the domestic shipyard business. Now, Navy and Coast Guard contracts account for almost all of the business, making our entire industry acutely vulnerable to shrinking Defense budgets.

Madam Chairman, opponents of this bill have argued that H.R. 2056 is merely another tactic on behalf of a protectionist agenda, that the bill will hurt shipping companies rather than the foreign governments and shipyards engaged in unfair trade practices, and that ship traffic in the United States will grind to a halt if we pass this measure. These are hasty reactions, Madam Chairman. Upon careful review, I believe my colleagues will find that the legislation before us sends a powerful message to our trading partners that we want free trade, but that we will not tolerate continued exploitation of our good faith. This bill reaches the foreign governments by providing a strong disincentive for international shipping merchants to purchase ships manufactured in those countries. And it only seeks to address continued, future subsidies; the bill's grandfather clause allows existing ships to continue doing business in U.S. ports unaffected.

Madam Chairman, seven countries have higher shipbuilding labor costs than the United States, including Japan, Germany, France, and Italy. There is no question that American shipyards can compete in a free market, and our competitors know it. That's why they oppose the bill before us, and that's why we should support it.

Mr. ANDREWS of Texas. Mr. Chairman, today we finally have an opportunity to remove an onerous fee that has unfairly penalized recreational boat users. The boat user fee has not only adversely affected boatowners, it has hurt communities and businesses that cater to the recreational boat user. Because the Coast Guard can impose a fine of up to $5,000 on boatowners who do not purchase the required decal, many boatowners are electing to take their boats out of the water altogether.

The boat user fee repeal contained in H.R. 2056 will eliminate the fees entirely by fiscal year 1995, a year earlier than they are currently scheduled to expire, with fees on smaller boats eliminated on a more accelerated basis.

Under current law, the Coast Guard is scheduled to impose annual fees, based on the length of the boat, through 1995. This bill will eliminate any annual fees after September 30, 1994, and establish new fee schedules for 1993 and 1994. Beginning October 1, 1993, the bill eliminates the fee for all boats under 21 feet, but keeps the fees on other boats at the current levels. Beginning October 1, 1994, the bill eliminates the fee for boats of 37 feet or less, keeps the fee at $50 a year for boats between 37 and 40 feet and $100 a year for boats 40 feet or longer.

The boat user fee provision in this bill will ultimately restore fair tax treatment to recreational boat owners, and I urge passage of the repeal.

The CHAIRMAN. All time for general debate has expired.

Pursuant to the rule, the amendment in the nature of a substitute printed in House Report 102-507 is considered as an original bill for the purpose of amendment under the 5-minute rule and is considered as read.

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

H.R. 2056

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE I—FAIR TRADE FOR THE COMMERCIAL SHIPBUILDING AND REPAIR INDUSTRY

SECTION 101. SHORT TITLE.

This title may be cited as the "Shipbuilding Trade Reform Act of 1992".

SEC. 102. CONGRESSIONAL FINDINGS AND PURPOSE.

(a) FINDINGS.—The Congress finds that—

(1) in 1981, the United States Government terminated funding for the construction differential subsidy program, thereby ending direct subsidization of commercial shipbuilding in the United States;

(2) the international market for shipbuilding and ship repair continues to be distorted by a wide array of foreign subsidies including direct grants, preferential financing, equity infusions, research and development assistance, restructuring aid, special tax concessions, debt forgiveness, and other direct and indirect assistance;

(3) existing United States trade laws and trade agreements provide limited redress to domestic producers of ships for the trade-distorting subsidies and dumping practices of foreign shipbuilders; and

(4) a strong effective multilateral agreement among all shipbuilding nations to eliminate trade-distorting practices in the shipbuilding and repair industry is the best means of providing for fair international competition, however, absent such an agreement, changes in United States trade laws are necessary to provide domestic producers of ships greater protection against unfair trade practices than is provided under current law.

(b) PURPOSE.—It is the purpose of this title to ensure fair trade in the commercial shipbuilding and repair industry by providing for effective trade remedies against subsidized and dumped foreign commercial ships.

SEC. 103. SUBSIDIZED SHIPYARD LIST AND REQUIRED VESSEL ENTRY DOCUMENTATION REGARDING CONSTRUCTION AND REPAIR SUBSIDIES.

(a) Part II of title IV of the Tariff Act of 1930 (19 U.S.C. 1431 et seq.) is amended by inserting after section 435 the following new sections:

"SEC. 435A. LISTING OF SUBSIDIZED SHIPYARDS.

"(a) ESTABLISHMENT OF LIST.—The administering authority shall establish and maintain a list of all foreign shipyards that receive or benefit from, directly or indirectly, a subsidy for the construction or repair of vessels.

"(b) INVESTIGATION.—The administering authority shall conduct an investigation to decide whether there is reasonable cause to believe that a foreign shipyard receives or benefits from a subsidy for the construction or repair of vessels. That investigation shall be initiated when the administering authority has reasonable cause to believe that a shipyard receives or benefits from, directly or indirectly, a subsidy for the construction or repair of vessels—

"(1) on the basis of information available to the administering authority; or

"(2) on petition for an investigation from an interested party.

"(c) DETERMINATION AFTER INVESTIGATION.—

"(1) IN GENERAL.—Based on the investigation conducted under subsection (b), the administering authority shall make a determination as to whether a shipyard receives or benefits from, directly or indirectly, a subsidy for the construction or repair of vessels.

"(2) NOTIFICATION AND PUBLICATION OF LISTING.—If the administering authority determines that a foreign shipyard receives or benefits from, directly or indirectly, a subsidy for the construction or repair of vessels, the administering authority shall—

"(A) add the foreign shipyard to the list established under subsection (a);

"(B) notify that shipyard of its inclusion on that list; and

"(C) publish notice of that determination in the Federal Register.

"(3) TIME LIMIT ON MAKING DETERMINATION.—The administering authority shall make a determination under this subsection within 90 days of receipt of the information or petition that serves as the basis for initiating an investigation under subsection (b).

"(4) PUBLICATION OF LIST.—The administering authority shall publish the list of foreign shipyards receiving or benefiting from a subsidy for the construction or repair of vessels at least once every 6 months.

"(d) EMERGENCY LISTING.—

"(1) IN GENERAL.—If at any time the administering authority finds a reasonable basis to suspect that a foreign shipyard may be receiving or benefiting from a subsidy for the construction or repair of vessels, the administering authority may add that shipyard to the list established under subsection (a). The administering authority shall publish notice of that emergency listing in the Federal Register, which shall also include a schedule for investigation of the alleged subsidy.

"(2) INVESTIGATION AND DETERMINATION OF EMERGENCY LISTINGS.—Within 90 days after publication of a listing under paragraph (1), the administering authority shall conclude the investigation and make a determination under subsection (c) whether the shipyard is receiving or benefiting from a subsidy for the construction or repair of vessels.

"(e) REVIEW OF LISTINGS.—If a foreign shipyard that is listed under subsection (c) requests a review of that determination within 30 days after the date of the publication of the determination in the Federal Register under subsection (c)(2), the administering authority shall review that listing.

"(f) SUBSEQUENT RECONSIDERATION AND REMOVAL OF LISTINGS.—

"(1) RECONSIDERATION.—The administering authority may reconsider a listing under subsection (c)—

"(A) on application from a foreign shipyard added to the list under subsection (c) alleging changed circumstances sufficient to warrant a reconsideration of that listing and notice of that reconsideration is published in the Federal Register; or

"(B) if the administering authority receives information concerning the signing of an agreement between the United States Government and the foreign country in which the shipyard is located that provides for the immediate elimination by that country of construction and repair subsidies for vessels.

"(2) RESTRICTION ON RECONSIDERATION.—A foreign shipyard may not make more than one application for reconsideration under this paragraph in any calendar year.

"(3) BURDEN OF PERSUASION.—In any reconsideration under paragraph (1)(A), the burden of persuasion with respect to whether there are changed circumstances sufficient to warrant a determination that the foreign shipyard should be removed from the list is on the applicant.

"(4) REMOVAL FROM LIST.—The administering authority may remove a foreign shipyard from the listing only if—

"(A) the foreign shipyard has proven that the foreign shipyard does not receive or benefit from a subsidy, directly or indirectly, for the construction or repair of vessels; or

"(B) there is a signed agreement between the United States Government and the foreign country in which the shipyard is located that provides for the immediate elimination of construction and repair subsidies for vessels.

"(g) PENALTY FOR FALSE INFORMATION AND RENEWAL OF SUBSIDIES.—The administering authority shall place a foreign shipyard on the list established under subsection (a) for a period of not less than 5 years if the administering authority determines—

"(1) that the foreign shipyard, or government of the country in which the shipyard is located, provided the administering authority with false or misleading information during the investigation conducted under subsection (b); or

"(2) after making a determination under subsections (c) of (f) that the shipyard is not subsidized, that the shipyard receives or benefits from, directly or indirectly, any new construction subsidies.

"(h) ACTION AGAINST THE UNITED STATES GOVERNMENT.—An interested party may bring a civil action against the United States Government, in an appropriate district court of the United States, for failure of the administering authority to use due diligence to add a subsidized foreign shipyard to the list established under subsection (a).

"SEC. 435B. CONSTRUCTION SUBSIDY CERTIFICATION REQUIRED OF VESSELS FOR ENTRY.

"(a) CERTIFICATION REQUIRED AT ENTRY.—The master of a vessel shall, at the time of making formal entry of the vessel under section 434 or 435, deposit with the appropriate customs officer a construction subsidy certification for the vessel.

"(b) CONSTRUCTION SUBSIDY CERTIFICATIONS.—

"(1) IN GENERAL.—For purposes of this section, a construction subsidy certification for a vessel is a document that—

"(A) is either—

"(i) issued by the administering authority under subsection (d), or

"(ii) in a form as the administering authority shall prescribed and signed by either the vessel owner or person that constructed the vessel; and

"(B) attests, regarding any construction carried out with respect to the vessel, that the construction meets one of the requirements set forth in paragraph (2).

"(2) CERTIFICATION REQUIREMENTS.—The requirements referred to in paragraph (1)(B) are as follows:

"(A) No construction subsidy was granted or otherwise provided with respect to the construction.

"(B) The construction was carried out with the benefit of one or more subsidies, all of which were granted or otherwise provided before the date of the enactment of this section.

"(C) The construction was carried out pursuant to a specific contract entered into before October 16, 1991.

"(D) The construction was carried out with the benefit of one or more subsidies that were granted or otherwise provided during the 2-year period beginning on the date of the enactment of this section, but an amount equal to the value of each construction subsidy has been repaid to the agency that granted or otherwise provided the construction subsidy.

"(E) The construction was carried out with the benefit of one or more subsidies that were granted or provided on or after the date of the enactment of this section, but an amount equal to the value of each construction subsidy, reduced by any amount repaid under paragraph (D), has been paid by the Treasury of the United States.

"(F) The construction was carried out in a foreign country which is signatory to a trade agreement with the United States that provides for the immediate elimination of construction subsidies for vessels.

"(G) The construction was carried out in a shipyard that, at the time of contracting for construction of the vessel, was not on the list established under section 435A(a).

"(3) APPLICATION OF CERTIFICATION REQUIREMENTS.—With respect to vessels constructed in a foreign country which is a signatory to a trade agreement with the United States that provides for the elimination of construction subsidies for vessels, the requirements set forth in paragraph (2) shall be applied in a manner consistent with that agreement.

"(c) ENFORCEMENT.—If the Secretary has reason to believe that an unlawful act under section 436 relating to this section has been committed, the Secretary shall—

"(1) undertake any investigation necessary to ascertain whether action authorized under section 436 against the master of the vessel, or the vessel, or both, is warranted; and

"(2) if the vessel is not covered by a construction subsidy certification issued under subsection (d) and the information obtained during that investigation indicates that there is reason to believe that the vessel does not meet any certification requirement under subsection (b), so inform the administering authority and provide that information to the authority.

"(d) ISSUANCE OF CONSTRUCTION SUBSIDY CERTIFICATIONS BY THE ADMINISTRATING AUTHORITY.—

"(1) APPLICATIONS.—The owner or lessee of a vessel, or the builder of a vessel, may apply to the administering authority for the issuance of a construction subsidy certification for the vessel. An application shall be accompanied by any documentation that the administering authority may require for purposes of establishing the eligibility of the vessel for that certification, including, if compliance with the requirement in subsection (b)(2)(D) or (E) is alleged, information regarding the amount of each construction subsidy granted or provided with respect to the vessel and the payment or repayment of amounts equal to the value of the construction subsidy.

"(2) ACTION ON APPLICATIONS.—After considering the documentation submitted with an application under paragraph (1), the administering authority, within 90 days after the day on which the application was received, shall decide whether to issue or deny the construction subsidy certification. The administering authority shall make the decision publicly available.

"(3) DENIAL OR CONDITION OF ISSUANCE OF CERTIFICATION.—The administering authority shall, if a construction subsidy certification for a vessel is denied under paragraph (2), provide the applicant with a written statement of the reasons for the denial or condi-

tion. The applicant may, with 14 days after the date of the written statement, request a review of the denial or condition under subsection (e)(3).

"(e) DETERMINATIONS AND REVIEW.—

"(1) PRELIMINARY INVESTIGATION.—The administering authority shall—

"(A) on the basis of information available to the administering authority;

"(B) on the basis of information provided by the Secretary under subsection (c)(2); or

"(C) upon petition therefor from an interested party; initiate a preliminary investigation to decide whether there is reasonable cause to believe that a vessel does not meet the construction subsidy certification requirements under subsection (c).

"(2) DETERMINATIONS AFTER PRELIMINARY INVESTIGATIONS.—If the administering authority makes an affirmative decision under paragraph (1) with respect to a vessel, the administering authority shall determine whether the vessel meets any construction subsidy certification requirement under subsection (b)(2). If the administering authority makes a negative determination on the basis of failure to meet the requirement under subparagraph (D) or (E) of subsection (b)(2), the administering authority shall calculate, and set forth in the determination, the aggregate value of the subsidy or subsidies used in the construction of the vessel.

"(3) REVIEW OF CERTIFICATION DENIALS AND CONDITIONS.—If a person whose application for a construction subsidy certification was denied or conditioned under subsection (d)(3) makes a timely request for review under this paragraph, the administering authority shall review the denial or condition.

"(4) CORRECTIVE ACTIONS.—If the administering authority makes a negative determination under paragraph (2), or upholds any certification denial or condition after review under paragraph (3), the administering authority shall set forth in the determination or review decision the action which must be taken in order to satisfy a requirement for construction subsidy certification for the vessel under subsection (b). The builder of the vessel shall be primarily responsible, and the vessel owner or operator secondarily responsible, for taking any corrective action. If that action is taken, the administering authority shall issue a construction subsidy certification for the vessel and that certification shall be treated as a construction subsidy certification issued under subsection (d).

"(5) CONSEQUENTIAL EFFECTS.—After a negative determination under paragraph (2), or a decision under paragraph (3) upholding a certification denial or condition, becomes final and until a construction subsidy certification for the vessel concerned is issued under paragraph (4), neither that vessel, nor any other vessel that is owned or leased by the owner of that vessel, may—

"(A) arrive at any port or place in the United States; or

"(B) remain at any port or place in the United States.

"SEC. 435C. DECLARATION OF REPAIR SUBSIDIES REQUIRED OF VESSELS FOR ENTRY.

"(a) SUBSIDY DECLARATION AND SURETY REQUIREMENTS AT ENTRY.—

"(1) IN GENERAL.—The owner or master of a vessel shall, at, or before, the time of making formal entry of a vessel under section 434 or 435, deposit with the appropriate customs officer a subsidy declaration for repairs made to that vessel since the vessel since the vessel last entered the United States.

"(2) INFORMATION IN DECLARATION.—The subsidy declaration made under paragraph (1) shall include a statement attesting to whether any repairs were made in a foreign shipyard since the vessel last entered the United States and, if repairs were made in a foreign shipyard, include—

"(A) a list and description of each repair made;

"(B) an identification of each foreign shipyard in which a repair was made and the date of that repair;

"(C) the dollar value of the repair made in that shipyard; and

"(D) any other information required by the administering authority.

"(3) SURETY REQUIREMENTS.—

"(A) REQUIREMENT ON ENTRY.—On or before entry, the owner or master of the vessel shall file with the customs officer a bond, proof of insurance, or any other surety, as the administering authority may require, in an amount equal to at least 2 times the dollar value of the repairs declared under paragraph (2) that were made in a shipyard listed on the list established under section 435A(a) at the time of the repair.

"(B) FORM OF SURETY.—A bond, proof of insurance, or any other surety filed under paragraph (A) shall be in a form determined by the administering authority to be satisfactory to insure the financial responsibility of that vessel owner to pay for any repair subsidies. Any bond submitted under this section shall be issued by a surety company found acceptable by the Secretary.

"(C) CLAIMS AGAINST SURETY.—A bond, insurance, or other surety filed under paragraph (A) shall be available to pay for any repair subsidiary determined by the administering authority of any penalty assessed under section 436.

"(b) APPLICATION FOR REPAIR SUBSIDY DETERMINATION.—Within 30 days after the filing of the bond, proof of insurance or other surety under subsection (a)(3), the vessel owner may apply to the administering authority for the issuance of a repair subsidy determination for that vessel. An application shall be accompanied by any documentation that the administering authority may require for purposes of making the determination, including information regarding the amount of each repair subsidy granted and any repayment of the repair subsidy to the foreign government.

"(c) REPAYMENT OF REPAIR SUBSIDY.—

"(1) IN GENERAL.—A vessel owner shall pay to the United States Government an amount equal to any repair subsidy from which the vessel owned by that person has received or benefitted.

"(2) PRELIMINARY FINDING.—Within 30 days after the application, the administering authority shall make a preliminary finding as to the amount of repair subsidy which is to be paid to the Treasury of the United States. Notice of this finding shall be provided to the owner or his agent and published in the Federal Register. At any time before the preliminary finding is made, an interested party may file information with the administering authority regarding the validity or accuracy of the information provided by the vessel master or owner.

"(3) PETITION FOR REVIEW.—Unless a petition for review of that determination is received within 15 days after the date of notification under paragraph (2), from either the owner or an interested party, the finding by the administering authority is final

"(d) FINAL REPAIR SUBSIDY DETERMINATIONS.—If the owner or interested party files a petition for review of the preliminary determination within the 15 days, the administering authority shall make a final determination within 30 days after the date the petition is filed.

"(e) FORFEITURE OF SURETY.—Unless a repair subsidy payback payment is made within 30 days of the final order, the face amount guaranteed by the bond, insurance, or other surety shall be forfeited to the United States Government.

"(f) INSUFFICIENT SURETY.—If the amount of the surety is insufficient to cover the amount of the repair subsidy ordered to be repaid, then the vessel, and any other vessel owned by that owner, may not enter to clear the United States until the full amount of the repair subsidy is paid to the United States Government.

"SEC. 435D. DEFINITIONS AND ADMINISTRATIVE PROVISIONS RELATED TO DETERMINATIONS AND REVIEWS UNDER SECTIONS 435A, 435B AND 435C.

"(a) DEFINITIONS.—As used in this section and sections 435A–435C:

"(1) The term 'administering authority' means the officer of the United States responsible for determining under subtitle A of title VII whether subsidies are provided with respect to imported merchandise.

"(2) The term 'construction' includes reconstruction.

"(3) The term 'interested party' means—

"(i) a person that engages in ship construction in the United States;

"(ii) a certified union or recognized union or group of workers which is representative of an industry that engages in ship construction in the United States;

"(iii) a trade or business association, a majority of whose members engage in ship construction in the United States; and

"(iv) an association, a majority of whose members is composed of interested parties described in clauses (i), (ii), and (iii) with respect to ship construction.

"(4) The term 'foreign shipyard' includes a ship construction or repair facility located in a foreign country that is directly or indirectly owned, controlled, managed, or financed by a foreign shipyard that receives or benefits from a subsidy.

"(5) The term 'subsidy' includes, but is not limited to, any of the following:

"(A) Officially supported export credits and development assistance.

"(B) Direct official operating support to the commercial shipbuilding and repair industry, or to a related entity that favors the operation of shipbuilding and repair, including—

"(i) grants;

"(ii) loans and loan guarantees other than those available on the commercial market;

"(iii) forgiveness of debt;

"(iv) equity infusions on terms inconsistent with commercially reasonable investment practices;

"(v) preferential provision of goods and services; and

"(vi) public sector ownership of commercial shipyards on terms inconsistent with commercially reasonable investment practices.

"(C) Direct official support for investment in the commercial shipbuilding and repair industry, or to a related entity that favors the operation of shipbuilding and repair, including the kinds of support listed in clauses (i) through (v) of subparagraph (B), and pay restructuring support, except public support for social purposes directly and effectively linked to shipyard closures.

"(D) Assistance in the form of grants, preferential loans, preferential tax treatment, or otherwise, that benefits or is directly related to shipbuilding and repair for purposes of re-

search and development that is not equally open to domestic and foreign enterprises.

"(E) Tax policies and practices that favor the shipbuilding and repair industry, directly or indirectly, such as tax credits, deductions, exemptions and preferences, including accelerated depreciation, if the benefits are not generally available to persons or firms not engaged in shipbuilding or repair.

"(F) Any official regulation or practice that authorizes or encourages persons or firms engaged in shipbuilding or repair to enter into anticompetitive arrangements.

"(G) Any indirect support directly related, in law or in fact, to shipbuilding and repair at national yards, including any public assistance favoring shipowners with an indirect effect on shipbuilding or repair activities, and any assistance provided to suppliers of significant inputs to shipbuilding, which results in benefits to domestic shipbuilders.

"(H) Any export subsidy identified in the Illustrative List of Export Subsidies in the Annex to the Agreement on Interpretation and Application of Articles VI, XVI, and XXIII of the General Agreement on Tariffs and Trade or any other export subsidy that may be prohibited as a result of the Uruguay Round of trade negotiations.

"(6) The term 'vessel' means any self-propelled, sea-going vessel—

"(A) of not less than 100 gross tons, as measured under the International Convention of Tonnage measurement of Ships, 1969; and

"(B) not exempt from entry under section 441.

"(b) HEARING AND REVIEW PROCEDURES.—The administering authority shall make determinations under sections 435A(c), 435B(e)(2), and 435C(d) and conduct reviews under section 435A (b), (e), (f), section 435B(e)(3), and section 435C(c), under the hearing procedures applied by the administering authority under section 774 with respect to hearings required or permitted under title VII. A determination by the administering authority under section 435A(c), 435B(e)(2), or 435C(d) is subject to judicial review under section 516A under the applicable procedures and standards applied under that section for reviewable determinations described in subsection (a)(2)(B) of that section.

"(c) PROPRIETARY INFORMATION.—Information submitted to the administering authority in regard to the making of any determination under sections 435A(c), 435B(e)(2), and 435C(d) and reviews conducted under section 435A (b), (e), (f), section 435B(e)(3), and section 435C(c), shall be treated as proprietary if it fulfills the requirements of section 777(b). Access to proprietary information under protective order shall be permitted under, and governed by, section 777(c).

"(d) INFORMATION USED IN MAKING DETERMINATIONS OR REVIEWS.—The administering authority shall verify all information relied upon in making any determination under sections 435A(c), 435B(e)(2), and 435C(d) or review under section 435A (b), (e), (f), section 435B(e)(3), and section 435C(c). If the administering authority is unable to verify the information submitted, the authority shall use the best information available as the basis for action. Whenever a party refuses or is unable to produce information requested in a timely manner and in the form provided, the administering authority shall use the best information otherwise available.

"(e) PUBLIC AVAILABILITY OF DETERMINATIONS AND REVIEW DECISIONS.—The administering authority shall make available for public inspection the text of all determinations and review decisions made under sections 435A–435C.".

(b) SPECIAL PROVISIONS RELATING TO THE SUBSIDIZED SHIPYARD LIST.—

(1) STATUTORY LISTINGS.—For purposes of section 435A(a) of the Tariff Act of 1930 (as added by subsection (a)), unless the administering authority determines, with clear and convincing evidence, that a foreign shipyard does not receive or benefit from, directly or indirectly, subsidies, a foreign shipyard (including a shipyard in a country that was a party to negotiating a multilateral agreement for the elimination of shipbuilding subsidies in the Organization for Economic Cooperation and Development Working Party 6 on October 16, 1991) is deemed to be on the list established under that section until the earlier of the date—

(A) the administering authority publishes the list of subsidized shipyards under subsection (c); or

(B) the foreign country in which the shipyard is located signs a trade agreement with the United States that provides for the immediate elimination of subsidies for that shipyard.

(2) TIME LIMIT ON INITIAL LISTINGS.—Within 120 days after the date of enactment of this Act, the administering authority shall—

(A) conduct an investigation under section 435A(b) of the Tariff Act of 1930 (as enacted by subsection (a)) with respect to all foreign shipyards;

(B) make a determination under section 435A(c) of that Act; and

(C) publish in the Federal Register a list of the foreign shipyards that have been determined to be receiving or benefiting from a subsidy for the construction or repair of vessels.

(c) ENACTMENT OF CIVIL ACTION REMEDIES.—Section 435A(i) of the Tariff act of 1930 (as added by subsection (a)) takes effect one year after the date of enactment of this Act.

(d) GRANDFATHERED REPAIRS.—Section 435C of the Tariff Act of 1930 (as added by subsection (a)) applies to repairs made to a vessel under a contract entered into after the date of enactment of this Act.

SEC. 104. CONFORMING AMENDMENTS.

(a) ENTRY REQUIREMENTS FOR VESSELS.—Section 434 of the Tariff Act of 1930 (19 U.S.C. 1934) is amended by inserting "its subsidy certification (if required under section 435B," after "or document in lieu thereof.".

(b) PENALTIES FOR VIOLATIONS OF ARRIVAL, REPORTING, AND ENTRY REQUIREMENTS.—Section 436(a) of the Tariff Act of 1930 (19 U.S.C. 1436(a)) is amended—

(1) by redesignating paragraph (4) as paragraph (7);

(2) by striking "or" at the end of paragraph (3);

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

"(4) to present any forged, altered, or false subsidy certification to a customs officer under section 435B(a) or 435C(a) without revealing the facts:

"(5) to enter, or to attempt to enter, any vessel to which a prohibition on arrival in the United States applies under section 435B(e)(5);

"(6) to fail to remove promptly from the United States any vessel to which a prohibition on remaining in the United States applies under section 435B(e)(5); or"; and

(4) by striking "(3) in paragraph (7) (as redesignated by paragraph (1)) and inserting "(6)".

SEC. 105. TREATMENT OF VESSELS UNDER THE COUNTERVAILING AND ANTIDUMPING DUTY LAWS.

(a) IN GENERAL.—Subtitle D of title VII of the Tariff Act of 1930 is amended by adding after section 771B the following new section:

"SEC. 771C. SPECIAL RULES IN APPLYING TITLE TO FOREIGN-MADE VESSELS.

"(a) DEFINITION.—The term 'vessel' means any vessel of a kind described in heading 8901 or 8902.00.00 of the Harmonized Tariff Schedule of the United States of not less than 100 gross tons, as measured under the International Convention on Tonnage Measurement of Ships, 1969.

"(b) VESSELS CONSIDERED AS MERCHANDISE.—Vessels are merchandise for purposes of this title.

"(c) APPLICATION OF SUBTITLES A AND B.—

"(1) IN GENERAL.—In applying subtitles A and B with respect to vessels constructed, reconstructed, or repaired in foreign countries—

"(A) a vessel shall be treated as sold for importation into the United States when a United States person enters into a contract for—

"(i) the construction or reconstruction of the vessel by, or the purchase (or leasing, if the equivalent of a purchase) of the vessel after construction or reconstruction from, the builder; or

"(ii) the repair of the vessel; and

"(B) a vessel sold for importation into the United States shall be treated as being offered for entry for consumption under the tariff laws at the time of its first arrival at a port or place in the United States after construction, reconstruction, or repair, regardless of where the vessel is registered or documented.

"(2) DEFINITION.—For purposes of paragraph (1), the term 'United States person' means—

"(A) any individual or entity described in subsection (a) of section 12102 of title 46, United States Code;

"(B) any agent or other person acting on behalf of any individual or entity referred to in subparagraph (A); or

"(C) any person directly or indirectly owned or controlled by any individual or entity referred to in subparagraph (A).".

(b) PROSPECTIVE APPLICATION TO CONTRACTS.—The amendments made by subsection (a) of this section apply to a vessel built or repaired under a contract entered into after the date of enactment of this Act.

SEC. 106. UNITED STATES CONSTRUCTION SUBSIDY PROGRAMS.

(a) GOVERNMENT-IMPELLED CARGO.—Section 901(b) of the Merchant Marine Act, 1936 (46 App. U.S.C. 1241(b)) is amended—

(1) in paragraph (1), by striking "For purposes of this section, the term 'privately owned United States-flag commercial vessels'" and all that follows through the end of the paragraph and inserting a period; and

(2) by adding at the end the following new paragraph:

"(3) In this section, 'privately owned United States-flag commercial vessels' does not include vessel (until the vessel has been documented under chapter 121 of title 46, United States Code, for a period of 3 years) that—

"(A)(i) was build and, if rebuilt, rebuilt outside the United States; or

"(ii) for a vessel operated by an ocean common carrier (as defined in section 3 of the Shipping Act of 1984 (46 App. U.S.C. 1702)), is built under a contract entered into after October 16, 1991 and has not been issued a construction subsidy certification under section 435B of the Tariff Act of 1930; or

"(B) was registered under the laws of a foreign country.".

(b) CONSTRUCTION RESERVE FUND.—Section 511(a)(2) of the Merchant Marine Act, 1936 (46 App. U.S.C. 1161(a)) is amended to read as follows: "(2) constructed in the United States after December 31, 1939," and all that follows through "insured under title XI of this Act as amended;" and inserting "(2)(A) constructed in the United States, or (B) the construction of which has been aided by a mortgage insured under title XI of this Act, or (C) if constructed in a foreign shipyard under a contract entered into after October 16, 1991, has been issued a construction subsidy certification under section 435B of the Tariff Act of 1930; and".

(c) OPERATING-DIFFERENTIAL SUBSIDY.—Section 601(a)(1) of the Merchant Marine Act, 1936 (46 App. U.S.C. 1171(a)(a)) is amended by striking "and that such vessel or vessels were built in the United States," and all that follows through "prior to such date;" and inserting "and that the vessel was built in the United States or, if constructed in a foreign shipyard under a contract entered into after October 16, 1991, has been issued a construction subsidy certification under section 435B of the Tariff Act of 1930;".

(d) CONSTRUCTION LOAN GUARANTEES.—Section 1103(b) of the Merchant Marine Act, 1936 (46 App. U.S.C. 1273(b)) is amended—

(1) after "(b)" by inserting "(1)"; and

(2) by adding at the end the following new paragraph:

"(2) The Secretary may not guarantee an obligation under this title unless the vessel—

"(A) was built in the United States; or

"(B) if constructed in a foreign shipyard under a contract entered into after October 16, 1991, has been issued a construction subsidy certification under section 435B of the Tariff Act of 1930;".

(e) PRIORITY LOAN GUARANTEES FOR VESSELS IN COASTWISE TRADE.—Section 1103 of the Merchant Marine Act, 1936 (46 App. U.S.C. 1273) is amended by adding at the end the following new subsection:

"(g) When making guarantees, or commitments to guarantee, under this title, the Secretary of Transportation shall give priority for guarantees or commitments for vessels that will be engaged in the coastwise trade over guarantees or commitments for vessels that will be engaged in the foreign commerce.".

(f) TRADE-IN OF OBSOLETE VESSELS.—Section 510(a)(2)(B) of the Merchant Marine Act, 1936 (46 App. U.S.C. 1160(a)(2)(B)) is amended to read as follows: "(B) is built in the United States or, if constructed in a foreign shipyard under a contract entered into after October 16, 1991, has been issued a construction subsidy certification under section 435B of the Tariff Act of 1930, and documented under chapter 121 of title 46 United States Code.".

SEC. 107. COST ESTIMATE.

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

	Fiscal year—				
	1991	1992	1993	1994	1995
Changes in outlays	NA	NA	NA	NA	NA
Changes in receipts	0	0	0	0	0

TITLE II—REPEAL OF COAST GUARD RECREATIONAL BOAT USER FEE

SEC. 201. REPEAL OF COAST GUARD RECREATIONAL BOAT USER FEE.

(a) MANDATORY FEE TO TERMINATE ON SEPTEMBER 30, 1994.—Paragraph (1) of section 2110(b) of title 46, United States Code, is amended by striking "1994, and 1995" and inserting "and 1994".

(b) FEE SCHEDULE FOR FISCAL YEARS 1993 AND 1994.—Subsection (b) of section 2110 of such title 46 is amended by redesignating paragraphs (3) and (4) as paragraphs (4) and (5), respectively, and by inserting after paragraph (2) the following new paragraph.

"(3) In the case of fiscal years 1993 and 1994, the fee or charge established under paragraph (1) shall be as follows:

"(A) In fiscal year 1993—

"(i) for vessels of 21 feet or less in length, zero;

"(ii) for vessels of more than 21 feet in length but less than 27 feet, not more than $35;

"(iii) for vessels of at least 27 feet in length but less than 40 feet, not more than $50; and

"(iv) for vessels of at least 40 feet in length, not more than $100.

"(B) In fiscal year 1994—

"(i) for vessels of 37 feet or less in length, zero;

"(ii) for vessels of more than 37 feet in length but less than 40 feet, not more than $50; and

"(iii) for vessels of at least 40 feet in length, not more than $100."

(c) TECHNICAL AMENDMENTS.—

(1) Paragraph (1) of such section 2110(b) is amended—

(A) by striking "paragraph (2)" and inserting "paragraphs (2) and (3)", and

(B) by striking "that is greater than 16 feet in length".

(2) Paragraph (2) of such section 2110(b) is amended—

(A) by striking "The fee or charge" and inserting "In the case of fiscal years 1991 and 1992, the fee or charge", and

(B) by adding at the end thereof the following new sentence:

"No fee or charge may be imposed under this paragraph on any vessel of 16 feet in length or less.".

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 1992.

SEC. 202. AUTOMATED TARIFF FILING AND INFORMATION SYSTEM.

(a) DEFINITIONS.—In this section—

(1) "Commission" and "conference" have the meaning given those terms under section 3 of the Shipping Act, 1984 (46 App. U.S.C. 1702);

(2) "common carrier" has the meaning given that term under section 3 of the Shipping Act, 1984 (46 App. U.S.C. 1702), and includes a "common carrier by water in interstate commerce" under the Shipping Act, 1916 (46 App. U.S.C. 801 et seq.), and a "common carrier by water in intercoastal commerce" under the Intercoastal Shipping Act, 1933 (46 App. U.S.C. 843 et seq.);

(3) "essential terms of service contracts" has the meaning given that term under section 8 of the Shipping Act, 1984 (46 App. U.S.C. 1707); and

(4) "tariff" has the meaning given that term under section 3 of the Shipping Act, 1984 (46 App. U.S.C. 1702), and includes the rates, fares, and charges filed under the Shipping Act, 1916 (46 App. U.S.C. 801 et seq.) and the Intercoastal Shipping Act, 1933 (46 App. U.S.C. 843 et seq.).

(b) TARIFF FORM AND AVAILABILITY.—Notwithstanding any other law, according to the schedule under subsection (c)—

(1) common carriers and conferences shall file electronically with the Commission all tariffs and essential terms of service contracts required to be filed by section 8 of the Shipping Act, 1984 (46 App. U.S.C. 1707), the Shipping Act, 1916 (46 App. U.S.C. 801 et seq.), and the Intercoastal Shipping Act, 1933 (46 App. U.S.C. 843 et seq.); and

(2) the Commission shall make available electronically to any person, without time, quantity, or other limitation, both at the Commission Headquarters and from remote terminals, all tariff information and essential terms of service contracts filed in the Automated Tariff Filing and Information System database and all tariff information in the system enhanced electronically by the Commission at any time.

(c) FILING SCHEDULE.—

(1) New tariffs and essential terms of service contracts shall be filed electronically not later than June 1, 1992; and

(2) All other tariffs and essential terms of service contracts shall be filed not later than September 1, 1992.

(d) FEES.—

(1) Beginning June 1, 1992, and subject to paragraph (3), the Commission shall charge—

(A) a fee of 46 cents for each minute of remote computer access by any person of the information available electronically under this section; and

(B)(i) for electronic copies of the Automated Tariff Filing and Information database (in bulk), or any portion of the database, a fee equal to the cost of duplication, distribution, and user-dedicated equipment; and

(ii) a person operating or maintaining information in a database that has multiple tariff or service contract information obtained directly or indirectly from the Commission a fee of 46 cents for each minute that database is subsequently accessed by computer by any person.

(2) A Federal agency is exempt from paying a fee under this subsection.

(3) No fee may be charged under paragraph (1) after September 30, 1995.

(e) ENFORCEMENT.—The Commission shall use systems controls or other appropriate methods to enforce subsection (d) of this section.

(f) PENALTIES.—

(1) A person failing to pay the fees established under subsection (b) of this section is liable to the United States Government for a civil penalty of not more than $5,000 for each violation.

(2) A person that willfully fails to pay the fees established under subsection (b) of this section commits a class A misdemeanor.

(g) AUTOMATIC FILING IMPLEMENTATION.—

(1) Software that provides for the electronic filing of data in the Automated Tariff Filing and Information System shall be submitted to the Commission for certification. Not later than 14 days after a person submits software to the Commission for certification, the Commission shall—

(A) certify the software if it provides for the electronic filing of data; and

(B) publish notice of that certification.

(2)(A) The Secretary of the Treasury shall make available to the Commission, as a repayable advance in fiscal year 1992, not more than $4,000,000, to remain available until expended. The Commission shall spend these funds to complete and upgrade the capacity of the Automated Tariff Filing and Information System to provide access to information under this section.

(B)(i) Any advance made to the Commission under subparagraph (A) shall be repaid (with interest thereon) to the general fund of the Treasury by not later than September 30, 1995.

(ii) Interest on any advance made to the Commission under subparagraph (A) shall be at a rate determined by the Secretary of the Treasury (as of the close of the calendar month preceding the month in which the advance is made) to be equal to the current average market yield on outstanding marketable obligations of the United States with remaining periods to maturity comparable to the anticipated period during which the advance will be outstanding and shall be compounded annually.

(3) Out of amounts collected by the Commission under this section, amounts shall be retained and expended by the Commission for fiscal year 1992 and each subsequent fiscal year, without fiscal year limitation, to carry out this section and pay back the Secretary under paragraph (2) of this subsection.

(4) Except for the amounts retained by the Commission under paragraph (3) of this subsection, fees collected under this section shall be deposited in the general fund of the Treasury as offsetting receipts.

(h) CONFORMING AMENDMENT.—Effective June 1, 1992, section 2 of the Act of August 16, 1989 (Public Law 101-92; 103 Stat. 601), is repealed.

The CHAIRMAN. No amendment to the substitute is in order except the amendment printed in section 2 of House Resolution 443. Said amendment shall be debatable for 30 minutes, equally divided and controlled by the proponent and an opponent of the amendment.

AMENDMENT OFFERED BY MR. GRADISON

Mr. GRADISON. Madam Chairman, I offer an amendment made in order under the rule.

The Clerk read as follows:

Amendment offered by Mr. GRADISON: Strike section 107. Make such conforming changes as are necessary.

The CHAIRMAN. Pursuant to the rule, the gentleman from Ohio [Mr. GRADISON] will be recognized for 15 minutes, and a Member opposed to the amendment offered by the gentleman from Ohio will be recognized for 15 minutes.

The Chair recognizes the gentleman from Ohio [Mr. GRADISON].

Mr. GRADISON. Madam Chairman, I rise to offer an amendment to strike section 107 from title I of H.R. 2056. Section 107 is so-called directed scoring provision. If enacted, this section would direct the Office of Management and Budget to use the Congressional Budget Office cost estimate for the purpose of ascertaining the impact of title I on the pay-as-you-go scorecard.

This directed scoring section is abused in the context of this bill for several reasons. I am baffled as to why the majority even included directed scoring since both CBO and OMB agree that title I will be scored at zero costs.

Title I would require a listing of subsidized foreign shipyards and a construction certificate for all vessels entering a U.S. port. According to the administration, it could violate U.S. obligations under GATT, harm U.S. exporters and importers, and result in retaliation against U.S. exports.

Directed scoring for title I is all the more puzzling because it is title II that affects PAYGO. And it is title II that is estimated differently by CBO and OMB. Title II partially repeals the boating fees and establishes a new user fee for the automatic tariff filing and information system. While both CBO and OMB agree that these fee changes would increase PAYGO balances, they disagree dramatically on the levels. CBO estimates that title II would reduce the deficit through fiscal year 1995 by $466 million. OMB calculates the savings to be only $8.6 million, all in 1995.

Ironically, title II—over which there is a substantive disagreement regarding magnitude of savings—does not include directed scoring language. One can only wonder what led the bill's drafters to include directed scoring in the section which all agree has no measurable budget impact, and then to omit it later on from the section over which there is disagreement.

I have offered amendments striking directed scoring from other legislation in the 102d Congress and will continue to do so as long as the House continues to include directed scoring in its bills. Believe me, I am getting as tired of offering these amendments as you are of listening to me. But, directed scoring clearly contravenes the Budget Enforcement Act adopted as a result of budget negotiations in 1990.

In the 1990 negotiations, proposals to use CBO estimates were explicitly rejected. Instead, the Budget Enforcement Act specifically designated OMB as the arbiter of PAYGO scoring. Almost before the ink was dry on that act, the House adopted rule XXI requiring PAYGO legislation to include provisions compelling OMB to use CBO's estimate. Not surprisingly, the President wrote to Congress on December 21, 1990, that he would veto any bill containing such language. Accordingly, the statement of administration policy for H.R. 2056 indicates that this bill would be vetoed because it includes directed scoring language.

Madam Chairman, inclusion of directed scoring language in title I is nonsense. It has no substantive effect at all. But it would defeat this legislation by assuring a veto. Inclusion of directed scoring in general is a violation of the letter and spirit of the Budget Enforcement Act. I urge a vote for my amendment to eliminate this needless language and send the bill on its way without this unnecessary impediment.

Madam Chairman, I reserve the balance of my time.

Mr. GIBBONS. Madam Chairman, I rise in opposition to the amendment offered by the gentleman from Ohio [Mr. GRADISON].

The CHAIRMAN. The gentleman from Florida [Mr. GIBBONS] is recognized for 15 minutes.

Mr. GIBBONS. Madam Chairman, I would like to assure my colleague, the gentleman from Ohio [Mr. GRADISON], that we are very aware of his concern of the inclusion of the CBO cost estimates in this bill, and I can also assure him that his concerns, if he is not successful here on the floor, will be fully considered in the conference and the provision will probably be dropped there. But I would like to say, just to reinforce what the gentleman has said, this:

In the administration's statement of policy concerning the provision in the bill which the gentleman seeks to strike relating to a key element of the Federal spending control mechanism enacted pursuant to the 1990 budget agreement, the administration clearly expresses its opposition to this provision.

□ 1730

The statement goes on to say, "The President stated that he would veto any bill that contained this language."

So I recognize that as his veto threat. But I would like to point out that that is his most explicit veto threat in this whole statement of administration policy. When he talks in this letter about the provisions that I put in here on subsidies and dumping, he just says he opposes that, not even strongly opposes it. He opposes the provision you seek to strike. He says he will veto the bill if that provision is in there. He says simply that he opposes my shipbuilding provisions. But he says with regard to repeal of the boat user fee that he strongly opposes such repeal.

So I hope we will not seek to try to divide this bill all up under the false impression that if we strike out my shipbuilding language, the boat user fee will be repealed. It will not, because the President strongly opposes such repeal.

Mr. GRADISON. Madam Chairman, will the gentleman yield?

Mr. GIBBONS. I am happy to yield to the gentleman from Ohio.

Mr. GIBBONS. Madam Chairman, my amendment is limited to the scorekeeping with regard to title I.

Mr. GIBBONS. I understand that.

Mr. GRADISON. I appreciate the concerns of the gentleman from Florida about the bill as a whole. I am not trying to trivialize this discussion. I am trying to make sure I understand the gentleman. I have no desire to put words in the mouth of the chairman.

My understanding is the gentleman from Florida [Mr. GIBBONS] anticipates in conference this provision might be dropped. Do I correctly understand the gentleman?

Mr. GIBBONS. Madam Chairman, reclaiming my time, if the gentleman

from Ohio [Mr. GRADISON] does not win here on the floor, I think it is going to be dropped in conference, yes.

Mr. GRADISON. Madam Chairman, I thank the gentleman.

Mr. GIBBONS. Madam Chairman, I yield such time as he may consume to the gentleman from New York [Mr. DOWNEY].

Mr. DOWNEY. Madam Chairman, I wish to commend the gentleman from Florida [Mr. GIBBONS], our chairman, for his work on the boat user fee, and especially my friend, the gentleman from Michigan [Mr. DAVIS], who will be leaving us after this Congress, who has been a real champion on this issue. I appreciate the work these gentlemen have done.

Madam Chairman, if there is one thing my constituents loathe, and I live on 41 miles of coastline, it is the boat user fee. The sooner its demise, the better, in their view.

While this does not do all of the things I would like to do, like totally repeal it immediately, it moves in the right direction, so that people will get what little time they have to use their boats unencumbered by a user fee that they do not appreciate, little understand, and know not to be in their interest.

Madam Chairman, I rise in strong support of this legislation, and in strong support of the work done by the gentleman from Florida [Mr. GIBBONS] and the gentleman from Michigan [Mr. DAVIS].

Mr. GIBBONS. Madam Chairman, I include for the RECORD the statement of administration policy I referred to earlier.

OFFICE OF MANAGEMENT AND BUDGET,
Washington, DC, May 12, 1992.

STATEMENT OF ADMINISTRATION POLICY

H.R. 2056—SHIPBUILDING TRADE REFORM ACT OF 1991 (GIBBONS (D) FLORIDA AND 30 OTHERS)

If H.R. 2056 is presented to the President as reported by the House Rules Committee, his senior advisers would recommend a veto.

First and foremost, the scorekeeping language in section 107 is unacceptable. This section contains the CBO scoring language required by House Rule XXI. In a letter of December 21, 1990, the President stated that he would veto any bill containing such language. The effect of this provision is to overturn a key element of the Federal spending control mechanisms enacted pursuant to the 1990 Budget Agreement.

Second, this bill requires a listing of subsidized foreign shipyards and a construction certificate (verifying construction in a nonlisted shipyard or payback of any subsidy received) for all vessels entering a U.S. port. The bill also amends the antidumping and countervailing duty laws to authorize the imposition of duties on dumped or subsidized sales of commercial vessels. The Administration opposes enactment of these provisions of H.R. 2056 because they: could violate U.S. obligations under the General Agreement on Tariffs and Trade (GATT); would harm U.S. exporters and importers upon whom the increased cost of shipping will be assessed, and could result in retaliation against U.S. exports; and would present administrative and legal difficulties to enforce.

Third, title II of H.R. 2056 provides for a phased repeal of the Coast Guard recreational boating fees and establishment of a new user fee for remote computer access to the Automated Tariff Filing and Information (ATFI) system of the Federal Maritime Commission (FMC). The Administration strongly objects to repeal of recreational boating user fees. We believe it is unfair for general taxpayers to bear the entire cost of Coast Guard services, such as search and rescue, boating safety, and aids to navigation, that provide substantial benefits to recreational boaters.

Finally, the Administration opposes charging fees for access to ATFI services in the manner provided for in H.R. 2056. This provision would place the FMC in unfair competition with private sector information providers. In addition, by requiring fees to be paid for the resale of government information, this provision is inconsistent with the intent of the Copyright Act. Any person who wishes to provide enhanced information services using ATFI should be able to do so without restriction.

Scoring for the Purpose of PAYGO and Discretionary Caps

H.R. 2056 would affect receipts; therefore it is subject to the pay-as-you-go requirement of the Omnibus Budget Reconciliation ACT (OBRA) of 1990. OMB's preliminary scoring estimates of this bill are presented in the table below. Final scoring of this proposal may deviate from this estimate. If H.R. 2056 is enacted, final OMB scoring estimates would be published within five days of enactment, as required by OBRA. The cumulative effects of all legislation on direct spending and revenue will be issued in monthly reports transmitted to Congress.

ESTIMATES FOR PAY-AS-YOU-GO

Receipts (millions) 1992, 0; 1993, 0; 1994, 0; 1995, $8.6; 1996, 0; 1997, 0; 1992-97, $8.6.

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

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

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio [Mr. GRADISON].

The amendment was agreed to.

The CHAIRMAN. The question is on the amendment in the nature of a substitute, as amended.

The amendment in the nature of a substitute, as amended, was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. MCNULTY) having assumed the chair, Ms. PELOSI, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 2056) to amend the Tariff Act of 1930 to require that subsidy information regarding vessels be provided upon entry within customs collection districts and to provide effective trade remedies under the countervailing and antidumping duty laws against foreign-built ships that are subsidized or dumped, pursuant to House Resolution 443, she reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on the amendment to the amendment in the nature of a substitute adopted by the Committee of the Whole? If not, the question is on the amendment in the nature of a substitute.

The amendment in the nature of a substitute was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT OFFERED BY MR. ARCHER

Mr. ARCHER. Mr. Speaker, I offer a motion to recommit with instructions.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. ARCHER. Mr. Speaker, I am opposed to the bill in its present form.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. ARCHER moves to recommit H.R. 2056 to the Committee on Ways and Means with instructions to report the bill back forthwith with an amendment striking title I of the bill.

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

Mr. ARCHER. Mr. Speaker, my motion is straight-forward. It strikes title I which contains the shipbuilding subsidy provisions and leaves intact the repeal of the user fees on recreational boats, along with its financing mechanism. Simply stated, this motion puts aside the ill-fated shipbuilding provisions and allows the House to vote for a clean repeal of the Coast Guard user fees on recreational boats.

An overwhelming majority of House Members support repeal of these nuisance fees. Constituents should rightfully question our sincerity if the repeal language is stuck on a bill which will never become law.

During the general debate, we heard about the problems associated with the shipbuilding subsidy title. Title I is well-intentioned but fails miserably to correct international shipbuilding subsidies. Instead, the remedies proposed in this bill penalize our ship operators and ports while holding harmless the foreign governments and their shipyards. H.R. 2056 will not stop international subsidies. It will only hurt our flag vessels, U.S. exports, and more importantly, American jobs.

The opposition to title I is broad and diverse. The nearly 50 organizations fighting the shipbuilding provisions range from maritime labor groups to coal and agricultural interests, to ports up and down our shores. They include the National Marine Engineers' Beneficial Association—America's oldest and largest maritime labor organi-

zation; the American Maritime Congress; the Great Lakes Shipping Association and the Port of Chicago; the National Coal Association and the Pacific Northwest Waterways Association.

It's no wonder, then, that the President supports my motion to recommit, and will veto this bill if it reaches his desk in its current form.

Let me assure my colleagues that this motion does not kill efforts to end international shipbuilding subsidies and to fashion a rational maritime policy. On the contrary, the motion will give the House time to assess two important studies, both due next month. In response to a request made by the Committee on Ways and Means, the International Trade Commission plans to report its analysis of H.R. 2056 by June 1. In addition, a Cabinet-level working group is currently assessing U.S. maritime policy and programs. To act on this bill before these studies are reviewed would be, at best, premature.

Repeal of the recreational boat fees can be accomplished this session, but not if it is abroad a bill which is destined to run aground.

I say to the Members do not sink the chances for repealing the recreational boat fees. Support the motion to recommit.

Mr. GIBBONS. Mr. Speaker, I rise in opposition to the motion.

Mr. Speaker, I first want to rebut again the argument that has just been made by the gentleman from Texas [Mr. ARCHER] about the veto threat. I have here the letter from the President.

□ 1740

It says he will veto the bill if the provision that we just struck out 2 minutes ago on an amendment by the gentleman from Ohio [Mr. GRADISON] is in the bill. So that issue has been dealt with.

Then the President says he opposes the language in title I on shipbuilding subsidies. But then he goes on to say that, as for repeal of the boat user fee, which is title II, that he strongly opposes that.

That definitively rebuts the argument of the gentleman from Texas [Mr. ARCHER]. There is no substance to it. Dividing this bill will only hurt 180,000 American workers who make their living legitimately in shipyards. These are the only American workers that have no legal remedies against subsidized and dumped goods. This is not new law. Every other American has legal remedies against subsidized and dumped goods. We also levy the penalties in the only way we can, which is against the people who import the goods. That is the only way we can do it.

We have tried legitimately and diligently to negotiate this the elimination of shipbuilding subsidies.

The President himself has tried to negotiate this. Regrettably, it is a fact of life that we cannot get anywhere with the Europeans in this negotiation. The Germans, the French, and the Italians are stalling, and they are not going to do a thing until we put their feet to the fire and they finally realize we mean business about subsidies.

I have followed these negotiations closely, as I follow all international negotiations. I know what I am talking about.

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

Mr. GIBBONS. I yield to the gentleman from New York.

Mr. MCGRATH. Mr. Speaker, I thank the gentleman for yielding to me.

I want to ask whether or not the gentleman could tell us how many employees of the shipbuilding business would be out of business, unemployed, if this bill does not pass?

Mr. GIBBONS. Mr. Speaker, it is apparent that in a short period of time at least 180,000 people in the shipbuilding business will be out of work unless we do something. There is no way they can compete in world commerce as long as our competitors are heavily subsidized.

Mr. MCGRATH. Mr. Speaker, if the gentleman will continue to yield, perhaps he could tell us how many years the U.S. Trade Representative has had this item for negotiation without any result?

Mr. GIBBONS. Mr. Speaker, we repealed unilaterally our subsidies 11 years ago. For the past three years, we have tried in vain to negotiate on this issue. We wore out 3 negotiators in the process, sending them back and forth to Paris to negotiate on this. Contrary to what some of my colleagues have said, we are nowhere in these negotiations. They ended in worst disarray after the last negotiating session that was just finished a couple of weeks ago than they were when they started this.

There is no way to solve this problem except by bringing some leverage against our negotiating partners and then pushing our point home.

Mr. MCGRATH. Mr. Speaker, if the gentleman will continue to yield, is it not the understanding of the chairman that by 1998, there will be no shipbuilding yards in this country if this bill is not passed?

Mr. GIBBONS. Mr. Speaker, we are not building any commercial ships now. One of the gentleman here earlier in the debate said we were building 80 commercial ships just 10 years ago. We are building none now.

The foreigners simply reduce their prices by the use of subsidies until our people are frozen out of the market.

Mr. MCGRATH. Mr. Speaker, with the advent of the double-hulled tanker, if this bill does not pass and we have no shipyards to build those double-hulled tankers, is it not true that all of that business will go to Japan, South Korea, and our German friends?

Mr. GIBBONS. Mr. Speaker, it will. There is no doubt about it. That is where it has been going.

We have unilaterally disarmed, and we relied upon the good will of our trading partners to negotiate. Good will just does not work in this type of negotiation. We cannot, unless we take something to the negotiating table that is a chit or muscle, we cannot get an agreement. We are going to lose all of our jobs, and it is rank discrimination to say to 180,000 good, honest American workers who do good work, very competitive work that we are going to sacrifice them but we will not sacrifice any other American workers.

We protect all the other American workers against subsidized goods and dumped goods, but we just do not protect the shipyard workers.

Mr. MCGRATH. Mr. Speaker, I totally agree with the gentleman.

Mr. LAGOMARSINO. Mr. Speaker, on motion to recommit H.R. 2056, I rise in strong support of repealing the so-called Coast Guard user fee charged against recreational boaters, and I urge my colleagues to support the Archer motion to allow the House to vote on this repeal without extra add-ons.

I voted against the Coast Guard user fee in 1990, and I am a cosponsor of legislation to repeal it. There is strong support for the repeal of the fee—261 cosponsors on the bill and a favorable report by two committees.

Unfortunately, the repeal of the Coast Guard user fee is being made a political hostage by attaching it to this foreign subsidy bill.

Make no mistake about it, a vote for the Archer motion is a vote to allow the House to consider repealing the Coast Guard user fee on its own merits, without add-ons.

I urge my colleagues to support the Archer motion.

Mr. SHAW. Mr. Speaker, today I rise in strong support of the Archer motion to recommit H.R. 2056, the Shipbuilding Trade Reform Act of 1992. I urge my colleagues to support this measure being offered by the ranking minority member of the Ways and Means Committee, the distinguished gentleman from Texas, because this may be the only opportunity this Congress has to vote for a clean repeal of the boat user fee.

Mr. Speaker, this tax disguised as a user fee was a loser when David Stockman first proposed it in 1981, and is still a loser today. The only difference is that today we have definite evidence proving this tax should have never been enacted in the first place.

I ask my colleagues to consider the following facts: During 1991 the Office of Management and Budget estimated that the boat user fee would generate $130 million. In fact, it raised only about $18.5 million. Additionally, only 15 percent of our Nation's 4.1 million boaters subject to the user fee have purchased a decal. The miserable compliance record for this tax is perhaps only surpassed by the compliance record of the often-skirted 55-mph speed limit.

Mr. Speaker, the boat user fee is unfair and counterproductive. Unfair because it singles

out a particular group of people, namely recreational boaters, who already pay nearly $300 million alone in Federal taxes a year, while not taxing other people's avocations. It is counterproductive because it raises little revenue while it burdens the Coast Guard, which has more important missions to fulfill, such as search and rescue operations, drug interdiction, and boating safety education.

This user fee on boats is similar to the luxury tax on boats, another tax enacted as part of the 1990 budget deal. Like the user fee, the boat luxury tax too went over like a lead zeppelin. The luxury tax on boats has helped destroyed a proud American industry, and has thrown blue collar workers out of their jobs. I am hopeful that the House will act quickly to repeal that onerous tax too. Today, however, we must tend to the vote at hand and vote to sink the boat user fee.

I urge my colleagues to support the Archer motion to recommit H.R. 2056.

Mr. SANTORUM. Madam Chairman, Having long supported the repeal of the boat user fee, I rise today in support of H.R. 2056, the Shipbuilding Trade Reform Act.

H.R. 2056 offers the best opportunity for Congress to repeal what is really an unnecessary tax. Both the user fee and its twin, the luxury tax, have led to a depressed boating industry. Moreover, in Pittsburgh and the rest of Allegheny County the user fee has proved an unwanted burden to more than 29,000 registered boaters. As a fiscal tool, the user fee has proved especially ineffective contributing to, at best, insignificant revenue gains.

For these reasons, I am pleased that this legislation affords us the opportunity to vote on repealing this unfair tax. My only regret is that we are phasing the tax out over time instead of repealing it outright. Although we must acknowledge that this vote is the best we can do at the moment, the fact that we are repealing what only passed into law a couple of years ago should serve as a reminder to Congress that politics of the moment is a poor substitute for prudence in government.

I urge my colleagues to repeal the boat user tax—vote for this legislation.

Mr. SWIFT. Madam Chairman, the vote today, on the Shipbuilding Trade Reform Act, is a most difficult one. No one can deny that our shipbuilding industry is in real trouble, and that foreign subsidies of overseas shipyards have created an uneven playing field on which it is most difficult to compete. Likewise, no one can deny that the administration has dropped the ball in failing to resolve this issue over the last several years.

Situations such as this can and should be handled through international negotiations. In fact, the administration has repeatedly promised our shipbuilders that these issues will be resolved, but 3 years of supposed negotiations have netted no agreement. Thus, those shipyards turned to Congress to do the administration's work for it.

I wish I could support this measure as a way to help our shipyards and our economy, but I don't believe that its long-term effect will be to help either. Its goals are laudible, but it simply goes too far. Approaching this problem through this type of legislation, rather than the more effective international negotiating process, would likely result in decreased exports from this country. That result hurts everyone in the process, making the administration's unwillingness to resolve this issue all the more irresponsible.

I urge the administration to keep their promise to our shipyards and hammer out an international agreement to address this problem. I will continue to press for this result so that our shipbuilding workers can stop getting beaten up by unfair subsidies.

The SPEAKER pro tempore (Mr. McNULTY). All debate time on the motion to recommit has now expired.

Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

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

Mr. ARCHER. 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 179, nays 237, not voting 18, as follows:

[Roll No. 120]

YEAS—179

Allard
Anderson
Andrews (TX)
Anthony
Archer
Armey
Aspin
Bacchus
Ballenger
Barnard
Barrett
Barton
Bereuter
Berman
Bliley
Boucher
Brewster
Broomfield
Bunning
Burton
Bustamante
Camp
Campbell (CA)
Chandler
Chapman
Clinger
Coble
Coleman (MO)
Combest
Cox (CA)
Crane
de la Garza
DeLay
Dicks
Doolittle
Dorgan (ND)
Dornan (CA)
Dreier
Durbin
Eckart
Edwards (OK)
Edwards (TX)
English
Ewing
Fascell
Fawell
Fields
Fish
Frank (MA)
Franks (CT)
Gallegly
Gallo
Geren
Gillmor
Gingrich
Glickman
Goss
Gradison
Grandy
Green
Gunderson
Hall (TX)
Hamilton
Hammerschmidt
Hancock
Hansen
Hastert
Hayes (LA)
Henry
Herger
Hobson
Hopkins
Horton
Houghton
Hubbard
Huckaby
Hyde
Inhofe
James
Johnson (TX)
Johnston
Kasich
Klug
Kolbe
Kostmayer
Kyl
LaFalce
Lagomarsino
Laughlin
Leach
Lehman (FL)
Lewis (FL)
Long
Lowey (NY)
Machtley
Marlenee
Martin
McCandless
McCollum
McCurdy
McDade
McEwen
McMillan (NC)
Meyers
Michel
Miller (OH)
Miller (WA)
Mink
Moorhead
Morrison
Myers
Nagle
Nichols
Nussle
Obey
Ortiz
Oxley
Panetta
Paxon
Penny
Peterson (FL)
Peterson (MN)
Petri
Porter
Price
Pursell
Rahall
Ramstad
Ravenel
Rhodes
Riggs
Roberts
Rogers
Rohrabacher
Ros-Lehtinen
Rose
Sarpalius
Schaefer
Schiff
Schumer
Sensenbrenner
Sharp
Shaw
Shays
Shuster
Skaggs
Slattery
Smith (FL)
Smith (IA)
Smith (NJ)
Smith (OR)
Smith (TX)
Solomon
Spence
Stearns
Stenholm
Stump
Sundquist
Swift
Synar
Tallon
Thomas (CA)
Thomas (GA)
Thomas (WY)
Upton
Valentine
Vander Jagt
Vucanovich
Walker
Walsh
Weber
Williams
Wilson
Wolf
Wylie
Young (AK)
Young (FL)
Zeliff
Zimmer

NAYS—237

Abercrombie
Ackerman
Alexander
Allen
Andrews (ME)
Andrews (NJ)
Annunzio
Applegate
Atkins
Baker
Bateman
Beilenson
Bennett
Bentley
Bevill
Bilbray
Bilirakis
Blackwell
Boehlert
Boehner
Bonior
Borski
Boxer
Brooks
Browder
Brown
Bruce
Byron
Callahan
Campbell (CO)
Cardin
Carper
Carr
Clay
Clement
Coleman (TX)
Collins (IL)
Collins (MI)
Condit
Conyers
Cooper
Costello
Coughlin
Cox (IL)
Coyne
Cramer
Cunningham
Darden
Davis
DeFazio
DeLauro
Dellums
Derrick
Dickinson
Dingell
Dixon
Donnelly
Dooley
Downey
Duncan
Dwyer
Early
Edwards (CA)
Emerson
Engel
Erdreich
Espy
Evans
Fazio
Feighan
Flake
Foglietta
Ford (MI)
Ford (TN)
Frost
Gaydos
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gilman
Gonzalez
Goodling
Gordon
Guarini
Hall (OH)
Harris
Hayes (IL)
Hefley
Hefner
Hertel
Hoagland
Hochbrueckner
Holloway
Horn
Hoyer
Hughes
Hunter
Hutto
Jacobs
Jefferson
Jenkins
Johnson (CT)
Johnson (SD)
Jones (GA)
Jones (NC)
Jontz
Kanjorski
Kaptur
Kennedy
Kennelly
Kildee
Kleczka
Kopetski
Lancaster
Lantos
LaRocco
Lehman (CA)
Lent
Levin (MI)
Lewis (CA)
Lewis (GA)
Lipinski
Livingston
Lloyd
Lowery (CA)
Luken
Manton
Markey
Martinez
Matsui
Mavroules
Mazzoli
McCloskey
McDermott
McGrath
McHugh
McMillen (MD)
McNulty
Mfume
Mineta
Molinari
Mollohan
Montgomery
Moody
Moran
Morella
Murphy
Murtha
Natcher
Neal (MA)
Neal (NC)
Nowak
Oakar
Oberstar
Olin
Olver
Orton
Owens (NY)
Owens (UT)
Packard
Pallone
Pastor
Patterson
Payne (NJ)
Payne (VA)
Pease
Pelosi
Perkins
Pickett
Pickle
Poshard
Quillen
Rangel
Ray
Reed
Regula
Richardson
Ridge
Rinaldo
Ritter
Roe
Roemer
Rostenkowski
Roth
Rowland
Roybal
Russo
Sabo
Sanders
Savage
Sawyer
Saxton
Scheuer
Schroeder
Schulze
Serrano
Sikorski
Sisisky
Skeen
Skelton
Slaughter
Snowe
Solarz
Spratt
Stallings
Stark
Stokes
Studds
Swett
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Thornton
Torres
Torricelli
Towns
Traficant
Traxler
Unsoeld
Vento
Visclosky
Volkmer
Washington
Waters
Waxman
Weiss
Weldon
Wheat
Whitten
Wise
Wolpe
Wyden
Yates
Yatron

NOT VOTING—18

AuCoin, Bryant, Dannemeyer, Dymally, Hatcher, Ireland, Kolter, Levine (CA), Lightfoot, McCrery, Miller (CA), Moakley, Mrazek, Parker, Roukema, Sangmeister, Santorum, Staggers

□ 1807

The Clerk announced the following pair:

On this vote:

Mrs. Roukema for, with Mr. AuCoin against.

Messrs. BORSKI, SKEEN, OLVER, SERRANO, FOGLIETTA, and HEFLEY changed their vote from "yea" to "nay."

Messrs. MCCURDY, VALENTINE, DE LA GARZA, HORTON, SMITH of Iowa, BARNARD, NAGLE, HALL of Texas, SCHUMER, BUSTAMANTE, ROSE, WILSON, BERMAN, VANDER JAGT, and EDWARDS of Texas changed their vote from "nay" to "yea."

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. (Mr. MCNULTY). The question is on the passage of the bill.

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

RECORDED VOTE

Mr. WALKER. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device and there were—ayes 339, noes 78, not voting 17, as follows:

[Roll No. 121]

AYES—339

Abercrombie, Ackerman, Alexander, Allen, Andrews (ME), Andrews (NJ), Annunzio, Anthony, Applegate, Atkins, Bacchus, Baker, Ballenger, Barnard, Bateman, Bellenson, Bennett, Bentley, Berman, Bevill, Bilbray, Bilirakis, Blackwell, Bliley, Boehlert, Boehner, Bonior, Borski, Boxer, Brewster, Brooks, Broomfield, Browder, Brown, Bruce, Burton, Bustamante, Byron, Callahan, Camp, Campbell (CO), Cardin, Carper, Carr, Chapman, Clay, Clement, Clinger, Coble, Coleman (MO), Coleman (TX), Collins (IL), Collins (MI), Condit, Conyers, Cooper, Costello, Cox (IL), Coyne, Cramer, Cunningham, Darden, Davis, de la Garza, DeFazio, DeLauro, Dellums, Derrick, Dickinson, Dicks, Dingell, Dixon, Donnelly, Dooley, Dorgan (ND), Downey, Duncan, Durbin, Dwyer, Early, Eckart, Edwards (CA), Edwards (TX), Emerson, Engel, Erdreich, Espy, Evans, Fazio, Feighan, Fish, Flake, Foglietta, Ford (MI), Ford (TN), Frank (MA), Frost, Gallegly, Gaydos, Gejdenson, Gekas, Gephardt, Geren, Gibbons, Gilchrest, Gillmor, Gilman, Gingrich, Glickman, Gonzalez, Goodling, Gordon, Goss, Guarini, Gunderson, Hall (OH), Hall (TX), Hamilton, Hammerschmidt, Hancock, Harris, Hayes (IL), Hayes (LA), Hefley, Hefner, Henry, Herger, Hertel, Hoagland, Hobson, Hochbrueckner, Holloway, Horn, Houghton, Hoyer, Huckaby, Hughes, Hunter, Hutto, Jacobs, James, Jefferson, Jenkins, Johnson (CT), Johnson (SD), Jones (GA), Jones (NC), Jontz, Kanjorski, Kaptur, Kasich, Kennedy, Kennelly, Kildee, Kleczka, Klug, Kopetski, Kostmayer, LaFalce, Lagomarsino, Lancaster, Lantos, LaRocco, Laughlin, Leach, Lehman (CA), Lent, Levin (MI), Lewis (CA), Lewis (GA), Lipinski, Livingston, Lloyd, Long, Lowery (CA), Lowey (NY), Luken, Machtley, Markey, Marlenee, Martin, Martinez, Matsui, Mavroules, Mazzoli, McCandless, McCloskey, McCollum, McCurdy, McDade, McDermott, McGrath, McHugh, McMillan (NC), McMillen (MD), McNulty, Meyers, Mfume, Miller (CA), Mineta, Mink, Molinari, Mollohan, Montgomery, Moody, Moran, Morella, Morrison, Murphy, Murtha, Natcher, Neal (MA), Neal (NC), Nowak, Oakar, Oberstar, Obey, Olin, Olver, Ortiz, Orton, Owens (NY), Owens (UT), Packard, Pallone, Panetta, Pastor, Patterson, Paxon, Payne (NJ), Payne (VA), Pease, Pelosi, Penny, Perkins, Peterson (FL), Peterson (MN), Petri, Pickett, Pickle, Poshard, Price, Pursell, Quillen, Ramstad, Rangel, Ravenel, Ray, Reed, Regula, Richardson, Ridge, Rinaldo, Ritter, Roe, Roemer, Rohrabacher, Rose, Rostenkowski, Roth, Rowland, Roybal, Russo, Sabo, Sanders, Sarpalius, Savage, Sawyer, Saxton, Schaefer, Scheuer, Schroeder, Schulze, Serrano, Sharp, Shaw, Shays, Shuster, Sikorski, Sisisky, Skeen, Skelton, Slaughter, Smith (NJ), Smith (TX), Snowe, Solarz, Solomon, Spence, Spratt, Stallings, Stark, Stearns, Stokes, Studds, Stump, Sundquist, Swett, Swift, Synar, Tallon, Tanner, Tauzin, Taylor (MS), Taylor (NC), Thomas (CA), Thomas (GA), Thomas (WY), Thornton, Torres, Torricelli, Towns, Traficant, Traxler, Unsoeld, Upton, Valentine, Vander Jagt, Vento, Visclosky, Volkmer, Vucanovich, Walker, Walsh, Washington, Waters, Waxman, Weldon, Wheat, Whitten, Wise, Wolf, Wolpe, Wyden, Yates, Yatron, Young (AK), Young (FL), Zeliff

NOES—78

Allard, Anderson, Andrews (TX), Archer, Armey, Aspin, Barrett, Barton, Bereuter, Boucher, Bunning, Campbell (CA), Chandler, Combest, Coughlin, Cox (CA), Crane, DeLay, Doolittle, Dornan (CA), Dreier, Edwards (OK), English, Ewing, Fascell, Fawell, Fields, Franks (CT), Gallo, Gradison, Grandy, Green, Hansen, Hastert, Hopkins, Horton, Hubbard, Hyde, Inhofe, Johnson (TX), Johnston, Kolbe, Kyl, Lehman (FL), Lewis (FL), Manton, McEwen, Michel, Miller (OH), Miller (WA), Moorhead, Myers, Nagle, Nichols, Nussle, Oxley, Porter, Rahall, Rhodes, Riggs, Roberts, Rogers, Ros-Lehtinen, Schiff, Schumer, Sensenbrenner, Skaggs, Slattery, Smith (FL), Smith (IA), Smith (OR), Stenholm, Weber, Weiss, Williams, Wilson, Wylie, Zimmer

NOT VOTING—17

AuCoin, Bryant, Dannemeyer, Dymally, Hatcher, Ireland, Kolter, Levine (CA), Lightfoot, McCrery, Moakley, Mrazek, Parker, Roukema, Sangmeister, Santorum, Staggers

□ 1825

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. GIBBONS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks, and include therein extraneous material, on H.R. 2056, the bill just passed.

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

There was no objection.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 5132, DIRE EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT, 1992, FOR DISASTER ASSISTANCE TO MEET URGENT NEEDS BECAUSE OF CALAMITIES SUCH AS THOSE WHICH OCCURRED IN LOS ANGELES AND CHICAGO

Mr. DERRICK, from the Committee on Rules, submitted a privileged report (Rept. No. 102-519) on the resolution (H. Res. 454) providing for the consideration of the bill (H.R. 5132) making dire emergency supplemental appropriations for disaster assistance to meet urgent needs because of calamities such as those which occurred in Los Angeles and Chicago, for the fiscal year ending September 30, 1992, and for other purposes, which was referred to the House Calendar and ordered to be printed.

HOUR OF MEETING ON THURSDAY, MAY 14, 1992

Mr. DERRICK. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 10 a.m. tomorrow, Thursday, May 14, 1992.

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

There was no objection.

PROVIDING FOR CONSIDERATION OF H.R. 4111, SMALL BUSINESS CREDIT CRUNCH RELIEF ACT OF 1992

Ms. SLAUGHTER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 452 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 452

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 4111) to amend the Small Business Act to provide additional loan assistance to small businesses, and for other purposes, and the first reading of the bill shall be dispensed with. After general debate, which shall be confined to the bill and which shall not exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Small Business, the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider the amendment in the nature of a substitute recommended by the Committee on Small Business now printed in the bill as an original bill for the purpose of amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House, and any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore. The gentlewoman from New York [Ms. SLAUGHTER] is recognized for 1 hour.

□ 1830

Ms. SLAUGHTER. Mr. Speaker, during consideration of this resolution, all time yielded is for the purpose of debate only. At this time I yield the customary 30 minutes, for the purpose of debate only, to the gentleman from California [Mr. DREIER]. Pending that, I yield myself such time as I may consume.

Mr. Speaker, House Resolution 452 is an open rule providing for the consideration of H.R. 4111, the Small Business Credit Crunch Relief Act of 1992. The rule provides 1 hour of general debate to be equally divided and controlled by the chairman and ranking minority member of the Small Business Committee.

The rule makes in order the Small Business Committee amendment in the nature of a substitute now printed in the bill as an original bill for purposes of amendment.

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

The purpose of H.R. 4111 is to increase the authorization levels for loan guarantees under section 7(a) of the Small Business Act, and to permit up to 10 percent of the total amount authorized to be utilized annually for pilot programs.

Section 7(a) loans are presently authorized through fiscal year 1993. However, due to the prolonged economic recession, many credit worthy small business borrowers are unable to secure financing.

During the first 6 months of fiscal year 1992, demand for section 7(a) and other Small Business Administration loans were up substantially as compared to the same time the previous year.

If SBA Loan Program participation continues at its present rate, they will run out of funds before the end of this fiscal year. If fact, as Chairman LAFALCE testified before the Rules Committee, the program would have already shut down but for the Office of Management and Budget's approval allowing the Small Business Administration to borrow loan funds which are held in reserve for the fourth quarter.

Mr. Speaker, I encourage my colleagues to support House Resolution 452.

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

Mr. Speaker, as I told the chairman of the Committee on Small Business last week in the Committee on Rules, any time we get an open rule I am extraordinarily enthusiastic. Mr. Speaker, I was here earlier today decrying the fact that the rule that we had to consider the shipbuilding bill was, unfortunately, a closed rule. This is only the second open rule of this year, Mr. Speaker.

In other words, out of 13 rules considered this year, this is only the second time Members will be able to come to the well of this Chamber and fully participate in the legislative process.

For the record—and I have said it here more than once—Mr. Speaker, 65 percent of all the rules have come out of the Committee on Rules in this Congress have been restricted. That is why I want to again congratulate Chairman LAFALCE and the ranking Republican, the gentleman from Florida [Mr. IRELAND], for requesting this increasingly rare resolution known as the open rule.

Mr. Speaker, this bill provides $1.3 billion in new lending authority for the SBA's Guaranteed Loan Program for fiscal year 1992. These funds will allow banks to make more small-business loans while maintaining higher capital reserves mandated by Congress. This bill is bipartisan, and the greatest thing, once again, is this open rule. As I say, wonders will never cease. Mr. Speaker, we have this great chance to allow Members to exercise their constitutional right to participate in the legislative process.

Mr. Speaker, I should say I have no request for time. Everyone here is ecstatic at the prospect of being able to amend this bill.

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

Ms. SLAUGHTER. Mr. Speaker, I have no requests for time, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

COMMUNICATION FROM THE REPUBLICAN LEADER

The SPEAKER pro tempore (Mr. MCNULTY) laid before the House the following communication from the Honorable BOB MICHEL, Republican leader:

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

Hon. THOMAS S. FOLEY,
Speaker of the House, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to section 203(b)(1)(D) of Public Law 102-166, I hereby appoint the following individual to serve as a member of the Glass Ceiling Commission: Ms. Lynne O'Shea, Vice President/Business Development, Gannett Company, Inc., 444 North Michigan Avenue, Chicago, Illinois 60611.

Sincerely,

BOB MICHEL,
Republican Leader.

COMMUNICATION FROM THE REPUBLICAN LEADER

The SPEAKER pro tempore (Mr. MCNULTY) laid before the House the following communication from the Honorable BOB MICHEL, Republican leader:

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

Hon. THOMAS S. FOLEY,
Speaker of the House, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to sec. 1081(c)(1)(E) of Public Law 102-240, I hereby appoint the following individual to serve as a member of the Commission to Promote Investment in America's Infrastructure: Mr. Francis X. Lilly, Bear, Stearns & Co. Inc., 805 15th Street, N.W., Suite 1120, Washington, DC 20005.

Sincerely,

BOB MICHEL,
Republican Leader.

STOP THE FLOOD OF TAX DOLLARS

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

Mr. SENSENBRENNER. Mr. Speaker, there is another bill where we ought to separate the question, and that is the supplemental appropriation bill that will come up tomorrow. Unlike the statement of the gentlewoman from Illinois [Mrs. COLLINS], the flood

in Chicago was a manmade disaster, and it was caused by the gross negligence and incompetence of the Chicago building inspection department. Chicago city officials knew that the freight tunnels under the Chicago River were leaking as early as February 27, and yet they refused to inspect the problems. They took pictures and did not pick them up for a week, and one inspector did not do a required inspection because he could not find a parking place.

So, Mr. Speaker, a little leak became a big leak, and on April 13, 6 weeks later, there was a flood.

The question is whether we should charge our taxpayers in Wisconsin and California and New York and elsewhere to indemnify the incompetence of the Chicago city government. Even Mayor Richard Daley recognized that the government did not work and that this was caused by a gross failure of his inspection department.

Mr. Speaker, I show the House a copy from the Chicago Tribune, "Daley bags 4 bureaucrats. Mayor tells of incredible flood fiasco." I am placing that article in the CONGRESSIONAL RECORD, and I hope that the House will have a vote to stop the flood of tax dollars to the manmade flood in Chicago.

[From the Chicago Tribune, Apr. 23, 1992]

DALEY BAGS 4 BUREAUCRATS: MAYOR TELLS OF INCREDIBLE FLOOD FIASCO

(By John Kass)

Mayor Richard Daley sketched a frightening but familiar portrait of a sluggish and indifferent city government on Wednesday as he stood five floors above a basement still full of stinking Chicago River water, flooded because a bungling bureaucracy didn't bother to take action.

To anxious taxpayers who will undoubtedly cover the costs of the Great Chicago Flood that swamped the Loop last week, the mayor offered the heads of four more City Hall bureaucrats and promised to suspend three others.

He told a detailed account about deceit and laziness that reinforced every legendary negative stereotype of city workers, then added that he did not intend to indict the system or his government. Still, the mayor said Chicagoans had lost faith in a City Hall that ignored warnings in February that an underground tunnel would burst and cause a catastrophe.

"Perhaps worst of all, the people of Chicago have experienced an understandable loss of confidence in their government and that's something we can't fix with cement trucks or with federal disaster funds or with all the experts in the world," Daley said, reading a statement during a press conference in his office and recounting the months leading up to the April 13 flood.

The leaking underground tunnel was first observed on Jan. 14 by a surveying crew from Chicago Cable Television, which runs cables through the underground network. And while attempting to resolve some questions of how that company's pleas for action were ignored, the city unveiled a new mystery in the case.

City Corporation Counsel Kelly Welsh said that when the cable company crew was in the tunnel, which was filling with river silt and water, they observed fresh footprints in the mud. But Welsh could give no reason as to who left those tracks.

The events related by the mayor show a stifling bureaucracy where workers took months to decide a course of action and where supervisors were unconcerned. One waited for days to pick up important photographs of the underground tunnel that were left at a Northwest Side Osco drug store, and others didn't inspect key construction projects because, they said, they couldn't find a place to park their cars.

"You know, it's just very upsetting, given the consequences," Daley said. "There are a lot of things [that are] incredible."

But when asked whether his government discouraged workers from kicking problems up the bureaucratic ladder the mayor said city workers should inform him personally of any problems.

"First of all, there's a whole process to go through. Go right to the supervisor. Write me a letter," he said.

Wednesday's resignations, planned firings and suspensions of seven city workers were to show that Daley would not accept shoddy work from his bureaucrats—as was his firing last week of former acting Transportation Commissioner John LaPlante, who received on April 3 a memo dated the day before that warned the tunnel would crack and flood the Loop.

Some Daley advisers have been concerned for several days that LaPlante, fired the day after the flood began, would be tuned into a sympathetic character in the drama before it played itself out.

And by the end of the press conference, their fears were realized as the administration's own account showed LaPlante acted on the suggestions of his subordinates and ordered work to begin immediately, but ran out of time.

While LaPante, a career bureaucrat with no political clout, was having his image reshaped by events, a top political aide to Daley, General Services Commissioner Ben Reyes, was left unharmed Wednesday. Reyes is a top Hispanic political operative of the mayor.tive of the mayor.

Daley said Wednesday that Reyes had offered his resignation hours earlier, but the mayor declined to accept it pending the outcome of the investigation. Political allies of Daley, including (26th), have been lobbying the mayor to keep Reyes and bolster the white-ethnic and Hispanic coalition.

Reyes' department first learned of the tunnel problems in February, but Reyes said he had no knowledge of the leak. On Tuesday, a former chief engineer for Reyes said he told the commissioner about the tunnel, that it was filling with river silt and leaking water.

In the stacks of memos, documents and workers' diaries handed out to reporters, there were two memos from LaPlante to Reyes. The LaPlante memos informed Reyes that inspection of the tunnels was the responsibility of General Services.

When asked if LaPlante had been fired for convenience and if Reyes was being kept on because he had political contacts, the mayor bristled:

"I don't worry about politics. I did not fire anyone who is a Democrat, Republican or independent. I do not look at their political affiliations or where they live, who they are, what sex they are, what race or creed or religion. I did not look at any of those. I just want to emphasize. I did not look at any of that."

Welsh began the press conference with a 40-minute briefing in which he positioned the city's defense against civil lawsuits for flood damage. Welsh said that under state law, the city cannot be held responsible for the discretionary acts of its employees. Welsh also defended his investigation against criticism from some aldermen that he was trying to protect top Daley aides.

Welsh also laid out the case against the seven workers. The mayor then took over and dropped the hammer for six Department of Transportation workers and one from the Department of General Services.

Daley said he had received the resignations of chief Bridge Engineer Louis Koncza, 70, who knew of the damage to the tunnel on March 25. Koncza wrote an urgent April 2 memo to LaPlante. But Daley painted Koncza as a "paper shuffler" who failed to act quickly to repair the damage.

The mayor said it took Koncza a week to hold a meeting on the issue and another week to get construction estimates.

"He was still looking for more estimates when the flood broke," Daley said, adding that the April 2 memo does not absolve Koncza of responsibility. "He should have acted on it. Bureaucratic paper-shuffling in the face of such a monumental threat is unacceptable."

Daley also took the resignation of supervising engineer Dennis Sadowski, 41, who the mayor said "dropped the ball" when he did not inspect the construction of pilings driven into the riverbed at the Kinzie Street bridge. The piling construction last year, by Great Lakes Dredge & Dock Co., is targeted by the city as the reason the underground tunnel wall cracked.

Sadowski learned of the tunnel damage by March 18, but waited a week before he informed Koncza, his superior.

The mayor said Sadowski was to have inspected pilings at five city bridges along with James Bolster, the on-site engineer technician. But they only inspected one bridge, at Cermak Road, and admitted later they ignored the Kinzie Street site because they couldn't find a place to park.

"This was his project, and he should have acted quicker," the mayor said.

The mayor said he is seeking to fire two other city employees, Frank Ociepka, a supervising engineer who allowed Great Lakes to alter the position of the river pilings but never inspected the work; and James McTigue, the General Services employee who first inspected the tunnel on March 13 after learning about the damage in late February.

It was Ociepka's job to know that the underground tunnels were near the site of the new river pilings, Daley said.

HOUSE SHOULD CONSIDER H.R. 5132, DIRE EMERGENCY SUPPLEMENTAL APPROPRIATION FOR DISASTER RELIEF

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Illinois [Mrs. COLLINS] is recognized for 5 minutes.

Mrs. COLLINS of Illinois. Mr. Speaker, I again rise to express my regret that the gentleman from Wisconsin [Mr. SENSENBRENNER] has chosen to work his ire upon the people of Chicago and my congressional district by attempting to eliminate Federal disaster assistance from emergency appropriation legislation which we should be considering in the near future.

As you know, Mr. Speaker, 1 month ago tomorrow, a weakened wall along

the Chicago River collapsed into an abandoned freight tunnel system, subsequently flooding the basements of the buildings of Chicago's Loop. While property damage alone has been estimated at $300 million, total combined business losses are expected to top $1 billion. That not only includes losses to such Chicago institutions as the Board of Trade, the Mercantile Exchange, and Marshall Fields, but losses suffered by hundreds of small- and medium-sized businesses who woke up on April 13, to find the Chicago River flowing through their basements. Many of these smaller businesses remain closed today; and many others will never be financially able to reopen. And let us not forget about those employees who still have been unable to return to work in those businesses and others who will join the ranks of the unemployed.

Regardless of who is to blame for this tragedy, and I would like to say that blame has not yet been fully assessed in this matter, nobody can deny that this is indeed a disaster of epic proportions. Not since the great fire of 1871 has one single event so paralyzed Chicago and affected the lives of so many.

Further, the Vice President, Mr. QUAYLE, came to Chicago, saw for himself the havoc the flood wreaked upon our city and agreed that Chicago should be declared a disaster area.

However, there is nothing out of the ordinary in requesting some Federal relief for Chicago. Mr. Speaker to do so is in fact, quite in accordance with the law and with prior precedent. If I might quote from the statute upon which our Federal disaster assistance program is based—legislation supported by Mr. SENSENBRENNER in the 100th Congress if I might add—section 102, subsection 2 of Public Law 100-707 specifically states that a disaster shall be defined as "any fire, flood, or explosion regardless of clause."

Let me repeat: It says any disaster and by God this certainly falls into that category and is deserving of Federal relief and assistance. Mr. SENSENBRENNER's assertion that the Federal Government should not be involved in the Chicago disaster because of possible negligence is baseless, mean-spirited, and without precedent. Would the good gentleman from Wisconsin's concern for the American taxpayer be just as strong if a similar disaster befell Sheboygen or Milwaukee? I wonder!

It is my sincere plea that Members in this House will no longer continue the divide-and-conquer politics of Ronald Reagan and George Bush by pitting one group of Americans against another in an attempt to balance the budget on the backs of those who have already been beaten down by the recession, and now a most unfortunate disaster in Chicago.

Mr. SENSENBRENNER asks, "Why should the people in my Wisconsin pay for something that happened in Chicago?" Well why should the people in my inner-city Chicago district pay for dairy subsidies, something which is probably important to the State of Wisconsin and perhaps to his district? For that matter, why should anyone in the United States care what happens elsewhere in the country? Such an attitude is one of self-interest, is not of the national interest, and is a dangerous road to travel. We must not allow ourselves to become so self-absorbed and so self-righteous that it clouds our vision as to what is the moral thing to do in this situation, if not the legal course of action as well.

I cannot speak for Mr. SENSENBRENNER'S Wisconsin constituents, but I do know the people I represent in Chicago. They certainly would not begrudge anyone in the country Federal aid if a similar calamity struck elsewhere.

Hundreds of small businesses in Chicago, Mr. Speaker, businesses who had no idea what was happening 50 feet below the surface of the street, have suffered due to this flood. These are hard-working shopkeepers and businessmen who had nothing to do with the events which led up to the flood. Yet, if the gentleman from Wisconsin has his way, they will be denied the disaster benefits to which they are entitled under the law.

This body has a long history of helping communities recover from floods, fire, earthquakes, drought, and a host of other disasters, both natural and of man's own doing. Let's not play politics with people's livelihoods. Let us get on with H.R. 5132; The dire emergency supplement appropriations for disaster relief.

□ 1840

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. HOCHBRUECKNER). The Chair reminds all Members to avoid personalities in debate.

BUILD THE V-22

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

Mr. WELDON. Mr. Speaker, I take out this special order this evening to discuss what we have just completed in the House Committee on Armed Services. After 9 hours of intense back and forth through the committee process we marked up the 1993 Defense authorization bill, and I should stand here tonight saying that I am totally pleased with that bill, and I am in a general way. But unfortunately we had to insert one provision I would like not to have inserted, and that deals with the top priority of the Marine Corps, the V-22 Osprey.

Mr. Speaker, in last year's defense authorization bill the administration and the Congress agreed to a 2-year program to build six production representative aircraft. Unfortunately Secretary of Defense Dick Cheney and Comptroller Sean O'Keefe have chosen, not only to ignore the law of the land, but to patently disregard what the Congress and the President have agreed to.

I would like to enter at this point in time in the RECORD a copy of an editorial from Defense News this last week entitled: "An Unproductive Fight." It outlines the negative aspects of Dick Cheney's attempt to totally disregard the will of the Congress and the law of the land.

The article referred to is as follows:

AN UNPRODUCTIVE FIGHT

The standoff between U.S. Defense Secretary Dick Cheney and Congress over funding for the V-22 tilt-rotor aircraft is reaching a dangerous threshold.

Mr. Cheney, arguing that the futuristic aircraft that can take off like a helicopter then shift its rotors to fly like a fixed-wing airplane is too expensive for today's declining defense budgets, refuses to spend money that Congress already has appropriated for the aircraft.

By choosing not to spend the money on the aircraft, Mr. Cheney gives himself de factor line-item veto power over the defense budget, a power U.S. presidents, particularly Ronald Reagan, have been trying unsuccessfully to get for years.

This sets a dangerous precedent. If the defense secretary's unilateral decision not to spend $790 million appropriated by Congress in 1992 and earlier years for the V-22 goes unchallenged, it is possible that any member of the Cabinet can have veto power more absolute than that of the president.

This would make the U.S. government more unwieldy and unproductive than it already is.

Mr. Cheney's independent action angers many in Congress, who argue in return that he is in violation of the law.

To counter, some in Congress are generating support to tack an amendment onto a supplemental appropriation bill in the 1992 budget that would freeze all funds needed to run the vast bureaucracy of the Office of the Secretary of Defense.

While it is important to determine the fate of the V-22 program and to resolve the question of who has the power to determine how defense dollars can be spent, the drama unfolding over the V-22 is overwrought and unproductive.

Overtures from Congress threatening to shut down major elements of the Defense Department in a contest of wills with the defense secretary is not in the best interest of the taxpayer or the contractors working to develop the V-22.

American government and politics are based on a system of checks and balances. The V-22 debacle has exposed a flaw in that system.

This is not the first time the power of the administration has been tested. The Nixon administration attempted to withhold spending of billions of dollars on various projects for which funds already had been appropriated.

The argument was concluded with the passage of the Budget Impoundment and Control Act of 1974.

With this act, Congress limited the powers of the president not to spend appropriated funds. Under the act, the president can choose to rescind, defer or reprogram funds if he decides not to spend them on a particular program.

In the case of the V-22, the president had a variety of options if he wished not to spend money on the V-22. He could have simply vetoed the defense appropriations bills that included V-22 funding. He also could have formally acted to rescind, defer or reprogram the funds.

While Congress could override a veto and must concur with rescissions, the administration did not even attempt to follow these normal political channels.

Rather, Mr. Cheney has challenged Congress' right to have a role in the shaping of defense policy in anything more than setting ceilings on spending for defense programs.

If the administration is intent on killing the V-22, it should do so through the established channels. If the administration chooses to keep the program going, the White House should tell Mr. Cheney to stop dragging his feet and end the power struggle with Congress that could result in a major disruption of Pentagon operations over a single weapon program.

Mr. Speaker, the Secretary of Defense knows the President has the option to ask for rescission of funds that have been appropriated by the Congress. He did not choose to do that. And yet the Secretary chooses to have line item veto to take away those funds that we have legitimately appropriated to continue with this revolutionary aircraft. This is an outrage. We have corrected that in this year's defense bill by taking away on a monthly basis 5 percent of the staff and the support for the Comptroller General of DOD's office until such time as he sees fit to comply with the law.

Mr. Speaker, at this time I yield to the gentleman from Texas [Mr. GEREN].

Mr. GEREN of Texas. Mr. Speaker, I thank the gentleman from Pennsylvania [Mr. WELDON] for yielding. I want to applaud my colleague and the Committee on Armed Services under the leadership of the gentleman from Wisconsin [Mr. ASPIN] for the fine work they have done in marking up the defense authorization bill for fiscal year 1993. As my colleague mentioned, it is unfortunate that we have reached a point in our dealings with Secretary Cheney that we were forced to put language in this bill that forces him to obey the law. He is one of the highest officers in the land, and we are having to force him to obey the law, a law that Congress passed, a law that the President signed.

Mr. Speaker, over the last 2 years we have had a very healthy debate in this Congress and around this country on the V-22, and we have seen observer after observer study the issue, thoughtful observers, and they came down on the side of the Marines and of the critical program, the V-22.

Mr. Speaker, I enter into the CONGRESSIONAL RECORD a recent editorial from an unlikely source, one that certainly has been a supporter of the administration and many of its battles, but it is the Washington Times of May 4, 1992, in which it exhorts Secretary Cheney to, and I quote, "Build the V-22." The article is as follows:

BUILD THE V-22

In 1982, the Pentagon asked defense contractors to design a replacement for the aging helicopters the armed services used to transport Marines, insert Special Forces and fly search-and-rescue missions. The Bell Boeing Tilrotor Team came back with the V-22 Osprey. Congress supports the aircraft, having appropriated $2.5 billion to develop and build it. President Bush signed the appropriations into law. But Secretary of Defense Dick Cheney doesn't want to spend the money for the Osprey. What, members of Congress ask, is going on?

It's not as if there's much debate about the utility of or need for the V-22. Designed to replace 30-year-old CH-46s and CH-53s, the V-22 tilrotor, a propeller driven craft that can take off like a helicopter and fly like an airplane, meets every specification of American war planners and then some. Through the V-22 was originally designed to perform seven missions, its utility extends to 26 specific areas, including special operations, medium-lift amphibious assault, search and rescue, airborne refueling, signals warfare and electronic intelligence gathering, close air support and anti-submarine warfare. It can fly twice as fast and three times as far as the military's existing helicopters. Had it been available for the Iran hostage rescue mission in 1980, it would have taken eight hours with no refueling to complete the mission, instead of 35 hours with a refueling stop.

The V-22 enjoys wide support. Adm. Paul Yost of the U.S. Coast Guard has said, "The V-22 is the most exciting technology to come on the scene. . . . That aircraft is the answer to a Coast Guard commander's prayer." Former Marine Corps Commandant Al Grey told a congressional committee last year that it "is the most cost-effective idea over time." In the Persian Gulf, it would have "facilitated rescues" because "there were [downed airman] up by Baghdad that we may have gotten," another flag officer said. These officials, along with nearly every member of the armed services who has spoken publicly on the subject, want the V-22.

The tiltrotor aircraft has more than military applications. It has considerable potential for relieving the growing congestion in American airports. Of 16 major airports serving American cities, up to 70 percent of the flights are 300 miles or less. yet these short hops take the same support infrastructure as coast-to-coast or international flights. The V-22 would require only "vertiports" covering 4.5 acres—370 feet by 545 feet—that could be built in cities. As former FAA Administrator Donald Engen said, because most of a traveler's time is spent on the ground getting to and from the airport and waiting for taxis and the like, "tiltrotor travel will be faster than commercial jet travel for millions of passengers. We could fly intercity—not interairport—at reasonably high speeds and relatively low costs." For Washingtonians traveling to New York or Boston, a vertiport at Union Station would save the trip to National or Dulles airports.

Defense analyst Philip Gold notes that the V-22 would also be useful for travel in remote places like Alaska, where many people must travel by airplane inside the state, and as a drug interdiction aircraft.

How good is the V-22? One Japanese industrialist was mightily impressed at what he saw. "If you produce this aircraft, I guarantee you we will buy it," he said. "If you do not, I guarantee you we will build it." Two weeks ago, the Philadelphia Inquirer reported that "a tiny Japanese firm has set up shop just 15 miles from [Boeing Bell] and is hiring key Bell workers to build its own version." Unless the military builds the V-22 (military application being the signal for private sector companies to buy the new technology) the tiltrotor aircraft may well be merely the latest in a line of products invented here but made in Japan.

Mr. Cheney says the V-22 is too expensive. That may be true in the short run. But not building the V-22 isn't going to get around the military's current problem of aging helicopters. Those aircraft can't perform their missions because they are too old. Even performing at peak they couldn't exceed the capability of the V-22, and they are not performing at peak. The aging CH-46s cannot fly to their original specifications without endangering crewmen. In early April, a CH-46 crashed (only one of many that have), killing four of the 14 crewmen aboard. Though the CH-46 can supposedly carry 20, the Pentagon capped the number it will allow on board at nine. In short, at 70 percent carrying capacity, it was overloaded. The Pentagon will spend the money on the mission requirements of the CH-46 anyway, and the V-22 is available now to fill that gap. All this, of course, ignores the tremendous potential for civilian application.

But none of this, really, should matter. Congress passed legislation and President Bush signed it. Mr. Cheney doesn't have the veto, line-item or otherwise. Several congressmen have threatened court action if Mr. Cheney doesn't proceed with the V-22. That would be ugly, unnecessary and an embarrassing spectacle. Mr. Cheney got bad advice on the V-22. The time to build it is now.

Mr. Speaker, Congress passed legislation. President Bush signed it. Mr. Cheney does not have the veto, line item or otherwise. If Mr. Cheney does not proceed with the V-22, this would result in an ugly, unnecessary, and embarrassing spectacle for the administration.

Mr. Cheney got bad advice on the V-22. The time to build it is now. I hope that we are able to move forward with this program. I hope that Mr. Cheney has a change of heart, and I regret that we have reached this point where Congress is forced to exercise its prerogatives to force him to obey the law.

Mr. WELDON. Mr. Speaker, I thank the gentleman from Texas [Mr. GREEN], my good friend and colleague, for those comments and for entering into the RECORD the editorial from the Washington Times.

I would just urge all of our colleagues in the House to support this defense bill when it comes to the floor, including the provision that requires the Secretary of Defense to comply with the law. All of us have to comply with the law. The Secretary of Defense is no different, and I would ask that he follow the law and allow the contracts to go forward on the V-22 program.

□ 1850

THIS NATION NEEDS A JOB BILL

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

Mr. HAYES of Illinois. Mr. Speaker, I was disappointed that as the President traveled to Los Angeles to view the hopeless devastation due to the Rodney King verdict, that he did not truly look beyond the physical destruction and attempt to address the emotional destruction that the people of Los Angeles have suffered. Mr. Speaker, the President ought to take a closer look at what the policies of his administration have created.

The most significant message that the President could have returned to Washington with was his commitment to create jobs to help alleviate the crisis in Los Angeles, as well as in other cities nationwide. Instead of such a message, the President is proposing an urban agenda which essentially incorporates every old proposal he has touted for the last 4 years—parental choice in education, a voucher system for low-income housing, welfare reform, and tax incentives for business.

Once again, the President embraces the basic trickle-down theory that has never worked. We must provide direct aid to communities suffering in crisis like Los Angeles, Chicago, the Bronx, and Harlem, as well as other urban and rural centers. The President's efforts to enhance the economy with his probusiness programs instead of directly funding programs which address the real hard core issues of poverty, homelessness, joblessness, lack of educational opportunities, and access to health care are inadequate at best. Band aid solutions have never worked, and will not work now. The wound is now too severe.

People are distraught and are suffering. The disturbance in Los Angeles should be a sign for the leaders of this country. This Nation, this Government must assist in improving the quality of life for all Americans, and that means jobs. I have introduced in the House H.R. 4122, the Infrastructure Improvement and Job Opportunity Act which directly addresses the crisis in Los Angeles and in other cities with high jobless rates.

As the President and the leadership of this Congress continue in their efforts to draft an urban agenda, I want to recommend that efforts are made to secure knowledgeable advice on the needs of this nation's cities. While jobs are critical, the people of Los Angeles and other cities have a lot to say about their needs. Let us not shove down their throats solutions which in no way relate to the problems.

In addition, let us not politicize this crisis. We must remember, Mr. Speaker, that lives have been lost in this struggle for justice—and that is what all of this is really about. Many more lives hang in the balance. The mere fact that the President, as well as many leaders of this body, are looking to maintain their jobs in November ought not impact on doing the right thing.

The short-term assistance is critical. However, we must not forget the incident which sparked this debate. This Nation must address the broader issue of our unjust justice system or we will merely repeat history next month or next year. The uneven application of our system of justice is what ignited the fuse in Los Angeles. Our President's record on basic civil rights issues is certainly not stellar, but we must continue to fight. Rodney King was tried and found guilty—and that is not my understanding of justice and democracy.

Funds to create jobs for this Nation ought to be our top priority. We must begin to address the issues of concern to this Nation, and we must do it now before we are graphically confronted with disturbances similar to Los Angeles, nationwide. I call on this Congress to pass a jobs bill before the end of this session. Despair breeds hopelessness. We must help give people hope.

DEPARTMENT OF JUSTICE FISCAL YEAR 1993 APPROPRIATIONS

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

Mr. BROOKS. Mr. Speaker, today I am introducing a bill to authorize appropriations for the Department of Justice to carry out its activities for fiscal year 1993. This bill authorizes the appropriations of $9.603 billion for the Department to carry out its law enforcement, prosecutorial, civil, and custodial functions. The Department recently submitted proposed legislation requesting an authorization of $8.15 billion. One of the principal differences between the two bills is that the Department proposal fails to provide any authorization for the U.S. Marshals Service, the U.S. trustee system, or the asset forfeiture fund. The Justice Department believes it has permanent authorization for these programs. The committee believes that these important programs should be subject to oversight by the legislative branch through the authorization process and thus should be considered as part of the overall DOJ authorization bill.

In addition, the committee's bill provides for funding over and above the Department's proposal by $350.2 million for the Federal prison system, $228.5 million for the Drug Enforcement Administration, $13.5 million for the Antitrust Division, and $24.4 million for the Immigration and Naturalization Service. The committee's bill also authorizes the appropriation of $500 million in funding for organized crime drug enforcement. This surpasses the $399.12 million proposed by the Department by approximately 25 percent. It is absolutely essential that Congress provide the men and women of law enforcement, who risk their lives daily in order to protect the citizens of this country, with the necessary resources and support to do their job. This legislation also authorizes funding for drug education programs—which are an indispensable element in our Nation's war against drugs. While the enforcement operations targeting traffickers of illegal drugs are essential, we must not neglect the programs which educate our children to the dangers of drug abuse. It is through these programs that we can hope to inoculate future generations and hereby protect them from the violence and suffering that illicit drugs have brought to so many of our citizens.

The bill that I am introducing today is significant in another important aspect: It provides congressional oversight through the authorization and appropriations process, an essential element of our democratic system. Virtually all of the agencies within the executive and judicial branches of Government were created by an act of Congress. While these agencies operate independent of the legislative body, they must return to Congress on an annual basis to receive funding and if necessary, explicit authorization for their continued existence. This constitutionally mandated procedure is an integral part of our democratic process and ensures that nonelected officials of the executive and judicial branches of Government remain accountable to the legislative branch and, through us, to the citizens.

It has been almost 12 years since a Department of Justice authorization bill has been passed by Congress and signed into law. The Department has been operating on the implicit authorization provided by annual appropriations legislation. In my view, this situation has impaired Congress' ability to properly oversee the management and operations of the Department. The Department's proposed bill recommends giving Justice a permanent authorization for all its activities. I believe that going from an implicit annual authorization status to a permanent authorization would be an abdication of the legislative branch's responsibilities. I sincerely hope that Attorney General Barr will support our efforts to restore the Department to an annual or 2-year authorization cycle. This bill is the first important step in this process. If we are successful in these efforts, then later we may consider a longer authorization period.

H.R. 5149

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE.

This Act may be cited as the "Department of Justice Appropriations Authorization Act, Fiscal Year 1993".

TITLE I—1993 FISCAL YEAR AUTHORIZATION

SEC. 101. AUTHORIZATIONS.

There is authorized to be appropriated for the fiscal year ending September 30, 1993, $9,603,935,750 to carry out the activities of the Department of Justice (including any bureau, office, board, division, commission, or subdivision thereof) which shall include the following sums authorized to be appropriated:

(1) For General Administration, Salaries and Expenses: $132,909,000;

(2) For the Office of Inspector General: $31,770,000; which shall include—

(A) not to exceed $10,000 to meet unforseen emergencies of a confidential character, to be expended under the direction of the Attorney General, and to be accounted for solely on the certificate of the Attorney General; and

(B) funds for the acquisition, lease, maintenance and operation of motor vehicles without regard to the general purchase price limitation;

(3) For the United States Parole Commission: $9,309,000;

(4) For General Legal Activities: $419,525,000; which shall include—

(A) not to exceed $20,000 for expenses necessary in the collection of evidence, to be expended under the direction of the Attorney General and accounted for solely on the certificate of the Attorney General;

(B) funds for the rent of private or Government owned space in the District of Columbia; and

(C) not to exceed $2,762,000 for the Office of Legal Counsel:

Provided, That notwithstanding any other provision of law, not to exceed $2,000,000 for expenses of the Department of Justice associated with processing cases under the National Childhood Vaccine Injury Act of 1986 shall be reimbursed from the Special fund established to pay judgments awarded under the Act;

(5) For the Antitrust Division: $67,658,750;

(6) For the Foreign Claims Settlement Commission: $898,000;

(7) For the United States Attorneys: $813,510,000;

(8) For the United States Marshals Service: $341,471,000; which shall include—

(A) funds for the acquisition, lease, maintenance, and operation of vehicles and aircraft; and

(B) funds for the purchase of passenger motor vehicles for police-type use without regard to the general purchase price limitation for the current fiscal year:

Provided, That notwithstanding the provisions of section 3302 of title 31, United States Code, for fiscal year 1992 and hereafter the Director of the United States Marshals Services may collect fees and expenses for the service authorized by section 1921 of title 28, United States Code, as amended by Public Law 100-690, and credit not to exceed $1,000,000 of such fees to this appropriation to be used for salaries and other expenses incurred in providing these services;

(9) For the Support of United States Prisoners in the custody of the United States Marshals Service and as authorized in section 4013 of title 18, United States Code, but not including expenses otherwise provided for in appropriations available to the Attorney General, $268,481,000, to remain available until expended; of which not to exceed $15,000,000 shall be available under the Cooperative Agreement Program;

(10) For Fees and Expenses of Witnesses: $81,010,000; which shall remain available until expended; and which shall include—

(A) funds for expenses, mileage, compensation, and per diem of witnesses, for private counsel expenses, and for per diem in lieu of subsistence, as authorized by law, including advances; and

(B) not to exceed $2,000,000 for planning, construction, renovation, maintenance, remodeling, and repair of buildings and the purchase of equipment incident thereto for protected witness safesites;

(11) For the Community Relations Service: $36,570,000;

(12) For the United States Trustee System Fund: $100,216,000; to remain available until expended and to be derived from the Fund, provided that deposits to the fund are available in such amounts as may be necessary to pay refunds due depositors;

(13) For the Assets Forfeiture Fund: $439,000,000; to be derived from the Fund, as may be necessary for the payment of expenses as authorized by subparagraphs (A)(ii), (B), (C), (F), and (G) of section 524(c)(1) of title 28, United States Code;

(14) For Organized Crime Drug Enforcement: $500,000,000; for expenses, not otherwise provided for, for the investigation and prosecution of individuals involved in organized crime drug trafficking; *Provided*, That any amounts obligated from appropriations under this heading may be used under authorities available to the organizations reimbursed from this appropriation;

(15) For the Federal Bureau of Investigation: $2,013,000,000; which shall include—

(A) funds for the purchase for police-type use of passenger motor vehicles without regard to the general purchase price limitation for the current fiscal year, and for the hire of passenger motor vehicles;

(B) funds for the acquisition, lease, maintenance and operation of aircraft;

(C) not to exceed $70,000 to meet unforeseen emergencies of a confidential character to be expended under the direction of the Attorney General and to be accounted for solely on the certificate of the Attorney General; and

(D) not to exceed $30,000 for official reception and representation expenses;

(16) For the Drug Enforcement Administration: $1,000,000,000; which shall include—

(A) funds for the purchase for police-type use of passenger motor vehicles, without regard to the general purchase price limitation for the current fiscal year, and for the hire of passenger motor vehicles;

(B) funds for the acquisition, lease, maintenance and operation of aircraft;

(C) funds for conducting drug education programs, including travel and related expenses for participants in such programs and the distribution of items of token value that promote the goals of such programs; and

(D) not to exceed $70,000 to meet unforeseen emergencies of a confidential character to be expended under the direction of the Attorney General and to be accounted for solely on the certificate of the Attorney General;

(17) For the Immigration and Naturalization Service: $1,066,577,000: which shall include—

(A) funds for the purchase for police-type use of passenger motor vehicles, without regard to the general purchase price limitation for the current fiscal year, and for the hire of passenger motor vehicles;

(B) funds for the acquisition, lease, maintenance and operation of aircraft;

(C) funds for the purchase of uniform without regard to the general purchase price limitation for the current fiscal year; and

(D) not to exceed $50,000 to meet unforeseen emergencies of a confidential character to be expended under the direction of the Attorney General and to be accounted for solely on the certificate of the Attorney General;

(18) For the Federal Prison System: $2,246,031,000; including $11,055,000 for the National Institute of Corrections and $339,225,000 for buildings and facilities; and

(19) The Federal Prison Industries, Incorporated is authorized to make expenditures, within the limits of funds and borrowing authority available, and in accord with the law, and to make such contracts and commitments, without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act, as amended, as may be necessary in carrying out the program set forth in the budget for the current fiscal year for such corporation, including purchases of and hire of passenger motor vehicles.

TITLE II—GENERAL PROVISIONS

SEC. 201. RECEPTIONS AND REPRESENTATION.

A total of not to exceed $95,000 from funds appropriated to the Department of Justice in this Act shall be available for official reception and representation expenses in accordance with distribution, procedures, and regulations established by the Attorney General.

SEC. 202. TRANSFERABILITY OF FUNDS.

(a) IN GENERAL.—Except as provided in subsection (b) and subject to section 203, the Attorney General may transfer up to 2 per centum of any appropriation made to the Department of Justice to any other such appropriation, but no such appropriation shall be increased by more than 2 per centum by any such transfers.

(b) EXCEPTION.—Under the authority of subsection (a), the Attorney General may not transfer—

(1) funds appropriated under section 101(5);

(2) funds so as to increase the amount of funds available for expenditure by the Office of Legal Counsel; or

(3) funds so as to decrease the minimum amount of funds required by section 101(1) to be expended.

SEC. 203. NOTIFICATION OF REPROGRAMMING.

During fiscal year 1993, each organization of the Department of Justice, through the appropriate office within the Department of Justice, shall notify in writing the Committee on the Judiciary of the Senate, the Committee on the Judiciary of the House of Representatives, other appropriate committees, and the ranking minority members thereof, not less than 15 days before—

(1) reprogramming of funds in excess of $250,000 or 10 per centum of the amount available for such fiscal year to carry out a program, whichever is less, between the programs within the offices, divisions, and boards as defined in the Department of Justice's program structure submitted to the Committees on the Judiciary of the Senate and House of Representatives;

(2) reprogramming of funds in excess of $500,000 or 10 per centum of the amount available for such fiscal year to carry out a program, whichever is less, between programs within the Bureaus as defined in the Department of Justice's program structure submitted to the Committees on the Judiciary of the Senate and House of Representatives;

(3) any reprogramming action which involves less than the amounts specified in paragraphs (1) and (2) if such action would have the effect of making significant program changes and committing substantive program funding requirements in future years;

(4) increasing personnel or funds by any means for any project or program for which funds or other resources have been restricted;

(5) creation of new programs or significant augmentation of existing programs;

(6) reorganization of offices or programs; and

(7) significant relocation of offices or employees.

SEC. 204. DELEGATION.

The Attorney General may not delegate any power, duty, or function expressly conferred by this Act on the Attorney General.

SEC. 205. UNDERCOVER OPERATIONS.

(a) CRIMINAL PROSECUTIONS; COLLECTION OF INTELLIGENCE.—With respect to any undercover investigative operation of the Federal Bureau of Investigation, or the Drug Enforcement Administration, which is necessary for the detection and prosecution of crimes against the United States or for the collection of foreign intelligence or counterintelligence—

(1) sums authorized to be appropriated for the Federal Bureau of Investigation and for the Drug Enforcement Administration, for fiscal year 1993, may be used for purchasing property, buildings, and other facilities, and for leasing space, within the United States, the District of Columbia, and the territories and possessions of the United States, without regard to section 1341 of title 31 of the United States Code, section 3732(a) of the Revised Statutes (41 U.S.C. 11(a)), section 305 of the Act of June 30, 1949 (41 U.S.C. 255), the

third undesignated paragraph under the heading "Miscellaneous" of the Act of March 3, 1877 (40 U.S.C. 34), section 3324 of title 31 of the United States Code, section 3741 of the Revised Statutes (41 U.S.C. 22), and subsections (a) and (c) of section 304 of the Federal Property and Administrative Service Act of 1949 (41 U.S.C. 254);

(2) sums authorized to be appropriated for the Federal Bureau of Investigation, and for the Drug Enforcement Administration, for fiscal year 1993 may be used to establish or to acquire proprietary corporations or business entities as part of an undercover investigative operation, and to operate such corporations or business entities on a commercial basis, without regard to section 9102 of title 31 of the United States Code;

(3) sums authorized to be appropriated for the Federal Bureau of Investigation and for the Drug Enforcement Administration, for fiscal year 1993, and the proceeds from such undercover operation, may be deposited in banks or other financial institutions, without regard to section 648 of title 18 of the United States Code and section 3302 of title 31 of the United States Code; and

(4) proceeds from such undercover operation may be used to offset necessary and reasonable expenses incurred in such operation, without regard to section 3302 of title 31 of the United States Code;

only in operations designed to detect and prosecute crimes against the United States, upon both the written certification of the Director of the Federal Bureau of Investigation (or, if designated by the Director, a member of the Undercover Operations Review Committee established by the Attorney General in the Attorney General's "Guidelines on Federal Bureau of Investigation Undercover Operations", as in effect on July 1, 1983) or the Administrator of the Drug Enforcement Administration, as the case may be, and the written certification of the Attorney General (or, with respect to Federal Bureau of Investigation undercover operations, if designated by the Attorney General, a member of such Review Committee), that any action authorized by paragraph (1), (2), (3), or (4) is necessary for the conduct of such undercover operation. Notwithstanding the preceding sentence, if the undercover operation is designed to collect foreign intelligence or counterintelligence, a written certification that any action authorized by paragraph (1), (2), (3), or (4) is necessary for the conduct of such undercover operation shall be made by both the Director of the Federal Bureau of Investigation (or, if designated by the Director, the Assistant Director, Intelligence Division) and the Attorney General (or, if designated by the Attorney General, the Counsel for Intelligence Policy). A certification shall continue in effect for the duration of the undercover operation for which such certification is made, without regard to fiscal year.

(b) DEPOSIT OF PROCEEDS.—As soon as the proceeds from an undercover investigative operation with respect to which an action is authorized and carried out under paragraphs (3) and (4) of subsection (a) are no longer necessary for the conduct of such operation, such proceeds or the balance of such proceeds then remaining shall be deposited in the Treasury of the United States as miscellaneous receipts.

(c) DISPOSITION OF BUSINESS ENTITIES.—If a corporation or business entity established or acquired as part of an undercover operation under subsection (a)(2) with a net value of over $50,000 is to be liquidated, sold, or otherwise disposed of, the Federal Bureau of Investigation or the Drug Enforcement Administration, as much in advance as the Director of the Federal Bureau of Investigation or the Administrator of the Drug Enforcement Administration, or the designee of the Director or the Administrator, determines is practicable, shall report the circumstances to the Attorney General and the Comptroller General of the United States. The proceeds of the liquidation, sale, or other disposition, after obligations are met, shall be deposited in the Treasury of the United States as miscellaneous receipts.

(d) AUDITS; REPORT.—(1) The Federal Bureau of Investigation or the Drug Enforcement Administration, as the case may be, shall—

(A) conduct a detailed financial audit of each undercover investigative operation which is closed in fiscal year 1993;

(B) submit the results of such audit in writing to the Attorney General; and

(C) not later than 180 days after such undercover operation is closed, submit a report to the Congress concerning such audit.

(2) The Federal Bureau of Investigation and the Drug Enforcement Administration shall each submit a report annually to the Congress specifying, by program, as to their respective undercover investigative operations—

(A) the number of undercover investigative operations pending as of the end of the 1-year period for which such report is submitted;

(B) the number of undercover investigative operations commenced in the 1-year period preceding the period for which such report is submitted; and

(C) the number of undercover investigative operations closed in the 1-year period immediately preceding the 1-year period for which such report is submitted and, with respect to each such closed undercover operation, the results obtained. With respect to each such closed undercover operation which involves any of the sensitive circumstances specified in the Attorney General's "Guidelines on Federal Bureau of Investigation Undercover Operations" (as in effect on July 1, 1983), such report shall contain a detailed description of the operation and related matters, including information pertaining to—

(i) the results;

(ii) any civil claims; and

(iii) identification of such sensitive circumstances involved that arose at any time during the course of the operation.

(e) DEFINITIONS.—For purposes of subsection (d)—

(1) the term "closed" refers to the earliest point in time at which—

(A) all criminal proceedings (other than appeals) are concluded; or

(B) covert activities are concluded; whichever occurs later;

(2) the term "employees" means employees, as defined in section 2105 of title 5 of the United States Code, of the Federal Bureau of Investigation; and

(3) the terms "undercover investigative operation" and "undercover operation" mean any undercover investigative operation of the Federal Bureau of Investigation or the Drug Enforcement Administration (other than a foreign counterintelligence undercover investigative operation—

(A) in which—

(i) the gross receipts (excluding interest earned) exceed $50,000; or

(ii) expenditures (other than expenditures for salaries of employees) exceed $150,000; and

(B) which is exempt from section 3302 or 9102 or title 31 of the United States Code;

except that subparagraphs (A) and (B) shall not apply with respect to the report required under paragraph (2) of subsection (d).

ORDER OF BUSINESS

Mr. DREIER of California. Mr. Speaker, I ask unanimous consent that I be allowed to precede my distinguished colleagues who have very generously said I can precede them.

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

There was no objection.

GENERAL LEAVE

Mr. DREIER of California. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the special order I am about to give.

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

There was no objection.

TRIBUTE TO THE LATE HONORABLE DELWIN MORGAN CLAWSON

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

Mr. DREIER of California. Mr. Speaker, I have taken this time to inform our colleagues of news which most of us have already received, but it was very sad news that we received earlier this week, when we heard of the passing of our very distinguished former colleague, Del Clawson of California.

Del was an incredible individual, and I would like to take just a moment to talk about his background. Then I am going to yield briefly to my friend from Texas [Mr. GONZALEZ].

Del Clawson was born in Thatcher, AZ, on January 11, 1914. He attended Gila College in Thatcher in 1933 and 1944. He served as an interviewer with the U.S. Employment Service in 1941, and was with the Federal Public Housing Authority in Arizona and California from 1942 to 1947.

Del also served as manager of the Mutual Housing Association of Compton, CA, and was a member of the Compton City Council from 1953 to 1957. From 1957 to 1961 he served as mayor of Compton. He was reelected in 1961 for another 4-year term as mayor, and then was director of three Los Angeles County sanitation districts from 1957 to 1963.

Mr. Speaker, Del was elected to the 88th Congress in 1962, and came to fill the vacancy caused by the death of Congressman Clyde Doyle. He was reelected to seven succeeding Congresses, and then retired in 1978.

Mr. Speaker, Del died on the 5th of May in his hometown of Downey, CA. He was 78 years old.

Del was a real inspiration to me. When I was running for the Congress myself in 1978, he came and addressed several events. He went around and campaigned vigorously. I lost that election, but I never blamed Del for the fact that I lost, the fact that he had campaigned for me.

Del was one who then picked it up, and when I decided to run again in 1980, in large part due to encouragement that came from Del, he once again came and campaigned. He got his due. I was able to win that election, and he provided me continually with encouragement.

Del came back here to the Congress on at least an annual basis. Many of us recall that he would play his saxophone. He was very famous for the saxophone that he had here. Every St. Patrick's Day he would come and play at the Capitol Hill Club. Members of both parties would gather around as he began to perform there.

In the Congress I will never forget reading the analysis in one of the almanacs that come out talking about Members. It said that Del Clawson did not come to Congress to pass laws; he came to repeal them.

Mr. Speaker, he represented an area which had many Democrats, and yet he had bipartisan support. He had support of Democrats and Republicans in his area.

Right now we look at Compton, CA, where he was mayor in the 1950's and 1960's. That area tragically is one of the hardest hit in the Los Angeles riots that took place just in the last couple of weeks.

□ 1900

One of the reasons I am here is not only the fact that I am privileged to represent part of the area, Whitter, CA, which was one of the cities that Del had represented at one point, but also the fact that I had the chance to succeed him on the Committee on Rules. And he and I have had many lengthy conversations over the past couple of years about work on the Committee on Rules.

Del also served, as my friend from Oklahoma does today, as chairman of the Republican Policy Committee. And he provided a very, very high level of idealism which he continued to carry on on a regular basis.

I will say, however, that he helped me keep some perspective on this place. Four or 5 years ago, when he was here for his St. Patrick's Day visit, he and I sat here. He looked at me and he said, "David, I want you to know that while you and your colleagues may be very wrapped up with all of the legislation that you are working on here, I have come from the home front and most people could care less about what you are working on here right now."

That does help us when we continue to believe that we are the center of the universe here on the floor of the House of Representatives, that there are other concerns that people have out there.

I want to extend my condolences to his wife, Marjorie, and his son, James, and a brother and four sisters and four grandchildren he has left behind.

Mr. Speaker, I yield briefly to the gentleman from Oklahoma [Mr. EDWARDS].

Mr. EDWARDS of Oklahoma. Mr. Speaker, as the gentleman pointed out, Del was one of my predecessors as the chairman of the Republican Policy Committee. I had the opportunity to serve with him for some time.

I felt and I know the Members of this side of the aisle and I think on both sides of the aisle felt a real sense of loss not only now but when he left the Congress, because he was a man who believed that the job of a Congressman is to be a legislator first. He believed that his principal responsibility was to try to address the real problems in the country, and he did that very, very well.

I just wanted to say, it is fitting that the gentleman from California would take this time to honor him because, as the public looks at this institution and wonders about this institution, we can hold our colleague, Mr. Clawson, up as a real example of why the Congress has, in fact, earned over the years the respect of the American people.

Mr. DREIER of California. Mr. Speaker, I thank my friend for his very nice contribution.

Mr. Speaker, I yield to the gentleman from California [Mr. ANDERSON], another former mayor of a great city in southern California, the gentleman who was mayor of Hawthorne, CA, the former Lieutenant Governor of California.

Mr. ANDERSON. Mr. Speaker, I first want to congratulate the gentleman for giving the leadership to our paying respects to Del and his family.

I did like Del very much. We were very different but also very similar. I always thought he was older than I was. Then I find out that I am older than he was. He died at 78, and I was then 79. Obviously I am older than him. Yet I know that all the years that we served together, I thought that he was older than I was, and I think he felt the same way.

It is true that he was mayor of the city of Compton, which is very close, I suppose the difference in miles between the city of Hawthorne and the city of Compton is probably 6, 8, 10 miles at the longest, relatively close. I got to meet him out there many times. We go along very well.

I was the youngest mayor in the United States at the time, and he was, so even then he was younger than I was. I have enjoyed working with him, and I know we worked together. I know that I felt many times I contributed to him, and I know that many times he contributed to me.

I wanted to say that I, too, want to join in paying our best respects to his wife and family and also giving our best respects to his memory.

Mr. DREIER of California. Mr. Speaker, I yield to the gentleman from California [Mr. DORNAN].

Mr. DORNAN of California. Mr. Speaker, when the gentleman told me that Del had gone to the most important legislature of all, the one where all the laws are already written and signed off by God, that he was in heaven, I was shocked because I was thinking about him during this last tragedy of rioting in L.A.

I saw a man on the screen. It said, "Mayor of Compton." I wanted to hear what he had to say about the rioting.

He came up with the most racist, vicious thing I have ever heard. He said, "We invited these Koreans in here," he should have said Korean-Americans, "and I guess we made a mistake. So it is time for them to move on."

So Compton has come a long way since it had a great mayor, Del Clawson.

Del was not only a father figure around here but someone who could delight all of us from both parties with that saxophone of his. I was not here during the days when he would actually bring it to the Cloakroom. Somebody must have exercised some rule, no loud music in the Cloakroom, but he took it over to our Capitol Hill Club, entertained us. And he was about as solid a citizen as I have ever served with.

He and his brothers at the time, Don Clawson, Del Clawson, Bob Wilson, I was lucky enough to get here in 1976 when a lot of the older guard of our party that really know how to make rules with the older guard of the other party, when there was a lot more of that comity and comedy, but mostly comity and friendship really existed around here.

Del, I know, is going to be missed by all his sisters, family, friends, and everybody. I just miss him.

Mr. DREIER of California. Mr. Speaker, I thank my friend for his very able contribution. I yield to the distinguished chairman of the Committee on Banking, Finance and Urban Affairs, the gentleman from Texas [Mr. GONZALEZ].

Mr. GONZALEZ. Mr. Speaker, I want to thank my colleague for yielding to me and for giving us this opportunity to evoke the memory of a former Member that in my case I happened to know.

He came one Congress after I did, but in this great work and in this great body known as the U.S. House of Representatives, we find that there are lines of intersection that cause Mem-

bers to meet on grounds that one would not conceive possible, given the partisan distinctions and labels.

He was a Republican. I was a Democrat. But we had some common background experiences.

He was mayor of a town. He had also served on the board of the public housing authority of his district. I had been the deputy mayor of the city of San Antonio and had also worked for a 3-year period with the San Antonio Housing Authority. So we met and discussed.

He was not a Member that was active in processing bills, but since I was a member of the Housing Subcommittee, before we had this variety of programs that are so popular today, he would consult and ask about some authorizations that he heard were being offered to the public housing section of the housing authority, reauthorizations of those years. He was a very kindly man. He was very friendly.

We both more or less shared the newness of the institution, but I want to evoke the memory of a man who, though he was not a great participant in debate, did leave his tracks in the sands of time that has seen several thousand, quite a number of thousands of Members since the first House of Representatives.

I again want to thank the gentleman for evoking the memory of Del Clawson. It rests for me to say that I wish to offer my sincere condolences for the members of his family that he has left.

Mr. DREIER of California. Mr. Speaker, I thank my distingusished friend from Texas for his contribution.

Mr. Speaker, I yield to the gentleman from Texas [Mr. PICKLE], my very good friend.

Mr. PICKLE. Mr. Speaker, one of the most thoughtful and kind men who ever served in this body is our friend Del Clawson from California. He was a member of the 88th club. That is the Members who came in during the 88th session.

It is hard to believe that that was some 25, 26 years ago. Del Clawson was one of our founders and one of our leaders and indeed one of the most active Members our group ever had.

□ 1910

Every year on or around St. Patrick's Day our 88th Club always gathered. We would have a big reunion and used to have quite a show. Del Clawson would not only be there but he would parade from table to table with his saxophone, and nobody ever played sweeter music this side of heaven than Del Clawson. But he was also extremely well accepted and was a bridge between the Democrats and Republicans, the liberals and conservatives. He was just a gentle and a kind person.

Mr. DREIER of California. If I could reclaim my time just a moment, Mr. Speaker, I would like to ask my friend one question. As I read the obituary in the Washington Post, it said his saxophone playing just off the House floor relieved tension during more than one tedious all-night session. I wonder if my friend can recall any instances.

Mr. PICKLE. Yes, I was here that evening. He got right out, outside the House door here on the balcony, and he would play. People would go outside the floor into the hallway onto the balcony and hear Del playing. In tense moments, even at 2 or 3 in the morning, Del would still have his saxophone and he would play and entertain people. He was not just putting on a show, he was just kind of playing to soothe people's feelings and have a little music around. But he was music to Members' hearts and souls who served with him in this body. We have lost a kind, gentle person. I pay my respects to him.

Mr. DREIER of California. Mr. Speaker, I thank my friend, the gentleman from Texas, for his contribution. And again, the condolences from all of us here to the family members of Del Clawson.

Mr. QUILLEN. Mr. Speaker, it's an honor and a privilege for me to pay tribute to our former colleague from California, Del Clawson, and we mourn his passing.

Del and I both came to Congress in 1963, and we served together on the House Rules Committee for a number of years. He was a great individual and a good friend. His leadership abilities earned him the chairmanship of the Republican Policy Committee.

Del was an accomplished legislator and musician, and all of us who served with him remember his frequent saxophone serenades just off the House floor and at all of the 88th class reunions.

Del devoted many years to the Mormon Church, and his dedication and many accomplishments will keep his memory alive for years to come. I'll always have a warm spot in my heart for Del, and my condolences go out to his family, whom he loved very much.

Mr. LAGOMARSINO. Mr. Speaker, today I rise to pay tribute to my former colleague and good friend, Congressman Del Clawson, who recently passed away.

Born January 11, 1914, in Thatcher, AZ, Del moved to California in the 1940's, where he quickly became an active member of the Compton community of Los Angeles. He was a member of the Compton City Council starting in 1953, and was later twice elected mayor of Compton. He left that position in mid-term to join the 88th Congress, filling the vacancy caused by Clyde Doyle's death in 1963, and serving until his retirement at the end of 1978.

I had the privilege of serving my first two terms with Del. He was a fine man, a distinguished Member of Congress, an asset to his party, and a great help to me. He will be sorely missed.

SETTING A FIRM COURSE FOR AMERICAN DOMESTIC POLICY

The SPEAKER pro tempore (Mr. HOCHBRUECKNER). Under a previous order of the House, the gentleman from New York [Mr. SCHEUER] is recognized for 60 minutes.

Mr. SCHEUER. Mr. Speaker, I noted that in the last several weeks we have heard the riots in Los Angeles, and that beautiful example of urban angst and agony and pain, we have heard that, if you can believe it, Mr. Speaker, blamed on the failed programs, and I say that in parentheses, the failed programs of the 1950's and the 1960's. President Bush's press secretary, Marlin Fitzwater, blamed the riots on social welfare programs, if you can believe that, and Attorney General Barr characterized the riots as "the grim harvest of the Great Society, the breakdown of the family structure, largely contributed to by welfare policies."

Mr. Speaker, these astonishing suggestions reverberated around this country, and I think many citizens were offered and outraged by those suggestions. In accepting the Democratic nomination for President in 1964, Lyndon Johnson set a course for America's domestic policy. He called his agenda the Great Society, and he described it as a nation where "every citizen could find reward in work and satisfaction in the use of his talents; where Americans could seek knowledge and touch beauty and rejoice in the closeness of family and community," where, and I continue quoting, "in the words of our oldest promise, Americans could follow the pursuit of happiness, not just security.

Incidentally, I would invite my friend, the gentleman from Brooklyn, and my friend, the gentleman from Michigan, to join in with me as the spirit moves me, and also my friend, the gentleman from Texas, too. I would ask my friend from Texas to please interrupt me when the spirit moves him.

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

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

Mr. GONZALEZ. Mr. Speaker, I very much appreciate the gentleman not only yielding but arranging for this special order. It so happens that there was no more offended individual than I when I read those outrageous statements on the part of these spokesmen and the President himself.

One of the most offensive, perhaps reprehensible, if not outright despicable traits that I have denounced, when I have had occasion to, of both former President Reagan as well as President Bush, it was their constant tendency to blame somebody else for whatever problems they were not focusing on, but who, when they ran for office, impliedly were telling the American people they wanted the opportunity to resolve.

In the case of President Reagan, he was blaming Jimmy Carter to the very end. Now we have a President that goes

20 years, because it was 20 years ago that Lyndon Johnson died, try to blame for an occurrence that my committee, in the name of the committee and subcommittee, I took to Los Angeles on February 10, of this year. We knew the conditions that were being reflected in testimony as well as in statements given to us here in Washington, DC, throughout the country.

Beginning on January 7, in the name of the Committee on Banking, Finance and Urban Affairs, and the Subcommittee on Housing and Community Development, we took the committee to Bridgeport, CT, on January 7. About a week or so later we went to Spartanburg, SC, where you also have problems, believe it or not; maybe a little differently, but essentially problems.

We went to Baltimore, MD, where anybody being at that hearing would know that we should not be surprised if we have social problems sooner or later, and in my opinion sooner than later. We went to Cleveland, OH, the following month, in March. There, in the last 10 or 11 years, Cleveland has lost 33 percent of its production capacity, manufacturing and industrial, in just 10 or 11 years.

Did those things happen during the era of President Johnson? No, they did not. In the case of the loss of these jobs and manufacturing in Cleveland, over 60 percent of them have gone across the border, right across the border. I am very well aware of that.

When we had our hearing on February 10, in Los Angeles, our hearing took place in the building around which all these reports of rioting and violence have been received by the American public. The testimony we heard was clear, limpidly clear, disturbing, but very, very, very definite, reflecting a very sensitive situation, an explosive situation, and one which we were addressing as a result of the bill I introduced and which we have marked up out of the subcommittee, passed it out of the full committee, targeting the downfall of the infrastructure, the conditions, the physical conditions of our cities, and to try to rev up production of housing, affordable housing for every American.

It was our estimate, and it still is, that had we adopted that and were we in the process of adopting it, it would produce over, over 600,000 jobs in the creative, constructive processes of our country and society. In the case of the infrastructure we targeted to the structure that is there now, the framework, which is a community development block system, we have had the support of the Association of Governors, the National Association of Mayors, the League of Cities, but I have yet to get a signal from our leaders in the House.

□ 1920

We wrote a report after we visited L.A. We have had it printed. I sent it to the Speaker. I sent it to others placed as cochairmen in this House. I have had no reaction. I wanted it to be one of those things that were offered as a matter of priority rather than tax, which Members know where we have ended up on that. Unfortunately, I cannot say that we have even now any kind of evidence of real significant support and interest.

The testimony in the report we have given on just the hearing in L.A. was clear evidence, as I wrote the Speaker before the riot, of a very serious situation that needed immediate attention as far as we could give it in the legislative process.

If the gentleman will allow me just another half minute, meanwhile I received a most eloquent message and an informative one from one of the gentleman Senators from New York, Senator DANIEL PATRICK MOYNIHAN, and in that letter, which I will place that and appended to that letter in the RECORD a reprinted copy of that Lyndon Johnson address made at Howard University on the eve of the adoption of this basic program known as the Economic Opportunity Act.

The correspondence and speech referred to follow:

HOUSE OF REPRESENTATIVES,
Washington, DC, May 13, 1992.

DEAR SENATOR: Thank you most sincerely for your kind thoughtfulness in providing me with your most valuable memo and enclosure, just received.

The most despicable trait of both Presidents Bush and Reagan has been to blame someone else for all the ills, yet never themselves assuming any responsibility for this resolution. But this last one—to blame a man dead for 20 years is the most reprehensible.

Your note and material is most timely, for some of us will be having "special orders" this afternoon to discuss this.

Sincerely,

HENRY.

U.S. SENATE,
Washington, DC, May 7, 1992.

Hon. HENRY B. GONZALEZ,
House of Representatives, Washington, DC.

DEAR HENRY: Yesterday the Washington Post reprinted President Johnson's Howard University Address on its Op-Ed page. It was a simple and yet startling way of responding to the depraved charge that the Great Society is somehow to blame for our present distemper.

I am told that young staffers at the Post were astounded by the speech. They had not known a President had ever talked to the American people in such terms.

It happens I wrote the first draft of the Howard address. We *knew* what was starting up in our cities. But then we found ourselves unable really to respond. But it was not for lack of caring, not for lack of a President with "an understanding heart." I spoke of this yesterday morning.

Best,

DANIEL PATRICK MOYNIHAN.

[From the CONGRESSIONAL RECORD, May 6, 1992]

A DEPRAVED ACCUSATION

Mr. MOYNIHAN. Mr. President, a week ago Sunday, on the widely regarded, widely viewed television program "This Week With David Brinkley," the Attorney General of the United States, discussing the problem of crime in the context of the new preliminary FBI report of last year, made one of the most depraved statements I have ever heard from an American official. Having said, that the problem of crime was the problem of family structure, illegitimacy, and instability in our inner cities, he went on to charge that the problem of family structure, of the socialization of children, illegitimacy, can be ascribed to the programs of the Great Society.

He thus took one of the most profoundly serious issues this country faces and, with a reckless disregard for evidence, truth, and history, said it was the work of a group of persons, in government, thirty years ago. That this would come from a candidate for office in some kind of extremity is, I suppose, believable. But it comes from the attorney general: an untruth, a lie.

And then, just two days ago, the President's spokesman repeated the lie, ascribing the situation in our country which Lyndon Johnson—President Kennedy before him, President Nixon after him—really did seek to address, saying that because they recognized that those problems existed they are somehow responsible for their existence. If our public discourse descends to that level, public life becomes impossible, as in some ways it has been becoming.

In order to be quite specific as to what I am addressing, this is what Attorney General William P. Barr said on April 26 on "This Week With David Brinkley." He said:

"What we are seeing in the inner city is essentially the grim harvest of the great Society * * * because we are seeing the breakdown of the family structure, largely contributed to by welfare policies.

"We now have a situation in the inner cities where 64 percent of the children are illegitimate,and there's a very small wonder that we have trouble instilling values and educating children when they have their home life so disrupted."

In his view this begins in the period of the Great Society. When, in fact, sir, it was first recognized in that period. Recognized by an administration of extraordinary openness and courage.

This morning, The Washington Post, with an unmistakable disdain for the corruption of language, for the depravity of thought of such statements, chose to reprint on its editorial page one of the great speeches by an American President in our time. It was President Lyndon Johnson's address at Howard University, which was given on June 4, 1965. The Post printed it under a quotation from the President in which he said, "Freedom is Not Enough." And then there follows this editorial comment by the editors of the Post:

"The Great Society is back in the news. The White House says the programs it spawned a quarter of a century ago helped cause the Los Angeles riots. Others cite the opposite cause—in recent years a turning-away from such programs. Here, as a reminder of what the Great Society was about, and of how another President approached the issues that recurred last week in Los Angeles, are extensive excerpts from a commencement address entitled "To Fulfill These Rights," which Lyndon Johnson delivered at Howard University on June 4, 1965."

To fulfill these rights. I would like, sir, at this point to ask unanimous consent the excerpts as printed in the Post be printed in the RECORD.

[From the Washington Post, May 6, 1992]

FREEDOM IS NOT ENOUGH

"(The Great Society is back in the news. The White House says the programs it spawned a quarter of a century ago helped cause the Los Angeles riots. Others cite the opposite cause—in recent years a turning-away from such programs. Here, as a reminder of what the Great Society was about, and of how another president approached the issues that recurred last week in Los Angeles, are extensive excerpts from a commencement speech entitled "To Fulfill These Right," which Lyndon Johnson delivered at Howard University on June 4, 1965.)

"In far too many ways American Negroes have been another nation: deprived of freedom, crippled by hatred, the doors of opportunity closed to hope.

"In our time change has come to this Nation, too. The American Negro, acting with impressive restraint, has peacefully protested and marched, entered the courtrooms and the seats of government, demanding a justice that has long denied. The voice of the Negro was the call to action. But it is a tribute to America that, once aroused, the courts and the Congress, the president and most of the people, have been the allies of progress.

"Thus we have seen the high court of the country declare that discrimination based on race was repugnant to the Constitution, and therefore void. We have seen in 1956, and 1960, and again in 1964, the first civil rights legislation in the Nation in almost an entire century * * *.

"And now very soon we will have * * * a new law guaranteeing every American the right to vote * * *.

"The voting rights bill will be the latest, and among the most important, in a long series of victories. But his victory—as Winston Churchill said of another triumph for freedom—'is not the end. It is not even the beginning of the end. But is, perhaps, the end of the beginning.'

"That beginning is freedom; and the barriers to that freedom are tumbling down. Freedom is the right to share, share fully and equally in American society—to vote, to hold a job, to enter a public place, to go to school. It is the right to be treated in every part of our national life as a person equal in dignity and promise to all others.

"But freedom is not enough. You do not wipe away the scars of centuries by saying: Now you are free to go where you want, and do as you desire, and choose the leaders you please.

"You do not take a person who, for years, has been hobbled by chains and liberate him bring him up to the starting line of a race and then say, 'you are free to compete with all the others' * * *.

"This is the next and the more profound stage of the battle for civil rights. We seek not just freedom but opportunity. We seek not just legal equity but human ability, not just equality as a right and a theory but equality as a fact and equality as a result.

"For the task is to give 20 million Negroes the same chance as every other American to learn and grow, to work and share in society, to develop their abilities—physical, mental and spiritual—and to pursue their individual happiness.

"To this end equal opportunity is essential, but not enough, not enough. Men and women of all races are born with the same range of abilities. But ability is not just the product of birth. Ability is stretched or stunted by the family that you live with, and the neighborhood you live in—by the school you go to and the poverty or the richness of your surroundings. It is the product of a hundred unseen forces playing upon the little infant, the child, and finally the man.

"Thirty-five years ago the rate of unemployment for Negroes and whites was about the same. Tonight the Negro rate is twice as high.

"In 1948 the 8 percent unemployment rate for Negro teenage boys was actually less than that of whites. By last year that rate had grown to 23 percent, as against 13 percent to 53 percent * * *.

"Between 1949 and 1959, the income of Negro men relative to white men declined in every section of this country. From 1952 to 1963 the median income of Negro families compared to white actually dropped from 57 percent to 53 percent * * *.

"The infant mortality of nonwhites in 1940 was 70 percent greater than whites. Twenty-two years later it was 90 percent greater.

"Moreover, the isolation of Negro from white communities is increasing rather than decreasing as Negroes crowd into the central cities and become a city within a city.

"Of course Negro Americans as well as white Americans have shared in our rising national abundance. But the harsh fact of the matter is that in the battle for true equality too many—far too many—are losing ground every day.

We are not completely sure why this is. We know the causes are complex and subtle. But we do know the two broad basic reasons. And we do know that we have to act.

"First, Negroes are trapped—as many whites are trapped—in inherited, gateless poverty. They lack training and skills. They are shut in, in slums, without decent medical care and our other health programs, and a dozen more of the Great Society programs that are aimed at the root causes of this poverty.

"We will increase, and we will accelerate, and we will broaden this attack in years to come until this most enduring of foes finally yields to our unyielding will.

"But there is a second cause—much more difficult to explain, more deeply grounded, more desperate in its force. It is the devastating heritage of long years of slavery, and a century of oppression, hatred and injustice.

"For Negro poverty is not white poverty. Many of its causes and many of its cures are the same. But there are differences—deep, corrosive, obstinate differences—radiating painful roots into the community, and into the family, and the nature of the individual.

"These differences are not racial differences. They are solely and simply the consequence of ancient brutality, past injustice, and present prejudice. They are anguishing to observe. For the Negro they are a constant reminder of oppression. For the white they are a constant reminder of guilt. But they must be faced and they must be dealt with.

"* * * Nor can we find a complete answer in the experience of other American minorities. They made a valiant and a largely successful effort to emerge from poverty and prejudice.

"The Negro, like these others, will have to rely mostly upon his own efforts. But he just cannot do it alone. For they did not have the heritage of centuries to overcome, and they did not have a cultural tradition which had been twisted and battered by endless years of hatred and hopelessness, nor were they excluded—these others—because of race of color—a feeling whose dark intensity is matched by no other prejudice in our society.

"Nor can these differences be understood as isolated informities. They are a seamless web. They cause each other. They result from each other. They reinforce each other.

"Much of the Negro community is buried under a blanket of history and circumstance. It is not a lasting solution to lift just one corner of that blanket. We must stand on all sides, and we must raise the entire cover if we are to liberate our fellow citizens.

"One of the differences is the increased concentration of Negroes in our cities. More than 73 percent of all Negroes live in urban areas compared with less than 70 percent of the whites. Most of these Negroes live in slums. Most of these Negroes live together—a separated people.

"Men are shaped by their world. When it is a world of decay, ringed by an invisible wall, when escape is arduous and uncertain, and the saving pressures of a more hopeful society are unknown, it can cripple the youth and it can desolate the men.

"There is also the burden that a dark skin can add to the search for a productive place in our society. Unemployment strikes most swiftly and broadly at the Negro, and this burden erodes hope. Blighted hope breeds despair. Despair brings indifference to the learning which offers a way out. And despair, coupled with indifference, is often the source of destructive rebellion against the fabric of society.

"There is also the lacerating hurt of early collision with white hatred or prejudice, distaste or condescension. Other groups have felt similar intolerance. But success and achievement could wipe it away. They do not change the color of a man's skin * * * .

"Perhaps most important—its influence radiating to every part of life—is the breakdown of the Negro family structure. For this, most of all, white America must accept responsibility. It flows from centuries of oppression and persecution of the Negro man. It flows from the long years of degradation and discrimination which have attacked his dignity and assaulted his ability to produce for his family.

"This, too, is not pleasant to look upon. But it must be faced by those whose serious intent is to improve the life of all Americans. * * *

"The family is the cornerstone of our society. More than any other force it shapes the attitude, the hopes, the ambitions, and the values of the child. And when the family collapses it is the children that are usually damaged. When it happens on a massive scale the community itself is crippled. * * *

"There is no single easy answer to all of these problems.

"Jobs are part of the answer. They bring the income which permits a man to provide for his family.

"Decent homes in decent surroundings and a chance to learn—an equal chance to learn—are part of the answer.

"Welfare and social programs better designed to hold families together are part of the answer.

"Care for the sick is part of the answer.

"An understanding heart by all Americans is another big part of the answer.

"And to all of these fronts—and a dozen more—I will dedicate the expanding efforts of the Johnson administration.

"But there are other answers that are still to be found * * *"

Mr. MOYNIHAN. Mr. President, I would like to acknowledge that I wrote the first draft of this speech. I wrote it on the second of June 1965. I have a copy here of that draft. (In those days, it was a carbon copy.) Written in

the Department of Labor. I was then assistant Secretary of Labor for Policy Planning, and sent the draft to Mr. Bill Moyers at the White House.

The next day, June 3, Mr. Richard Goodwin, the President's speechwriter, took the first draft and with his magic, his catalytic magic with words, turned it overnight into the speech that was given late in the afternoon of the fourth of June. A very short compass for an address of this kind. The address had one central theme. We were at the height of the civil rights movement in our country, and we were talking about rights. The Civil Rights Act of 1964 had passed in this Senate after an agonizing decade. And in a few weeks from that point in June of 1965 the Voting Rights Act would pass.

President Johnson wanted to go beyond that to seize that moment of hope and opportunity and say, very well, rights are important but they have to be fulfilled. There has to be the substance of like circumstance, that rights ought to provide. And that is the neat and higher stage of the effort we were then engaged in.

His sub-theme was the problem of family structure, which is not an issue of race but of class. I had prepared a report, and Secretary Wirtz, the Secretary of Labor, had sent it to the President on the fourth of May. It was from the fourth of May 1965 to the fourth of June, that this policy decision was made.

The theme of the report to the President on family structure was that something critical was happening in our inner cities, that the number of children being born out of wedlock, the amount of crime, the amount of disorganized behavior, was going up; and that if it continued to go up, we were going to have a genuine crisis.

I would say to you, sir, at that time, 75 percent of black children living in the United States lived in a household where their mother and father were present. Last year, this had declined to about 37.4 percent, dropped in half in a generation.

The rate of illegitimacy, which was about 24 percent, is now at 64 percent, as Mr. Barr said. The only accurate thing he did say, albeit he said it was the inner city rate which is often 80 percent.

But we are not talking about a racial issue. We are talking about a class issue which I, at about that time, described in an article in America magazine, which I think tells you something of what I was thinking, and what I believe Lyndon Johnson was agreeing to, when Harry McPherson, Bill Moyers and Dick Goodwin brought this argument to him. I wrote this in America magazine, a publication of the Society of Jesus, which is say the Jesuits. I wrote:

"From the wild Irish slums of the nineteenth-century Eastern seaboard, to the riot-torn sections of Los Angeles, there is one unmistakable lesson in American history: a community that allows a large number of young men to grow up in broken families, dominated by women, never acquiring any stable relationship to male authority, never acquiring any set of rationale expectations about the future—that community asks for and gets chaos. Crime, violence, unrest, disorder—most particularly the furious, unrestrained lashing out at the whole social structure—that is not only to be expected, it is very near to inevitable. And it is richly deserved."

This is how President Johnson addressed the matter. After describing the bitter experience of black Americans in our country, a past of oppression, cruelty, deprivation unlike any other group that came to this country had known—he said we can get back beyond this but we have another issue. He said, and I quote him from the passage in this morning's Post:

"There is also the lacerating hurt of early collision with white hatred or prejudice, distaste or condescension. Other groups have felt similar intolerance. But success and achievement could wipe it away. They could not change the color of a man's skin.* * *

"Perhaps most important—its influence radiating to every part of life—is the breakdown of the Negro family structure. For this, most of all, white America must accept responsibility. It flows from centuries of oppression and persecution of the Negro man. It flows from long years of degradation and discrimination which have attacked his dignity and assaulted his ability to produce for his family.

"This, too, is not pleasant to look upon. But it must be faced by those whose serious intent is to improve the life of all Americans. * * *

"The family is the cornerstone of our society. More than any other force it shapes the attitude, the hopes, the ambitions and the values of the child. And when the family collapses it is the children that are usually damaged. When it happens on a massive scale, the community itself is crippled. * * *

"There is no single easy answer to all of these problems.

"Jobs are part of the answer. They bring the income which permits a man to provide for his family.

"Decent homes in decent surroundings and a chance to learn—an equal chance to learn—are part of the answer.

"Welfare and social programs better designed to hold families together are part of the answer.

"Care for the sick is part of the answer.

"An understanding heart by all Americans is another big part of the answer.

"And to all these fronts—and a dozen more—I will dedicate the expanding efforts of the Johnson administration.

"But there are other answers that are still to be found. * * *"

Other answers still to be found, looked for with an understanding heart.

Would you describe, sir, the remarks of the Attorney General or the press spokesman as those of an understanding heart * * *? But in 1965 the President was persuaded. We offered the proposition that we had to deal with this, and he said we would. He called a White House Conference "To Fulfill These Rights." He later sent word to me to say that he thought his speech at Howard University, the commencement address, was the greatest civil rights speech he had ever made. It had a curious aftermath. The original response was wonderfully positive. And then, a few months later on August 11 the riot in Watts broke out, a riot of exactly the kind we were talking about, the disorder, the lashing out, the unrest and instability. It was what he said was coming. It came too soon.

The next day his press secretary, Mr. Moyers, addressed a White House press corps asking: What is happening? What is going on? He handed out the policy paper that we had produced. Roland Evans and Robert Novak, who were very much on top of events, then as now, published a column the next day that described the policy paper behind the President's thesis of family stability. And that proved unacceptable to the civil rights movement of the time. They were talking about rights. We were talking about fulfilling those rights. That is a historic loss, a very hard one. Even President Johnson, in the end, had to abandon the effort.

But those problems did not begin with him and are not caused by things he did. You could say some of them were brought about by things that were not done. But to say, as Mr. Fitzwater said, and I am quoting now from the Associated Press of two days ago, "We believe that many of the root problems that have resulted in inner city difficulties were started in the 1960s and 1970s and that they have failed," is depraved. It is a slander on a great President, and a fine moment in our history, as moments go. Twenty-seven years ago this June 4, Lyndon Johnson stood up and laid out what was coming to the country. The country did not respond, and it has come. But to blame him is to lower the policies of race to a degree I have not seen in my time.

Lyndon Johnson is owed an apology. He will not get one. People who do this have so little sense of their history and, perhaps, an insufficient degree of honor that no apology will be forthcoming. But the record should be straight.

Our very able and learning friend and colleague, John Kerry, spoke at Yale University on these matters just a short while ago, on March 30, in which he goes back to this history and says what we did not do. He cites that passage which I just read about any society that allows a large number of young men to grow up in broken families, never acquiring any stable relationship to authority, never requiring any rational expectation, asks for and gets chaos, crime, violence, unrest.

Those are the records, sir, of the black children born in 1967, '68 and '69. Seventy-two percent were on welfare before they reached age 18. That meant they not only lived in a single-parent family, but they were paupers—not a pretty word, not a pretty condition. A family on welfare can have $1,000 in resources, plus a home, a car worth less than $1,500. Pots and pans, a television set, and a few couches. That is the childhood of what is approaching probably over four-fifths of these children—four-fifths.

But we saw it coming. Many denied it when it came. Many denied it was going to come. That is what Senator Kerry and Senator Bradley have been talking about.

On our side, we have a responsibility as Democrats. We have become very good at denial. In an address on this subject at the University of Chicago on Saturday, the very able professor of Sociology, William Julius Wilson, spoke at some length about that. Professor Wilson is the author of the Truly Disadvantaged. He picked up some of the research which we had been doing into this field in the early 1960s, he and Katherine Neckerman began to explore the aftermath of this data series and found things that are important.

He said on Saturday in a paper at the Dean's Forum, University of Chicago, on the subject of social science and the making of public policy, and I quote him:

"* * * sociologists working in the field of urban poverty have felt pressure from their colleagues to consider the political and/or social implications of their work, even to the point of suppressing results or of avoiding certain research topics. The vitriolic attacks and acrimonious debates that characterized the controversy over the Daniel Patrick Moynihan report on the Negro family in the late 1960s and early 1970, a controversy which emerged because his ideas were seriously misrepresented in the media and the work of some social scientists, is a case in point. The

controversy following the report intimidated many sociologists and other social scientists conducting research on poverty and family structure. Indeed, in the aftermath of this controversy and in an effort to protect their work from the charge of racism or "blaming the victim," sociologists, like other liberal social scientists tended to avoid describing any behavior that could be construed as unflattering or stigmatizing to racial minorities. Accordingly, for a period of several years, and well after the controversy had subsided, the problems of social dislocation in the inner-city ghetto did not attract serious research attention. From the early 1970s to the mid-1980s, there was minimal contribution from sociology in particular and the social scientists in general to the public-policy agenda on combating inner-city poverty."

That is William Julius Wilson of the University of Chicago saying that on "our" side people who care about these issues dropped the main subject 25 years ago in the aftermath of that controversy and have only just now started to return to it. As his words very ably demonstrate from the point of view of a professional social scientist and as the addresses of Senators Kerry and Bradley demonstrate from the point of view of people who have to carry forward public policy as legislators.

We are past that period of denial. We are also, however, with a problem far worse today than it was a generation ago, and no nearer any true understanding. It is perhaps useful to point out that if we avoided discussing the matter for 25 years it is not surprising we do not understand it any better now than we did when we first encountered it.

And no one is more firm on this matter than James Q. Wilson, who is the president of the American Political Science Association this year, a man of great commitment and understanding of urban problems. He was the second director of the Joint Center of Urban Studies of MIT and Harvard. His first book published at the University of Chicago, Negro Politics, is a classic. He has since gone on to become the leading student of crime in America and of bureaucratic organizations. His book Bureaucracy is the harvest of a long career and a classic already. He is acknowledged by his peers as a man to be president of the American Political Science Association.

He writes in this morning's Wall Street Journal a tough-minded, necessary article about the way in which the onset of that behavior I was talking about earlier, the onset, of crime and disorder, has been absorbed by Americans in the way Lyndon Johnson anticipated. It is class behavior. It is the wild Irish slums of the 19th century Eastern Seaboard to the riot torn Watts section of Los Angeles. The one lesson in American history. A class lesson.

But in America today, this class behavior has a black face. And that behavior is so destructive, not just to the communities involved—most black crime is committed against blacks, as we know—but the fear of black crime extends and passes over to the white side.

Senator Bradley in a speech on this floor spoke of fear covering the cities like a sheet of ice. We have to address it. The stability of this society is at stake.

Here is what James Q. Wilson concludes in his article this morning in the Wall Street Journal. He says:

"The best way to reduce racism real or imagined is to reduce the black crime rate to equal the white crime rate which God knows is high enough.

"To do this may require changing, in far more profound and all encompassing ways than anything we now contemplate, the lives of black infants, especially boys from birth to age 8 or 10. We have not yet begun to think seriously about this, and perhaps never will. Those who must think about it the hardest are those decent black people who must accept, and ideally should develop and run, whatever is done."

That is James Q. Wilson in this morning's Wall Street Journal saying exactly what Lyndon Johnson said 27 years ago come June 4. That we must seek not just equality but equality as a fact and as a result.

There are many who have objected to the term, the idea of equality of results, and I can understand it. I know that if you want to have equality of results just by decreeing them you get all kinds of problems.

But, Mr. President, seeing it as a necessary objective is very different thing than decreeing it. I will conclude, sir—I see the very able Senator from Oregon is here and I know he wished to speak as well. But I would conclude thus: We are in a defining moment in the present age. We may have another opportunity to look reality in the face as Lyndon Johnson did 27 years ago. It may slip away.

Twenty-seven years ago it was people who favored racial progress and harmony who denied reality. This time it is being denied by those who have yet to prove their bona fides.

It harms and hurts us all to demean the memory of a President who at very least tried, tried to understand, tried to make people understand, committed himself to equality as a fact and as a result. Surely, we can address that problem again. Possibly we can. But not by the Orwellian rewriting of history which is going on in this administration today. The President should say stop it. Those who will not stop should be asked to resign out of the decent respect for the history of their own country and of the Presidency which they served in their brief authority.

Mr. President, I thank you for your kindness in allowing me to speak in extended morning business.

I thank my friend from Oregon for his patience as well. And I yield the floor.

I am one of the original coauthors and cosponsors of that act of 1964. I also joined enthusiastically in the first national education act, the Elementary and Secondary School Act of 1965, the higher education act that year. I was in on the ground floor of those programs, and in my own district I can give statistics, I have reports of how these programs targeted and reversed dropout rates among the Mexican-American youth. From over 78 percent we dropped in a matter of 8 years to less than 20 percent. Let anybody tell me that those programs that for once in its history the Congress responded to did not have the desired effect as we intended in Congress, and I will ask them to come and consult with me.

I want to thank the gentleman again for giving me this opportunity. I will present for the RECORD this testimony that the great Senator MOYNIHAN gave us, because it is the best thing that we can do tonight, just to go back and see what Lyndon Johnson said, what his aims were, what his objectives were, and how faithfully he adhered to them.

I was first elected to Congress in 1961, and thus I served during the years when the Great Society programs were proposed, debated, and passed. I know about these programs, I know that they were—and are—an effective approach to improving the condition of the American people, and I know that they greatly and very positively affected the lives of many people, especially the people of the 20th Congressional District of Texas in San Antonio which I represent.

I find it rather incredible that attacks are being made on the Great Society programs, allegations such that these programs are the cause of the recent riots in Los Angeles. How can an administration which, just as recently as last year in the Persian Gulf war, has shown the American people that the way to solve problems is through the use of violence not look at itself and understand the responsibility it bears for this crisis? Violence begets violence, and the example set by those with power in this country will be followed by those without power. After more than a decade of neglect of the cities, of the needs of those who reside in the inner cities, and of the growing racial and economic-class tension, there can be no wonder tempers finally boiled over.

Earlier this year, on February 10, I took the Banking Committee to Los Angeles for a hearing which was one in a series of hearings I have held in the past 6 months designed to solicit testimony from the American people, who are the real experts, on the economic problems facing our country. In Los Angeles, our hearing was held in a building that was in the midst of the recent riots, and at this hearing we heard testimony that was very disturbing because it indicated that there was a likelihood of social unrest. We examined the effects of the decade-long neglect and drastic Federal budget cuts during the Reagan and Bush administrations, and we found that municipalities are so overburdened that they can no longer keep citizens from falling through the cracks. The result of the neglect is a dire situation: Families are desperate for good jobs, safe neighborhoods, good schools, and decent housing.

This reality is very troubling to those of us who worked for passage of the Great Society programs in the 1960's, as we see programs that we know helped to create a strong middle class by lifting people out of poverty caused by lack of education, lack of job training, and a lack of basic decent housing being blamed for the problems we now face. And the Los Angeles riots will not be the end of it—there is much unrest still simmering and it will not take much to reignite.

The Great Society improved the conditions of Americans, and thus also created hope and a sense of control over one's own life. Take my district, for instance. In 1950, the census showed that the average 14-year-old Mexican-American male child in Texas reached only the fourth grade in school. By the late 1960's, these young men became the targets of most of the retraining and reeducational projects that we were able, during the Presidency of Lyndon Johnson, to approve in the war against poverty. I believed in these programs, and in 1964 I worked hard for passage of the Economic Opportunity Act, which included the Job Corps Program, the first Federal work-

study program for college students, and the Community Action Program. In 1965, I worked closely with President Johnson for passage of the Medicare and Medicaid Programs. We passed legislation to create the Head Start Program; we enacted the first major Federal aid program for elementary and secondary schools serving children from poor families; and we created the Model Cities Program which helped stabilize and revitalize communities such as the west side of San Antonio. In 1968, we passed a huge bill authorizing over $5 billion for low-income housing. As a direct result of these programs, instead of a greater than 70-percent dropout rate among Mexican-American children in my district, we had a greater than 80 percent high school graduation rate. Now, because of the Reagan administration's cutbacks in student aid programs, there have been between 2,300 and 2,600 students in my district each year who cannot afford to go into even a community college, let alone a university.

During the Reagan administration, Federal assistance to housing was also cut—by 83 percent; as a result, in San Antonio we have over 18,000 families—not individuals, but families—on the waiting list for section 8 housing assistance. Add to this the number who are waiting for admission to federally funded housing projects and those who have not bothered to put their names on a waiting list because of the sense of hopelessness that anything will ever materialize for them, and you have a tremendous housing crisis. Also during the Reagan administration, Federal job training was cut 63 percent; one only needs to look at our unemployment rate over the past few years, and add to it the number of people who are underemployed in menial service jobs rather than employed in manufacturing jobs which were exported by the Reagan administration, to realize that we are not only, not meeting today's needs, but we are not anywhere close to addressing the future job-training needs of this country as competition from abroad is increased. Now, no nation can suffer that for long without some grave consequences.

The underlying reason for the effectiveness of the Great Society was its approach to poverty, disease, injustice, illiteracy, and other social problems. It treated the causes, not just the symptoms, and thus truly empowered people to rise above the traditional barriers to education, training, and housing that had barred them from improving their lives.

Instead of blaming the Great Society for today's ills, it would be wise to consider what condition our country would have been in without these programs. Without the movement into the middle class by a vast number of people through the Great Society programs, the widening of the gap between the rich and poor in our country that we experienced so drastically in the 1980's would have been exacerbated, making the current situation even more explosive. But if the Great Society had been continued and supported throughout the 1980's, we would not now have a housing crisis, a return to the high dropout rate, our job-training crisis, and the resultant terrible crime wave we are experiencing.

I have introduced two bills—one to provide emergency loan assistance specifically to Los Angeles to rebuild the riot-torn areas, and one to provide funding for emergency community development projects to restore the vitality of our cities. These are measures that will provide good jobs as well as much needed assistance to the cities. The time is long overdue for the administration to learn that addressing problems in a peaceful manner through programs such as I have introduced—programs akin to those of the Great Society—will alleviate the underlying causes of problems that have given rise to the tension, the despair, and the sense of hopelessness that are the true causes of the unrest in our inner cities.

Mr. SCHEUER. I thank my colleague from Texas.

I yield to another colleague from Texas, Mr. JAKE PICKLE.

Mr. PICKLE. Mr. Speaker, I commend the gentleman from New York for asking for this time. It gives many of us a very special feeling of pride to make comments about this program.

I was impressed with the comments of my colleague from Texas, Mr. GONZALEZ. I am glad he mentioned the letter he received from Senator MOYNIHAN of New York, because Senator MOYNIHAN sent me a copy of that speech as well, and I am glad the gentleman is going to put that in the RECORD, because the Howard University speech of Lyndon Johnson is a marvelous speech, and is probably one of the best speeches the President ever made.

I rise this evening to take issue on some of the things which have been said about the Great Society in the past week or so. The events in Los Angeles have been nothing short of a national tragedy. Rebuilding south-central Los Angeles and taking steps to make sure that the scenes of 2 weeks ago are not repeated in Los Angeles or elsewhere will require resources far greater than just money from the Government. It will require the resources of the human spirit in conjunction with all the talent of the public and private sector to begin the job of healing Los Angeles. In recent days, I think that some consensus has emerged on the nature of the effort that we will need to address the problems of Los Angeles and many other cities, namely a spirit of healing, unity, and compassion for the people of the inner city. It will also require significant Government resources to create hope and opportunity among our poorest citizens.

It is good to see such a consensus emerging around these values from the administration, so it is with some disbelief and consternation that we observed the same administration criticizing the period in our history which most embodied these values and which sought most to help the disadvantaged among us. I refer of course to the Great Society. Like many Members who are speaking tonight, I was proud to serve in Congress when Great Society programs were enacted and when this institution, with President Johnson's leadership, was as productive as it has been in any other period in our history. Both the Congress and the President would do well to look to the Great Society both for inspiration and lessons as we fashion new policies for our inner cities. The Great Society in no way caused the tragedy in Los Angeles. Its spirit can only be part of the solution.

Two years ago, the LBJ Presidential Library and the LBJ School of Public Affairs at the University of Texas at Austin conducted a 3-day symposium discussing the Johnson Presidency and the Great Society. I was privileged to participate in that event, which included many people who served in the Johnson administration and other Johnson associates. One of the most remarkable things I took away from that gathering was the spirit of compassion which went into so much of the development of Great Society programs. First and foremost, the Great Society was based on the idea that Government must be a compassionate and positive force in providing the opportunity for the disadvantaged among us, so that they can become the best and most productive citizens they can be. The Great Society was a set of ideals first, a set of programs second. When President Johnson outlined his goals for the Great Society at the University of Michigan in 1964, he remarked that the Great Society would be "a place where men are more concerned with the quality of their goals than the quantity of their goods." The Great Society was "a challenge constantly renewed, beckoning us toward a destiny where the meaning of our lives matches the marvelous products of our labor."

Meeting these challenges would permit all Americans to realize the fruits of the American dream: freedom, equality, and the chance at prosperity. It is to Lyndon Johnson's enduring credit that he put the force and power of this Presidency behind the lofty goals of the Great Society. Johnson knew that a life without hope could quickly degenerate to bitterness and anger, and that anger could easily lead to violence. This vicious circle certainly was at work in Los Angeles 2 weeks ago. In his Great Society programs, Johnson sought to place the weight of history's most prosperous Nation behind efforts to tear down the barriers which led to hopelessness in our society.

Now, it is possible to agree with the wonderful rhetoric of the Great Society but still believe that the programs of that era were failures. The record, however, is quite to the contrary. It is hard for us to imagine an America without programs like Head Start, one of President Bush's favorite programs because of its long record of success. It is hard to imagine an America without Medicare and Medicaid, without a well-funded National Cancer Institute, or where it is possible for minority groups to be denied the right to vote. This

House just recently reauthorized the Higher Education Act and it is right that we feel good about that. But during the Johnson years, Congress passed 45 education bills, setting up things like the Guaranteed Student Loan Program and the College Work Study Program. Another successful Great Society program which deserves mention is Job Corps, which has given thousands of disadvantaged youths the training to become productive members of our work force and has consistently been found to be an excellent expenditure by the Government. I am proud to have the Gary Job Corps of San Marcos, TX, in my district, which is among the better Job Corps anywhere. In short, any serious analysis of the Great Society would conclude that, while not perfect, it was successful in reducing poverty, promoting civil rights, and improving opportunity in this country.

The Great Society and the legacy of the Great Society has done much more good than harm in this country. When discussing the events in Los Angeles, the proper question is not: Did the Great Society cause the tragedy there? It is instead: how much worse, or how much sooner, would these events have occurred without the Great Society? And, might these events been avoided had Great Society programs not seen their funds cut in the past 12 years? If, in 1990, we were to redirect our spending priorities to 1979 levels, we would have spent $18 billion more for labor training, $13 billion more for social services, $11 billion more for transportation, $8 billion more for education, $7 billion more for housing, and a total of $17 billion more for programs like economic development, health and hospitals, natural resources, education and culture, and others. I will not suggest here that this Government can or should spend these additional amounts today. But in light of the problems in Los Angeles and other cities, these figure suggest that we ought to reevaluate some of our spending priorities.

One of the most enlightening discussions at the symposium on Johnson at the LBJ Library was the event at which we heard from people who had directly benefited from Great Society programs. We heard from a young man from the Rio Grande Valley in Texas who had received his earliest education in the Head Start Program. He went on to be the president of the student body at Stanford University and to receive a law degree from the University of California at Berkeley. This young man told us of other beneficiaries of Head Start, such as a young lady from a poor town in Mississippi who has gone on to become an engineer working on some of our most advanced weapons technologies. We heard from a man who had grown up in a number of foster homes in New York City who, with the help of the Higher Education Act, received his college degree from West Virginia University and now owns his own broadcasting company. This man now has a son who receives all A's in school and wants to go to Harvard. And we heard from a man who began life in a wood shack in Arkansas and took advantage of the Upward Bound Program to receive a doctorate from Harvard University and become a member of the Ohio Legislature. The Great Society was about helping people, and the stories I have just shared with you have been duplicated countless times by people who took advantage of the opportunities presented to them by a compassionate government. But, as President Johnson knew well and said many times, the struggle to ensure opportunity for all people is not something that begins and ends with a set of programs which can be enacted in one administration. It is an ongoing effort; after all, it has taken and will take years of effort to eradicate discrimination that has existed for centuries. After the Civil Rights Act passed in 1964, I told the President that I was glad the vote was behind me. The President replied to me that we had just begun the fight against discrimination, and that as long as I was in the House, Congress would be passing civil rights legislation. Of course he was right.

That same spirit ought to animate the discussion of what we ought to do about our cities in the aftermath of Los Angeles. We can add to the Great Society programs, and we can employ new approaches. But most of all, we need a vision as broad and expansive as Lyndon Johnson's to restore a sense of optimism and purpose about Government's role in helping to revive our inner cities. Unjustifiable criticism of the past will surely leave us far short of the mark. I will close by quoting Lyndon Johnson who said, "I do not intend that second-rate visions will set the course for a second-rate America." More than 25 years later, neither should this President, and neither should this Congress.

Mr. Speaker, I know others want to speak on this subject, but I think it is good for this Nation to pause on occasion and to remember the programs that have served us well. I think had we considered or enlarged on many of the programs that started back in those years, the events in Los Angeles may not have occurred. Whether that would have happened or not, no one knows. But we do know that we must reapproach the problems that society has, and programs like the Great Society program can help us immeasurably.

I would hope that we address this problem with a spirit of commitment and encouragement and that we can help find better answers, and it is good for this Nation to remember that in the years of the Johnson Presidency more productive, good programs were passed than ever before in a similar period of time in the history of this Nation. So I commend President Johnson and his administration's programs, and again I thank the gentleman for yielding.

Mr. SCHEUER. I thank the gentleman for this fine contribution. He was there when all of this was happening.

We must have learned some lessons, my colleagues, from the horror of the Los Angeles riots. The Bush administration seems to have learned that programs aimed to enrich and improve the lives of disadvantaged Americans are nothing but well-intentioned failures, those "failed programs of the fifties and sixties." The administration has focused on an easy target, those tragic riots in Los Angeles of a week or so ago.

□ 1930

This response to those riots was hardly surprising, because the Bush administration has had no domestic policy of its own to examine and evaluate. The Bush administration's initial response to the Los Angeles riots was nothing more than a cynical attempt to exact political capital from a tragic situation.

It is an insult to one of our great Presidents who did possess the vision and the courage to set a firm course for American domestic policy at a time when it was sorely needed. And Lyndon Johnson, my colleagues, did not have to search for, and I quote, "the vision thing"; "the vision thing" sprang out from his roots, sprang from his very guts and his brains and his heart, from his origins in the Pedernales River in Texas where he spent his first adult years as a teacher.

Mr. Speaker, I now yield to my distinguished colleague, the gentleman from New York [Mr. OWENS].

Mr. OWENS of New York. Mr. Speaker, I thank the gentleman.

Mr. Speaker, I want to congratulate the gentleman for this special order which relates to educating the American people about what the Great Society programs were really all about.

The gentleman just mentioned Lyndon Johnson, who was the creator of the Great Society programs. I think it is important for us to take note of the fact that we have a generation that probably remembers Lyndon Johnson only for the Vietnam war. The memory of Lyndon Johnson, I think, is sort of overwhelmed by the Vietnam war and all the problems that were related to the Vietnam war, but we have to also set history in perspective and understand that of all of the Presidents that this Nation has ever known, Lyndon Johnson understood the great American dilemma better than any others.

Lyndon Johnson was a Southerner. He spent a large part of his career, certainly in the Congress, fighting civil rights legislation very successfully, but

he grew and matured, and he responded to the call of the times. I think most Americans will agree with me that when you examine the record you will find that no one has done more for African-Americans in this Nation from the level of a seat of power than Lyndon Johnson.

I think it is important for everybody to go back and look at the words of Lyndon Johnson himself. The Washington Post did us a great service by publishing on Wednesday, May 6, a set of excerpts from Lyndon Johnson's speech at Howard University on June 4, 1965. I think that this speech, or if you want to just take this set of excerpts that appeared in the Washington Post, should be a part of the curriculum of every high school history textbook, woven somehow into the discussion of what is going on right now.

I am not going to read it all.

Mr. SCHEUER. I would ask that those excerpts from the Washington Post be printed in the RECORD at this very point.

Mr. OWENS of New York. I was going to ask for that also.

I am not going to read it all, but I do want to read just some parts of it, because I think every policymaker in America, every legislator ought to be listening to these words. It is all summed up by a man who understood the problem very well.

He was a Southern white, and if you want to ask Southern blacks why they trust Southern whites, I think the best answer to that is that it is not that Southern whites necessarily have better hearts than other whites. The kind of heart and the kind of outlook a person has does not have anything to do with geography, but the Southern whites and the Southern blacks understand the race problem very well. Regardless of what they decide to do about it, what kind of decisions are made, at least the understanding, the level of comprehension is always there. And Lyndon Johnson understood the problem very well.

Let me just read a few of his words at Howard University on June 4, 1965:

But freedom is not enough. You do not wipe away the scars of centuries by saying: Now you are free to go where you want, and do as you desire, and choose the leaders you please.

You do not take a person who, for years, has been hobbled by claims and liberate him; bring him up to the starting line of a race and then say, "you are free to compete with all the others" . . .

This is the next and the more profound stage of the battle for civil rights. We seek not just freedom but opportunity. We seek not just legal equity but human ability, not just equality as a right and a theory but equality as a fact and equality as a result.

For the task is to give 20 million Negroes the same chance as every other American to learn and grow, to work and share in society, to develop their abilities—physical, mental and spiritual—and to pursue their individual happiness.

To this end equal opportunity is essential, but not enough, not enough. Men and women of all races are born with the same range of abilities. But ability is not just the product of birth. Ability is stretched or stunted by the family that you live with, and the neighborhood you live in—by the school you go to and the poverty or the richness of your surroundings. It is the product of a hundred unseen forces playing upon the little infant, the child, and finally the man.

Of course Negro Americans as well as white Americans have shared in our rising national abundance. But the harsh fact of the matter is that in the battle for true equality too many—far too many—are losing ground every day.

We are not completely sure why this is. We know the causes are complex and subtle. But we do know the two broad basic reasons. And we do know that we have to act.

First, Negroes are trapped—as many whites are trapped—in inherited, gateless poverty. They lack training and skills. They are shut in, in slums, without decent medical care. Private and public poverty combine to cripple their capacities.

We are trying to attack these evils though our poverty program, through our education program, though our medical care and our other health programs, and a dozen more of the Great Society programs that are aimed at the root causes of this poverty.

We will increase, and we will accelerate, and we will broaden this attack in years to come until this most enduring of foes finally yields to our unyielding will.

But there is a second cause—much more difficult to explain, more deeply grounded, more desperate in its force. It is the devastating heritage of long years of slavery, and a century of oppression, hatred and injustice.

For Negro poverty is not white poverty. Many of its causes and many of its cures are the same. But there are differences—deep, corrosive, obstinate differences—radiating painful roots into the community, and into the family, and the nature of the individual.

These differences are not racial differences. They are solely and simply the consequence of ancient brutality, past injustice, and present prejudice. They are anguishing to observe. For the Negro they are a constant reminder of oppression. For the white they are a constant reminder of guilt. But they must be faced and they must be dealt with.

. . . Nor can we find a complete answer in the experience of other American minorities. They made a valiant and a largely successful effort to emerge from poverty and prejudice.

The Negro, like these others, will have to rely mostly upon his own efforts. But he just cannot do it alone. For they did not have the heritage of centuries to overcome, and they did not have a cultural tradition which had been twisted and battered by endless years of hatred and hopelessness, nor were they excluded—these others—because of race or color—a feeling whose dark intensity is matched by no other prejudice in our society.

Nor can these differences be understood as isolated infirmities. They are a seamless web. They cause each other. They result from each other. They reinforce each other.

Much of the Negro community is buried under a blanket of history and circumstance. It is not a lasting solution to lift just one corner of that blanket. We must stand on all sides, and we must raise the entire cover if we are to liberate our fellow citizens.

There is also the burden that a dark skin can add to the search for a productive place in our society. Unemployment strikes most swiftly and broadly at the Negro, and this burden erodes hope. Blighted hope breeds despair. Despair brings indifference to the learning which offers a way out. And despair, coupled with indifference, is often the source of destructive rebellion against the fabric of society.

There is also the lacerating hurt of early collision with white hatred or prejudice, distaste or condescension. Other groups have felt similar intolerance. But success and achievement could wipe it away. They do not change the color of a man's skin. . . .

Perhaps most important—its influence radiating to every part of life—is the breakdown of the Negro family structure. For this, most of all, white American must accept responsibility. It flows from centuries of oppression and persecution of the Negro man. It flows from the long years of degradation and discrimination which have attacked his dignity and assaulted his ability to produce for his family.

This, too, is not pleasant to look upon. But it must be faced by those whose serious intent is to improve the life of all Americans. . . .

The family is the cornerstone of our society. More than any other force it shapes the attitude, the hopes, the ambitions, and the value of the child. And when the family collapses it is the children that are usually damaged. When it happens on a massive scale the community itself is crippled. . . .

There is no single easy answer to all of these problems.

Jobs are part of the answer. They bring the income which permits a man to provide for his family.

Decent homes in decent surroundings and a chance to learn—an equal chance to learn—are part of the answer.

Welfare and social programs better designed to hold families together are part of the answer.

Care for the sick is part of the answer.

An understanding heart by all Americans is another big part of the answer.

And to all of these fronts—and a dozen more—I will dedicated the expanding efforts of the Johnson administration.

But there are other answers that are still to be found . . .

□ 1940

That is the end of Lyndon Johnson's speech at Howard University on June 4, 1965. It has a familiar ring, some of the same things that are being said today by the present President, but in a different context. The present President would make it appear that the collapse of the Negro family, that the unemployment and joblessness in our communities among Negro males is all their fault, a matter of lifestyle, something they choose to do.

The present President ignores that fact that when there were 1,000 jobs available at the Marriott Hotel in Chicago, 9,000 people lined up for those jobs and most of those 9,000 people were Afro-Americans.

It is all here in a very compact and succinct statement. It was not delivered by some wildeyed radical on a street corner in Harlem. It was delivered by a man who sat at the very head of our Government. We should be proud of a President like Lyndon Johnson.

History should take a close look at his record and not let it be overwhelmed by the Vietnam war or foreign policy.

Here is a man who understood the most pressing problems in this country. He understood the American dilemma. He had the greatness, the fortitude, he had the wisdom, he had the soul to deal with the problem of racism in America.

Mr. Speaker, I thank the gentleman for allowing me to participate in this special order.

Mr. Speaker, in the wake of the recent tragic events in Los Angeles and other cities stemming from reactions to the verdict in the Rodney King case, the Bush administration has chosen to attack the war on poverty programs initiated in the 1960's under the Johnson administration, charging that these so-called failed programs are to blame for the massive, simultaneous destruction which took place over the last few days.

I was a New York City Deputy Administrator for Community Development under former Mayor John Lindsay, and I take strong issue with that view. On the contrary, programs such as Model Cities, the Job Corps, CETA, and others gave people hope for the future. They empowered residents of inner cities, giving them for the first time a sense of control over their lives and destinies.

Throughout my years as an elected official, particularly as a member of the House Committee on Education and Labor, and as an administrator of social programs, I have always viewed education and employment as the two most important concerns facing the nation. Education and employment are intertwined; without a quality education, Americans all ill equipped to function in the work world of high technology, increasingly specialized professions. One of the most successful holdovers from the Great Society, "War on Poverty" years is the Job Corps, a program that for 30 years has recognized the important linkage between education and employment.

Job Corps is our Nation's only proven Federal program that helps our at-risk youth finish their education, learn lifetime skills and build up our country. Eighty-one percent of Job Corps graduates go to work, enter the military or seek more education.

I was outraged when in 1986 the Reagan administration sought to eliminate Job Corps and I am outraged today that the Bush administration wants to cut this proven program at a time when local elected officials all over this country are in desperate need of it. Communities from Compton, CA to the delta area in Mississippi, to Nashville, TN, to right here in Prince Georges County, MD, near Washington, DC, are urging the administration to fully fund and expand Job Corps. They know, as we in the Congress know, that it is pathetic that one of the most successful Great Society Programs, which has helped young people for 30 years, serves less than 2 percent of those who could benefit from it the most.

The administration and its supporters argue that Job Corps costs too much money. But we spend billions on exotic weaponry and military gadgets that the end of the cold war have rendered unnecessary and obsolete. One Seawolf submarine costs $2 billion, slightly less than the total request for Job Corps' 50–50 plan for fiscal year 1993. The 50–50 plan is a well thought out, long-term initiative to add 50 new Job Corps centers to reach 50 percent more youth at a cost of $1.26 billion. And the Job Corps is, to use a favorite administration phrase, "cost effective," returning $1.46 on every dollar we invest in it.

Another important Great Society measure that acknowledged the important education-employment link was the Vocational Education Act of 1963, which was signed into law by President Johnson on December 18 of that year. The act initiated Federal aid to low- and middle-income youth for the purposes of vocational education and job training. It was designed to update and expand old programs that were considered insufficient and not geared to the problems of rapid technological change. It was hoped that increased vocational education could help satisfy the Nation's need for manpower with industrial, and technical skills, and at the same time reduce unemployment, especially among youth. As enacted, the measure authorized $731 million over a 5-year period for a broader, more flexible program to help workers learn new skills and upgrade old ones. A large part of the funds were directed toward unemployed young people and school dropouts, which included many African-Americans. The bill was initially envisioned by President Kennedy as one of many employment and education programs aimed at assisting African-Americans. As President Kennedy noted in his June 19, 1963 civil rights message to the Congress, employment opportunities would play a major role in determining whether civil rights gains for African-Americans would be meaningful. In signing the Vocational Education Act of 1963, President Johnson said:

> This bill * * * is dramatic evidence of our commitment to education as the key to our social and economic and technological and moral progress * * *. For the first time Federal funds are going to be available to construct new vocational schools.

Such Federal commitment to education and employment has been woefully lacking during the years of the Reagan and Bush administration. Instead, we have seen a commitment to destroying all of the efforts toward social change and equity between classes and races in this country that the Great Society programs were designed to bring about.

Enterprise zones and housing projects residents owning their units are not the only solutions to such problems, nor is attempting to assign blame to the Great Society Programs for the state of or cities the answer. Unless we want to see more urban death and destruction we must reinstitute the war on poverty and stop making war on the poor.

Mr. SCHEUER. Well, Mr. Speaker, I want to thank my colleague, the gentleman from Brooklyn, NY Mr. OWENS for his truly moving and beautiful words. They should inspire all of us to rethink some of our prejudices and rethink our assumptions and get down to the basics that Lyndon Johnson addressed and that the gentleman from New York [Mr. OWENS] addressed. I am truly grateful to the gentleman from New York [Mr. OWENS].

The time is late, Mr. Speaker, and I do not want to take the time to review each and every one of Lyndon Johnson's Great Society programs. I do want to echo one thing that the gentleman from New York [Mr. OWENS] said, that sometimes in the miss of memory we tend to look upon Lyndon Johnson as the bad buy, so called, for his involvement in the Vietnam war, for his immersing us more deeply, trapping us in the swamps of despair and futility of the Vietnam war.

Yes, there was a certain amount of ego involved here. Yes, this represented a character flaw on the part of President Johnson, but if you can just excise from your memory Johnson and the Vietnam war and think about Johnson's enormous contributions to our domestic society, you will rapidly come to the conclusion that as far as Lyndon Johnson's vision for America, the domestic America, all of us, black, white, rich, poor, Eastern, Western, urban, and rural, he was truly one of our all-time great Presidents in the vision and the powerful leadership that he provided in forcing this country to address our urban problems, the American dilemma of race. We should never forget his extraordinary contribution to helping us face up to the problems of America that was doing less than it was capable of doing for all its citizens.

Let me talk about just one or two programs and then I will yield my time.

The Head Start Program, we referred to that with the President. President Bush supports the Head Start Program, no question about it. He thinks it is a fine program. It is just that he does not want to pay for it. He does not want to pay to make it available to all American kids who are at the cutting edge of education failure. At the present time only about less than 1 in 4 kids at urgent education risks gets the benefit of Head Start. Now, that is a true tragedy.

I might tell my colleagues that I am a Head Start kid. In 1923, when I want to prekindergarten, we did not call an enriched preschool experience Head Start. We called it nursery school or prekindergarten. When I was 3 years old I was in one of those classes.

Now, most of the Members in this room, most of the Members of this House come from homes that are themselves education factories. They do not need a Head Start Program to learn, to value books and magazines and newspapers and cerebral thought. They do not need a Head Start Program to teach them how to tell time, the days of the week, the months of the year, the difference between silk and wool. Those are part of their family growing up experiences, but there are kids from disadvantaged homes in this country whose background is bleak compared to the kids who come from much more fortunate middle class backgrounds; so

for those kids, it is absolutely essential to have an enriched preschool program in order to enter the schoolhouse doors at age 6 for the first grade learning ready.

We have found that there is very little else that we can do to give these kids the promise of making it in school that works as well as the Head Start Program.

Let me give you a few elements of facts. The disadvantaged Head Start kids who enjoyed that preschool experience over their colleagues and friends who did not have the benefit of Head Start.

First of all, children who did not receive a Head Start service developed mental retardation or failed to shuck off the effects of mental disability at twice the rate of children who received preschool services of all kinds. Almost twice as many of the kids who did not enjoy the benefits of a Head Start experience were likely to drop out of school prior to graduation. Only two-thirds as many of the kids who did not have the benefit of an enriched preschool experience, only two-thirds of them became employed after high school.

Now, on the other hand, children who did get the benefit of an enriched preschool experience got jobs at a 60 percent higher rate than the non-Head Start kids, after high school that is. More than two-thirds of the Head Start kids developed literacy skills of all kinds, far more than their non-Head Start colleagues.

□ 1950

Almost 50 percent of the Head Start kids are likely to attend college and vocational school than non-Head Start kids. Overall, just to indicate that these programs were not an exercise in futility, were not a big black hole into which we poured taxpayers' money, studies show that society's return from an investment in Head Start, an investment in our Nation's most precious asset, its young kids, a dollar invested in Head Start returned anywhere from $7 to $12 to our Government in costs avoided, more success in school, more success on the job, and higher rates on the job.

What was the product for our society? Well, during the Johnson administration, the national poverty rate fell from 19 percent of the population to 12 percent of the population. How do you put a dollar value on that? How do you put a price tag on a society that has succeeded in cutting drastically the percentage of its people who are poor?

The poverty rate for elderly Americans has plummeted from 35 percent in 1960 to 25 percent in 1970 and to only 12 percent today, as a result of these so-called failed programs of the 1970's.

During the 1960's, the poverty rate for children was virtually cut in half, to 12 percent.

Mr. Speaker, I would like to quote a very distinguished conservative economist, Mr. Herbert Stein, who was chairman of President Nixon's Council of Economic Advisers. He supports using the peace dividend for domestic programs. He supports every possible effort to reduce the poverty and to increase the education among our youngsters.

Mr. Speaker, I would like to quote Herbert Stein:

> I would ask what is the most important use of the tens of billions of dollars of potential output that is not being used and should be used if the economy is to recover?
>
> My answer would be not to increase the consumption of middle America, that means by reducing taxes, "I would rather fund Head Start fully to make sure States have the money to provide the training, social services, and the jobs to beef up the struggle against crime and to keep our schools and libraries open.

Now, this is a conservative Republican economist who chaired President Nixon's Council of Economic Advisers.

President Johnson once said, Mr. Speaker, that you cannot take a person who for years has been hobbled by chains and bring him up to the starting line of a race and then say, "You are free to compete with the others."

In the same sense, you cannot initiate a promising social program and expect it to prosper without adequate funding and continuous nourishment and support.

I am afraid, Mr. Speaker, this is what two previous administrations have done.

We cannot blame Lyndon Johnson for lacking the omniscience to see the Republican administrations would ignore and underfund these programs during the entire period of the 1980's. President Johnson could not have anticipated that the top 1 percent of families in America would receive 75 percent of the growth of the incomes during the 1970's. President Johnson could not have anticipated that incomes for the bottom 60 percent of the families would fall during that same period.

He would have responded with utter disbelief, mind-boggling disbelief, to the slanderous rumor that his domestic policies would be held responsible for riots that would occur three decades later.

Now, President Bush visited south central Los Angeles after the riots, and it is only fair to say that he brought compassion and sympathy and promise to rebuild the city and clean up the wreckage. But, my colleagues, this is not enough.

The President did not bring up a coherent domestic agenda to his analysis of the problems. As a matter of fact, at no time did he refer to a single specific domestic proposal which might perhaps rehabilitate our cities and promote real economic growth.

Now, this is not surprising, Mr. Speaker, because the Bush administration has not produced a viable domestic agenda in 3 years. As one senior Member of the other body said last week, one could be a U.S. Senator for the past 3 years without knowing that there was a Bush domestic policy.

Mr. Speaker, it is time to stop shifting the blame for the problems that beset us, from the cities to the programs.

President Johnson took decisive action when he perceived a similar crisis nearly three decades ago. I understand that the administration is taking some tentative steps toward renewal of our urban blight, toward facing up to the challenge of urban America and the problems of urban America. I congratulate them for recognizing the problem. We should all come together and use the peace dividend and whatever other resources that we can liberate to fund these programs, which have clearly demonstrated their use and their widespread benefits for low-income Americans as well as middle-income Americans. We should cast aside our partisan problems to create new programs which respond to the changing demographics and social trends of our era and of our cities.

Like in the early 1960's, Mr. Speaker, today too is a rare opportunity to heal the wounds and to provide a new base of progress, especially for our kids. We must seize it before it disappears.

As I have said this evening, we cannot afford not to invest in our children, we cannot afford not to invest in our strained and agonizing cities, we cannot afford not to invest in the future of America.

Let us work together, reason together, to do just exactly this.

Mr. FASCELL. Mr. Speaker, I rise to join our colleagues in recognizing the success stories of the Great Society programs of President Lyndon Johnson's administration. I have no doubt that our colleagues, on both sides of the aisle, were shocked at both the substance and timing of the recent criticisms of Great Society programs. However, we should put this indiscretion behind us and focus our attention on our cities and their problems.

Some people continue to find it easier to condemn the Great Society by singling our individual programs or instances as failures, rather than recognizing the significant role that a great many of these programs have played in improving the lives of our citizens and, in the process, improving our Nation. The fact is that, when judged as a complete package, the Great Society programs have had enormous benefits which cannot be measured.

Many of us in Congress have been urging the administration to pay more attention to the pressing problems in our cities. I believe that the President was deeply moved by his meetings in Los Angeles last week and I believe that he is ready to work with the Congress to alleviate the crisis in our cities. With so much to lose we ought not to become engaged in a battle of who is to blame because people's lives are at stake. It is a time to come together and do everything we can to solve the problems which confront us.

As a sponsor and the floor manager of the legislation which established the Department

of Housing and Urban Development [HUD], I take great pride in my participation in enacting Great Society legislation. In 1900, 40 percent of the population lived in urban areas; in 1965, the year this measure was enacted, 70 percent lived in urban areas. Yet, there was not a coordinated Federal commitment or program designed to address the mounting problems created by the urbanization of our Nation.

HUD is the principal Federal agency responsible for programs concerned with the Nation's housing needs, fair housing opportunities, and improvement and development of the Nation's communities. In carrying out its responsibilities, HUD administers a wide variety of programs, including Federal Housing Administration [FHA] mortgage insurance programs that help families become homeowners and facilitate the construction and rehabilitation of rental units; rental assistance programs for lower income families who otherwise could not afford decent housing; programs to combat housing discrimination and, affirmatively, further fair housing; programs that aid community and neighborhood development and preservation; programs to assist the homeless population; and programs to help protect the home buyer in the marketplace. HUD also takes steps to encourage a strong private sector housing industry that can produce affordable housing, and to stimulate private sector initiatives, public/private sector partnerships, and public entrepreneurship.

Without HUD, I believe it is safe to say that millions of Americans would be without adequate and affordable housing and the communities they live in would not have benefited from economic development programs. Make no mistake, the coordination which HUD has brought to urban policymaking has improved the lives of millions of Americans.

I believe that it is time to renew and expand the commitment that the Great Society has made to education, nutrition, housing, and health care, but we should not be afraid to try different approaches to solve these problems. It is in our best interest to implement programs aimed at improving and enriching the lives of our citizens if we wish to remain competitive and continue our role as a world leader.

"THEY" ARE US

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan [Mr. WOLPE] is recognized for 60 minutes.

Mr. WOLPE. Mr. Speaker, Los Angeles didn't just happen by accident. The explosion of rage and violence, with all of its self-destructive fury, was as predictable as any human event can be. The only uncertainty was the precise nature of the spark that would ignite the conflagration.

We have a choice now. We can either allow our Nation to descend further into the hell of racial conflict and deepening racial polarization—or we can approach the immediate crisis as an opportunity to address the underlying causes of the rage and the violence that are erupting all around us.

If we are to use the immediate moment in a constructive way, we must—all of us—come to terms with four key realities. The first is that the Los Angeles explosion is really the legacy of years of national leadership that set the tone for the dehumanization that Rodney King experienced. When the President, attempting to display his new awareness, pleads for tolerance of differences, he reveals his continued insensitivity to deep-seated white prejudices and paternalism. For Americans to come together on the basis of equality, we must genuinely respect, not merely tolerate, our differences.

But it is not mere insensitivity that is at issue here; it is, also, the self-conscious use of race as a political weapon—as in the manipulation of racial fears through the now infamous Willie Horton commercial, and the White House's more recent demagogic attack on civil rights legislation—that gave implicit legitimacy to the kind of brutality a nation viewed on videotape.

Second, we need to understand that in a very real sense the law enforcement community has itself been victimized by the policies of neglect and manipulation pursued at the national level. As a former police officer recently put it, we constantly call on the police to intervene to quell the symptoms of injustice and neglect. They are called upon, time and time again, to do our dirty work, sent into alien communities to do the job of suppression so that those of us who live in more affluent neighborhoods might continue to go about our lives in relative security, blissfully removed from the degradation of our neighbors.

Third, we must recognize that the economic and social policies that underlie today's urban crisis are threatening the lives and futures of Americans everywhere—suburbanites no less than city dwellers, whites no less than minorities. All Americans are paying increasingly high costs for decades of social and economic neglect. An eroding industrial base, a declining real standard of living, failing school systems, widening economic inequalities, increased crime and explosive violence, heightened fears and insecurities—these are the other consequences of those economic and social policies that have advantaged a very few of our wealthiest citizens at the expense of the middle class and the poor.

It needs to be underscored that all Americans will suffer more and more if our Nation's economic decline is not arrested. And it is clear that the only means by which America will be able to hold its own in international competition in the years ahead will be the development of a better educated, more highly skilled workforce. It will not matter whether the uneducated and unskilled are black or white or Hispanic: If American industries cannot recruit workers that are well-educated and trained, our economy will continue to lose ground to our trade competitors in Europe and Asia, and we will all pay an increasingly heavy price.

In short, the future of those who live in America's suburbs and rural areas is inextricably linked to those who live in America's cities. Indeed, in the years ahead an increasing percentage of the national workforce will be drawn from minority groups. America's economic future—and the well-being of whites no less than nonwhites—will depend increasingly on the educational and skill levels of our minority population. Our lives and our futures are interdependent. That means that sound social and economic policies—policies designed to attack the root causes of urban despair and hopelessness—would benefit all of us. A renewed attack on urban problems, if it is to succeed, must be framed not as something "we" are doing for "them." It must be understood not as a moral response to the problems facing minorities and the poor, but as a matter of enlightened self-interest and expediency for Americans everywhere.

We must stop thinking and talking about the urban crisis as the problem of the poor and the minorities. To solve the problems of the cities is not to do something "for blacks" or for "the poor;" it is to do something for all of us. And unless we understand this essential truth, we will never be able to develop the national consensus necessary to effect and sustain a redirection of national policy.

Thinking about issues of social conflict in inclusive, "win-win" terms is often difficult. As leadership and management expert Stephen Covey observes, most of us "have been deeply scripted in the win/lose mentality since birth." It is often taken as a given that one person's victory is another person's defeat. Yet, in Covey's words, "* * * Most of life is not a competition. We don't have to live each day competing with our spouse, our children, our coworkers, our neighbors, and our friends. 'Who's winning in your marriage?' is a ridiculous question. If both people aren't winning, both are losing."

And so it is with a city, a State and a nation. The degradation of some comes, ultimately, at the expense of all. This is the real lesson of Los Angeles. As Americans have come to see politics as a zero sum game, in which one person's benefit must be at the expense of another person's loss, we have become increasingly divided—unable to see the larger picture of our interdependence and our common interest. Whenever we think minority gains mean white losses, or that the security of whites depends upon continued subordination of minorities, we are still in a win/lose mentality—which ultimately means we all lose. The solution to our economic crisis is not to fight over who gets the limited number of jobs available, but to develop new national poli-

cies that will create more jobs and insure that we have enough well-educated and trained workers to fill them.

The fourth and final key to a successful redirection of America's creativity and resources will be coming to terms with the self-destructiveness of the recent wave of public cynicism and alienation. We have produced our own self-fulfilling prophecy; feeling powerless, we have become powerless. In Pogo's immortal words, "We have met the enemy, and he is us." It is we, the American people who, in our anger and despair, have walked away from the political process and thereby given a free hand to those leaders and special interests who have produced the economic and social policies that have caused such pain and anguish for Americans everywhere. Rather than come together in powerful multiracial coalitions of common interest to hold our leaders accountable, we have allowed ourselves to be played off against each other.

We have not only created a huge political vacuum into which powerful economic interests have moved, but we have also become increasingly aggressive in pursuing zero-sum political strategies. Believing that no one cares about the larger picture, about the whole, Americans have focused on securing their own discrete piece of the pie. And that pursuit of narrow self-interest has produced little more than an increased sense of national—and personal—vulnerability.

But it doesn't have to be this way. If we can develop a deeper appreciation of the power individual citizens have in a democracy, and of the need to move from a politics of narrow self-interest to a politics that recognizes our essential interdependence as Americans, we will be able, at long last, to renew our political system, to forge a new sense of community and national purpose, and to build the foundation for a far more secure and a more hopeful future.

It has been 22 years since I first ran for elected office. And I continue to believe with as much conviction as ever that none of the problems we face is beyond solution, that this political system of ours can be made to work, that each of us can make a difference, a real difference. The challenge before us is to reject leaders that seek to manipulate our fears and frustrations for their own self-serving political purposes and, in their place, to affirm leaders that work to bring people together in a united effort to renew our society.

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

Mr. WOLPE. I am pleased to yield to my distinguished colleague, the gentleman from Michigan [Mr. BONIOR].

Mr. BONIOR. Mr. Speaker, I thank my colleague for yielding, and I will not take long. I know the gentleman from Oklahoma [Mr. EDWARDS] wishes to speak, and I just wanted to commend the gentleman from Michigan [Mr. WOLPE] for his comments and his remarks today, and I want to add a few thoughts of my own.

Mr. Speaker, we are engaged this week in trying to deal with some of the problems in our society that we, quite frankly, have not addressed here in a long, long time. And I listened to the remarks of the gentleman, and he talked about interdependence; he talked about the link that each of us in the suburban and rural areas, and the city, have with each other and the fact that the division thought of as win/lose between us is ultimately going to be the destruction of all of us.

Mr. Speaker, I could not agree with the gentleman more.

□ 2010

Sometimes I think when things of the magnitude of Los Angeles happen, we have to personally examine where each of us individually has been coming from, from what we have been advocating in terms of programs, what we have been saying in terms of our own language, how we have been saying it, and what we have been doing and not doing to build coalitions to try to make things better.

This has been a very interesting week for me. I have attended this week and last week a large number of meetings to address the urban crisis in America. It has been enlightening, because I have heard things which I wish I would have heard years, and certainly months ago, when we were engaged in some of the most important debates we have had here on tax legislation and social policy.

There has been a lot of talk, and I have been, I suspect, at the forefront of it, in terms of dealing with the needs of, quote/unquote, the middle class.

That is a language concern that I think needs to be talked about and discussed. It is a term by its very nature you would think would encompass the vast majority of Americans. In fact, I have seen polls that indicate that 93 percent of Americans consider themselves middle class. It is a phenomenal number. But in fact we know in reality that that, indeed, is not the case.

I think that those of us who have used that term, some of us with the hope that the broadening of the problem by defining it in such a way would help bring us to the realization that we need to do certain things and that we ought to address certain people that have been neglected, may have in fact exacerbated and created some of the tensions and the problems that we are seeing, because by its very nature it excludes, for some people, being part of reaching a resolution to the problems that we have.

So I guess I am saying that I am prepared to broaden my language in terms of how I address these issues in the future. That is not to say the needs are not there for the middle class. I represent a district that feels terribly squeezed on an incredible number of fronts, just like the poor feel squeezed. But the sense of hopelessness for them, while running away, is not there. That sense of hopelessness is not there like it is in many of our urban areas today for many of our people.

There is always the hope that the education opportunities will be there. There is always the hope that they will be able to own a home. There is always the hope that they will be able to have decent health care and a future for their kids, because it was in their immediate experience to have that.

When we talk about the poor and the hopelessness, and I will not use the term "underclass" because it is not a term I feel comfortable with, nor do I think people feel comfortable with the term being ascribed to them, but when we talk about the poor and those who are without hope, and when you are without hope you have nothing to lose, as we have seen recently, I think it is important for us as a Congress and as a people who are concerned about the problems in the country to understand basically who we are talking about.

We are talking about, to a large extend, and not exclusively, but to a large extent males, African-American and Hispanic males, 17 to 30 years of age, who sit and congregate on our street corners all over our urban centers today, who really have a sense of hopelessness because no attention has been paid to them.

I am reminded, when I talk about attention, to the Arthur Miller play "Death of a Salesman."

In the final act of that play, Willie Loman's wife is scolding her son Biff because he has not paid enough attention to his father and laughs at his father and does not take his father seriously and considers him a failure. She says to him, "Attention must be paid to this man. He is a good person. He is a human being."

We have to pay more attention to those people who are without hope, and we have got to, it seems to me, in terms of community, reach out in a coalition-building way that the gentleman referred to in his remarks to bring together those who are not as desperate, but are feeling that same sense of alienation in our society today, many of whom live in suburban areas and rural areas, to get people to understand that we are all in the same boat together.

I am pleased that the President is finally addressing, or at least discussing, the needs of people in our inner city and our urban areas.

We had a meeting at the White House yesterday that I was at. It was a beginning. It was not as productive as I would have hoped. The programs offered were not as broad and as sweeping as I think are needed, but at least we sat down and talked about the need.

We still have a way to go on language. To the President's credit, he talked about healing in the last week, but they are still using downtown language that bothers me.

They have got this program called Weed and Seed. While it may have some very positive aspects to it, just the name Weed and Seed, as one of my colleagues mentioned to me today, evokes a plantation mentality. That is the type of language we have to be careful with, that we have to reach out and try to understand.

I am hopeful in the coming weeks, and I hope it is no longer than coming weeks, that institutionally here we can move on an agenda that will do several things, that will reach out in a dialog with the good people on this side of the aisle, the people here that want to resolve this issue, that want to try to understand where we are all coming from.

I do not want to have another Los Angeles, another Detroit, another Newark, or Washington, DC, before we get to that point. Let us do it now. Let us sit down and talk about the needs, to understand where each of us is coming from.

There are ideas on the other side concerning the private sector and empowerment that I think have some merit. I do not dismiss them. I think they are worth exploring, implementing.

But there is also a need to understand that some of the things that have been historically tried in our country, especially some of the programs that we attempted during the sixties, were successful, that they worked.

The Head Start Program; the Women, Infant, and Children's Program; the Medicare Program; the programs that deal with training and giving people some hope that they can get training by providing them with a stipend so they can indeed participate, like we did with the programs in the sixties and seventies.

We can do more in Head Start. We can do more in training. We can rebuild our cities through an accelerated public works bill.

All of these things cost money though. But to not do them, so say that they are too expensive, to say that we do not have the resources, will only I think exacerbate the problem that we have, will continue to feed the hopelessness that is out there, and increase the rage in our country.

I am hoping in the coming weeks and months ahead, especially weeks, that we will be able to address these issues as well as extension of unemployment compensation. We have much to do in this country. I could stand here as I have on numerous special order occasions and tick off all the needs that we have.

□ 2020

We have got plenty of people who want to do them. We have just got to develop the will to finance it, either through additional revenues, switching our budget priorities, or in this particular case, in some instances declaring it a state of an emergency.

The President declared an emergency for helping people in other countries at the beginning of this legislative session. We can help people here in this country have a sense of hope, and we can reach out to each other to understand that these problems that we face are not insurmountable, that working together, Members of good will on both sides of the aisle, we can make a new beginning in terms of addressing the needs of the other forgotten Americans that sometimes those of us who do not represent core urban areas tend to forget.

I thank my colleague for his comments, his insights, and his message of interdependence that I think all Members of this body and all Americans would be wise to heed.

Mr. WOLPE. Mr. Speaker, let me thank the gentleman for his contribution just now.

I am personally enormously grateful both for his words this evening and for the efforts he has made over many months to try to get a number of these questions on the national agenda before Los Angeles erupted. The gentleman referred a moment ago to the possibility that we now have an opportunity, at least, to begin to debate some of these questions in a serious way. We have a crisis right now. There now. There is no question about that.

I believe, though, that out of the crisis there can emerge a new opportunity. We do have a choice at this point.

Now that we have seen the consequences of the decades, and literally decades of neglect and what that has caused one city but is also costing really an entire Nation, we can choose either to continue the neglect or to begin to take advantage of this opportunity to begin to move in a different direction.

I think the key is that we have to get out of the mentality, as the gentleman says, of thinking of this Nation of ours as a lot of discrete elements, discrete classes, groups. We are all, indeed, one community. We are on the same economic boat. We are all paying dearly, whether we live in the suburbs or in rural areas, for the consequences of the poverty that exists in our society, for the failing school systems that are not producing skilled workers.

This economy of ours continues to slide. Everyone is going to pay for that, if we cannot maintain our ability to compete in the international markets. If we continue to produce people that do not have the skills so they can be gainfully employed, and we are going to pay for that in terms of not only lost productivity and declining economic strength, we are also going to pay for it in terms of all the prisons that we have to build and all the additional resources that must go out in terms of maintaining the law in the face of that kind of instability.

Mr. BONIOR. The long-term costs are becoming quite apparent to us all right now. The health care issue is a good example. If people do not have health care, and we have 34 million Americans who do not have health care, they are going to get health care. And they get health care. They go to the emergency room. They get taken care of.

Where does that bill get sent on to? It gets put on the backs of the people who are working through their insurers, because the insurance rates go up for the companies that are insuring people that are working. They have to pass that cost on to someone, that insurance cost goes up for automobile workers, health insurance costs. What happens? The cost of an automobile goes up.

We are spending, as the gentleman from Michigan well knows, over $1,000 per automobile just to cover the insurance costs of producing that, health insurance costs of producing that automobile. The Japanese, about $225; the Canadians, about $200. And we are being noncompetitive.

It is hurting all of us. Infrastructure, the same thing. We are letting our cities go, our roads, bridges, and highways to the point where we are losing our competitive edge. There is study after study that shows that if we would take care of the basic infrastructure of the country, we would be between 30 and 60 percent more competitive. Of course, the last example that the gentleman has given with respect to prisons, are we going to end up as a society just locking people up?

We have more people in prisons in the United States of America than any other nation on the face of the Earth. The overall cost of keeping someone in prison—prosecuting them, sending them—all those dollars could be more productively used to train, to educate, and to bring people into the community of citizens that we all hope.

So this long-range thinking in terms of where we are going with respect to the poor has vast implications for all of us.

Mr. WOLPE. There is one last point I would like to make, because there is a political dimension to this division among Americans of people that should be united because we have basically the same common interests, because we are so frequently divided. It makes it much more difficult for us to really devise the policies that would be far more fair and far more productive for our society.

I think, for example, we have seen a lot of comment in recent months about the sudden awareness that somehow in the past decade a very wealthy few in our society have cleaned up at the ex-

pense of the rest of society, the top 1 percent of Americans today making more income than the bottom 40 percent. The top 2½ million making more than the bottom 100 million.

Mr. BONIOR. They take more in in income each day, each month, each year. That is not to begrudge them for being successful. But what I think we were suggesting in the debate we have had earlier is that they share in the sacrifice to get things moving again.

Mr. WOLPE. Exactly. The point that I would like to make is that I do not think that economic statistic was an accident. I think it was the direct consequence of tax and economic policies that were put in place a dozen years ago.

What happened is the very people that should have been engaged in this political process have been so divided amongst themselves and so alienated from the process that they have even stopped participating, voting, lobbying, participating in the political process. So that the economic policies that were put in place were shaped disproportionately by the people that had the money and had the wealth and the access.

Mr. BONIOR. The challenge was not there to correct the inequities.

Mr. WOLPE. Which really goes to the other issue. It is not just a question of division. We have to get people united. But beyond that, that it is also this issue of a sense of powerlessness that is felt by poor people in urban centers, that is felt also be working-class people in the suburbs.

People everywhere have come to feel so powerless that they really have kind of given up on the process, not voting, not lobbying, not even reading newspapers, so that they are kind of removed from the political debate.

That is why, I think, in some ways in feeling powerless, we have become powerless. The real challenge and opportunity now, because of this new awareness of what all this neglect has meant, is that we can galvanize this extraordinary political coalition of suburbs, and cities, and rural areas, working together in recognition that we are one national community and we have got to conceive of ourselves as a team in which any team members that are hurting are going to bring down the success of the overall team effort.

Mr. BONIOR. Time is of the essence.

Mr. WOLPE. Time is of the essence.

Mr. BONIOR. The opportunities to do these types of things have a very short window. That is why I implore my colleagues, the rest of the leadership, and the President to move as quickly and as expeditiously as possible on those things we can agree on. And those things that we cannot agree, we ought to reach out to try to reach some accommodation because we have before us an opportunity. I think the American people want us to act. They want us to act in concert badly; they want us to do something now. So it is wise that we do.

□ 2030

CRISIS IN AMERICA'S OIL AND GAS INDUSTRY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oklahoma [Mr. EDWARDS] is recognized for 60 minutes.

GENERAL LEAVE

Mr. EDWARDS of Oklahoma. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks on the subject of my special order today.

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

There was no objection.

Mr. EDWARDS of Oklahoma. Mr. Speaker, the workers in an important American industry, the energy industry, are in serious trouble. Since 1986, we have lost 300,000 energy jobs. Only 1 out of 10 oil rigs which operated a decade ago, operates today.

Bigger producers in my district have been forced to lay off thousands of workers. The number of smaller independent producers has declined by 7,000 in the past decade. Fewer than half of the men and women who owned and worked small energy businesses 10 years ago are still doing so today.

As we have lost jobs; as small businesses have been forced to close, there has been a serious decline in oil production. Today we will produce 2 million barrels of oil less than we did on the same day in 1986. Tomorrow we will produce even less—and we will have fewer jobs and fewer businesses—unless we do something today.

We can replace the oil—and we have, to the point that oil imports now account for more than half of the U.S. trade deficit—but the jobs and busineses we have lost cannot be replaced.

The oil and gas industry in America is in a state of crisis and if we do not do something soon there will be nothing we can do later. This is our opportunity for action.

The House will soon consider an energy bill but the first thing the Congress must do is to make sure it does no further harm. It has already done enough of that to last the oil and gas industry a lifetime. Federal regulations alone will cause oil and gas producers to spend potentially up to $23 billion annually by the decade's end to come into compliance.

Congress has a chance this year to stop penalizing U.S. producers for developing and exploring for energy in our own country. It's imperative for Congress to adopt a production-driven energy policy with additional tax relief to allow U.S. producers to justify operating more wells. Failure to adopt a real national energy policy will mean a continued loss of American jobs and a loss of capital to foreign countries.

But Mr. Speaker, we're losing more than jobs and capital, we're losing any glimmer of hope that we have of reducing our dependence on foreign energy. On average, 12 supertankers carrying foreign oil enter U.S. ports every day. That Mr. Speaker, is a cost to the American consumer of $142 million a day, more then $4 billion a month. This is the cost of a do-nothing energy policy.

Nowhere is the cost of a do-nothing energy policy more evident than in my own State of Oklahoma. Since 1981, Oklahoma has lost more than 40,000 oil field jobs. Annual oil production is on the brink of dropping below 100 million barrels for the first time since 1919. Wells are being plugged at a rate of 2,000 a year because they're not economical to drill. Those wells which haven't been plugged produce an average of only 3 barrels per day—that's 7 barrels less than the 10 barrel number generally used to define a marginal, or stripper, well. Oklahoma oil and gas production has dropped precipitously in the past 10 years: 6,000 oil wells in 1982; 917 oil wells in 1991 and nearly 3,000 gas wells in 1982; 831 in 1991.

Last year alone, Oklahoma lost 3,100 oil and gas jobs. There were 900 applicants for 66 job openings at the Conoco refinery in Ponca City earlier this spring; Phillips Petroleum Co. will lay off 950 employees, almost 20 percent of the overall work force of the small city of Bartlesville.

For all the damage Government has done to energy production in Oklahoma and the Nation, it's not too late to begin to turn Government energy policies around so producers can have a fighting chance to stay in business and begin putting our country on the road to energy independence.

The Ways and Means Committee took two important steps recently which could begin this much-needed turnaround in policy.

First, it eliminated what could amount to a tax of up to $15 billion on oil companies to pay for filling the Strategic Petroleum Reserve. Second, it provided some relief from the alternative minimum tax by eliminating percentage depletion allowance and intangible drilling costs as tax preference items under the AMT.

The AMT relief provided by ways and means is critical if we are going to bring the alternative minimum tax into line with its original purpose. The AMT was designed to erase inequities in the Tax Code through which some companies escaped paying anything at all on their corporate income, but the AMT was never intended to make sure that companies made no profit at all. Yet in the case of oil and gas produc-

ers, it often does just that by including intangible drilling costs and the percentage depletion allowance as preference items. That's why the Ways and Means Committee action is so vital and why the committee's provisions must remain as part of the bill. Without them this bill does not come close to being an energy bill.

Elimination of production barriers is crucial. We must stop taxing and regulating U.S. energy producers out of business. If we can bring more small producers back into the business, we can create jobs. Each independent producer with wells to drill could put 100 people to work, and if we could bring back the independent producers we've lost in the past 10 years, those producers could create more than 1 million jobs.

I have recommended to President Bush that if the Ways and Means Committee's tax relief and production incentives are dropped, the energy bill should be vetoed.

Our need for economic growth and energy security is obvious. We will not accomplish these goals without a vibrant oil and gas industry, including the independent producers who account for more than 85 percent of the exploratory rigs drilled in this country. The energy industry is made up of geologists, engineers, roughnecks, truck drivers, and technicians. Since 1981, 40,000 of these people have creased to be part of this industry.

Many see the oil and gas industry as a series of corporate giants. The energy industry, my friends, is the hundreds of workers Phillips has had to lay off in my district this year.

We must eliminate the impediments to domestic production; we must replace them with incentives; it is time that Washington accept responsibility for its role in what has happened to the oil & gas industry and work to remove all the barriers it can. We have an opportunity to pass an energy bill which will promote energy for America and jobs for Americans. The Congress must recognize this opportunity and seize it.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. SANTORUM (at the request of Mr. MICHEL) for today and May 14, on account of a death in the family.

Mr. LIGHTFOOT (at the request of Mr. MICHEL) for today, on account of medical reasons.

Mr. SANGMEISTER (at the request of Mr. GEPHARDT) for today, on account of illness.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. DREIER of California) to revise and extend their remarks and include extraneous material:)

Mr. DELAY, for 60 minutes each day, on May 19, 20, 21, 27, and 28, and on June 2, 3, 4, 9, 10, 11, 16, 17, 18, 23, 24, 25, and 30, and on July 1 and 2.

Mr. DREIER of California, for 60 minutes each day, on July 1 and 2.

(The following Members (at the request of Mrs. COLLINS of Illinois) to revise and extend their remarks and include extraneous material:)

Mr. BROOKS, for 5 minutes, today.

Mr. ANNUNZIO, for 5 minutes, today.

Mr. BROWDER, for 60 minutes, on May 14.

Mr. OWENS of New York, for 60 minutes each day, on June 1, 2, 3, 4, 5, 8, 9, 10, 11, 12, 15, 16, 17, 18, 19, 22, 23, 24, 25, 26, 29, and 30.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mr. DREIER of California) and to include extraneous matter:)

Mrs. ROUKEMA.

Mr. COMBEST.

Mr. COX of California.

Mr. VANDER JAGT.

Mr. LAGOMARSINO in two instances.

Mr. CAMP.

Mr. SUNDQUIST.

Mr. SOLOMON in two instances.

Mr. STUMP.

(The following Members (at the request of Mrs. COLLINS of Illinois) and to include extraneous matter:)

Mr. MURTHA, in two instances.

Mr. DE LA GARZA.

Mr. YATRON.

Mr. KANJORSKI, in two instances.

Mr. COLORADO, in two instances.

Mr. HAMILTON.

Mr. SCHUMER.

Mr. VENTO.

Mr. NEAL of Massachusetts.

Mr. HARRIS.

Mr. MCMILLEN of Maryland, in two instances.

Mr. FASCELL, in two instances.

Mr. LIPINSKI, in two instances.

Mr. ASPIN.

Mr. MANTON.

Mr. PASTOR, in two instances.

ADJOURNMENT

Mr. EDWARDS of Oklahoma. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o'clock and 38 minutes p.m.) under its previous order, the House adjourned until Thursday, May 14, 1992, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

3507. A letter from the Secretary of Transportation, transmitting a report of a violation of the Anti-Deficiency Act which occurred in the Coast Guard's operating expenses appropriation for fiscal year 1991, pursuant to 31 U.S.C. 1517(b); to the Committee on Appropriations.

3508. A letter from the Secretary of Education, transmitting a copy of the annual report of the Helen Keller National Center for Deaf-Blind Youths and Adults [HKNC] for the 1991 program year, pursuant to 29 U.S.C. 1903(b)(2); to the Committee on Education and Labor.

3509. A letter from the Assistant Secretary, Department of the Interior, transmitting a draft of proposed legislation to reauthorize titles I and II of the Tribally Controlled Community College Assistance Act of 1978, as amended (25 U.S.C. 1801, et seq.), and for other purposes; to the Committee on Education and Labor.

3510. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting notification of a proposed transfer of major defense equipment from the Federal Republic of Germany to Turkey and Greece (Transmittal No. DRSA-1-92), pursuant to 22 U.S.C. 2776(d); to the Committee on Foreign Affairs.

3511. A letter from the Secretary of Commerce, transmitting a progress report regarding contracting for the rebuilding of Kuwait, pursuant to Public Law 102-25, section 606(f) (105 Stat. 111); to the Committee on Foreign Affairs.

3512. A letter from the Assistant Secretary of State for Legislative Affairs, transmitting copies of the original report of political contributions of William Thornton Pryce, of Pennsylvania, to be Ambassador to the United Republic of Honduras; of Princeton Nathan Lyman, of Maryland, to be Ambassador to the Republic of South Africa; of Teresita Currie Schaffer, of New York, to be Ambassador to the Democratic Socialist Republic of Sri Lanka and to service concurrently as Ambassador to the Republic of Maldives; of David C. Fields, of California, to be Ambassador to the Republic of the Marshall Islands; of William H.G. Fitzgerald, of the District of Columbia, to be Ambassador to Ireland, and members of their families, pursuant to 22 U.S.C. 3944(b)(2); to the Committee on Foreign Affairs.

3513. A letter from the Director, Office of Policy and Communications, Department of Justice, 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.

3514. A letter from the Secretary of Housing and Urban Development, transmitting the fiscal year 1991 Federal Housing Administration annual management report, pursuant to Public Law 101-576, section 306(a) (104 Stat. 2854); to the Committee on Government Operations.

3515. A letter from the Commissioner, Bureau of Reclamation, Department of the Interior, transmitting a report on the necessity to construct further modifications to the Mormon Island Auxiliary Dam, Central Valley Project, CA, in order to preserve its structural safety, pursuant to 43 U.S.C. 509; to the Committee on Interior and Insular Affairs.

3516. 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.

3517. A letter from the General Counsel, Department of the Treasury, transmitting a draft of proposed legislation to authorize the Secretary of the Interior to transfer certain lands in the Shenandoah National Park to the Secretary of the Treasury for use as a U.S. Customs Service Canine Enforcement Training Center, and for other purposes; to the Committee on Interior and Insular Affairs.

3518. A letter from the Chairman, Northeast Interstate Low-Level Radioactive Waste Commission, transmitting the 1991 annual report of the Northeast Interstate Low-Level Radioactive Waste Commission; jointly, to the Committees on Energy and Commerce and Interior and Insular Affairs.

3519. A letter from the Secretary of Transportation, transmitting a draft of proposed legislation to amend the Hazardous Materials Transportation Act, and for other purposes; jointly, to the Committees on Public Works and Transportation and Energy and Commerce.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BEILENSON: Committee on Rules. House Resolution 454. Resolution providing for the consideration of H.R. 5132, a bill making dire emergency supplemental appropriations for disaster assistance to meet urgent needs because of calamities such as those which occurred in Los Angeles and Chicago, for the fiscal year ending September 30, 1992, and for other purposes (Rept. 102-519). 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. BROOKS:

H.R. 5149. A bill to authorize appropriations to carry out the activities of the Department of Justice for fiscal year 1993, and for other purposes; to the Committee on the Judiciary.

By Mr. RANGEL (for himself, Mr. VANDER JAGT, and Mrs. KENNELLY):

H.R. 5150. A bill to amend the Internal Revenue Code of 1986 to extend and modify certain expiring tax provisions; to the Committee on Ways and Means.

By Mr. CONYERS:

H.R. 5151. A bill to provide for the collection of data relating to police misconduct; to the Committee on the Judiciary.

By Mr. CRANE:

H.R. 5152. A bill to suspend until January 1, 1995, the duty on certain toys representing trolls or troll figures; to the Committee on Ways and Means.

By Mr. DUNCAN:

H.R. 5153. A bill to amend the Internal Revenue Code of 1986 to repeal the income tax check-off which provides funding for Presidential election campaigns and to provide a checkoff to reduce the public debt; to the Committee on Ways and Means.

By Mr. McMILLEN of Maryland:

H.R. 5154. A bill to amend the Internal Revenue Code of 1986 to encourage a reduction of interest rates on tax-exempt bonds by providing an incentive for qualified retirement plans to acquire tax-exempt bonds; to the Committee on Ways and Means.

By Mr. MURTHA:

H.R. 5155. A bill to authorize the Administrator of the National Highway Traffic Safety Administration to make loans to assist units of local government acquire and maintain equipment for use in the enforcement of alcohol-related traffic laws, and for other purposes; to the Committee on the Judiciary.

By Ms. OAKAR (for herself, Mrs. LLOYD, Mr. LAFALCE, Mr. FRANK of Massachusetts, Mrs. MINK, Mr. PETERSON of Minnesota, Mr. HORTON, Mr. HOCHBRUECKNER, Mr. McNULTY, Mr. BEILENSON, Mrs. JOHNSON of Connecticut, Mrs. SCHROEDER, Mr. ROE, Ms. PELOSI, Mr. THOMAS of Georgia, Mr. GUARINI, Mr. HUGHES, Mr. MURTHA, Mr. KOLTER, Ms. SLAUGHTER, Mr. FAZIO, Mr. LENT, Mr. IRELAND, Mr. LAUGHLIN, Mrs. UNSOELD, Mr. KILDEE, Ms. KAPTUR, Mr. McGRATH, Mr. MACHTLEY, Mr. KOPETSKI, Ms. WATERS, Mr. OWENS of New York, Mrs. COLLINS of Illinois, Mr. LEVINE of California, Mr. FOGLIETTA, Ms. NORTON, Mr. DIXON, Mr. EVANS, and Mr. WILLIAMS):

H.R. 5156. A bill to amend the Public Health Service Act with respect to research on breast cancer; to the Committee on Energy and Commerce.

By Mr. ORTON (for himself, Mr. ACKERMAN, Mr. GILMAN, Mr. JONES of Georgia, Mr. KOPETSKI, Mr. LIPINSKI, Mr. OWENS of Utah, Mr. PAYNE of New Jersey, and Mr. ZELIFF):

H.R. 5157. A bill to amend the Internal Revenue Code of 1986 to provide assistance to first-time home buyers; to the Committee on Ways and Means.

By Mrs. ROUKEMA:

H.R. 5158. A bill to improve enforcement of the Employee Retirement Income Security Act of 1974, by adding certain provisions with respect to the auditing of employee benefit plans; to the Committee on Education and Labor.

By Mr. THOMAS of California:

H.R. 5159. A bill to amend the Internal Revenue Code of 1986 and the Social Security Act to reduce Social Security taxes and to provide for Social Security individual retirement accounts funded by Social Security payroll deductions; to the Committee on Ways and Means.

By Mr. WOLF:

H.R. 5160. A bill to provide for pilot programs in State and local prison systems that allow the interstate trade of goods, produced by State prisoners in conjunction with U.S. firms, that would otherwise be produced by foreign labor; to the Committee on Education and Labor.

By Mr. OLVER:

H.R. 5161. A bill to establish a Small Business Manufacturing Extension Service, and for other purposes; jointly, to the Committees on Banking, Finance and Urban Affairs and Science, Space, and Technology.

By Mr. OWENS of Utah (for himself, Mr. GILMAN, Mr. McDERMOTT, Mr. ATKINS, Mr. ANDREWS of New Jersey, Mr. PENNY, and Mr. RICHARDSON):

H.R. 5162. A bill to promote implementation of the sustainable development agenda of the United Nations Conference on Environment and Development; jointly, to the Committees on Foreign Affairs, Banking, Finance and Urban Affairs, Ways and Means, and Energy and Commerce.

By Mr. McGRATH:

H. Res. 455. Resolution concerning recognition of the U.S. merchant marine by the U.S. House of Representatives; to the Committee on Merchant Marine and Fisheries.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

416. By the SPEAKER: Memorial of the Legislature of the State of California, relative to the California Army National Guard; to the Committee on Armed Services.

417. Also, memorial of the Legislature of the State of California, relative to the dual banking system; to the Committee on Banking, Finance and Urban Affairs.

418. Also, memorial of the Legislature of the State of California, relative to the reauthorization of the Rehabilitation Act of 1973; to the Committee on Education and Labor.

419. Also, memorial of the Legislature of the State of California, relative to railroad safety; to the Committee on Energy and Commerce.

420. Also, memorial of the Legislature of the State of California, relative to family planning; to the Committee on Energy and Commerce.

421. Also, memorial of the Legislature of the State of California, relative to inmate health care; to the Committee on Energy and Commerce.

422. Also, memorial of the Legislature of the State of California, relative to Medicaid; to the Committee on Energy and Commerce.

423. Also, memorial of the Legislature of the State of California, relative to the Assyrian/Chaldean Life Line; to the Committee on Foreign Affairs.

424. Also, memorial of the Legislature of the State of California, relative to the boundaries of Alaska; to the Committee on Foreign Affairs.

425. Also, memorial of the Legislature of the State of California, relative to Israeli prisoners of war; to the Committee on Foreign Affairs.

426. Also, memorial of the Legislature of the State of California, relative to equal treatment of Americans; to the Committee on the Judiciary.

427. Also, memorial of the Legislature of the State of Minnesota, relative to motor vehicle safety; to the Committee on Public Works and Transportation.

428. Also, memorial of the Legislature of the State of California, relative to the Foothill Freeway; to the Committee on Public Works and Transportation.

429. Also, memorial of the Legislature of the State of California, relative to toll roads; to the Committee on Public Works and Transportation.

430. Also, memorial of the Legislature of the State of California, relative to airline safety; to the Committee on Public Works and Transportation.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. COX of California:

H.R. 5163. A bill to authorize issuance of a certificate of documentation for employment in the coastwise trade of the United States for the vessel *Wild Goose*; to the Committee on Merchant Marine and Fisheries.

By Mr. OWENS of Utah:

H.R. 5164. A bill for the relief of Craig B. Sorensen and Nita M. Sorensen; to the Committee on the Judiciary.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 23: Mr. CAMPBELL of California, Mr. INHOFE, Mr. RHODES, Mr. BARRETT, Mr. EMERSON, Mr. MILLER of Washington, Mr. GOODLING, Mr. SENSENBRENNER, Mr. MORAN, and Mr. MCCRERY.

H.R. 118: Mr. SHAYS, Mr. SWETT, Mr. DOOLEY, Mr. BURTON of Indiana, Mr. RINALDO, and Mr. TOWNS.

H.R. 150: Mr. MINETA.

H.R. 187: Mr. TORRES and Mr. KOPETSKI.

H.R. 301: Mr. ALLEN.

H.R. 1115: Mr. LEVIN of Michigan and Mr. SHAW.

H.R. 1145: Mr. WELDON.

H.R. 1188: Mr. WYDEN, Mr. SWETT, and Mr. OWENS of Utah.

H.R. 1218: Mr. PETERSON of Minnesota, Mr. SWIFT, Mr. MCCURDY, and Mr. SCHUMER.

H.R. 1348: Mr. SIKORSKI, Ms. SNOWE, and Mr. BILIRAKIS.

H.R. 1414: Mr. TAYLOR of North Carolina.

H.R. 1468: Mr. ALLEN.

H.R. 1515: Mr. MRAZEK.

H.R. 1573: Mr. ORTIZ, Mr. MCCOLLUM, Mr. STALLINGS, Mr. CAMPBELL of Colorado, and Mr. NAGLE.

H.R. 1886: Mr. INHOFE, Mr. COYNE, and Mr. COLEMAN of Missouri.

H.R. 2299: Mr. RICHARDSON.

H.R. 2534: Mr. CLEMENT, Mr. EDWARDS of Oklahoma, Mr. GLICKMAN, Mr. VALENTINE, Mr. HOAGLAND, and Mr. THOMAS of Georgia.

H.R. 2598: Mr. LEHMAN of California.

H.R. 2695: Mr. SAXTON, Mr. FASCELL, Mr. MINETA, Mr. DICKS, Mr. GALLEGLY, and Mr. HUCKABY.

H.R. 2772: Mr. FAZIO, Mr. SANDERS, Mr. SABO, Mr. HYDE, Mr. BRUCE, Mr. WHEAT, Mr. PORTER, Mr. DURBIN, and Mr. CALLAHAN.

H.R. 2872: Mr. FAZIO, Mr. HASTERT, and Mr. RICHARDSON.

H.R. 2922: Mrs. UNSOELD, Mr. LAFALCE, Mr. ENGEL, Mr. DIXON, Mr. LEVINE of California, Mr. MATSUI, Mr. LEWIS of Georgia, Mr. BACCHUS, Mr. HAYES of Illinois, Mr. GUARINI, Ms. PELOSI, Mr. HOCHBRUECKNER, and Mr. MILLER of California.

H.R. 2966: Mr. BALLENGER, Mr. MURPHY, and Mr. HOBSON.

H.R. 3030: Mr. RIGGS, Mr. ATKINS, Mr. BILIRAKIS, Mr. MCCURDY, Mr. MCNULTY, and Mr. ROE.

H.R. 3063: Mr. ENGEL.

H.R. 3112: Mr. HOAGLAND.

H.R. 3393: Mr. ENGEL and Mr. BONIOR.

H.R. 3427: Mr. KOPETSKI.

H.R. 3450: Mrs. BOXER and Mr. OLIN.

H.R. 3741: Mr. TAUZIN.

H.R. 3780: Mr. ARMEY.

H.R. 3781: Mr. RAY, Mr. ANTHONY, Mr. BURTON of Indiana, Mr. GEREN of Texas, Mr. ZELIFF, Mr. BARNARD, Mr. SOLOMON, Mr. OBERSTAR, Mr. SISISKY, Mr. RIGGS, Mr. JEFFERSON, Mr. CRAMER, Mr. GILCHREST, and Mr. HORTON.

H.R. 3836: Mr. JOHNSON of South Dakota.

H.R. 3871: Mr. SKAGGS and Mr. SIKORSKI.

H.R. 4007: Mr. JAMES.

H.R. 4045: Mr. SABO and Mr. PAYNE of New Jersey.

H.R. 4073: Ms. KAPTUR.

H.R. 4178: Mr. BORSKI and Mr. LAGOMARSINO.

H.R. 4198: Mr. JONTZ, Mr. BACCHUS, Mr. MACHTLEY, Mr. LEWIS of Florida, and Mr. PARKER.

H.R. 4211: Mr. SWETT.

H.R. 4271: Mr. MANTON, Mr. HUCKABY, Mr. TAUZIN, and Mr. ENGLISH.

H.R. 4280: Mr. HEFLEY.

H.R. 4303: Mr. ECKART.

H.R. 4436: Mr. PAYNE of New Jersey, Mr. ZELIFF, Mr. ATKINS, Mr. STARK, and Mr. HUGHES.

H.R. 4457: Mr. RAVENEL, Mr. QUILLEN, Mr. DWYER of New Jersey, Mr. CLINGER, Mrs. MINK, Mr. TOWNS, and Mrs. COLLINS of Illinois.

H.R. 4472: Mr. GILLMOR.

H.R. 4476: Mr. BRUCE.

H.R. 4528: Mr. DELLUMS, Mr. PAYNE of New Jersey, Mr. BLACKWELL, and Mr. ROYBAL.

H.R. 4538: Mr. ALEXANDER and Ms. SLAUGHTER.

H.R. 4539: Mr. ROHRABACHER, Mr. HARRIS, Mr. TANNER, Mr. SENSENBRENNER, Mr. HORTON, Mr. BALLENGER, Mr. MCCRERY, Mr. SCHIFF, Mr. NEAL of North Carolina, Mr. HOLLOWAY, Mr. DORNAN of California, Mr. POSHARD, Mr. HUGHES, Mr. EMERSON, Mrs. VUCANOVICH, Mr. TOWNS, Mr. MCGRATH, Mr. HUTTO, Mr. RAY, Mr. HANCOCK, Mr. BROWDER, Mrs. KENNELLY, Mr. WEISS, Mr. FROST, Mr. PAXON, Mr. MARTINEZ, Mr. FAZIO, and Mr. SANGMEISTER.

H.R. 4607: Mr. JONTZ.

H.R. 4608: Mr. JONTZ.

H.R. 4609: Mr. JONTZ.

H.R. 4713: Mr. SOLOMON.

H.R. 4724: Mr. BENNETT, Mr. BROWN, Mr. CRAMER, Mr. FASCELL, Mr. FEIGHAN, Mr. FRANKS of Connecticut, Mr. GORDON, Mr. GUNDERSON, Mr. HUBBARD, Mr. JOHNSON of South Dakota, Mr. MACHTLEY, Mr. MCNULTY, and Mr. PERKINS.

H.R. 4727: Mr. KOSTMAYER.

H.R. 4736: Mr. ANNUNZIO, Mr. SMITH of Florida, and Mr. ZELIFF.

H.R. 4900: Mr. WYDEN.

H.R. 4918: Mr. PERKINS.

H.R. 4941: Mr. SANDERS and Mr. CONDIT.

H.R. 4944: Mr. ALLEN.

H.R. 4991: Mr. HOYER, Mrs. MORELLA, and Mr. DICKS.

H.R. 5100: Mr. VISCLOSKY, Mr. FOGLIETTA, Ms. NORTON, Mr. MURTHA, Mr. WILSON, Ms. KAPTUR, Mr. KILDEE, Mr. CARDIN, Mr. JONTZ, Mrs. PATTERSON, Mr. CONYERS, and Mr. MOODY.

H.J. Res. 353: Mr. BENNETT, Mr. BLILEY, Mr. CAMP, Mr. CHAPMAN, Mr. CLINGER, Mrs. COLLINS of Illinois, Mr. DELLUMS, Mr. DOWNEY, Mr. FALEOMAVAEGA, Mr. FRANKS of Connecticut, Mr. MAZZOLI, Mrs. PATTERSON, Ms. SLAUGHTER, and Mr. WALSH.

H.J. Res. 391: Mr. GILMAN, Mr. HAYES of Louisiana, Mr. JOHNSON of South Dakota, Mr. SHUSTER, and Mr. ROSE.

H.J. Res. 404: Mr. BOEHLERT, Mr. WISE, Mr. GORDON, Mr. SUNDQUIST, Mr. LEWIS of California, Mr. DIXON, Mr. HALL of Texas, Mr. DUNCAN, Mr. KOPETSKI, Mr. MILLER of Washington, Mr. ANDERSON, Mr. HAYES of Louisiana, Mr. MORAN, Mrs. VUCANOVICH, Mr. GILLMOR, Mr. THOMAS of California, Mr. BROOMFIELD, Mr. JACOBS, Mr. DREIER of California, and Mr. WILSON.

H.J. Res. 442: Mr. LIVINGSTON, Mr. WALSH, Mrs. MORELLA, Mr. DOOLITTLE, Mr. PORTER, Mr. SPENCE, Mr. KLUG, Mr. LENT, Mr. MYERS of Indiana, Mr. DIXON, Mr. NATCHER, Mr. KOSTMAYER, Mr. FALEOMAVAEGA, Mr. SPRATT, Mr. CARR, Mr. CRAMER, Mr. HUGHES, Mr. TALLON, Mr. GIBBONS, Mr. LEWIS of California, Mr. FISH, Mr. COUGHLIN, Mrs. LOWEY of New York, Mr. GUNDERSON, Mr. MURPHY, Mr. HALL of Ohio, Mr. HAYES of Louisiana, Mr. STALLINGS, Mr. HYDE, Mr. SIKORSKI, Mr. BUSTAMANTE, Mr. SHARP, Mr. OWENS of Utah, Mr. DINGELL, Mrs. VUCANOVICH, Mr. DWYER of New Jersey, Mr. ESPY, and Mr. SOLOMON.

H.J. Res. 444: Mr. SCHUMER, Mr. WASHINGTON, Mr. WEBER, Mr. WISE, Mr. RUSSO, Mr. REGULA, Mr. MORAN, Mr. UPTON, Mr. MONTGOMERY, Mr. NICHOLS, Mr. PAYNE of New Jersey, Mr. PURSELL, Mr. ENGEL, Mr. NOWAK, Mr. MRAZEK, Mr. LEWIS of Georgia, Mr. BALLENGER, and Mr. HOCHBRUECKNER.

H.J. Res. 449: Mr. GUARINI, Mr. ATKINS, Ms. NORTON, Mr. ALEXANDER, Mr. ENGEL, Mr. QUILLEN, Mr. PURSELL, and Mr. FROST.

H.J. Res. 469: Mr. VANDER JAGT, Mr. HORTON, Mr. MAZZOLI, Ms. HORN, Mr. MCCLOSKEY, Mr. MINETA, Ms. PELOSI, Mr. GORDON, Mr. STUDDS, Mr. GUARINI, Mr. FAZIO, Mr. MFUME, Mr. SKEEN, Mr. CHAPMAN, Mr. FROST, Mr. DORGAN of North Dakota, Mr. RICHARDSON, Mr. QUILLEN, Mr. DE LUGO, Mrs. COLLINS of Michigan, Mr. BENNETT, Mr. RANGEL, Mr. NEAL of Massachusetts, Mr. SERRANO, Mr. ATKINS, Mr. BUSTAMANTE, and Mr. SCHUMER.

H.J. Res. 470: Mr. BUSTAMANTE, Mr. DINGELL, Mr. MCDERMOTT, Mr. BILBRAY, Mr. CLINGER, Mr. DICKS, Mr. HUGHES, Mr. ANNUNZIO, Mr. ECKART, Mr. FEIGHAN, Mr. SAWYER, Mr. LEWIS of Georgia, Mr. OXLEY, Mr. HOBSON, Mr. HENRY, Mr. FRANKS of Connecticut, Mr. LENT, Mr. ALLEN, Mr. BENNETT, Mrs. ROUKEMA, Mr. WEBER, Mr. OWENS of New York, Mr. MCHUGH, Mr. WILSON, Mr. TAYLOR of Mississippi, Mr. TAUZIN, Mr. HAYES of Illinois, Mr. SMITH of Florida, Mrs. UNSOELD, Mr. HUTTO, Mr. PETRI, Mrs. MORELLA, Mr. MARTINEZ, Ms. SNOWE, Mr. RHODES, Mr. HARRIS, Mr. WELDON, Mr. SCHAEFER, Mr. RAHALL, Mr. GREEN of New York, Mr. GUNDERSON, Mr. HEFLEY, Mr. KILDEE, and Mr. CRANE.

H.J. Res. 475: Mr. MONTGOMERY, Mr. SKEEN, Mr. MCGRATH, Mr. SPENCE, Mr. LIPINSKI, Mr. RANGEL, Mr. FRANKS of Connecticut, Mr. BARNARD, Mr. STUMP, Mr. SKELTON, Mr. HUNTER, Mr. WOLPE, Mr. BLILEY, and Mr. WILSON.

H. Con. Res. 285: Mr. MCCANDLESS.

H. Res. 387: Mr. MOODY.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, sponsors were deleted from public bills and resolutions as follows:

H.R. 3221: Mr. OWENS of New York.

EXTENSIONS OF REMARKS

MARIA SANTOS DE BLAY OF PUERTO RICO RECOGNIZED BY BUSH AS "POINT OF LIGHT"

HON. ANTONIO J. COLORADO

OF PUERTO RICO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 1992

Mr. COLORADO. Mr. Speaker, I rise today to salute a constituent of mine from Puerto Rico, Maria Santos de Blay, for her well-deserved recognition by President Bush as the 764th "Daily Point of Light for the Nation." As the White House pointed out in a press release the other day, Mrs. Blay's profound commitment to children finds its expression in the care and emotional support she offers to those who suffer from the HIV virus."

Mrs. Blay, of Rio Piedras, Puerto Rico, is the director of Proyecto Amor—Project Love—a non-profit organization she founded in 1987 to care for abandonded or abused children, aged 7 years and under, who are, unfortunately, HIV positive. She began this remarkable project with three children and now works with 25, who live in the care of Proyecto Amor.

Mr. Speaker, people like Mrs. Blay are the unsung heroes of today, and I congratulate President Bush in recognizing her extraordinary accomplishments. The President's Daily Point of Light program recognizes those persons who successfully address our most pressing social problems through direct and consequential acts of community service, and Mrs. Blay more than meets those standards.

As the White House noted, Mrs. Blay has offered love and attention to more than 100 children during the past 5 years. She has facilitated the adoption of five of these children by families in Puerto Rico and has personally adopted one.

She and other volunteers tirelessly search for donations of clothing, diapers, bedding, toys, food, and medication for the Proyecto Amor children. In addition, Mr. Speaker, she voluntarily comforts and counsels adults who are afflicted with the HIV virus of AIDS and helps them obtain proper medical care. Thus, Mrs. Blay performs voluntary service 6 or 7 days each week, often for more than 12 hours each day.

Mr. Speaker, that is truly an awesome record, one to be envied in this often self-centered world. I know my colleagues in the House join me in congratulating Mrs. Blay, who is a shining example of the President's belief that "From now on in America, any definition of a successful life must include serving others." Her altruistic efforts are a testimonial to the best instincts in our society, and we in Puerto Rico today are particularly proud of Maria Santos de Blay.

DAILY POINTS OF LIGHT

The President recognizes a "Daily Point of Light" six days a week. Daily Points of Light are those who successfully address our most pressing social problems through direct and consequential acts of community service. Individuals, families, businesses, groups, and organizations of every conceivable type are taking successful action to combat drug abuse, illiteracy, inadequate education, environmental decay, homelessness, hunger, AIDS, and other critical ills.

By reclaiming a drug-plagued, crime-ridden neighborhood, tutoring those who are illiterate, mentoring a troubled young person, befriending a lonely senior citizen, providing housing for the homeless, or protecting our environment, Americans have enriched their communities and, in doing so, have brought meaning and fulfillment to their own lives.

Daily Points of Light recognition is intended not only to honor those who are making a difference in the lives of those in need, but more importantly to urge every individual, family, business, union, school, place of worship, club, group, and other institutions in America to make serving others central to their life and work. As the President has said, "If you have a hammer, find a nail. If you know how to read, find someone who can't. If you're not in trouble, seek out someone who is . . ."

"The growth and magnification of Points of Light must now become an American mission . . . it is increasingly clear to more and more Americans that our greatest social problems—drugs, education reform, the environment, crime—will be solved only by the active engagement of tens of millions of individuals and millions of groups and institutions who have never been involved before in these problems and who will never be compensated one nickel for their work."

Points of Light demonstrate that problems in America can be solved. The President believes that every American wants to be a Point of Light to those in need, if only they are shown how they can make a difference. We therefore strongly encourage not only every newspaper, magazine, television and radio station, but also every other business, group, and other institutions in America, to communicate in their own way the story of Daily Points of Light to the entire nation.

THE WHITE HOUSE,
OFFICE OF THE PRESS SECRETARY,
Washington, DC, May 6, 1992.

The President today recognized Maria Santos de Blay of Rio Piedras, Puerto Rico, as the 764th Daily Point of Light for the Nation. Mrs. Blay's profound commitment to children finds its expression in the care and emotional support she offers to those who suffer from the HIV virus.

Mrs. Blay, 45, is the Director of Proyecto Amor (Project Love), a non-profit organization she founded in 1987 to care for abandoned or abused children, ages seven years and under, who are HIV positive. Mrs. Blay began with three children and now works with 25, who live in the care of Proyecto Amor.

Over the past five years, Mrs. Blay has offered love and attention to more than 100 children. She has facilitated the adoption of five of these children by families in Puerto Rico and personally has adopted one. She and other volunteers tirelessly search for donations of clothing, diapers, bedding, toys, food, and medication for the Proyecto Amor children. In addition, she voluntarily comforts and counsels adults who are afflicted with the HIV virus or AIDS and helps them obtain proper medical care. All told, she engages in voluntary service six or seven days each week, for more than 12 hours each day.

The President salutes Maria Santos de Blay for exemplifying his belief that, "From now on in America, any definition of a successful life must include serving others."

TRIBAL DEVELOPMENT OVER TIME

HON. ENI F.H. FALEOMAVAEGA

OF AMERICAN SAMOA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 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 "The Long Road From Federal Domination to Self-Determination" in the March 1992 edition of State Legislatures. The article describes how Federal policy toward Indian tribes has changed over the years.

[From State Legislatures, March 1992]

THE LONG ROAD FROM FEDERAL DOMINATION TO SELF-DETERMINATION

(By James B. Reed)

Federal Indian policies and legal decisions have evolved over more than 200 years. Before America won independence in 1776, the European colonial powers entered into treaties with Indian tribes and acquired land from them by purchase rather than by physical conquest, thus establishing a tradition of tribal sovereignty. Under the Articles of Confederation, Indian affairs were left up to the states. Between 1776 and 1871, however, the general policy became to isolate the tribes and push them out of the way of the expanding white society (generally to the West). During this period, the United States entered into treaties with the tribes, tribes were removed from ancestral homelands to reservations, and the federal government rather than the states emerged as the regulator of most affairs between Indians and non-Indians. The principle of federal preemption of state authority over tribes arises primarily from the Indian Commerce Clause.

Between 1871 and 1928, as the Western frontier was closing, the national Indian policy

shifted away from isolating Indians toward assimilating them. Under the General Allotment Act of 1887 large tribal holdings were broken up, and land titles were allotted to individual Indians. After 25 years, the federal trust responsibility expired, and Indians could sell their land. In addition to undermining the communal Indian culture, the act is responsible for the checkerboard pattern of Indian and non-Indian landholdings characteristic of many Western reservations. During this era, the federal government increasingly imposed rules and institutions on the tribes, thus tribal sovereignty decreased. The Supreme Court held in *United States vs. McBratney*, and *Draper vs. United States* that Indian reservations are part of the states in which they are located and that states have criminal jurisdiction over crimes committed on Indian reservations by non-Indians against people or property of other non-Indians. As a part of assimilation, U.S. citizenship was granted to all American Indians by 1924.

The policy of allotting lands to individual Indians was officially halted in 1934 by the Indian Reorganization Act, which created a revolving fund for economic development and authorized tribes to organize their own governments. These were often modeled after non-Indian governments and required ratification by tribal members and approval by the Secretary of the Interior. A major objective of the Indian Reorganization Act was to break the considerable administrative control that the Bureau of Indian Affairs (BIA, created in 1824) in Washington, DC, had over many tribes. Today, most reservations are governed by constitutions developed under the Reorganization Act.

The period between 1945 and 1961 marked another change for national Indian policy. In 1949, the Hoover Commission announced that Indians should be integrated into the larger society, and in 1953 Congress issued a joint resolution calling for the termination of federal supervision of tribes in various states. Between 1955 and 1966, Congress ended its recognition of 109 tribes in eight states, affecting 1.4 million acres and 11,400 individuals. Essentially, termination meant the federal government was no longer a trustee for Indian affairs related to land ownership and management of financial assets. In addition, Indian land would no longer be tax exempt, and federal responsibility for Indian economic and social well-being was repudiated. Public Law 280 was enacted in 1953, giving the states of Alaska, California, Nebraska, Oregon and Wisconsin some authority over civil and criminal adjudication of Indians in their states. Arizona, Florida, Idaho, Iowa, Montana, Nevada, North Dakota, Utah and Washington later assumed some powers under PL-280. (PL-280 was amended in 1968 to require tribal consent before states could assert such jurisdiction and to permit states to cede back their tribal jurisdiction.)

The federal policy of termination gradually faded in the 1960s. The Indian Civil Rights Act was enacted in 1968, making many features of the Bill of Rights applicable to Indians in their dealings with tribal governments. President Nixon's 1970 message to Congress proclaimed that national policy should strengthen Indian self-determination while preserving the federal trustee obligation.

Other important legislation includes the 1971 Alaska Native Claims Settlement Act, which gave Eskimos and Aleuts land in return for renouncing their aboriginal claims. The Indian Self-Determination and Education Act of 1975 declared the end of federal dominance of Indian programs without withdrawing financial assistance. Tribes were allowed full participation in implementing federal health, education and welfare programs through contracts between tribal governments and the relevant federal agencies. The Indian Child Welfare Act of 1978 accorded tribes extensive jurisdiction over child custody issues. Significant actions in the 1980s included the Maine Indian Claims Settlement Act of 1980, President Reagan's statement on Indian policy in 1983, the Tribally Controlled Schools Act of 1988 and the Indian Gaming Regulatory Act of 1988.

In 1989 the Senate Select Committee on Indian Affairs recommended providing each tribe with a direct grant from the Congress rather than appropriating money through the federal bureaucracy. Tribes would be required to have a written constitution, democratic institutions and full accountability. Pilot projects are under way, and the concept is being studied further by the committee. In 1991, the Indian Environmental Regulatory Enhancement Act was passed to help tribes protect the environment and natural resources on the lands.

National policy in the 1990s focuses on tribal "self-determination," that is, allowing tribes to govern themselves and control their own destiny.

LORETTA CHMURA RECOGNIZED FOR PUBLIC SERVICE

HON. PAUL E. KANJORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 1992

Mr. KANJORSKI. Mr. Speaker, I rise today to pay tribute to a remarkable woman, and very good friend, from my hometown of Nanticoke, PA, Mrs. Loretta Chmura.

Loretta is currently district president of the Luzerne Wyoming Bi-County Council of the American Legion Auxiliary, Department of Pennsylvania. She and her husband, Joseph, have served and been very active in American Legion activities for many years.

Mrs. Chmura distinguished herself in public service early in her life. Her work for area veterans is well-known in our area. Loretta has served as first vice president, second vice president, secretary, and treasurer of the Luzerne Wyoming Bi-County Council. She also has given her time and talents to the ways and means committee, finance committee, and girl's State chair. Loretta served as publicity chair for the national commander banquets and cochaired the Legion's salute to Operation Desert Storm veterans. Under her leadership, the auxiliary has had the highest membership rolls in the State of Pennsylvania.

Loretta's commitment to the community is not confined to our area veterans, however. She has been active in the United Way of Wyoming Valley for 25 years, serving as chair of the metropolitan division. Loretta's other noteworthy activities include: organizer of the 80's club of Mercy Health Care Center—serving as its president, recording secretary and chairing all of its events—treasurer of General Pulaski Committee, and a 15-year tenure with the American Red Cross as local disaster chairperson. Loretta is politically active as a Democratic committeeperson, and as a member of the Nanticoke Democratic Women's Club. During my tenure in Congress, I have had the honor of presenting Loretta with the Beta Sigma Phi Chapter's First Lady of the Year Award.

On May 17, 1992, members of the American Legion and family and friends will gather to recognize Loretta Chmura for her years of dedicated service to our veterans and the community. I am pleased to have been asked to join in this tribute. Loretta is never too busy to take on a worthwhile project. She thrives on challenge and each time she successfully completes a project, she moves on to the next without a moment's hesitation .

I have had the good fortune to be in Loretta's company at countless events over the years, and have never seen her without a smile. I am proud to know Loretta and my wife and I consider ourselves lucky to be included in the long list of her many friends. It is with great pleasure I recognize her here today for her never-tiring devotion to public service.

ON THE OCCASION OF BISHOP PATRICK ZIEMANN'S 25TH ANNIVERSARY AS AN ORDAINED PRIEST IN THE ROMAN CATHOLIC CHURCH

HON. ROBERT J. LAGOMARSINO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 1992

Mr. LAGOMARSINO. Mr. Speaker, I rise today to pay tribute to Bishop Patrick Ziemann, auxiliary bishop for the Santa Barbara Pastoral Region of the Archdiocese of Los Angeles, on the occasion of his 25th anniversary as an ordained priest.

In the 25 years that Bishop Ziemann has served the priesthood, he has held assignments at St. Matthias Church and girls high school in Huntington Park, CA; at Mater Dei High School in Santa Ana, CA; at Our Lady Queen of the Angels Seminary in Mission Hills, CA, as dean of studies and vice rector; and as Bishop of the Santa Barbara Pastoral Region of the Archdiocese of Los Angeles since 1987.

Throughout his career, Bishop Ziemann has devoted his time and energies not only to the significant work of the church, but also to the education of our country's youth. As charter secretary to the Los Angeles Priests' Council, secretary to the archdiocesan youth commission and retreat leader for numerous groups of students, clergy and lay persons, he has assumed a responsible role in the church that has stood as a model of leadership for youths and adults alike.

As the Representative for Santa Barbara County in the House of Representatives, it has been my distinct privilege to have known and worked with Bishop Patrick Ziemann. He is an outstanding leader and asset in our community, as well as a good friend of mine. He is to be commended on the anniversary of his 25 years of service as a priest in the Roman Catholic Church. It is my pleasure to join the citizens of greater Santa Barbara County in wishing him continued happiness and success.

STATUS OF GULF WAR FOREIGN CONTRIBUTIONS

HON. JOHN P. MURTHA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 1992

Mr. MURTHA. Mr. Speaker, I rise today to present a status report concerning the foreign contributions received by the United States in support of its efforts in the gulf war. According to a report issued by the Department of Defense, all countries who had made pledges to support the gulf war have met their pledges to the extent possible. I include a copy of the Department of Defense report for the Member's information:

GULF WAR PLEDGES FULFILLED

The Department of Defense announced today that all countries who had made pledges in support of the U.S. efforts in the Gulf War have met their pledges to the extent that was possible. As of April 14, 1992, the Defense Department had received $48.064 billion in cash, and as of March 31, 1992 it had received $5.669 billion of "in-Kind" support—totalling $53.733 billion in foreign contributions.

Total pledges were originally totalled at $53,953 billion. However, in some cases such as for Germany and Korea, the DoD did not need or could not use material or services offered. In those circumstances, pledges are considered to be fulfilled since it was the inability of the U.S. Government to use the offer, rather than a failure on the part of the donating country to provide the material or service.

The following represents the final accounting for the pledges (in U.S. dollars in millions) that were associated with the Desert Shield and Desert Storm operations:

Contributor	Commitments [1]	Cash [2]	In-kind [2]	Total
Saudi Arabia	$16,839	$12,809	$4,030	$16,839
Kuwait	16,057	16,015	43	16,058
UAE	4,088	3,870	218	4,088
Japan	10,012	9,440	571	10,012
Germany	6,572	5,772	[3] 683	6,455
Korea	355	150	[4] 101	251
Others	30	8	22	29
Total	53,953	48,064	5,669	53,733

[1] Commitments do not include pledges to other countries.
[2] Cash received as of Apr. 13, 1992; in-kind as of Mar. 31, 1992.
[3] Does not include $200,000,000 in-kind donations, declined after war.
[4] Does not include $104,000,000 in-kind donations DoD could not use. However, the Korean Government has agreed to contribute an equal amount for material and services for non-Desert Shield/Storm costs.

Note.—Addition errors are due to rounding.

RESEARCH NEEDED TO PREVENT SOFTBALL INJURIES

HON. C. THOMAS McMILLEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 1992

Mr. McMILLEN of Maryland. Mr. Speaker, I would like to call your attention to a problem that is costing approximately $2 billion every year. The culprit, oddly enough, is softball.

Softball is one of the most popular recreational sports in the United States. The Amateur Softball Association of America has estimated that 40 million people participate in organized softball leagues which play an estimated 23 million games per year. This is also the No. 1 sport leading to emergency room visits. Between 1983 and 1989, 2,655,404 injuries were documented through emergency rooms by the Consumer Products Safety Division; this figure does not include nonhospitalization physician visits.

These injuries result in short-term and long-term costs, from acute medical care charges and time lost from work to permanent functional impairment and escalating insurance premiums. Simple preventative measures can greatly reduce the risk of these injuries.

A study led by Dr. David Janda, Director of the Institute for Preventative Sports Medicine, determined that 71 percent of all softball-related injuries sustained in a sample recreational league were caused by sliding into base. The standard base is bolted to a metal post sunk into the ground and into concrete. It takes 3,500 foot pounds of force to dislodge the base. The majority of the injuries in the study occurred to the ankle and foot as the lead extremity impacted the base.

The cost for treating these injuries is actually quite significant. The average cost for a knee ligament injury was between $300 and $500. If a reconstruction was necessary, the cost escalated to between $7,000 and $10,000. These figures do not reflect time lost from work and future loss of function.

Dr. Janda and his associates have researched methods to prevent these injuries. Making sliding illegal is not practical; it is too essential to play. Passive prevention measures independent of the athlete, referee, level of competition, or skill are adaptable to any situation. The most practical, reliable, and cost-effective method is to implement the use of a break-away base.

The Janda study examined almost 2,300 recreational softball games, played with both stationary and break-away bases. Teams that did not use break-away bases were 23 times more likely to sustain injuries than teams that used the bases. An actuarial analysis performed by the Center for Disease Control in Atlanta has estimated that switching from stationary to break-away bases across the United States would prevent approximately 1.7 million injuries per year and save more than $2 billion in medical care.

The cost of these injuries are significant and the prevention is straightforward. In 1970, an analogous study of injury rates in football led to the elimination of cross-body blocking. One of the major obstacles to implementing a new rule in athletics is tradition. Government agencies can act effectively to increase public awareness and encourage sports organizations to change. An important start would be to implement this change throughout the softball leagues sponsored by Federal agencies.

Dr. Janda has also researched the chest protectors used by Little League pitchers. If a batter hits a line drive back to the pitcher, it sometimes strikes the pitcher in the chest. This can cause severe injury, even a stoppage of the heart. The findings of the Institute show no significant benefits from either softer core baseballs or chest protectors. And in fact, some products actually make the problem worse. Independent research which has been performed by the Institute is imperative to the sports medicine field since the benefit will be to millions of people of all ages in their daily lives. The chest protectors currently used do not minimize the pressure from the impact as they were designed. Rather, Dr. Janda's study has revealed that these protectors, in fact, allow the impact force to pressure the entire chest area. If no protector were worn, the impact would at the very least be localized to a small area.

Research in these and other areas related to athletics can benefit millions of people, of all ages. We need to support this research to minimize or even eliminate these needless injuries that are costing us billions of dollars in medical care.

GILEAD LUTHERAN CHURCH CELEBRATES 250TH ANNIVERSARY

HON. GERALD B.H. SOLOMON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 1992

Mr. SOLOMON. Mr. Speaker, the area I represent, the 24th Congressional District of New York, is like a sprawling history museum. It played a significant role in colonial history and into the 19th century. Probably the chief repositories of that history are our older churches, each of which has a rich history of its own.

This year the Gilead Lutheran Church in the town of Brunswick will be celebrating its 250th anniversary, and I'd like to tell you a little about this historical treasure.

The history of Gilead Lutheran Church goes back to the earliest settlements of the Brunswick area. Founded in 1742, it was the first Lutheran church in Rensselaer County. Land for the church was given by Stephen Van Rensselaer, and a log structure was built in 1746.

German families from the Palatinate, who had first settled along the banks of the Hudson near Germantown, arrived in the area in the 18th century. Church records, kept in German and Latin script until around 1800, are still preserved in the manuscript section of the State Library in Albany. The parish still has records from subsequent years.

The second church, a frame building, was dedicated in 1788. It stood near the remains of the old cemetery still visible on a hillside. A State-erected marker notes the spot.

By 1790, the church was incorporated as the Protestant Lutheran Church of Rensselaerwyck. Church records at that time contained about two-thirds of the families of Rensselaer County.

In 1816, land donated by William Coonradt allowed construction of a new brick building on the site of the present church. During the Civil War plans were begun for a new building. Farewell services in the "Old Brick Church" were held on April 30, 1865, and the present church was dedicated the following November. Since then, the building has been enlarged, the belltower has been erected, and sheds surrounding the rear yard on three sides were torn down. Cathedral windows were installed in 1892. The gallery was removed in 1902. New entrances were built in the 1960's. The present chancel, with a freestanding altar, was dedicated in May 1967.

Gilead Lutheran Church was a pioneer in the Sunday school movement. The program established in 1829 still operates from September to June and includes children from the age of 3 to the sixth grade.

Like many old and venerated churches, Gilead Lutheran has been the center of social life as well as a place of worship for countless families. The earliest travelers in America have noted the importance of local churches to American life, and this great old church is a good example.

Mr. Speaker, I ask you and all Members to join me in wishing Gilead Lutheran Church a happy 250th anniversary.

TRIBUTE TO EDWIN J. KORCZYNSKI

HON. WILLIAM O. LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 1992

Mr. LIPINSKI. Mr. Speaker, I rise today to salute Edwin J. Korczynski of Iverness, IL. His bravery, courage, and aeronautical abilities enabled him to serve our country in the Persian Gulf war with the highest level of distinction.

Mr. Korczynski served as a pilot flying Boeing 747's in the Civilian Reserve Air Fleet [CRAF] and the Military Airlift Command [MAC] missions. Although he is an honorably discharged U.S. Marine, Korczynski was not an activated reservist during this conflict. Instead, he volunteered to further demonstrate his commitment to democracy.

Since Mr. Korczynski left the Marines in the 1960's, he has continually been a model of the virtues of American democracy. His efforts during Operations Desert Storm and Desert Shield are appreciated by those with whom he served as well as the rest of the Nation.

Mr. Speaker, as we reflect on the war in the Persian Gulf, we must consider the contributions of individuals such as Edwin Korczynski. I urge my colleagues to join me in recognizing Mr. Korczynski and others like him for the tremendous role they played during the Persian Gulf war.

AID REPORT ON THE ISRAELI ECONOMY

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 1992

Mr. HAMILTON. Mr. Speaker, I would like to bring to the attention of my colleagues a summary of a report on the Israeli economy prepared by the Agency for International Development pursuant to section 1205(b) of the International Security and Development Cooperation Act of 1985, as amended.

This report is usually submitted to the Congress in January, but was received this year in mid-April. Because of its length, only the executive summary of the report is printed here. The entire report is retained in the files of the Committee on Foreign Affairs.

The executive summary follows:

EXECUTIVE SUMMARY

Stimulated by high levels of investment and active government involvement in ownership and production, the economy of Israel grew very rapidly during the twenty years prior to 1972. The oil shocks and political turmoil of the 1970's sharply reduced the growth rate. To finance expansionary policies in the face of greater security spending and slower economic growth the government turned to deficit financing. Hyper inflation soon followed and by 1984 the economy was in crisis. Aided by large grants from the U.S., a stabilization program was initiated in 1985 and was successful in halving the budget deficit, slashing inflation and overhauling the foreign exchange system. Several years of painful adjustment and low growth followed. By 1989 the economy had stabilized and in 1990 a cyclical upswing began.

Growth was briefly interrupted by the Persian Gulf Crisis in mid-1990, but the economy quickly recovered and resumed the pre-war growth path. During this time, progress was made in reforming foreign exchange and financial policies which had long acted as a drag on growth. However, the economy is still replete with regulations, controls, monopolies and institutional rigidities that impede attempts to achieve and maintain long-run competitiveness. Economic performance in 1991 was solid (but not spectacular) and certainly not fast enough to provide jobs for the flood of immigrants. Indeed, immigrant unemployment rates remain high and there is growing concern that the rising unemployment rate—currently close to 11%—threatens to choke off the flow of Soviet immigrants. In the past two years, the Government has given priority to housing construction and has used a wide range of incentives to encourage construction, particularly in outlying areas and in settlements in the occupied territories.

The Israeli authorities now face the daunting task of welcoming 600,000 immigrants over the 1992–1994 period and have made immigrant absorption the principle objective of economic policy. In order to provide such a large number of immigrants with appropriate and steady employment, it will be necessary to accelerate the economy's growth over time to rates that will be multiples of those experienced during the 1970's and 1980's. To achieve such rates of growth will require, at a minimum, both a tremendous increase in investment—possibly as much as $25 billion—much of which must come from abroad, and accelerating the economic reform process begun in the late 1980's.

What are the prospects of achieving high rates of growth? This report suggests the following conclusions:

Growth projections are influenced by the pace of immigration and the quantity and quality of investment. With progress on economic reforms (particularly privatization), continued levels of foreign assistance and a economic recovery in industrialized countries, GDP growth rates of 5–7% could be recorded by 1993. However, unemployment is likely to increase (possibly reaching 14% in 1994) and exert pressure on government spending.

Debt service ratios have declined from the very high levels of the mid-1980's. Assuming a continued high level of grants from abroad and healthy export growth, projected increases in borrowing can probably be serviced.

How the authorities approach fiscal policy will be the most critical factor determining the future course of inflation and government involvement in capital markets. Every effort must be made to avoid budget excesses and keep the deficit within limits. The budget implications of an election year, high unemployment, increased defense spending and the need to purchase unsold housing units is cause for concern.

Serious structural rigidities still characterize labor markets and several important industries. If the Israeli economy is to become competitive in world markets, labor market mobility must be improved. Further, the pace of privatization must be accelerated to promote the growth of productivity. Overcoming vested interests in these areas will present a serious challenge to the authorities.

Government domination of investment decisions, especially housing, must be reduced. The future productivity of the economy will be determined by the investment decisions made today. Greater participation in investment decisions by the private sector is necessary.

With an enabling investment climate, labor and capital markets responsive to price signals, and an open and competitive trading system, there is reason to expect that over the decade of the 1990's private capital flows can reduce the need for general government borrowing and grants.

Consideration should be given to how U.S. economic assistance can be used more constructively to advance structural reforms.

HONORING THE WESTCHESTER AVENUE SOCIAL SECURITY OFFICE

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 1992

Mr. ENGEL. Mr. Speaker, it gives me great pleasure to recognize the 30th anniversary of the Social Security Administration Center in my district, located at 1990 Westchester Avenue. I commend all the employees and managers for their efforts in administrating these important Government services.

The reason we sometimes hear complaints about the delivery of social services is because we rarely hear from the thousands of people who are properly served. When I consider the number of people that are given critical help by the Social Security System, I realize that we have established an amazing and far-reaching program. Social Security is part of the American fabric, and it will never go out of style or out of business.

Therefore, we must ocassionally take time to pay tribute to the dedicated Americans who help bring comfort to millions of their fellow citizens. Today, I particularly tip my hat to Gerald Langlais, the manager at 1990 Westchester Avenue, and all his employees for a job well done.

TUCSON JEWISH COMMUNITY CENTER PAYS TRIBUTE TO JOAN AND DONALD DIAMOND

HON. ED PASTOR

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 1992

Mr. PASTOR. Mr. Speaker, this weekend the Tucson Jewish Community Center will pay tribute to one of Tucson's most prominent couples, Joan and Donald Diamond. The event is billed as a "Diamond Jubilee", and festivities will kick-off with a celebration dinner this Saturday evening.

The proceeds from this event will benefit the Tucson Jewish Community Center and the establishment of the Diamond Perpetual Scholarship Fund. The Diamond Perpetual Scholarship Fund will further the Jewish Community Center's tradition of awarding scholarships on a nonsectarian basis to children of financially needy families. The fund will help finance expenses for children to attend pre-school, after-school, day-care and summer camp programs. Last year, it awarded over $113,000 in scholarships, and the establishment of the Diamond Scholarship Fund will allow more children to benefit from the programs sponsored by the Jewish Community Center.

This is a fitting tribute to a couple who have served the Tucson community loyally and generously. Donald came to Arizona from New York to attend elementary and junior high school. He returned to Arizona after a hitch with the Army to attend the University of Arizona. He established himself as a successful businessman in New York, and again returned to Arizona in 1965 to invest in local businesses and real estate.

Donald Diamond helped bring professional sports to Arizona. He is one of the original founders of the Phoenix Suns of the National Basketball Association.

In addition to his accomplishments in business, Donald has been involved with many worthwhile community organizations and projects. He is a former chairman of the United Way, and currently sits on the board of directors of the Greater Tucson Economic Council, Arizona Economic Council, Rincon Institute, Kids Voting, and National Board of Advisers of the University of Arizona College of Business and Public Administration. He is actively engaged in working to advance the North America Free Trade Agreement and Arizona's role within such a trade framework. Donald is also active in public affairs as a founder and active member of the desert caucus and former office of the American Israel Public Affairs Committee.

In her own right, his other half, Joan, has a long track record of community service. Joan Diamond presently serves on the boards of the Tucson Jewish Community Center and Steel Memorial Children's Research Center at the University of Arizona. She is also a sustaining member of the Angel Charity for Children, and the Women's Division of the Jewish Federation of Southern Arizona.

This is a well-deserved honor for the Diamonds, and I join many Tucsonans in extending my best wishes for a wonderful weekend of festivities commemorating the many contributions of Joan and Donald.

TRIBUTE TO WILLIAM BROD

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 1992

Mr. PALLONE. Mr. Speaker, on Sunday, May 17, 1992, the Deal, NJ, Chapter of Hadassah will honor Mr. William Brod as its Man of the Year in a ceremony at Squire's Pub in West Long Branch, NJ. It is a privilege for me to use this opportunity to recount some of the accomplishments for which Bill Brod has earned this honor

Mr. Brod has dedicated much of his life to the service of Judaism and the State of Israel. Mr. Brod was born in New York to a traditional family and attended Yeshiva Torah Vadath in anticipation of a rabbinical career. He subsequently changed his career goals, however, and attended New York University, receiving his BS degree in 1941. From 1942 to 1946 he served with the U.S. Army Military Police and Criminal Investigation Section. After the war, he relocated to the Jersey Shore and married the former Sylvia Kruman of Newark. Since 1951 he has been associated with Seaboard Service Co. and Shore Gas & Oil, and currently serves as chairman and chief executive officer.

Over the years, Bill Brod has served Temple Beth El of Oakhurst, NJ, in numerous capacities, including chairman of the ritual committee, executive vice president, president, and currently, chairman of the board. Mr. and Mrs. Brod have traveled to Israel on three occasions and have consistently demonstrated their dedication to the growth and prosperity of the Jewish homeland. Mr. Brod has served as a member of the National Cabinet of State of Israel Bonds and its prime minister's club. Bill Brod is a longtime member of the Shore-Ocean Lodge of B'nai B'rith, while Sylvia Brod has been counted among the ranks of the ladies of the Deal Chapter of Hadassah.

Mr. Brod's involvement in the community has also extended to his support for the Ranney School of Tinton Falls and Manalapan, NJ, one of the State's finest private schools. In 1978, the school's founder, Mr. Russell G. Ranney, named the gymnasium at the Tinton Falls campus for William Brod. He has served as a member of the Ranney School Board of Trustees since 1969, and as its president since 1978.

Bill and Sylvia Brod are the proud parents of Stuart and Craig, and the in-laws of Craig's wife, the former Cheryl Hader, all three of whom are attorneys who have continued in the footsteps of their parents' strong community involvement and support.

SALUTE TO GAIL TOWBES

HON. ROBERT J. LAGOMARSINO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 1992

Mr. LAGOMARSINO. Mr. Speaker, today I rise to pay tribute to a woman whose efforts on behalf of private scholastic fundraising have greatly advanced higher education in my congressional district. On May 20, Mrs. Gail Towbes will be honored by the Santa Barbara Scholarship Foundation for her commitment as a volunteer for their organization.

In its 30 years of existence, the foundation has given over $4 million to almost 7,000 students and remains an important tool for young people in our area to attain higher education. Gail's personal involvement with the foundation spans some 20 years, with membership on the board of directors and later on the advisory council. Between 1983 and 1985, Gail served as the foundation's development director and began their first efforts at development and fundraising on a community level.

Certainly both the Santa Barbara Scholarship Foundation and the Greater Santa Barbara community have benefitted from Gail Towbes' tireless efforts on behalf of higher education. I urge my colleagues to join me in saluting the success of private organizations like the Santa Barbara Scholarship Foundation, and individuals like Gail who make them work to fill community needs. I wish Gail and her husband, Michael, all the best.

GERMANTOWN'S CHILDREN MARK ARBOR DAY

HON. DON SUNDQUIST

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 1992

Mr. SUNDQUIST. Mr. Speaker, I recently had the privilege of taking part in an Arbor Day program presented by grade school students in Germantown, TN.

These boys and girls are learning early the importance of being good stewards of this good Earth, and I was struck by their genuine appreciation of the natural beauty around them.

I want to commend those who planned the Arbor Day program, notably my good friend Trudy Eissler, who served as chairman; Mrs. Walter F. Chandler, chairman of Germantown's Beautification Commission; and Mayor Charles Salvaggio.

But most of all, I wish to commend the boys and girls themselves, and particularly those who won awards in the Arbor Day Poster Contest: First place, Kristen Trezevant, a fourth grader at St. George's Day School; second place, Ryan Fong, a second grader at St. George's Day School; third place, Jamie Randolph, a fourth grader at Riverdale Elementary School; fourth place, Daniel Pier, a first grader at Dogwood Elementary School; and April Wallden, a first grader at Dogwood Elementary School.

I also insert the poem, "To Be Tree," by Lizzie Widdicombe, a third grader at St. George's Day School, in the CONGRESSIONAL RECORD:

TO BE A TREE

(By Lizzie Widdicombe)

I wonder what it would be like to be a tree
and be a nest for all the birds I see.
With lovely, bright green leaves stretched out to the sun,
Giving pleasant shade to everyone.
And under my bark where insects love to roam,

Racoons would make a pleasant home.
And under the shade of my bright-colored leaves,
Children would sit and play in the breeze.
And carefully constructed in light-colored, brown wood,
A tree house would sit just where it should.
To be a tree . . . it would be such fun!
And though only God can make a tree . . .
Everyone can plant one.

JUAN (CHI CHI) RODRIGUEZ OF PUERTO RICO INDUCTED INTO GOLF HALL OF FAME

HON. ANTONIO J. COLORADO

OF PUERTO RICO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 1992

Mr. COLORADO. Mr. Speaker, I rise today to point out to my colleagues another remarkable achievement by a remarkable man who happens to be one of my constituents but who needs no introduction to the rest of the United States. He is Juan (Chi Chi) Rodriguez, the world-class golfer who has just been inducted into the Professional Golfers Association World Golf Hall of Fame.

In recent ceremonies in Pinehurst, NC, Chi Chi joined three other illustrious golfers in the PGA World Golf Hall of Fame—Hale Irwin, Harry Cooper, and Richard Tufts. Those of us from Puerto Rico have followed Chi Chi's career with continuing fascination and great pride throughout the years. He is indeed a great credit to the Commonwealth of Puerto Rico and to the larger Nation as a whole.

Mr. Speaker, Chi Chi's life story as a human being is just as remarkable as his achievements on the golf course. He has a heart as big as the sky, neverending laughter, and an irrepressible smile. One of the most respected golfers in the world, Chi Chi Rodriguez has amassed 20 senior victories in just 5 years. His many awards include those for his outstanding golfing ability and for being the outstanding humanitarian that he is.

For example, he has represented Puerto Rico on 12 World Cup teams, has received the 1986 and 1987 Byron Nelson Award, with one of the lowest averages on either tour, and was named the 1987 Senior Player of the Year. But in addition to those golfing awards, Mr. Speaker, Chi Chi Rodriguez has also received the First Ambassador of Golf Award, the Father of the Year Award, the Salvation Army Gold Crest Award, the Hispanic Man of the Year Award, and the 1989 Bobby Jones Award. The list could go on and on.

Moreover, in addition to his tournaments, exhibitions, and clinics, Chi Chi Rodriguez travels to Japan several times a year for tournaments and sets aside countless hours to spend at his pride and joy—the Chi Chi Rodriguez Youth Foundation in Clearwater, FL, which is home to troubled and abused youngsters. He has raised thousands of dollars for the foundation.

Since his early days in Puerto Rico, hitting a tightly rolled tin can with a golf club fashioned from a stick, Chi Chi Rodriguez has had a love for the game in which he has put everything back—and then some.

From Chi Chi Rodriguez's beginning in the hot sugar cane fields of Puerto Rico, to his job as a ball marker, he has worked hard to become what he is today. At the age of 12, he scored a 67 on the golf course and knew he was destined to play the game that was to become his life. He went on to join the U.S. Army at 19, then came back to Puerto Rico to become as assistant golf pro at the renowned Dorado Beach Resort. The rest is history, Mr. Speaker. After 2 years on the tour, Chi Chi was on his way to his first victory, the Denver Open. He has never looked back, and has been admired and respected by both players and fans ever since.

Now he is in the PGA World Hall of Fame, Mr. Speaker, and it is only natural that he should be. I know my colleagues join me in saluting a great athlete and great humanitarian, Juan (Chi Chi) Rodriguez of Puerto Rico.

PENNSYLVANIA PIONEER HONORED FOR EARLY WORK ON AUTOMOBILE

HON. PAUL E. KANJORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 1992

Mr. KANJORSKI. Mr. Speaker, I rise today to bring to the attention of my colleagues a pioneer in the automobile industry who, in the late 1800's, resided in Plymouth, PA.

According to eyewitness accounts by Plymouth residents, Sephaniah Reese successfully operated a three-wheel, one-cylinder engine, horseless carriage—the Reese Special—in 1884–85 on Shawnee Avenue in Plymouth.

Sephaniah Reese also manufactured bicycles in his shop and operated the first service station in the area in 1888. His company, S. Reese Machine & Tool Works, was located on West Main Street in Plymouth until 1970. His bicycles, sold under the names of "Reese" and "Shawnee", were shipped overseas and were known for their high quality. Two of these bikes still exist and are owned by Reese's grandson.

Sephaniah Reese's horseless carriage is listed in the Standard Catalogue of American Cars 1865–1942. He was among the first in the Nation to experiment with this mode of transportation. His work was little noted at the time, and because of a lack of funding, was only a hobby. Today, the "Reese Special," the only one of its kind in the world, is owned by a collector in New Jersey.

Mr. Speaker, on May 31, 1992, Mr. Reese's efforts will finally be acknowledged as a memorial marker is dedicated at the site of his former shop. This marker is the culmination of painstaking research done by a young man from Plymouth, Mr. Jeffrey Selingo. Jeff won fourth place in the National History Day Competition in 1991 for his project. I am pleased to recognize the efforts of Sephaniah Reese as an early pioneer in automotive design and Mr. Selingo for his work on documenting Mr. Reese's life. I commend Mr. Selingo for job well done and wish him continued success in all future endeavors.

INTRODUCTION OF THE DRUNK DRIVING PREVENTION ACT OF 1992

HON. JOHN P. MURTHA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 1992

Mr. MURTHA. Mr. Speaker, the problems and tragedies associated with drunk driving have been slowed over the past few years because of the increased awareness all of the United States has shown toward the dangers of drinking and driving. Yet it is still too common an occurrence to read an article in our local papers describing a tragic traffic accident which informs us that one or more of the drivers involved were impaired by alcohol. Today I am introducing the "Drunk Driving Prevention Act of 1992," which can take us another step closer to eliminating the problem of drinking and driving.

Police departments across the Nation have found that the use of breathalyzers and video equipment in routine traffic checks have proven to be very effective in gaining convictions of drunk drivers, resulting in fewer alcohol-impaired motorists on our highways. The technology in breathalyzers has advanced greatly over the past few years, and the use of video equipment has made drunk driving enforcement more precise. But many police departments have had a similar experience as the police department in Freeport, PA, which contacted me to tell me they simply did not have the funds available to purchase updated enforcement equipment. This has left police departments handicapped in their attempt to stop drunk driving and prevent the tragic injuries and deaths that still occur due to drinking and driving.

After the Freeport Police Department contacted me, I began to work with Mothers Against Drunk Driving [M.A.D.D.] to develop a program to assist police departments encountering this type of situation. The legislation I have introduced would establish a fund, managed by the Administrator of the National Highway Safety Administration, from which police departments could obtain low-interest loans to purchase breathalyzers and video equipment and receive training on this equipment. This program is designed especially to assist smaller police departments, increasing their effectiveness in preventing drunk driving in many smaller communities. After an initial appropriation, the fund would roll over, with the loan repayments becoming available for further loans.

Our Nation's police departments have made significant progress in cutting down the number of drunk drivers on our roads. But one drunk driving death is one tragedy that could have been prevented. I think the Drunk Driving Prevention Act of 1992 can make a difference in getting drunk drivers off the road. I urge my colleagues to support this legislation, and I look forward to seeing this program become an important part of the effort to make our highways a safer place.

HONORING RONALD A. LIPSCHITZ, P.P.C.

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 1992

Mr. ENGEL. Mr. Speaker, In my district, the Pelham Parkway Post #769 of the Jewish War Veterans is honoring their past commander, Ronald A. Lipschitz, for his tireless efforts on behalf of the community and his fellow veterans. I proudly join Post 769 in recognizing the distinguished record of Ronald Lipschitz, who has been involved in service to his country since first joining the Army in 1967.

For a quarter-century, Ronald has witnessed the glory and the tragedies that make up the lives of military families. He served during the conflict in Vietnam, where he was injured and later honorably discharged. Upon his return to the United States he became involved with the Bronx County Vietnam Committee, where he began and has kept up a vigilant call for the return of all prisoners of war and missing in action.

Time and changing political climates have never slowed down Ronald's efforts. It took until 1989, when Ronald and his fellow veterans were instrumental in bringing the Moving Wall to the Bronx, for our local Vietnam Veterans to receive the homecoming that they so richly deserved. For many of the families and friends of POW/MIAs, their daily struggle continues—and dedicated veterans such as Ronald help in many programs to support them.

The issue of Agent Orange and its effect on the children of Vietnam veterans is also close to Ronald's heart. As the parent of four learning disabled children, he has been involved in class action suits and supported family service centers for Agent Orange victims.

In all his posts, from co-chairman of the Department of New York JWV POW/MIA Committee to his tenure as commander of Pelham Parkway Post 769, Ronald has served with energy and dedication. He is a proud member of our community and, I believe, a person in whom our Nation can take great pride.

NEW JERSEY STATE POSTAL WORKERS UNION PRESENTS 1992 MAN OF THE YEAR AWARD TO STATE PRESIDENT JERRY MONZILLO

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 1992

Mr. PALLONE. Mr. Speaker, I take great pride in rising today to pay tribute to a New Jersey postal union official who has labored many years representing my State's members of the American Postal Workers Union, AFL–CIO.

Mr. Jerry Monzillo, who has been a local and State officer for 35 years, including the last 16 as State President, is being honored by the APWU as its 1992 Man of the Year. I know that Dolores, his wife of 36 years, his two children, Jerry Jr., and Maryann, and his two grandchildren, Kristen and Jerry Vincent, must be filled with pride on this very special day.

Jerry Monzillo started working in the postal system in 1957 after serving his country for 2 years with the U.S. Army in Germany between 1954 and 1956. He became active in the postal union immediately upon his return from the service. Since then, he has held office as a shop steward, Glen Ridge vice president and president, and in 1965 he became a State officer, a tenure which continues today.

Jerry Monzillo was a leader in New Jersey by 1970, when postal workers throughout the country went out on strike, and he put his career on the line to stand up for the dignity of postal workers. Thanks to the efforts of leaders like Jerry, the 1970 strike ended with President Richard Nixon's signature on legislation creating the U.S. Postal Service and providing a framework for collective bargaining for the first time.

Jerry continued his service on ballot and merger committees which combined the two postal workers unions at the time into the American Postal Workers Union. By 1976, the delegates to the APWU National Convention recognized his talents and elected him as a rank and file delegate to the AFL–CIO National Convention where he has also distinguished himself.

Jerry has also served on the APWU National Constitution Committee, the rank and file bargaining committee and as chairperson of the APWU president's conference composed of State and local presidents nationwide.

Currently, Jerry is the senior APWU president in the Nation with 16 years of service. It gives me great pleasure to join in honoring Jerry Monzillo as the New Jersey Postal Workers Union 1992 Man of the Year.

ASIAN COLLEGE ADMISSIONS DISCRIMINATION

HON. C. CHRISTOPHER COX

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 1992

Mr. COX of California. Mr. Speaker, on Tuesday, May 12, 1992, the Orange County Register, the largest circulation newspaper in Orange County, CA published an excellent editorial setting forth the recent history of efforts of the Federal Government to investigate possible violations of title VI of the Civil Rights Act of 1964, in the area of college admissions discrimination.

The editorial discusses the efforts of our colleague DANA ROHRABACHER to get a complete and swift investigation of these allegations of civil rights violations.

I urge all Members to read this instructive editorial.

[From the Orange County Register, May 12, 1992]

ASIAN DISCRIMINATION

For all the talk about racial discrimination in the wake of the Los Angeles turmoil, we've yet to hear anyone state this politically incorrect fact: If you're looking for victims of legally sanctioned racism in California, look to the Asian community (members of whom, of course, were among the hardest hit victims of the so-called riots against racism).

One area in which discriminatory restrictions seem to have been imposed on Asians most clearly is California's university system. It has been several years now since the feds first launched a probe into UCLA's admissions policies, for instance—specifically, into charges that arbitrary caps were being placed on the numbers of Asians admitted. When the probe began, the school's chancellor seemed to protest a little too aggressively for somebody confident of innocence. Indeed, last year the US Department of Education announced that UCLA had given illegal preference to whites over Asians in admissions to its mathematics grad programs.

A lot of huffing and puffing was emitted from the chancellor's office in reaction; still, the feds were on to something. For one thing, there was an internal memo turned up by Orange County Rep. Dana Rohrabacher. The document, from UCLA's admissions director, said the campus "will endeavor to curb the decline of Caucasian students" and implied the effort would result in fewer Asians on campus.

When the chancellor blasted the whole inquiry as an effort to undermine affirmative action, he certainly didn't quell suspicions that his school was operating a spoils system meting out class places on the basis, not of merit, but of skin color or ethnicity.

At Berkeley, the response to the US Department of Education probe was more forthcoming, and contrite. The chancellor there actually issued an apology of sorts: "It is clear that decisions made in the admissions process indisputably had a disproportionate impact on Asians," Said Representative Rohrabacher: "That's academic gobbledygook for: 'We discriminated'."

Now, while the Education Department showed vigilance in mounting its inquiry, the political heat has been such that follow-through, with final reports and decrees, has been snail-paced. So it's still unclear to what extent discrimination is being practiced on UC campuses; average citizens—even concerned congressmen such as Dana Rohrabacher—don't have ready access to all the information.

If any other minority were the victims, you can bet the government would have issued letters of findings and begun sanctions against any violations long ago.

Is racism OK when the targets are Asian-Americans? The feds must answer clearly, No. But as long as they drag their feet on the UC investigations, they're saying, Yes.

PUBLICLY TRADED PARTNERSHIPS

HON. MICHAEL A. ANDREWS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 1992

Mr. ANDREWS of Texas. Mr. Speaker, I have had an interest in partnership issues since I first joined the Committee on Ways and Means. I believe that publicly traded partnerships have proven to be solid capital formation vehicles for careful investors. By providing an opportunity for greater individual participation in partnership ventures, I believe that publicly traded partnerships have increased economic growth for both investors and society as a whole.

H.R. 4210, the Tax Fairness and Economic Growth Act of 1992, that previously passed the Congress but was vetoed by President Bush, modifies the tax treatment of large partnerships—generally, a partnership with at least 250 partners, or an electing partnership with at least 100 partners—and its partners. The bill provides that each partner takes into account separately the partner's distributive share of the following items, which are determined at the partnership level: (1) Taxable income or loss from passive limitation activities; (2) taxable income or loss from other activities—e.g., portfolio income or loss; (3) net capital gain or loss to the extent allocable to passive loss limitation activities and other activities; (4) tax-exempt interest; (5) net alternative minimum tax adjustment separately computed for passive loss limitation activities and other activities; (6) general credits; (7) low-income housing credit; (8) rehabilitation credit; (9) credit for producing fuel from a nonconventional source; and (10) creditable foreign taxes and foreign source items.

While allowing reporting at the partnership level for these 10 items would significantly simplify some aspects of partnership simplification, it does not go far enough. While seemingly small in comparison to the larger issues associated with fairness and economic growth, a favorable resolution of partnership simplification could facilitate capital formation in the real estate and natural resource industries as well as provide greater equity to small investors.

One issue is the treatment of publicly traded partnerships [PTP's] under the passive loss rules. Because the rules defining which PTP's would receive partnership tax treatment were enacted in 1987, PTP's which qualify as partnerships have been treated less favorably than other partnerships in two areas of the Internal Revenue Code. First, Code section 512(c)(2) requires that all PTP income allocated to a tax-exempt partner be subject to unrelated business income taxation [UBIT], without regard to relatedness to the partner's exempt purpose or to the various exceptions in section 512(b) that are available to other partnerships. Second, section 469(k) requires that investors segregate passive income and loss from a PTP from all other passive items, and treat net PTP income as portfolio rather than passive.

These provisions impede the ability of PTP's to raise capital in the marketplace and hurt the small investors who invest in PTP's either directly or through IRA's. Small investors who cannot afford the financial requirements and the illiquidity of nontraded partnerships are the principal purchasers of PTP units. Without these constraints, PTP's could be a valuable source of equity capital for the purchase of real estate, including assets held by the Resolution Trust Corporation [RTC].

H.R. 4210 as passed by the Congress takes the commendable step of repealing section 512(c)(2) and treating PTP's like other large partnership under the UBIT rules. The bill does not address the passive loss issue, however; and it actually worsens the discrimination against PTP investors by providing a de minimis exemption from the passive loss rules for investors with $200 or less in passive losses but denying PTP investors—defined with reference to section 469(k)—the benefits of that exemption.

Section 469(k) was enacted under the assumption, which I feel was questionable, that the passive loss rules would be undermined if investors could use passive income from PTP's to offset tax shelter losses. Even if this assumption was true at the time, it is no longer valid. Now that the passive loss rules have ended the market for tax shelter partnerships, all partnerships and not just PTP's will be structured to generate income. The provision serves no purpose other than to unfairly penalize PTP's for doing what the passive loss rules were intended to encourage—producing taxable income rather than tax losses.

Moreover, even if one were to accept the rationale of section 469(k), it makes no sense in the context of the de minimis rule, which focuses on passive loss rather than passive income. The small investors who buy PTP units are the very taxpayers most likely to be able to benefit from a de minimis rule and to have trouble coping with the complexity of the passive loss rules.

As we move forward on tax legislation this year, I hope that we can accomplish some positive progress on partnership simplification.

INTRODUCTION OF ERISA ENFORCEMENT LEGISLATION

HON. MARGE ROUKEMA

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 1992

Mrs. ROUKEMA. Mr. Speaker, today I am introducing upon request legislation to improve the enforcement of the Employee Retirement Income Security Act of 1974 [ERISA], by adding certain provisions with respect to the auditing of employee benefit plan.

The bill contains four provisions amending the ERISA pension and welfare benefit reform law. The first provision would repeal the limited scope exemption for certain plan audits in order to encourage employee benefit plans and financial institutions to utilize a single audit approach instead. By eliminating the statutory limitation, the provision would require inclusion of plan assets which are held by regulated financial institutions within the accountant's audit of the plan. However, the plan's accountant would not necessarily be required to duplicate the work of the independent accountant who audits the financial institutions books and records. Instead, under the single audit approach that would be encouraged, the plan's accountant could rely on the information contained in special reports prepared by the independent auditors of such financial institutions.

The second provision would require independent public accountants conducting required ERISA audits to obtain a peer review every 3 years to remain qualified to perform such audits. Under current law, a qualified public accountant, as defined by section 103(a)(3)(D), is determined solely on the basis of licensing or certification. No peer review requirements presently exist for independent qualified public accountants. This provision is intended to assure the quality of work performed by accountants who are qualified to conduct employee benefit plan audits.

The third provision would require plan auditors and administrators, who have reason to believe that violations of certain criminal laws may have occurred with respect to a plan, to report certain information as designated by the Secretary of Labor in regulations, subject to a civil penalty of up to $100,000 and to criminal penalties under section 501. Presently, there is no specific duty for an administrator of an employee benefit plan, or an accountant who conducts a plan audit, to report certain information, such as information indicating that a crime involving a plan may have occurred. This provision amends ERISA by adding a new section 111, which would require the administrator of an employee benefit plan to report to the Secretary of Labor whenever the administrator has reason to believe that a violation of certain criminal laws may have occurred with respect to the plan. The administrator would also be required to furnish a copy of such report to the accountant engaged to audit the plan's financial statements. Similarly, the accountant would be required to report to the Secretary and the plan administrator when, in connection with an auditing engagement, the accountant has reason to believe that a violation of certain criminal laws may have occurred with respect to the plan.

The last provision would require more timely notification to the Secretary of any termination of an accountant from an auditing engagement, subject to the civil and criminal penalties stated above. Administrators of employee benefit plans would need to notify the Secretary of any termination of an accountant from an auditing engagement within 7 days, stating the reason for such termination. The administrator would also be required to furnish the accountant with a copy of the report to the Secretary within 14 days. If the accountant does not receive a timely copy of the administrator's report to the Secretary, or if the accountant disagrees with the stated reason for the termination, the accountant would be required to file a report with the Secretary within 3 days.

I encourage my colleagues to closely study these recommendations, since they are intended to strengthen the laws which protect the plans on which our Nation's employees and their families rely for their retirement income security.

THE PUBLIC INFRASTRUCTURE DEVELOPMENT ACT

HON. C. THOMAS McMILLEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 1992

Mr. McMILLEN of Maryland. Mr. Speaker, I rise today to introduce the Invest in America Act. This bill will amend the Internal Revenue Code of 1986 to provide a tax incentive for pension funds to invest in tax-exempt municipal bonds issued for infrastructure projects. This is an effort whereby the Federal Government would support State and local investment in public infrastructure.

The actual incentive would be in the form of direct payments to pensions funds. The pay-

ment would compensate the funds for the difference in yield between tax-exempt bonds and taxable securities of comparable risk. This payment would equal 43 cents for each dollar earned by a qualified retirement plan in interest income.

By providing an incentive for pension funds to invest in local infrastructure projects, the amount of money available for such local projects will increase, and the cost of borrowing will go down. Such an incentive helps pension funds find stable investments, helps local development efforts raise desperately needed financing, and helps the Federal Government redevelop the Nation's infrastructure in a cost-effective manner.

It is estimated that such a change will decrease the yields on new debt issues by 10 percent. This means that an average county can increase its debt by 10 percent without changing its existing debt service payments. It also means that the cost of existing debt service could go down if that debt is rolled-over.

The basis for this legislation was a desire to find a suitable source of funding for infrastructure development without burdening the U.S. taxpayer with a multibillion dollar liability. Since State and local economic development agencies are the leaders in infrastructure development, and pension funds currently hold the greatest reserves of investment capital, it is only natural to seek a conduit to link the two.

Since pension funds are themselves tax-exempt, there has traditionally been no incentive for them to invest in tax-exempt bonds. The proposal, therefore, provides such an incentive by requiring the U.S. Treasury to issue cash payments to pension funds equal to a percentage of total qualified tax-exempt interest earned each year.

The payment would be equal to the implied value of the municipal bond tax-exemption for individuals in the average marginal income tax bracket for all municipal bond investors. The value of this payment is calculated to be 43 cents for every dollar of tax-exempt interest earned—assuming an average marginal tax rate for all municipal investors of 30 percent. Basically, the 43 cents equals the value of the tax-exemption of municipal bonds to a taxpayer in the average marginal income tax bracket.

In developing this proposal, there were several approaches considered, including: First, giving a subsidy payment to State and local governments to pass on to pension funds; second, splitting the interest subsidy between pension funds and issuers, or; third, giving the subsidy to the pension fund directly.

While there are merits to each approach, the last alternative appeared the most effective, since it requires a minimal amount of paperwork and would be very easy to implement. Passage of this legislation would be a cost-effective way of addressing an important need—rebuilding our aging infrastructure—while avoiding massive Federal outlays.

FORT ANN VOLUNTEER FIRE COMPANY CELEBRATES 50TH YEAR OF SERVICE

HON. GERALD B.H. SOLOMON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 1992

Mr. SOLOMON. Mr. Speaker, volunteer firemen are very special people, as far as I'm concerned.

It is not just because I have a collection of more than a hundred fire helmets in my Washington and district offices. And it is not just because I was a volunteer fireman myself in my hometown of Queensbury for over 25 years. It is because I know what a valuable service units like the Fort Ann Volunteer Fire Company perform for their communities.

On June 5 and 6 the Fort Ann Volunteer Fire Company will be celebrating its 50th year of providing that kind of service.

In rural areas like the 24th new district, volunteer fire companies often are the only available fire protection. And they do a fantastic job. They save countless lives and millions of dollars worth of property every year. The Fort Ann Volunteer Fire Company is no exception. Members are dedicated and reliable. They frequently attend training programs to update their skills and expertise. And they all make great sacrifices of time to benefit their neighbors.

Those neighbors have good reason to be grateful, and I have good reason to be proud. During their anniversary celebration I will participate in the dedication of a new flagpole, and the first flag on it will be one that flew over this very Capitol Building.

But first, Mr. Speaker, I would ask you and other Members to join me in paying tribute to all personnel, past and present, of the Fort Ann Volunteer Fire Company and in wishing them another half century of success.

TRIBUTE TO ISABEL PETERS McMAHEL

HON. ED PASTOR

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 1992

Mr. PASTOR. Mr. Speaker, today it is with great pleasure that I rise to pay tribute to one of Phoenix's finest citizens. I join with President Bush in recognizing and commending Isabel Peters McMahel for her tireless efforts on behalf of the homeless.

Mrs. McMahel's efforts to ensure that homeless individuals and families have a decent, drug-free and safe place to live while seeking employment have brought her recognition from the White House as a "Point of Light." And she has indeed brought light into the lives of those in our community.

In 1984, Mr. McMahel and her husband recognized the need for transitional housing and services for the homeless and disabled. They turned their concern into action and founded the Whole Life Foundation which provides housing for 108 homeless persons and housing for 12 mentally and physically disabled residents. At the Whole Life Foundation, residents cook meals, wash dishes, make repairs, maintain the grounds, tutor the children and provide child care for parents who go to job interviews and other appointments. Mrs. McMahel personally helps residents with résumés, drives them to job interviews, and offers advice and general support.

Through the years, her efforts have proved beneficial to scores of Phoenix residents who might otherwise have found themselves living on the streets permanently. Mrs. McMahel offers up a fine example of how a few simple actions can have a powerful impact and effect positive change. I salute her community spirit and involvement, and urge my colleagues to do the same.

FARM SAFETY AND HEALTH

HON. RICHARD J. DURBIN

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 1992

Mr. DURBIN. Mr. Speaker, despite recent decreases in overall work-related accidents, agriculture still proves to be the most hazardous U.S. industry. Farming has surpassed mining and construction as the Nation's deadliest occupation. In 1989, for example, an estimated 1,300 lives were lost and 120,000 disabling injuries occurred on America's 2,087,759 farms and ranches. Victims of farm-related injuries in this country incur approximately $2.5 billion in hospital and rehabilitation costs each year. Farm-related accidents don't discriminate in terms of age. In 1987, 300 children under the age of 16 died and more than 23,000 were injured while using or playing near farm equipment.

On April 23 and 27, I held two farm safety and health field hearings in Mt. Vernon and Edwardsville, IL. It was my intention to open a constructive dialog on the issues of farm safety and health with representatives of farm groups, industry, educational institutions, medical facilities, and Government agencies. It is my sincere hope that our discussions on farm safety raised awareness about this vitally important issue and helped develop ways to coordinate efforts and work together. Fourteen panelists joined me during the 2 days of hearings and my Illinois colleague, Representative JERRY COSTELLO, participated in the Edwardsville hearing. Their testimony, along with input from the general public, helped me establish a plan to begin to address the very important issue of farm safety and rural health.

A farm-related accident leads to injury nearly 400 times a day, or 1 injury every 4 minutes in this country. The National Safety Council estimates that the cost of agriculture accidents exceeds $5 billion each year.

Mr. Speaker, in my home State of Illinois, there are 88,786 farms and 375,000 people engaged in farming activities. Illinois is consistently ranked as one of the three States in corn, soybean, and pork production. Each year over 20 million acres of soybeans and corn are planted and harvested utilizing nearly 60 million pounds of pesticides, and thousands of tons of fertilizers. All this leads to one major hazard—exposure to machinery

and chemicals. The more exposure, the more likely it is that a farm-related accident will occur.

The University of Illinois Cooperative Extension Service recently conducted a farm accident study in the State. The findings were alarming. It was found that those who worked on 778 randomly selected farms experienced 35.3 injuries per million hours of exposure. This rate is over 4 times the national rate of 7.9 for all workers, a figure provided by the National Safety Council.

A question that occurred to me more than once during the farm safety and health field hearings was why? Why has agriculture lagged behind other industries in reducing work-related deaths and injuries? Unfortunately, there is no easy answer. Instead, there are several main reasons.

First, farms are geographically dispersed throughout a large portion of the country and involve only about 2 percent of the U.S. population. The dispersion of farms and people make contact for safety education and enforcement of any type of safety legislation extremely difficult.

Also, many farming tasks must be performed in a short manner of time in order to produce the most productive crops and herds. Pressure to work quickly can lead to carelessness and oversights which eventually lead to injuries. Couple the aforementioned pressures with the fact that the cost associated with farm safety and health practices are the responsibility of the farm operator and the economic influences of farm safety can be realized.

One must also take into account that the majority of individuals working on farms live there as well. Because the work site and the home site are one and the same, children involved in work and play experience significant accident problems. An advocacy group in Iowa, Farm Safety 4 "Just Kids" grimly observes that a week rarely passes without a child being killed in a farm accident.

Age provides yet another major reason why agriculture leads other industries in work-related accidents. Just as there are no age restrictions for young workers, there is no particular retirement age for farm workers. Currently, the average age of the U.S. farmer is 52 years old; 21 percent of farm operators are 65 or older. Injury statistics show that farm workers age 65 and over have between 2 and 3 times the rate of injury, per number of workers, when compared to other age groups.

Another reason is stress. Farming is considered one of the top 10 most stressful occupations. There are a number of reactions to stress, and all seem to lead to decreases in attention, reaction time, and accuracy and judgment in decision making, ultimately leading to accidents. Unfortunately, the direct relationship between life stress and accidents has received little research attention in the field of farm safety.

Finally, laws and regulations that are directed at occupational safety and health exposures on farms have never been extensive or comprehensive. Most farmers are interested in education rather than legislation, which has often proved ineffective and expensive.

After the two farm safety and health field hearings, I discovered a number of important facts.

First, 80 percent of all farmers tested had some type of hearing loss. This can be directly attributed to their work on the farm. Hearing loss and damage was found in family farm members from 15 to 70 years old.

Access to proper medical care is also another major concern. A member of my panel in Mt. Vernon, Larry Hills, was hospitalized for over 3 weeks after losing his arm to a combine. His brother had rushed him to a rural health care facility 12 miles from the accident site. He then had to be taken to a larger hospital, equipped to handle Larry's injuries, over 30 miles away and out-of-state. In downstate Illinois, only one hospital is equipped to handle major traumas like farm-related accidents. All other victims have to be flown to St. Louis, MO or Evansville, IN. In many communities, not only is access to properly equipped medical facilities limited, but finding a helicopter to fly victims to trauma centers provides major problems.

Implement manufacturers and dealers are working together in an effort to maximize farm safety education. However, because of duplication of programs or uncoordinated efforts, farmers may not be receiving the most efficient training. Farm safety education or outreach from implement manufacturers and dealers is only one step in assembling a total education package. Insurance companies, private industry, farm groups, and universities are involved in many different types of outreach. Grass roots support from farm groups and other organizations is vital to increasing awareness.

I think today represents another important step in increasing awareness about the devastating effect farm-related accidents can have on the agriculture sector of our country.

I am working with farm implement dealers and manufacturers in an effort to help coordinate their farm safety education and outreach. Most manufacturers now provide a farm safety booklet with their implements. Most dealers provide some type of training on how to safely operate the newly purchased equipment. Bringing the major dealers and manufacturers together and asking them, as an industry, to examine their practices, in order to establish the most comprehensive plan for education and outreach can only help matters. The industry may also want to seriously consider providing a farm safety kit with each implement sold, containing a safety booklet and protective ear wear.

I believe that communities also need to heed the call for farm safety and health. By establishing a plan to deal with farm-related accidents with nearby health care facilities and trauma centers, the time it takes to get an injured person to the hospital can be significantly reduced.

Building coalitions and establishing chapters of organizations to increase awareness about farm safety and health is vital to American agriculture. I think it is important to encourage groups like the Farm Bureau and the Farmers Union to champion the effort to educate the agriculture community on farm safety and rural health.

Mr. Speaker, farm safety and health is one of the quieter issues affecting the agriculture community today. However, it is a quiet killer. When we can expect 1,300 people to lose their lives this year and 120,000 to suffer disabling injuries, clearly we need to increase our efforts to promote awareness and safety on the farm.

THE CRISIS IN AMERICA'S CITIES

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 1992

Mr. HAMILTON. Mr. Speaker, I would like to insert my Washington Report for Wednesday, May 13, 1992, into the CONGRESSIONAL RECORD:

THE CRISIS IN AMERICA'S CITIES

The Rodney King verdict and the ensuing riots in Los Angeles have focussed national attention on the problems in our inner cities. Americans have been horrified by images from the last week of violence; the replay of the videotaped beating of Rodney King; the looting of businesses; the gun battles between police and rioters.

The events in Los Angeles have introduced a powerful new force that will reshape this unpredictable political year. They may serve to further polarize this country, or galvanize it into action. Hoosiers express to me the feeling that fundamental issues in American society are not being successfully addressed. The emphasis has to be on education, job training, and prowork welfare programs. Leaders must stress that racial hatred is repugnant and un-American. Politicians must refrain from stirring racial resentment and anger for political advantage.

URBAN PROBLEMS

Events like the Los Angeles riots cannot in my view be attributed to a single factor, but rather to a variety of factors such as poverty and unemployment, family breakdown, racial and economic division, the rise of violent crime, and the decay of social institutions in our cities. Blacks have experienced the worst of these problems. They are twice as likely as whites to be jobless. The median black family income is 56% of that of whites. Nearly one-third of all blacks (compared to 10% of whites) live below the official poverty line. A newborn black baby is twice as likely as a white one to die before its first birthday. Blacks are 12% of America's population, but nearly half its prison population. Homicide is the leading cause of death of young black men.

What is particularly discouraging is that these trends have been accelerating in recent year. There is a growing mismatch between the skills and education blacks and other poor minorities have been able to obtain and those they need to get ahead in our society. This trend has profound implications for the future of the urban poor and for this country. We are becoming a more ethnically and racially diverse population. Immigrants and minorities (many of whom live in our cities) will play a critical role in meeting future labor needs, but, in an economy that places a premium on skills and education, these Americans may be at a disadvantage in seeking higher-paying jobs.

THE ROLE OF GOVERNMENT

I do not accept the President's view that the programs of the Great Society in the 1960s are to blame. Many Great Society programs and laws, including Head Start, Medicare, Medicaid, and civil rights and voting rights laws, enjoy widespread public support

and the President supports them. The federal welfare program, which has borne the brunt of the President's criticisms, is not a Great Society program; it was established in 1935.

Many of these programs have been successful. Head Start, the federal program for poor pre-schoolers, is highly regarded by both liberals and conservatives. Increases in Social Security over the last thirty years helped cut the official poverty rate among older Americans by 60%, and Medicare meets many of their health care needs. Civil rights laws have helped create a growing black middle class.

I am also impressed that the federal government is not equipped financially to deal with urban problems on a grand scale. Huge amounts of federal funds have been withdrawn from the cities in recent years. Government can play a role, but we must also look to other ways to effect change. The private sector has to be more involved. There is also no substitute for people taking responsibility for their own lives. Finally, broader growth in the economy would help alleviate the problems of the urban poor.

WHAT TO DO

The answer is not for government to hand out big checks, but rather to seek ways of getting investment in the cities and vitality in their economies. The effort cannot be directed from Washington. It must be community-based.

The top item on the urban agenda is job creation. President Bush has proposed a package of tax incentives to promote investment and private entrepreneurship in inner city areas, or "enterprise zones." Other proposals include expanding refundable tax credits to low-wage workers with children to help supplement their income; investing more heavily in public works projects in cities to create jobs; and establishing more transportation links between inner cities (where unemployed workers exist) and suburbs (where workers are needed). Education and job training must also be improved in urban areas.

Cities need more resources and manpower for fighting crime. Law enforcement officers must be tough on drug dealers and other criminals, but police brutality cannot be tolerated. Many cities are experimenting with community policing in which officers work with community residents and leaders in observing patterns of crime and using innovative and imaginative ways to fight it. Expanding the diversity of police forces can also make a difference.

There is an emerging consensus that able-bodied welfare recipients should work or train for a job; that job training and child care should be made available to them; that parents should help support their children; and that welfare spending should strengthen the family. Other proposals would expand efforts to assist families, such as Head Start, child care, drug rehabilitation, decent and affordable housing, and quality health care.

CONCLUSION

The real problems of race, economic inequality and poverty are not being addressed. The country has an intolerable racial divide and it excludes too many Americans from the full benefits of our society. The institutions that guide many of us, like family and church and school, are overwhelmed by inner city problems. We can make the events in Los Angeles an opportunity for a real debate on the underlying issues and to meet the challenges they present with effective action.

The fundamental task is to try to restore a sense of community in this country. We have to understand that we are all in this society together, white and black, rich and poor. One cannot move through the cities of America without the strong feeling that the future of those cities is closely bound to the issues of race and ethnicity and that the economic future of all of us will depend very much on whether we can bridge the divide and use the talents of all Americans.

CANCELLATION AND BUYBACK OF OCS LEASES IN FLORIDA IS THE ONLY ANSWER

HON. DANTE B. FASCELL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 1992

Mr. FASCELL. Mr. Speaker, for almost 10 years, the residents of the State of Florida and their elected representatives have been fighting against offshore oil and gas drilling in the waters adjacent the Florida Keys and Everglades National Park. As the House of Representatives prepares to consider an energy bill, cancellation and buyback of the 73 leases south of 26 degrees north latitude in the eastern Gulf of Mexico must be part of the package.

The merits of Florida's argument have persuaded the Congress to pass, at times over the objections of the President, a series of moratoria to prevent such activity from taking place. In 1989, I praised President Bush's decision to remove this area from any further consideration until the year 2000 and to begin studying options to cancel and buy back the 73 leases which were previously sold. It is time for the Congress to take the next logical step in the process by authorizing and directing the buyback of the leases.

I know that some are nervous about the cost of such an act but, as far as I know, there are only two things that can happen to the leases: to cancel and buy back the leases or to allow drilling on the leases. Every day the leases exist, interest compounds and the cost grows, so, if it is an obstacle today, what will it be tomorrow?

To those who feel that the cost of the buyback is too big, I urge them to consider the potential cost to environmental resources which the Federal Government has an extensive interest in protecting. The commitment to the protection and preservation of south Florida's ecosystem includes Everglades National Park, Biscayne National Park, Fort Jefferson National Monument, the Florida Keys National Marine Sanctuary, and four national wildlife refuges in the Florida Keys. Allowing drilling makes very little sense since, from a resource management standpoint, we are only beginning to fully understand the complexity and interdependency of south Florida's ecosystem.

Proponents of offshore drilling argue that we have it all wrong because the threat of a catastrophe is not from drilling, but from transportation. Of course, they make very little mention of how the oil would be transported from the lease sites adjacent the Everglades and Florida Keys. They also fail to recognize, for whatever reason, that these resources are already greatly threatened by any transportation related oilspill.

As our friends from other Gulf States know, the Straits of Florida are one of the most heavily navigated maritime routes in the world. The danger is magnified by vessels bound for gulf ports when they chart a course between the Gulf Stream current and the coral reef tract off the coast of the Florida Keys. The fact that we have not had a major oilspill in south Florida from this practice is a miracle in itself, but we have had many close calls, including three vessel groundings within 18 days late in 1989. There have been several more since then. If we push these vessels further offshore, we are inviting the possibility of a collision with Atlantic-bound vessels using the Gulf Stream to save fuel and money. So, the argument that transportation is the real threat does not hold water in Florida because transportation is already a real threat.

To continue to allow these leases to exist sets us on a collision course which can, and should, easily be avoided. The Federal Government, through the enactment of appropriations moratoria, has made a statement that this activity is not in our national interest. With all that is at stake in terms of protecting one of the Nation's most diverse, as well as threatened ecosystems, it makes no sense to allow for the possibility for oil drilling to occur when the estimates of the recoverable resources amounts to a drop in the bucket.

Yet as we continue to debate this issue, the cost of the buyback grows and the patience of the oil industry wears thin. In fact, Connoco recently filed a taking lawsuit against the Government over the leases in the Florida Keys, Birstol Bay, and North Carolina. I do not fault Connoco, nor do I blame them because they purchased these leases in good faith. All that has changed is that the Federal Government has recognized that the policy under which the leases were offered for sale in these areas was wrong.

I know that many make a strong case that these leases were sold under a previous moratorium and, therefore, the oil companies which purchased the leases are not entitled to any compensation. While there is logic in this argument, I do not believe it would be upheld in the courts. Since drilling is out of the question, the proper way to resolve this situation is to compensate the lease holders.

The Department of the Interior, while studying the cancellation and buyback process, has sent many signals that it not only does not know what to do, but that it also has no interest in following through on the President's announcement. As in the past, it is up to Congress to do what is right and what is necessary—provide a clear directive to the administration to cancel and buy back the 73 existing leases south of 26 degrees north latitude. However, with no disrespect intended to those who have worked very hard on this energy legislation, I believe that what we are on the verge of considering is simply inadequate for Florida.

TRIBUTE TO FATHER ROBERT J. KASH

HON. WILLIAM O. LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 1992

Mr. LIPINSKI. Mr. Speaker, I rise today to recognize Father Robert J. Kash of Bridgeview, IL. On Saturday, May 30, Reverend Kash will celebrate his 40th anniversary of ordination to the priesthood.

Father Kash prepared for the priesthood at Saint Mary of the Lake Seminary in Mundelein, IL, and was ordained on May 1, 1952. In his 40 years as a priest, Father Kash served thousands of people in parishes throughout Chicagoland. He was the pastor at Saints Peter and Paul Parish in South Chicago and now serves as the pastor of Saint Fabian Parish in Bridgeview, IL.

According to his parishioners, Father Kash has carried out each of his assignments in a dedicated, caring, professional and loving manner. The planning, financing, and construction of the new Saint Fabian Church in Bridgeview came as a result of Father Kash's leadership. I have a great deal of respect for Father Kash and hope his parishioners realize how lucky they are to have him.

Throughout his career, Father Kash has demonstrated true commitment to God and the community. I ask my colleagues to join me in congratulating Father Kash on this milestone event. His dedication and service should serve as a model to all Americans.

BETTY BARTHOLOMEW: ALHAMBRA SCHOOL DISTRICT EMPLOYEE OF THE MONTH

HON. BOB STUMP

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 1992

Mr. STUMP. Mr. Speaker, it is my honor to recognize Betty Bartholomew, a teacher in the Alhambra School District, in Phoenix, AZ. Mrs. Bartholomew was recently selected as the Alhambra School District Employee of the month.

For the past 26 years, parents in the Alhambra School District have been fortunate to have Mrs. Bartholomew educating their children. Though we often underestimate, and generally underappreciate, the contribution educators such as Mrs. Bartholomew make to our children and our community, I am not surprised that the Alhambra Governing Board has chosen Betty for this high honor.

Mr. Speaker, I speak from personal knowledge. Betty was the first intern I hired during my first year in Congress. Having worked with Betty, and seeing first-hand her commitment to the education of our children, I can say without reservation that the Alhambra Governing Board could not have made a better choice.

THE 35TH ANNIVERSARY OF ARCHBISHOP MOLLOY HIGH SCHOOL

HON. THOMAS J. MANTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 1992

Mr. MANTON. Mr. Speaker, I rise today to recognize the 35th anniversary of Archbishop Molloy High School and the 100th anniversary of its sister school, St. Ann's Academy in New York. In 1957 the Archbishop High School opened its present location in Queens. In 1882 St. Ann's Academy was founded in mid-Manhattan. These two instructional institutions have made a great contribution and commitment to the educational system in New York.

The Archbishop Molloy High School's commitment is reflected in the experience and stability of its professional staff. The teachers of Molloy have an average of 18 years of teaching experience. Among the laymen with teaching experience are hall of fame coach Jack Curran, with 34 years experience, and Mr. Ray Egan of Valley Stream with 32 years experience.

Molloy's outstanding reputation for athletics is well-known in track and field, baseball, basketball, soccer, swimming, handball, tennis, and golf. The track team has won the indoor championship 23 times in the last 29 years. The varsity soccer team has won 6 of the last 9 championships. The varsity basketball team has been nationally ranked 3 of the past 5 years. In baseball the team has reached the finals in 18 of the past 24 seasons, winning the title 11 times.

Mr. Speaker, 98 percent of the graduates of Molloy High School attend 4-year colleges. The mean SAT scores for their recent graduating classes have been as much as 153 points above the national mean scores. In addition, 48 percent of the class of 1991 are presently attending college on one or more academic scholarships.

Mr. Speaker, as we mark the 35th anniversary of the Archbishop Molloy High School, I want to commend the staff at Archbishop Molloy High School for their dedication and invaluable service to the educational system of our Nation. We need more institutions such as Molloy High School to provide our children with the opportunity to learn and express themselves.

EARTH SUMMIT LEADERSHIP OF 1992

HON. WAYNE OWENS

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 1992

Mr. OWENS of Utah. Mr. Speaker, today my colleague from New York, Mr. BEN GILMAN, and I are introducing the Earth summit leadership of 1992, a blueprint to alleviate poverty and curb environmental degradation on a global scale.

As the United States and all nations prepare for the upcoming U.N. Conference on the Environment and Development, it is vital that the Congress take a close look at U.S. programs to foster a better environment.

The Earth Summit Leadership Act of 1992. This measure is designed to coincide with UNCED and to help implement the development agenda of this critical conference.

Some in this country are asking, legitimately, "What's in it for the America taxpayer?" The answer is in our air, in our water, and in our hearts.

The fact is that the United States has a vital national security interest in clean air, unpolluted water, and sufficient natural resources to sustain life and enjoy the natural beauty of the world. At the same time, the American people are a generous people. We are about the 1 billion people living in poverty, sickness, and despair.

According to the Arms Control and Foreign Policy Caucus, economic stagnation in the developing world cost the United States over $350 billion in export earnings and 1.5 million jobs in the 1980's. Helping these countries develop in a sustainable fashion is a low-cost investment for America.

Last Sunday's New York Times reported that "U.S. exports to poor counties are rapidly rising," noting that the United States "remains the leading producer of goods used to build nations." In fact, third world countries have turned into important customers of American products. While the economic downturn has slowed U.S. exports to wealthy countries, purchases of U.S. goods rose by 15 percent last year.

Helping the poorest of the poor around the world is good for our collective national conscience and it helps American exports. As lesser developed countries develop, opportunities for American businesses grow and markets for "Made in the U.S.A." products are created.

The Earth Summit Leadership Act does not increase the foreign aid budget. In fact, by using only a portion of the reduction in security assistance mandated by the bill, the ESLA actually cuts overall foreign aid and helps to reshape our foreign assistance goals.

Mr. Speaker, I know that this bill will generate controversy and disagreement, and that is exactly my goal—to spur discussion and debate about the future of planet Earth and America's role in making the world a better place to live in. I also understand that there will be institutional opposition from some quarters. Hopefully, we will be able to generate a consensus about the scope and nature of future U.S. foreign aid and I look forward to working with all interested parties to forge a new path.

I want to thank several organizations for helping to craft this important legislation: Appropriate Technology International, Bread for the World, Business Partnership for Peace, Environment and Energy Study Institute, National Audubon Society, National Resource Defense Council, Oxfam America, and Trees for Life. And I want to especially note the help and enthusiasm of Alex Counts from RESULTS and Sean Mayer from Business Partnership for Peace, and the encouragement of Scott Leckman, a friend and constituent from Salt Lake City.

We have gone from the cold war to the global warming war. Two different challenges, but both requiring attention, effort, cooperation and resources. Continued ignorance, inaction,

division and indifference will spell disaster, for in today's world, the air, water and ozone layer know no borders, races or wealth.

I urge my colleagues to think about the future, and to consider America's role and responsibility. If you want to change and protect our future, please join in cosponsoring the Earth Summit Leadership Act of 1992.

TRIBUTE TO RON T. COOPER

HON. JOHN S. TANNER

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 1992

Mr. TANNER. Mr. Speaker, this week, Ron T. Cooper, the president of Southern Machinery Repair, Inc., was recognized by the U.S. Small Business Administration as Tennessee's "1992 Small Businessman of the Year."

In business for a decade, Cooper's firm repairs and rebuilds machinery, provides parts fabrication, and offers welding and brazing services. Ron and his brother joined with their father to make the business a thriving success.

Ron Cooper has taken a machine shop business started in 1982, with the wisdom of his father, Jim Cooper, and his brother, Don, and kept it one step ahead of the competition. In 1990, Ron became the sole owner.

Mr. Speaker, what Ron has done is a prime example of what can happen when we put our entrepreneurial spirit to work. The machinery business he and family started his played a significant role in the economy of Union City and Obion County for a decade.

Born in Greenfield, TN, in September 1950, Mr. Cooper attended Sexton High School in Lansing, MI. His family had traveled to Michigan to work in the construction industry. While there, his father went to work as a foreman in a machine shop.

It was there the seeds were sown for Ron, his father, and his brother to start a business of their own. Ron and his brother, Don, went to work at a machine shop in East Tennessee and soon decided to become their own boss.

Ten years later Ron owns the company outright and is responsible for the creation of 60 good-paying jobs in Obion County.

Mr. Cooper's small business is symbolic of the efforts of many small businessmen with a never-say-die attitude relative to doing better today than yesterday across the Eighth Congressional District and Tennessee.

IN RECOGNITION OF JESSE D. FERNANDEZ—NATIONAL ASSOCIATION OF LETTER CARRIERS REGIONAL HERO OF THE YEAR AWARD

HON. RICHARD H. LEHMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 1992

Mr. LEHMAN of California. Mr. Speaker, I would like to take this opportunity to recognize the heroic actions of Jesse Fernandez. Mr. Fernandez showed courage and composure under a most difficult situation. Mr. Fernandez, a city of Fresno letter carrier, and member of the National Association of Letter Carriers Branch 231, was taking over the delivery route of fellow letter carrier, Melody Scheidt when a violent domestic situation arose. A wounded man ran out of apartment building chased by a man wielding a knife. When the wounded man fell to the ground, his assailant ran back inside the apartment building. During this time, another man carrying a baseball bat ran toward the apartment, smashed the windows, and dropping the bat, ran away. The man with the knife picked up the bat, and still holding the knife, began to chase him. At this point, Mr. Fernandez stepped in and persuaded the man carrying the knife to stop, and the assailant dropped his weapons and ran. While Ms. Scheidt had gone to another apartment to phone for an ambulance, Mr. Fernandez began administering first aid to the stabbing victim. The victim was taken to a nearby hospital, and the police apprehended the suspect six blocks away.

What makes Mr. Fernandez a hero was his ability to remain calm in a difficult situation. He was able to prevent further violence, and he showed an incredible amount of courage by placing his own life in danger to save the life of another. It is this type of unselfish heroism that has earned Jesse Fernandez the respect of many of us. Mr. Fernandez is a worthy recipient of the "Association of Letter Carriers Western Region Hero of the Year Award."

ON THE OCCASION OF KLEIN BOTTLE YOUTH PROGRAMS 20TH ANNIVERSARY OF PROVIDING SERVICES TO YOUTH AND FAMILIES OF SANTA BARBARA (CA) COUNTY

HON. ROBERT J. LAGOMARSINO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 1992

Mr. LAGOMARSINO. Mr. Speaker, I rise today to pay tribute to Klein Bottle Youth Programs, which has been providing services to the youth and families of Santa Barbara County, CA. for 20 years.

These services have focused on helping young people in high risk situations, including drug abuse, alcohol abuse, teenage pregnancy, teenage parenting, suicide prevention, single parent families, school drop-outs, runaway and homeless youth, and youth in family crisis.

Klein Bottle has provided shelter for runaway and homeless youth for Santa Barbara County, and was involved in the Federal Runaway & Homeless Youth Act projects. They have also been affiliated with the Big Brothers and Big Sisters of America for the past 5 years.

In addition, Klein Bottle has been selected by the community as the lead agency in Santa Barbara County to administer the Teenage Parenting Program, designed to provide case management to both pregnant and parenting teens. In order to provide further services to young people, Klein Bottle has developed partnerships with local school districts to offer drop-out counseling and drug prevention services on school campuses.

Recently, Klein Bottle has taken the lead in national demonstration project to reduce drug and alcohol problems in the northern part of Santa Barbara County. In the past, Klein Bottle was rated No. 1 in the Nation for a national demonstration project to serve juvenile offenders in collaboration with local law enforcement officials.

As the Representative for Santa Barbara County in the U.S. House of Representatives, it is my privilege to join with the citizens of our community in congratulating and commending Klein Bottle Youth Programs, for 20 years of high quality services in meeting the needs of local youth and families.

INTRODUCTION OF A PRIVATE BILL FOR THE RELIEF OF CRAIG AND NITA SORENSEN

HON. WAYNE OWENS

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 1992

Mr. OWENS of Utah. Mr. Speaker, several years ago, areas of the drought-afflicted West were ravaged by fire. The worst of these fires, as we all know, was in and around Yellowstone National Park. The land and the wildlife suffered temporarily, and have since rebounded remarkably, but some of the human suffering is ongoing. A great deal of property was damaged in the fires, including property destroyed by intentional backfires set by the Forest Service in order to control the wildfires. For the individuals who lost property in this way, Congress devised a remedy and enacted Public Law 101–302 in 1989. Unfortunately, for a few people, the remedy has not worked as planned.

Craig and Nita Sorensen, of Salt Lake City, constituents of mine, suffered $158,000 in property damage as a result of intentional backfires set to control the Clover-Mist wildfire. They made their application for compensation in a timely fashion only to find—2 years later, when they filed an amended application—that the Forest Service had not acted on their claim for damages because there was no record of their claim being received. By this time, all applicable deadlines had passed—the last one by only 2 weeks. Attempts to negotiate this impasse with the Forest Service have so far been fruitless.

I understand how easy it is for a large bureaucracy to lose the occasional document—whether it is the Postal Service or the Forest Service—but the burden for this carelessness has very unfairly fallen on the Sorensens in this case. As their Congressman, convinced as I am by both the evidence and the personal integrity of the Sorensens that they made their application for compensation well before any statutory deadlines, I have a responsibility to make the Federal bureaucracy work for them in the way that Congress intended by passing Public Law 101–302 after the Yellowstone fires.

The Sorensens owned the property, the Sorensens' property suffered significant damage, and the Sorensens made their application

for compensation early and waited for the system to work. It failed them—they didn't fail it. In this time of growing dissatisfaction with government, we need to demonstrate that citizens count for something when weighed against the bureaucracy. We designed a system of relief in Congress, and the Sorensens clearly merit relief. This private bill will simply allow the Sorensens 6 months to reapply for compensation for their lost property and ensure that they are treated fairly.

THE 25TH ANNIVERSARY OF OUR LORD'S LUTHERAN CHURCH

HON. JERRY F. COSTELLO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 1992

Mr. COSTELLO. Mr. Speaker, I rise today to commemorate the 25th anniversary of Our Lord's Lutheran Church in Collinsville, IL, a city in my congressional district. The church was established on May 20, 1967 by a small group of Christians dedicated to the service of God and the community.

After 25 years, the church has over 300 members from over 15 townships in Illinois. Many are residents of Collinsville, Edwardsville, and Troy, IL. This flourishing congregation aspires to spread the Lord's message of love and salvation.

Because citizens all across our Nation praise God and recognize the significance of religion, I believe it is fitting to recognize the contributions one local church has made to their community and to God.

TRIBUTE TO MR. PAUL MICKELSON

HON. LES ASPIN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 1992

Mr. ASPIN. Mr. Speaker, today I rise to pay tribute to a dedicated firefighter and public servant, Mr. Paul Mickelson, who will be retiring from the Beloit, WI, Fire Department on May 21, 1992, to serve in the Peace Corps in Africa.

Since joining the Beloit Fire Department on August 15, 1966, Paul has risen through the ranks. He served as a firefighter, emergency medical technician, motor pump operator, and acting lieutenant. Seven years ago he was made a lieutenant, and he has provided outstanding leadership for the fire department ever since.

Paul has been a fine example to all the new firefighters who have come in contact with him over the years. When faced with life-threatening situations, he's provided leadership and had a calming influence on everyone around him. For many young firefighters, he's been a mentor providing innumerable hours of advice. Year after year he has pulled together many of these firefighters to volunteer their services in the community.

Paul has provided 26 years of distinguished service to the Beloit community in his official capacity, and he also has proven to be a devoted public servant when off duty. He works with the homeless, and he comes to the assistance of anyone in need. One significant incident took place in the theater at Beloit College when Paul came to the rescue of a woman by performing CPR on her. He saved her life.

Now that he is retiring from the fire department, Paul will be dedicating his life to public service in a different manner. Next month, he will be traveling to Cameroon in Africa to work as an industrial arts teacher in the Peace Corps.

I know that Paul will serve the people of Cameroon every bit as well as he's served the people of Beloit. We send him to Africa with our very best wishes.

PAYROLL TAX RELIEF FOR SMALL BUSINESS

HON. ANDY IRELAND

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 1992

Mr. IRELAND. Mr. Speaker, yesterday President George Bush announced a proposal to alter our payroll tax deposit system for our Nation's businesses. In particular, the proposal would require most small businesses to deposit payroll taxes only once a month. This is a change which is long overdue and one that I have been proposing for more than a decade.

This payroll tax deposit change will save our Nation's employers several billion dollars a year. For small businesses in particular, a great deal of paperwork will disappear, not to mention a great percentage of the incomprehensible penalties an employer must pay for not making a deposit on schedule. Many of our small businesses have been confronted by a system which would require deposits as often as twice a week. Under the rules as they presently exist, a great many employers, quite frankly, never even know when they are in timely compliance. For the most part small businesses simply pay heavy penalties rather than trying to continuously file protests with the Internal Revenue Service. Although this proposal does not seem to be getting a lot of media coverage, believe me Mr. Speaker when I tell you and the other Members of this House, that President Bush's proposal will be one of the most significant economic changes in our country's history.

As is often the case, unsung heroes have been working for years behind the scenes in both the public and private sectors to bring about major positive change. Two gentlemen immediately come to mind as we discuss the payroll tax deposit system. Mr. Benson Goldstein, manager of tax policy at the Chamber of Commerce of the United States, has been educating Members of Congress in recent years to the failings of the present system. He has continually pointed out the economic harm done to small entities by severe IRS penalties. His tireless efforts in the private sector have benefited millions of our Nation's entrepreneurs. In the public sector Mr. David Hirschberg, a statistician in the Office of Advocacy at the Small Business Administration, has done an enormous amount of credible work in this area. For years David has provided me with very sage advice on the economic injustice of the present system. Notable has been his particular concentration on the difficulty a small business owner has attempting to determine simple compliance with the present regulations. Both of these gentlemen are owed sincere thanks by our Nation's entrepreneurs. Their years of efforts have at long last contributed to a significant public policy change within the Federal Government's economic circles. This is very good news indeed during this Small Business Week.

COMMENDING DR. JAMES R. SUPAK FOR HIS CONTRIBUTION TO AGRICULTURE

HON. LARRY COMBEST

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 1992

Mr. COMBEST. Mr. Speaker, I would like to take this opportunity to commend Dr. James R. Supak, area agronomist at Texas A&M University Agricultural Research and Extension Center in Lubbock, TX, for his outstanding contribution to west Texas and High Plains agriculture. Although Dr. Supak will be sorely missed in west Texas, we are pleased that he will be just a phone call away in his statewide leadership position with the extension service in College Station, TX.

The cotton industry in Texas and the Nation has benefited from Dr. Supak's broad-based, practical educational programs since he began as cotton extension agronomist in 1975. One of his greatest assets is the ability to take research to cotton farmers and show them how to make it work for their operations—adding dollars to farmers' pocketbooks.

His early work reformed cotton variety demonstration programs by making results more meaningful to growers. Not content with his early achievements, Dr. Supak has coordinated research with Texas Tech University, the U.S. Department of Agriculture [USDA], Texas A&M University, and private industry on various outstanding research projects. Significantly, he has developed and taught computer models to county agents and producers which enable them to make more informed management decisions. Dr. Supak has been a cotton industry leader in the national educational effort to reduce stick and bark content in harvested cotton, resulting in a higher quality, more marketable crop.

Without a doubt, Dr. Supak has been an outstanding researcher whose work has benefited all segments of the cotton industry. His contribution to the scientific community is of unparalleled significance. Most importantly, however, his research has brought untold benefits to cotton farm families in west Texas. His presence will be sorely missed in west Texas, but we look forward to a continued close relationship in his new leadership position.

THE FIRST-TIME HOMEBUYER AFFORDABILITY ACT OF 1992

HON. BILL ORTON

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 1992

Mr. ORTON. Mr. Speaker, today I am introducing the First-time Homebuyer Affordability Act of 1992. The purpose of this bill is to increase homeownership opportunities for couples and individuals struggling to make downpayments on their first home.

As we strive to come out of a recession, it is disheartening to note that new home sales in March declined by 14.8 percent. As the front page story on the Wall Street Journal this Monday notes, home buyers are hesitant, concerned about jobs, and investment values. Of course, homeownership is more than just an economic stimulus. Recent developments in Los Angeles underscore the need for residents to be vested in their community. Homeownership provides such stability and community identification.

In this uncertain climate, the last thing we need is legal impediments to new home purchase. For this reason, I am introducing legislation which would allow Individual Retirement Account (IRA) funds to be used by an IRA holder or family member for a first-time home purchase.

Recently the House passed H.R. 4210, the Tax Fairness and Economic Growth Act. One of this bill's provisions was a waiver of the 10-percent penalty for premature withdrawal of IRA funds for a first-time home purchase. Although President Bush vetoed this bill, the IRA penalty waiver provision was also included in his and the Republican substitute tax bills. I supported this provision, as did many of my colleagues, as an effort to tap into the $500-billion IRA funds to promote homeownership.

However, I believe that there is a better way to access this money. The First-time Homebuyer Affordability Act of 1992 would accomplish the same goals as a penalty waiver, but with substantial tax savings to the user, and no long-term cost to the Treasury.

A little discussed disadvantage of the penalty waiver approach is that an individual would still be required to pay income taxes on the amount withdrawn. This could be up to 31 percent in Federal taxes, plus State taxes, on the amount withdrawn—a cost of $3,100 in Federal taxes alone on a $10,000 withdrawal. Under my bill, this disadvantage would be eliminated entirely, as funds for first-time home purchase would be used as an investment within the IRA account.

Specifically, the First-time Homebuyer Affordability Act of 1992 allows funds to be used within an IRA account to make a downpayment for a first-time home purchase; to assist a child or grandchild by making all or part of their down payment for a first-time home purchase; or to assist a child or grandchild by making a loan for their first time home purchase.

The mechanics of this approach are quite simple. The owner of an IRA account directs his or her custodian to use IRA funds for one of the housing options described above. When the house is sold, funds are restored to the account through repayment of the loan or the equity investment. These funds are then available for reinvestment, still tax-deferred, within the IRA account.

Under existing tax law, such transactions would not be allowed, as they fall into the classification of prohibited transactions. This results in a bizarre set of priorities. For example, we currently allow an individual to invest IRA funds in a mutual fund consisting of GNMA securities, which is simply a pool of mortgages of single family homes for thousands of other people. Remarkably, that same individual cannot invest in a mortgage in his or her child's home. This is unfair and ultimately antifamily.

Therefore, whenever we take up tax legislation again, I urge Congress to take a serious look at the approach embodied in the First-time Homebuyer Affordability Act—either in conjunction with or in place of the penalty waiver. A simple comparison between the two clearly shows that the advantages of this approach are numerous. The IRA account holder enjoys two short-term advantages—substantial tax savings and the availability of more funds for home investment. The IRA account holder also enjoys long-term savings, since interest and earnings continue to be tax-deferred during the period they are invested in the home and are tax-deferred in the period after the home investment ends.

Our national economy also benefits from this approach. Adequate national savings is critical as a source of capital for modernization so that American companies can compete internationally. IRA's provide an important source of such long-term capital. Homeownership investment within an IRA account prevents the leakage from the savings and retirement system that would occur under a penalty waiver and withdrawal. Furthermore, accessing a $500-billion pool of funds will stimulate the housing industry and the national economy. Finally, since there is no forgiveness of tax or premature withdrawal penalties, there is little or no long-term revenue loss to the Federal Government.

For these reasons, I urge consideration of this proposal and look forward to debate on its merits.

LAYTONSVILLE, MD CELEBRATES CENTENNIAL

HON. CONSTANCE A. MORELLA

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 1992

Mrs. MORELLA. Mr. Speaker, I would like to bring to the Congress' attention the 100th anniversary of the incorporation of the town of Laytonsville.

Incorporated in 1892, this northern Montgomery County community plans a return to that era with a historic homes tour and antiques fair. Residents will be dressed in period costumes, and homes on Laytonsville's main street will be decorated in the style of the late 19th century.

In fact, the Laytonsville area dates back to colonial days. All of the present town of Laytonsville is built on a tract of land known as the addition to Brooke Grove that was granted to James Brooke in 1762. It became home to a number of America's great colonial family names: Gaither, Brooke, Beall, Plummer, Dorsey, Claggett, Waters, and Riggs. Families like the Griffiths whose patriarch was a member of the Lower House of the Colonial Assembly, and the Riggs', whose patriarch founded the Sandy Spring and Riggs banks, were national leaders of commerce, industry, and banking. The Griffith's Sundown Farms, known for its prize Hereford cattle and Rolling Ridge Farm, with this unusual four-chimney architecture built about 1790, will be open for tours. The Layton House, Clover Hill, and Edgehill estates will also be available for viewing.

The Laytonsville area's fertile soil and beautiful scenery which first attracted these families so many years ago have been carefully preserved and maintained by its 270 resident. Mayor Charles White and his wife Barbara deserve much credit for their leading parts in those efforts.

In the words of local historian James C. Christopher, "Laytonsville is truly one of the cradles of American history." Its older inhabitants can point with pride to its contribution to the history of the country, State, and Nation. The more recent residents can rest assured that few localities in the entire country can give a greater background of the traditional "genteel" American way of life.

TRIBUTE TO CARL T. JOHNSON

HON. DAVE CAMP

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 1992

Mr. CAMP. Mr. Speaker, it is with great pleasure that I rise today to recognize Carl T. Johnson, a well-known conservationist and outstanding individual from Cadillac, MI. Carl has recently been honored by having the new Department of Natural Resources Hunting and Fishing Heritage Visitor Center in Cadillac bear his name.

As founder of the Michigan Conservation Foundation, Carl T. Johnson started his career in 1962. For nearly 20 years, Mr. Johnson was unselfishly dedicated to serving on Michigan's Natural Resources Commission. Because of his commitment to preserving our precious resources, the commission unanimously voted to honor Johnson by publicly recognizing his achievements.

During his time on the commission he was noted for his strong advocacy of scientific black bear management by the Department of Natural Resources. In addition, Johnson has been a lifelong supporter of wildlife habitat protection and other conservation and environmental programs throughout the State.

Mr. Speaker, Carl T. Johnson is truly a remarkable individual. I know that you will join me along with all the hunters and anglers in the State in commending and thanking Carl for his service to the preservation and protection of Michigan's unique resources for over the past 20 years. I know that those in the community will greatly benefit from his work and experience and the new facility.

PEOPLE WANT CHANGE

HON. JOHN J. RHODES III

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 1992

Mr. RHODES. Mr. Speaker, over the Easter break, I held a series of four public forums in the First Congressional District of Arizona on health care reform and H.R. 4280, the Health Care Choice and Access Improvement Act of 1992. I was struck with my constituents intense desire for health care reform. People want change. That became even more clear to me during these open forums.

I also heard clearly that most people will not accept either the status quo or reforms leading to a single-payor Federal Government-run system. Concern over the high cost of health care and loss of insurance coverage topped the list of grievances mentioned. My colleagues have heard these concerns recited to them from me and others on innumerable occasions, but I want you to hear my constituents concerns once more.

It is important that the Congress hear these concerns again for two reasons. The reform proposals contained in H.R. 4280—medical savings account, tax incentives for long-term care, tort reform, and small market insurance reform—met with great favor from my constituents. Over the past two Congresses, I have been working to develop meaningful, responsible, and effective incremental reforms for America's health care delivery system. H.R. 4280 contains the fruit of that labor. None of us can afford to ignore the demand for rational change from our constituents.

But just as important is that H.R. 4280 does not get ahead of what most of my constituents are asking for. Quite a few plans being discussed have assumed that because people are frustrated and dissatisfied, they must want to scrap the whole system and begin from scratch. Today I ask my colleagues to head the plea of my constituents for reform and to listen to the American public. I heard quite plainly that people in Arizona want change, but they do not want another Federal Government expensive, inflexible, bureaucratic behemoth shoved down their throats.

TRIBUTE TO MARLENE LYNCH FORD

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 1992

Mr. PALLONE. Mr. Speaker, on Friday, May 15, 1992, the Point Pleasant Democratic Club will be honoring Ms. Marlene Lynch Ford during an event at the Moose Lodge in Point Pleasant, NJ.

Mr. Speaker, few people that I know have contributed as much time, energy, and dedication to the betterment of the community than Marlene Lynch Ford. Ms. Ford has served two terms in the New Jersey State Assembly—1984–86 and 1990–92—and is perhaps best known as the author of the "Ford Act," the Property Tax Relief Act of 1985, the largest tax cut for homeowners and tenants ever in New Jersey's history. During the time she was in the assembly, she proved to be a most effective legislator, seeing many of her bills signed into law. She served on the Legislature's joint appropriations committee, chaired the assembly judiciary, law and public safety committee, and worked for the creation of a special investigative committee to study toxic waste dumping at military installations.

A native of Arizona, Ms. Ford grew up in Belmar, NJ, where she attended Rose High School. After graduating cum laude from Georgian Court College in Lakewood, NJ, she received her law degree from Seton Hall University and was admitted to the New Jersey Bar in 1979. At the time of her first election to the assembly in 1983, she was 29 years old, making her the youngest woman ever elected to the legislature. She currently practices law in Ocean County, NJ.

During my tenure in the New Jersey Legislature, I had the privilege of serving with Marlene Lynch Ford. I still work closely with her on a variety of issues, including the environment, the economic development of the Jersey Shore, and a number of other community concerns. Both as an elected official and a private citizen, Marlene Lynch Ford continually exemplifies all the best qualities of intelligent, caring, and responsive leadership.

COMMUNITY SERVICE PROGRAMS OF WEST ALABAMA RECEIVE FANNIE MAE AWARD OF EXCELLENCE

HON. CLAUDE HARRIS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 1992

Mr. HARRIS. Mr. Speaker, I would like to express my congratulations to the Community Service Programs of West Alabama [CSP] for receiving Fannie Mae's Award of Excellence for its work for low-income housing in Tuscaloosa, AL.

The Community Service Programs of West Alabama, Inc., along with support and assistance from city councilmen John England and Charles Steele, utilized $200,000 in funds from the city of Tuscaloosa to purchase the property. Two local banks, First Alabama Bank and the Bank of Tuscaloosa, invested $1.5 million to replace 60 dilapidated buildings in Belcher's Quarters with 38 low- to very-low-income family units in exchange for Federal low-income housing tax credits.

The U.S. Department of Housing and Urban Development deemed this project an excellent example of public and private enterprise coming together for affordable housing. It represents the good works that are accomplished when a community combines its resources to improve the living conditions for some of its less fortunate citizens.

The CSP has served the people of west Alabama for 25 years, and its commitment to service is to be commended. I would like to thank and congratulate all who were involved in making the Belcher's Quarters rehabilitation a success.

TRIBUTE TO MR. RALPH V. PUGLIESE

HON. CHARLES E. SCHUMER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 1992

Mr. SCHUMER. Mr. Speaker, it is with great pride that I draw your attention to Mr. Ralph V. Pugliese, who has recently been named the Citizen of the Year by the Kings County Medical Society of Brooklyn, NY.

This award, the highest the society can offer, honors the numerous contributions Mr. Pugliese has made to the Brooklyn community. The Marine Park Civic Association, Italian-American advisory groups, teachers' organizations and local development committees are but a few of the dozens of community efforts and organizations that have relied on Mr. Pugliese's leadership and commitment.

Through his generosity of time and energy, Mr. Pugliese truly embodies the qualities of good citizenship: his kindness and goodwill have touched the lives of so many people in Brooklyn.

Mr. Speaker, my colleagues, please join me in saluting Mr. Pugliese, thanking him for the years of service he has given Brooklyn and congratulating him on this well-deserved award.

CONGRATULATIONS TO THE PIONEER VALLEY BALLET COMPANY AND ITS 20TH ANNIVERSARY

HON. RICHARD E. NEAL

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 1992

Mr. NEAL of Massachusetts. Mr. Speaker, the Pioneer Valley Ballet Guild has been a symbol of artistic excellence in western Massachusetts for 20 years. Since the company's formation in 1972, they have dazzled audiences young and old with shows such as "Snow White," "Pas de Quarte," "Peter and the Wolf," and "The Nutcracker."

A key element of Pioneer Valley Ballet's tremendous success has been its on the road approach to dance. Pioneer Valley Ballet performs in school systems throughout western Massachusetts and is the only New England company to be an honorary member of Regional Dance America/Northeast.

The Pioneer Valley Dance Guild provides professional training and performance experience to talented young artists. Many of these same young artists have gone on to professional dance careers, including Jeremy Collins, Clair Chinoy, and Megan Bonneau. In addition, Pioneer Valley Dance has offered numerous classes and lectures on topics such as nutrition and dance injuries. It is this type of commitment to the community that garners them such strong support from local citizens and businesses.

Mr. Speaker, this spring Pioneer Valley Dance celebrates its 20th anniversary with a gala performance including "Coppelia," "Alice in Wonderland," and "Zampa." It is with great

admiration and respect that I congratulate artistic director Gail Collins and the entire Pioneer Valley Dance Guild for the wonderful entertainment they have provided for the community. May they continue to enliven performing arts everywhere for another 20 years with their inspirational motto: "Today's dream is tomorrow's art."

BERKS COUNTY ARMED FORCES DAY

HON. GUS YATRON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 1992

Mr. YATRON. Mr. Speaker, I rise today to pay tribute to the 44th Berks County Armed Forces Day. The citizens of Berks County will celebrate this day with a parade, which will be held in Reading, PA, on Saturday, May 16, 1992.

Berks County Armed Forces Day is an annual event held to honor our Nation's Armed Forces and veterans. There will be a parade through Reading, followed by an airplane flyover. The parade route will also be marked by flags flown in honor of the event by patriotic residents.

This year, the parade theme is "Patriots for Peace." This theme is particularly appropriate in light of the declining threat posed by the Soviet Union and the Eastern Bloc. We are indeed fortunate to have superior Armed Forces to protect our security and guarantee future peace and prosperity. By maintaining our commitment to the excellence of our military, we will ensure future peace.

The intent of the parade is to promote a sense of patriotism in Berks residents and to recognize the outstanding contributions of our Nation's Armed Forces, including the National Guard and Reserve units. As part of this, I would like to recognize the accomplishments of the Berks County natives who are serving or have served in our military, including those men and woman who served in Desert Storm. This parade provides Berks County citizens a chance to demonstrate their support for, and appreciation of, our Nation's service personnel.

I would like to express my personal appreciation to all of the people on the Berks County Armed Force Advisory Committee for planning this parade, and to all of the participants. As Americans, we are all able to share in the greatness of the United States thanks to the efforts of our veterans and Armed Forces. They have defended our freedom and democratic values for over 200 years. It is through the hard work of our Armed Forces that the United States has been able to become the greatest Nation on Earth.

I ask all of my colleagues in the House of Representatives to join me in paying tribute to our Armed Forces and the proud Americans in Berks County who are participating in this parade.

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, May 14, 1992, may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

MAY 15

10:15 a.m.

Governmental Affairs

To hold hearings to examine new science and new technologies regarding ozone depletion. SD-342

MAY 18

10:00 a.m.

Appropriations

Military Construction Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1993 for military construction programs, focusing on Air Force, NATO, and defense agencies. SD-192

Finance

Health for Families and the Uninsured Subcommittee

To hold hearings to examine the impact of high health care costs on America's economy. SD-215

MAY 19

9:00 a.m.

Appropriations

Defense Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1993 for the Department of Defense, focusing on medical programs. SD-192

9:30 a.m.

Energy and Natural Resources

To hold hearings on issues pertaining to the refining sector of the petroleum industry. SD-366

Governmental Affairs

To hold hearings on S. 1958, to authorize funds for functions and activities under the Federal Property and Administrative Services Act of 1949 and to revise laws relating to Federal procurement, and S. 2619, to revise the Federal Property and Administrative Services Act of 1949 to implement provisions governing the negotiation and award of contracts under the multiple award schedule program of the General Services Administration. SD-342

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

Judiciary

To hold oversight hearings in conjunction with the Senate Caucus on International Narcotics Control on the drug trafficking of heroin in China. SD-226

Labor and Human Resources

To hold hearings to examine the need for improved regulatory authorities for the Food and Drug Administration. SD-430

2:00 p.m.

Foreign Relations

To hold hearings on the nominations of James P. Covey, of the District of Columbia, to be Assistant Secretary of State for South Asian Affairs, Kenton Wesley Keith, of Missouri, to be Ambassador to the State of Qatar, and Teresita Currie Schaffer, of New York, to be Ambassador to the Democratic Socialist Republic of Sri Lanka, and to serve concurrently as Ambassador to the Republic of Maldives. SD-419

2:30 p.m.

Armed Services

To hold closed hearings on S. 2629, to authorize funds for fiscal year 1993 for military functions of the Department of Defense, and to prescribe military personnel levels for fiscal year 1993, focusing on the Department of Defense Special Access Programs and Procedures. S-407, Capitol

Small Business

To hold hearings to review a Price Waterhouse study on the Small Business Administration's 7(a) Guaranteed Business Loan Program. SR-428

MAY 20

9:00 a.m.

Governmental Affairs

To hold hearings to examine the integrity and effectiveness of the Offices of Inspector General. SD-342

9:30 a.m.

Rules and Administration

Business meeting, to consider pending calendar and administrative business. SR-301

Veterans' Affairs

To hold oversight hearings on the implementation of Court of Veterans Appeals decisions. SR-418

10:00 a.m.

Commerce, Science, and Transportation

Foreign Commerce and Tourism Subcommittee

To hold oversight hearings on the activities of U.S. and Foreign Commercial Service, Department of Commerce. SR-253

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

Armed Services

Strategic Forces and Nuclear Deterrence Subcommittee

To hold hearings on S. 2629, to authorize funds for fiscal year 1993 for military

functions of the Department of Defense, and to prescribe military personnel levels for fiscal year 1993, focusing on programs and architectures for ballistic missile defense.
SH-216

Foreign Relations
To hold hearings on the nominations of Marc Allen Baas, of Florida, to be Ambassador to Ethiopia, Hume Alexander Horan, of the District of Columbia, to be Ambassador to the Republic of Cote d' Ivoire, Lauralee M. Peters, of Virginia, to be Ambassador to the Republic of Sierra Leone, and Donald K. Petterson, of California, to be Ambassador to the Republic of the Sudan.
SD-419

2:30 p.m.
Energy and Natural Resources
To hold hearings on S. 2631, to promote energy production from used oil.
SD-366

MAY 21

9:00 a.m.
Appropriations
Defense Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1993 for the Department of Defense.
SD-192

9:30 a.m.
Agriculture, Nutrition, and Forestry
Conservation and Forestry Subcommittee
To hold oversight hearings on the Forest Service's proposed changes in the administrative appeals process.
SR-332

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

Armed Services
To hold hearings on S. 2629, to authorize appropriations for fiscal year 1993 for military functions of the Department of Defense, and to prescribe military personnel levels for fiscal year 1993, focusing on the use of advanced simulation technology.
SD-G50

Commerce, Science, and Transportation
To hold hearings on the nomination of Karl A. Erb, of Virginia, to be Associate Director of the Office of Science and Technology Policy.
SR-253

Energy and Natural Resources
To hold hearings on the Department of Energy's program for environmental restoration and waste management.
SD-366

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

Judiciary
Business meeting, to consider pending calendar business.
SD-226

2:00 p.m.
Energy and Natural Resources
Public Lands, National Parks and Forests Subcommittee
To hold hearings on S. 1893, to adjust the boundaries of the Targhee National Forest, to authorize a land exchange involving the Kaniksu National Forest, S. 2101, to designate the Lower Salmon River in Idaho as a component of the National Wild and Scenic Rivers System, S. 2572, to authorize an exchange of land in the States of Arkansas and Idaho, and H.R. 2141, to establish the Snake River Birds of Prey National Conservation Area in the State of Idaho.
SD-366

Governmental Affairs
General Services, Federalism, and the District of Columbia Subcommittee
To hold hearings on the General Services Administration's management of Federal civilian aircraft.
SD-342

2:30 p.m.
Armed Services
Defense Industry and Technology Subcommittee
To hold hearings on S. 2629, to authorize funds for fiscal year 1993 for military functions of the Department of Defense, and to prescribe military personnel levels for fiscal year 1993, focusing on the National Defense Stockpile.
SR-222

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

Veterans' Affairs
To hold oversight hearings on proposed legislation relating to veterans health issues.
SR-418

JUNE 9

10:00 a.m.
Agriculture, Nutrition, and Forestry
Agricultural Research and General Legislation Subcommittee
To hold hearings on the utility of expanded lamb reporting services by the Department of Agriculture.
SR-332

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

JUNE 10

9:30 a.m.
Commerce, Science, and Transportation
Aviation Subcommittee
To hold hearings to examine competition in the airline industry, and on S. 2312, to revise the Federal Aviation Act of 1958 to enhance competition at, and the provision of essential air service with respect to high density airports.
SR-253

CANCELLATIONS

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

POSTPONEMENTS

MAY 14

10:30 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