SENATE—*Wednesday, September 22, 1993*

(Legislative day of Tuesday, September 7, 1993)

The Senate met at 9 a.m., on the expiration of the recess, and was called to order by the Honorable DIANNE FEINSTEIN, a Senator from the State of California.

The PRESIDING OFFICER. Today's prayer will be offered by guest chaplain Rabbi Bruce D. Aft of Congregation Adat Reyim of Springfield, VA.

PRAYER

Rabbi Bruce D. Aft, Congregation Adat Reyim, Springfield, VA, offered the following prayer:

Let us pray:

As we gather together during this historic time, we are grateful for your blessings. Recognizing that the potential for peace and human fulfillment is strong, we accept the awesome responsibility to do our share to realize this potential.

Each of us has an opportunity to make significant change. We are taught that when one makes a difference in one life, one can change an entire world. Grant us the strength to make a difference. Let us remember the sacredness of each human life and that it is our human responsibility to improve the quality of each life.

Let this be our goal—to achieve a rich and full life in which all share and in which we each have a role. We cannot become great if we give ourselves up as individuals to selfishness. To achieve a better and richer life for all demands that we each want to share in it.

Therefore, our God and Creator Who has endowed us with creative powers and Who has given us a resourceful mind, may we ever remember that our creativity is Thy gift, designed for Thy service. Give us the humility and the wisdom to strive for purposes from which all can benefit and from which none will suffer hurt. Let us never forget our dependence on one another and on that spirit of brotherhood and sisterhood which is a manifestation of Thy love. For each of us is effective only through our cooperation. Inspire us with loyalty to all with whom we work in the spirit of mutual helpfulness.

Heavenly Father, may we strive ever more resolutely to ennoble our worldly tasks with integrity and seriousness of purpose, so that as we engage in the tasks of providing a better world for humanity, our efforts will fashion our own character and make our lives fit for Thy scrutiny and acceptance. Save us from apathy and indolence. Whatever our hearts and minds motivate us to do, let us do it with all our might. Open our eyes so that whatever our work may be, we may respect it and deem it honorable.

May You, who makes peace in the heavens, grant peace to Your creatures all over the world. May You, the author of peace, fill us with a sense of peace and the gratitude to know we live in a country which has made, continues to make, and will always be charged with the responsibility to make, a difference in the lives of people throughout the world, from the mountains to the prairies, from sea to shining sea.

As together we say, 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, September 22, 1993.

To the Senate:

Under the provisions of rule I, section 3, of the Standing Rules of the Senate, I hereby appoint the Honorable DIANNE FEINSTEIN, a Senator from the State of California, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mrs. FEINSTEIN thereupon assumed the chair as Acting President pro tempore.

RESERVATION OF LEADER TIME

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

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be a period for the transaction of morning business not to extend beyond the hour of 9:15 a.m., with the Senator from New Jersey permitted to speak for up to 15 minutes.

The Chair recognizes the Senator from New Jersey.

Mr. LAUTENBERG. Thank you, Madam President.

UNAUTHORIZED HIGHWAY DEMONSTRATION PROJECTS

Mr. LAUTENBERG. Madam President, in the next few days the Appropriations Committee and the Senate will be considering the fiscal 1994 transportation and related agencies appropriations bill. As subcommittee chairman, I rise today to share with my colleagues my views on one of the more contentious issues that we are going to face; that is, funding for unauthorized highway demonstration projects.

As many of my colleagues know, this is an issue that has caused considerable controversy in the House as it has attempted to bring the transportation bill to the floor. In fact, the inclusion of unauthorized projects in the bill reported by the House Appropriations Committee has been a factor in delaying consideration of that bill for many weeks. This, in turn, has delayed the Senate's ability to take up and pass this important legislation prior to the start of the new Federal fiscal year.

The vast majority of Federal highway spending each year comes from the highway trust fund. It is distributed from that fund by formula to States which, in turn, work with local jurisdictions to selected projects.

The projects selected represent State and local priorities that come from an extensive multiyear transportation planning process. Because these projects are cost-shared, this system provides an incentive for funding the most worthwhile projects, that will best contribute to increased productivity and efficiency in transportation within those States.

Each year, however, a small percentage of highway projects receive funding, not from the trust fund but from the general fund appropriations. These projects usually are identified as highway demonstration projects to fund projects that are specifically named in the annual appropriations bill usually by route number or location.

In the early 1980's, these projects received annual appropriations of somewhere between $15 and $30 million. Like most things, however, the practice grew considerably. In the fiscal year 1992 there was an all-time high of $592 million in highway demonstration funding.

Last year, the Congress appropriated $348 million in highway demonstration funding. That reduction last year came in part from my recommendation that the Senate not approve any project for general fund appropriations unless it either was specifically authorized to receive such funding in the ISTEA bill or earlier authorization legislation or if the project had been funded in the

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

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past by the Appropriations Committee, and therefore was receiving continued funding.

This approach rewarded only projects that Congress had specifically authorized or that were already funded but that needed additional funding to permit completion.

Madam President, this year I propose to take the next step and eliminate all funding for these unauthorized projects. When the Transportation Appropriations Subcommittee meets to write this bill, I will not support funding out of general appropriations for highway projects that have not been authorized.

Despite the enormous pressure to fund these projects by Senators, I believe this decision will result in a more productive use of tax dollars to build our economy.

It is intended to increase our competitiveness and productivity and should ease congestion and create jobs.

Madam President, these projects have been called highway pork, a common expression around here. Stories of roads to nowhere named after the local Congressmen or Senators are often repeated. As in all things, there is much exaggeration on this matter.

Last year these projects represented less than 2 percent of all highway funding. Each project that has received such funding in the Senate's bills has met the criteria established for eligibility for Federal support. Each must navigate all local, State, and Federal permitting and environmental review requirements. And, significantly, each must receive matching funds of 20 percent from the State in which the project is located.

Having said all that, however, the issue comes down to a rather simple question. Who should make the decision about where our scarce highway dollars should be invested in order to move American workers and goods and get our Nation's economy going?

Should a State transportation commission choose the roadway to widen or should the local Congressman?

Should a mayor decide where to locate a traffic signal or should the State's senator?

I think it should be State and local officials, following the planning process laid out in ISTEA.

Despite the great advances made in the ISTEA legislation, this Nation continues to seriously underinvest in our transportation infrastructure. Just ask any commuter who was stuck in traffic this morning. Just ask any transit rider who was left on the platform or could not get a seat on the bus. Or compare our infrastructure budget with those of other industrial nations. We look like a Third World country.

The consequences of this underinvestment are more than a little inconvenience. Delays caused by congestion cost this Nation billions each year. Our goods are delayed, businesses cannot expand and employers do not hire.

This Nation's international competitiveness is tied directly to the speed and ease by which we get products to our markets here and abroad as well as the ease in getting our workers to the job.

This year, the President requested a $2.6 billion boost in funding from the highway trust fund to reach the level authorized in the ISTEA legislation and to begin to reverse our pattern of underinvestment. I applaud this request and the President's commitment to improving our transportation infrastructure.

Given constraints on funding for domestic discretionary programs, we will not be able to fund all the President's request.

Therefore, more than ever, we should use our transportation investment dollars as wisely as possible. To do that, we have to let the decisionmakers at the State and local level make the tough decisions on how to allocate scarce funds without the Congress picking the winners, often for political reasons.

My decision to seek an end to unauthorized highway demonstration projects is consistent with the recommendations of the recently completed National Performance Review of Vice President GORE. That report singled out highway demonstration projects for elimination to better focus Government efforts on the things the Nation really needs.

President Clinton's budget supports the end of unauthorized highway demonstration projects and I have been assured of the continuing support for this position by Secretary Peña. This move also enjoys the endorsement of the Citizens Against Government Waste.

I will recommend that we put funds that would have otherwise gone into unauthorized highway demonstration projects into increasing funds that will come out of the highway trust fund, thereby making the funds available to the States to do the highway work that needs to be done.

I recognize that many of my colleagues will be disappointed by my recommendation to forgo funding for unauthorized highway demonstration projects. This year, the subcommittee has already received requests for approximately 180 projects seeking a total of nearly $1.4 billion.

I know that Senators believe that their projects are important.

Like many of my colleagues, I, too, have received requests for projects in my State that I would like to see funded. Like others, I am also concerned about projects that have received some funding in the past, but not enough to complete a project.

To those colleagues who have these concerns, I urge you to encourage your constituents to contact their State transportation officials. If these projects are important, they will be funded by the State. If so, they will receive the Federal funds they need to be completed.

And the States will have an easier time meeting their priorities because of the higher levels of Federal funding that will occur if we bring to an end funding for unauthorized demonstrations and channel these funds to the States through the trust fund.

On the other hand, if these projects are not priorities, as determined by the responsible officials based on the required comprehensive planning process, then they will not be funded. That is the way it should be.

Madam President, this Congress has committed itself to eliminating wasteful practices and to reform. As a contribution to this effort to reform Government spending patterns and build our economy, I hope my colleagues will support me in this reform effort.

I yield the floor.

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is now closed.

DEPARTMENTS OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT APPROPRIATIONS ACT FOR FISCAL YEAR 1994

The ACTING PRESIDENT pro tempore. The Senate will now resume consideration of H.R. 2491, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (H.R. 2491) making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 1994, and for other purposes.

The Senate resumed consideration of the bill.

Pending:

Bumpers amendment No. 910, to provide funding for the termination of the Advanced Solid Rocket Motor project for the purposes of reducing the deficit in the Federal budget.

The ACTING PRESIDENT pro tempore. Under the previous order, the Senator from Nevada is recognized to offer an amendment. The time allocation on the amendment is 1 hour equally divided.

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

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

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. BRYAN. Madam President, a parliamentary inquiry.

The ACTING PRESIDENT pro tempore. The Senator will state it.

Mr. BRYAN. Is it necessary for the Senator from Nevada to ask unanimous consent to have the pending amendment set aside before I submit an amendment.

The ACTING PRESIDENT pro tempore. Under the previous order that has already been done.

Mr. BRYAN. I thank the Chair.

AMENDMENT NO. 911

(Purpose: To prohibit the use of funds for the Towards Other Planetary Systems/High Resolution Microwave Survey program of the National Aeronautics and Space Administration)

Mr. BRYAN. Madam President, I send an amendment to the desk and ask for its immediate consideration.

The ACTING PRESIDENT pro tempore. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Nevada [Mr. BRYAN], for himself, Mr. KERRY, Mr. WOFFORD, Mr. BUMPERS, and Mr. SASSER proposes an amendment numbered 911.

Mr. BRYAN. Madam President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

On page 59, line 15, strike out "$7,544,400,000" and all that follows through "*Provided*, That" and insert in lieu thereof "$7,532,100,000, to remain available until September 30, 1995: *Provided*, That none of the funds made available under this Act shall be available for the Towards Other Planetary Systems/High Resolution Microwave Survey program (also known as the Search for Extraterrestrial Intelligence project): *Provided further*, That".

Mr. BRYAN. Madam President, the amendment I am offering today will eliminate funding for what I believe to be a foolish and wasteful NASA Program which seems to have developed a life of its own—the high resolution microwave survey, or as it was referred to prior to last summer, the search for extraterrestrial intelligence, or SETI.

Madam President, this 10 year, $100 million program to scan the heavens for signs of other intelligent life has attracted ridicule and derision since it was first proposed a number of years ago.

The target of this amendment is the NASA Program which for years was called the search for extraterrestrial intelligence, or SETI.

As I will describe below, since last summer the program has been called the high-resolution microwave survey, or HRMS [HERMES].

Whatever NASA calls it, its purpose is the same—to scan the skies for signs of extraterrestrial life and civilizations.

For years, there has been a core group of scientists interested in the search for extraterrestrials.

Over the past few decades, NASA's support for SETI research has been relatively modest—in many years, substantially under a million dollars.

In recent years, however, the budget has increased dramatically, as NASA prepared to launch the most farreaching SETI search ever.

The American taxpayer suddenly began committing $10 or $12 million a year to the search for extraterrestrials. NASA's great search for extraterrestrials began its operational phase last October 12, the 500th anniversary of Christopher Columbus' discovery of the new world.

The current, $12 million version of SETI uses radio telescopes available to NASA to scan outer space for radio or other signals which do not appear to be natural.

Any such confirmed unnatural signals are assume to be signs of extraterrestrial life.

So far, the NASA SETI Program has found nothing. In fact, all the decades of SETI research have found no confirmable signs of extraterrestrial life.

Even with the current NASA version of SETI, I do not think many of its scientists would be willing to guarantee that we are likely to see any tangible results in the forseable future.

NASA has consistently defended the program, claiming that once you put aside what it calls the giggle factor, this is a serious program, with real and tangible benefits.

While I do not doubt the seriousness of the program and its researchers, I am highly skeptical of its claimed benefits.

Absent any confirmed contact with extraterrestrials, the main benefit of the program seems to be, in the words of Carl Sagan, the development of "new technology, stimulating ideas, and exciting schoolchildren." All noble goals, but hardly justification for a $12.3 million budget when so many other programs, with more direct benefits, go begging.

If we need to develop new listening technology, and if we decide the benefits are great enough that the taxpayer should foot the bill, then let us do that directly.

If we need to excite school children to study more, which I agree we should do, let us put more money into cleaning up our classrooms, improving the resources available to our teachers, and getting the guns out of our schools.

As far as stimulating ideas go, I hope that the academic and scientific communities can handle that without Government subsidy.

In the multibillion-dollar scale of the Federal Government, a mere $12.3 million budget may not seem like much.

But when we bring the spending down to a more basic level, the level that should put this matter in an appropriate perspective, the picture changes.

The $12.3 million that NASA wants to spend to look for extraterrestrials next year could purchase in my own State of Nevada 135 new homes for needy families, or send over 9,000 needy students to the University of Nevada system for a year, or provide day care for 3,400 toddlers—perhaps allowing their single parents to find gainful employment, and get off the welfare rolls.

In the years since I have learned of this program, I have not tried to make the case that this program is completely without merit.

I take at face value NASA's assertion that the program is based on sound scientific principles and is carried out in a professional, scientific manner.

What I have disagreed with is NASA's assertion that the program's merits justify receiving $100 million of the taxpayers' money.

Congress, it seems, agrees that funding the SETI program is a misuse of taxpayers' money.

In fact, Congress has approved legislation in the past that should have killed the program.

Madam President, I cite the history of last year as an example of how difficult it is to eliminate any Federal program once it is established. In the context of what the President and the Vice President are trying to do with reinventing Government, one would hope that the bureaucracy, which is part of that problem, would show the same type of innovative, creative tenaciousness in limiting red tape and trying to address the problems and the responsibilities of the agencies which they are charged with running that they have in maintaining and sustaining this program.

Last year, for example, the House of Representatives included provisions in both its appropriations and authorization bills which prohibited funding SETI.

I offered a similar amendment to the NASA authorization bill in the Commerce Committee, which was adopted by a vote of 11 to 6, to prohibit SETI funding.

Eventually both the House and the Senate authorization bill prohibited SETI funding.

At the same time that legislation was moving forward to eliminate the SETI Program, however, its supporters in NASA and some Members of Congress were moving to protect the program.

By the time Congress enacted Public Law 102-588, the NASA authorization which prohibited spending for SETI, the program had been renamed and buried deep in the NASA bureaucracy. And as you will recall the name then took on a different connotation, the high-resolution microwave survey. But, Madam President, make no mistake. The high-resolution microwave survey

is SETI recreated with a different name.

In spite of obvious congressional opposition to the program, NASA began the operational phase of the program last October, as I have described.

To great fanfare, and using the 500th anniversary of Christopher Columbus' journey to the new world as a publicity backdrop, NASA scientists threw a few switches, and started listening for signs of extraterrestrials.

A few weeks later, when President Bush signed the NASA authorization into law, the NASA bureaucracy had taken care of its own—the SETI Program went forward as planned, completely unaffected by the prohibition included in Public Law 102-588.

Madam President, I support the mission and purpose of NASA.

I do not think any of us have forgotten the thrill and sense of national pride created by the ambitious NASA programs of the 1960's.

I have great respect for the new NASA Administrator, Daniel Goldin, and have been impressed by his candor and thoughtfulness during his appearances before the Commerce Committee, on which I am privileged to serve.

Nevertheless, it is obvious to me, and I am sure many other observers, that NASA is a troubled agency.

Its recent string of failures have justifiably drawn attention away from its successes.

NASA has, by all accounts, embarked upon a program of managerial reforms, and is taking a closer look at its overall mission.

The continued funding of projects such as SETI does nothing to improve the image of the agency at a crucial time in its history.

The difficulty in eliminating SETI points to a larger, and often criticized, problem with the Federal Government.

Quite simply, once a program gets started, it is almost impossible to get it stopped.

Whether it is the $12.3 million requested this year for SETI or the search for extraterrestrials, the $190 million wool and mohair subsidy, the $15 billion tax break contained in section 936 of our Tax Code with respect to Puerto Rico and other positions, or the space station debate that we had, I have learned in my brief tenure here in Congress the great difficulty of ending a program once established.

Madam President, if there were no taxpayer dollars involved, I would not be criticizing the SETI scientists or their supporters.

Most of us, at some time or another, have pondered the type of questions being examined by SETI scientists.

My disagreement with SETI supporters begins when they place a claim on $100 million of the taxpayers money. It is simply a matter of priorities.

Even strong supporters of SETI admit that producing any results will be a long shot.

Frank Drake, an astronomer with a long personal interest in SETI type research, has been quoted describing the SETI project as being "like finding a needle in a haystack."

Scientific research rarely, if ever, offers guarantees of success—and I understand that—and the full benefits of such research are often unknown until very late in the process. And I accept that, as well.

In the case of SETI, however, the chances of success are so remote, and the likely benefits of the program are so limited, that there is little justification for 12 million taxpayer dollars to be expended for this program.

Madam President, I urge my colleagues to vote in favor of this amendment.

I reserve the remainder of my time and yield the floor.

I thank the Chair.

The ACTING PRESIDENT pro tempore. Who yields time?

The Senator from Maryland.

Ms. MIKULSKI. Good morning, Madam President.

The ACTING PRESIDENT pro tempore. Good morning.

Ms. MIKULSKI. I yield myself 10 minutes.

The ACTING PRESIDENT pro tempore. The Senator from Maryland is recognized for 10 minutes.

Ms. MIKULSKI. Madam President, I rise in opposition to the Bryan amendment to terminate the SETI Program.

I listened carefully to the arguments presented by the distinguished Senator from Nevada, and on first blush his arguments would be quite persuasive. I, too, know that the SETI Program has suffered from something called the giggle factor.

The SETI Program is a program that is a high-technology listening device whose purpose is to listen to see if there is life on other planets or somewhere else in the universe, maybe even out in the great galactic.

The opponents of the program have frequently poked fun at it, and one can understand why, suggesting, "Hey, we already know if extraterrestrials exist because it has been on the front page of the National Enquirer."

Have we all not seen those pictures. "Extraterrestrial alien with Bush at Camp David"; "Extraterrestrial alien with Clinton at Martha's Vineyard"; "Extraterrestrial trying to get in on the health plan proposed by Bill Clinton."

Mr. GRAMM. Bring him in.

Ms. MIKULSKI. "Extraterrestrial with Elvis and Jack Kennedy on the islands somewhere out there."

So if you look at the National Enquirer, my gosh, you actually have a picture. I have seen those pictures. But also I have seen and listened to what SETI means.

Really the search, first of all, if there is a possibility of life on other planets, is indeed a profound philosophical and scientific question. It is a question that has been asked through the ages.

At one of the hearings exactly on this issue in the U.S. Congress, one of the great thinkers said, "Either there is life on other planets or there is not." Either answer is indeed stunning.

If there is no other life on any other planet, then that means a higher power, bursting with love, created an entire universe and yet created life as we know it, intelligent life, only on one planet. That is a stunning thought. Or, that same higher power, bursting with love, creating a universe, has also intelligent life on either this solar system or beyond somewhere in the great galactic.

So the search to see if there is somebody else out there that was created by this higher power has indeed been a subject of speculation of theology, philosophy, and science.

One can then say, "Well, Senator MIKULSKI, it is the area of speculation for science and philosophy, but do we need to bankroll it to the tune of $12 million?"

Well, for our $10 to $12 million, though, we get a lot more than the search for ET.

When I took a look at this issue, I found out from a number of places what this project was all about and I have been a consistent supporter. This program is not something about pop culture and a search for E.T. It is a radio astronomy project, conducted like many radio astronomy projects, with ground-based astronomy projects in the United States and throughout the world.

In fact, last year, we stipulated to NASA that the formal SETI project should be renamed and taken out of the life sciences portion of their budget. Instead, it should be included in the activities related to planetary exploration, because that is really what it was about—except instead of using a traveling spacecraft like *Voyager* or *Magellan*, it used ground-based radio astronomy.

Instead of sending unmanned spacecraft into space, we send radio waves. That actually is a prudent use of resources, because when you send a man into space, it is extraordinarily expensive. When you send a robot into space, it is less money, but very expensive. But when you send radio waves, you reduce the cost by tens of thousands.

We are exploring space and at the same time using the wisest and most prudent source of technology to do the search.

The program is now referred to as the high resolution microwave survey [HRMS], or the towards other planetary systems [TOPS] project.

The project uses radio telescopes to search for microwave signals which, if detected, might suggest the existence of intelligent life in some other part of the universe.

What an astounding thing it would be if we picked up such a signal. What an astounding responsibility for stewardship of our universe if there is no other intelligent life.

If we are the only ones, we really better get our act together in terms of this planet. If there are others out there, perhaps they hold the secrets or ideas that could help us save this planet.

But, at the same time, even if there is no other life anywhere except on this planet, what we can do is get the benefits from this technology.

First, is it good science?

Yes. It has been peer-reviewed by a series of panels, with endorsements from the National Academy of Sciences, the National Research Council, and five Nobel Laureates.

The technology they are now using has the ability to search tens of millions of radio channels simultaneously with computing capabilities that can process 30 million numerical values per second. No such technology has ever been used in this kind of radio astronomy.

The project has a wide-band spectrum analyzer to study and detect small-scale structures in star-forming regions. Studying the motion of these structures will help resolve questions about how stars form.

I want to stress it is an international program—we are not just in this by ourselves—with our scientific partners in Australia, France, Argentina, Russia, and Spain.

One of the real values, though, of this program is that it is an incubator of excellent technology. It has enormous potential for spinoffs in electrical engineering, software, modeling, computer science, radio astronomy, and signal processing.

For example, through a student project at Stanford University, one of the great universities in the presiding officer's own State, the SETI project has developed a high performance signal processing computer chip.

These components of the SETI observing system have a level of computational performance that would put them in a class of supercomputers. We have enhanced our supercomputer ability.

Many other applications for this technology used in this project are for diagnostic medicine.

Diagnostic medicine. Some of the most significant nonintrusive medical technologies have come through the field of radiology. The MRI, the CAT scan. We now know the miracle of these devices. When one suspects a brain tumor now, instead of having to do intrusive surgery on the spot, through the new radiology technology we have, we could image and diagnose and also perfectly identify where that tumor might exist, so that a physician would be in a position to actually plan his or her surgical intervention and get it done right and get it done right the first time. That is pretty important.

What this radio astronomy does, from what I understand, is it would enhance even more our ability to come up with new radiology and treatment tools.

There are also other breakthroughs in terms of geophysical resource exploration, and this geophysical resource exploration could also help with future predictions about earthquakes.

The listening technology developed has other applications in public safety, national defense, the monitoring of airport environments for signals that may interfere with aircraft navigation and communication.

In the area of education, this program holds great promise in getting kids interested in science. It has conducted elementary and high school education programs and teacher training workshops where they found the lure of "E.T." gets children's attention and gets them involved in a multidisciplinary forum to teach the physical, mathematical, and social sciences. So they might first get excited about looking for E.T., but then they get more excited about solving mathematical problems. It is also the type of project that can be incorporated into extracurricular activities, particularly in Boy Scouts and Girl Scouts, as we use those to again bring our young people into being interested in math and science.

Is my time up? I ask unanimous consent to proceed for 30 more seconds.

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

Ms. MIKULSKI. Undergraduate education: The SETI has found wide acceptance as a topic of introductory astronomy courses in colleges.

I could outline this in more detail. I want people to understand this project is not a laughing matter. It is serious science with serious applications that will answer some of the most serious questions that have been asked for thousands of years.

I yield the floor.

The ACTING PRESIDENT pro tempore. Who yields time?

Ms. MIKULSKI. I yield to the Senator from Texas 2 minutes.

The ACTING PRESIDENT pro tempore. The Senator from Texas is recognized for 2 minutes.

Mr. GRAMM. Madam President, after that great speech, I think anything I would say would be redundant.

The bottom line is this: We made a commitment as a nation, 14.6 billion dollars' worth, to NASA. And the question is: In that big commitment, in all of those programs, do we want to spend $12.3 million basically engaged in research to listen, to try to find any form of communications from deep space?

We are talking about basically the development of new technology that has many uses on Earth. We are talking about trying to begin the establishment of simple, basic nonglamorous research. But I think when we are looking at the potential gain, and I can say given all the problems we have here that we are dealing with, if we can make any discoveries anywhere, I think it would be useful to tap into it.

I think when we are looking at a very modest, small program engaged in basically the activity of trying to find radio waves in deep space, I think it is a good program. I would not support a full-blown, huge program to engage in this activity, but this seems to me to be a very modest investment, given that what we are doing has other applications.

Should we have a breakthrough, should we make a discovery, it could change the whole way that we look at the universe we live in.

So I think the chairman has done an excellent job of outlining the case. It is easy to convert this into a silly little program. If we were spending $100 million, I would vote for the Senator's amendment. But the truth is, this is a very modest, small, controlled program primarily involved in creating the technology to allow listening to occur. Listening is what we all do too little of, and having the human race spend this money listening to see if radio waves or any form of communication, exists in the universe does not seem to me to be an outrageous expenditure of money.

I yield the floor.

The ACTING PRESIDENT pro tempore. Who yields time?

The Senator from Nevada.

Mr. BRYAN. I thank the occupant of the chair.

I yield myself 5 minutes.

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

Mr. BRYAN. Madam President, I want to make the point again that I concede the serious purpose of this undertaking, and I do not denigrate the professionalism of the scientists who are involved in this program. That is not my point.

My point is that this is a matter of priorities, and it speaks a great deal about the way we conduct business in the U.S. Senate.

A year ago, the authorizing committees of both the House and the Senate—the authorizing committees—examined this program and they made a judgment—one can quarrel with that judgment—but they made a judgment and enacted into law as part of the authorization process that this program should be eliminated. That was a pronouncement of the Congress of the United States, signed into law by the President of the United States. That process was circumvented, in effect, by recasting this as the high-resolution microwave survey. The Appropriations

Committee, in effect, put the money into the program, although it is cast in a new name. So I think it says a great deal about the way in which we conduct business in the Congress and I think, Madam President, it contributes to the public skepticism and the cynicism about the way we do our business.

Let me make another point, if I may. I think all of us would concede that there are finite limits that we have in terms of our ability to underwrite and finance programs. Not every potentially worthwhile project, not every potentially worthwhile research program can be undertaken. We have to establish some priorities.

My quarrel with this program is a matter of priorities. We are not just talking about $12.3 million this year, although that is the amount, as the distinguished subcommittee Chair has pointed out, that is included in the overall NASA appropriation. We continue to commit ourselves prospectively. So we are looking at $100 million over the life of this program. Because, as I have suggested, virtually no program approved by the Congress ever seems to reach a terminal point, one might suggest that this program will continue in perpetuity, as so many of our other programs appropriated for over the years.

But there is a finite limit. The budget deficit is real. Members of both sides of the aisle have given stirring orations about this deficit and what it is doing in terms of corroding our ability as a nation to respond to so many of our other problems.

Is this a priority? How would the American public, given its choice of ranking, want to spend the American taxpayers' money? Would this program be included in that kind of approval? I suggest not, Madam President.

Finally, let me just indicate to my colleagues that this is a program that may be desirable, but when you are running a deficit as we are this year in the magnitude of $260 billion, $280 billion, $290 billion, it is one that we simply cannot afford. Now is the time to make a judgment about priorities for our expenditures.

I say to my colleagues, with great respect to the floor manager and the minority floor manager, that this is a program that we should eliminate.

I yield the floor.

I reserve the remainder of my time.

The ACTING PRESIDENT pro tempore. The Senator from Maryland.

Ms. MIKULSKI. Madam President, how much time do I have?

The ACTING PRESIDENT pro tempore. The Senator has 16 minutes 42 seconds.

Ms. MIKULSKI. Madam President, I yield myself 2 minutes.

Members of the U.S. Senate should know that after 1994 the project drops in cost by half. It will go from $12.3 to $6.4 million. The project itself, this particular project, would end in fiscal 1999. I support this. Unless we do pick up a signal from somewhere, we will then meet the goals of the project from its expiration standpoint and from the other goals that were outlined.

So this project will end in 1999. Its cost next year will drop by half. I think it is worthwhile to stay the course and maintain the project.

I yield the floor.

I have an inquiry of the distinguished Senator from Nevada. Does the Senator wish to debate anymore?

Mr. BRYAN. Madam President, responding to the distinguished subcommittee Chair, I will be happy to yield my time.

Ms. MIKULSKI. I think we are prepared to yield our time. It is our understanding that we will yield the time, but the vote itself will be postponed until noon.

Mr. ROCKEFELLER. Madam President, I strongly oppose the amendment to terminate the search for radio signals from space that could indicate the existence of intelligent life. I urge my colleagues to vote against the amendment.

Are we alone? Our Nation has been seeking an answer to this question through radio astronomy since the first search was initiated in 1960 by the National Radio Astronomy Observatory in Greenbank, WV. These early searches, a continuation of our country's commitment to explore the unknown, were of limited duration and examined only a small fraction of the radio spectrum.

Now, with the high-resolution microwave survey [HRMS], initiated exactly 500 years after another explorer of the unknown reached what he called the New World, we may get closer to answering this question, at least from the 400 billion stars in our own galaxy. In the first minutes of its observations, the HRMS scanned more space and analyzed more data than the sum of all previous searches.

Conducting the survey will cost each American about 5 cents during the coming fiscal year. I believe that is a worthwhile investment. Even if we don't get an answer next year, or at any time during the planned 8-year survey, the small amount of money we are talking about will have been well spent. The HRMS is a valuable project that has already produced many significant benefits, including technological advances for American scientists and educational programs for American children.

The technical and engineering advances associated with the HRMS program to date have been extraordinary. For example, the electronic systems developed for the HRMS are basically special-purpose supercomputers. These systems can be reprogrammed for many other applications. In another example, a customs signal processing computer chip developed for the HRMS is capable of performing almost seven times faster than the common commercial chip. Other applications of these technologies have already been found in diagnostic medicine, fault detection in materials, and geochemical exploration.

As I mentioned, the electronic systems developed for the HRMS are basically supercomputers. To design and build these supercomputers, HRMS engineers developed detailed software models of many new integrated circuits. These software models, written in a standard design language, will be useful to many electronics companies. These are only some of the many returns American taxpayers have already received from the investment in the HRMS, and the survey itself has only just begun.

In sum, HRMS represents a valuable and worthwhile scientific endeavor that has yielded, and will continue to yield, many important advances in technology. American taxpayers have a right to expect a return on the 15 years of research and development invested in this program. With the many technological developments already produced during these 15 years, the HRMS has proven its value even before the real benefits, the results of the survey itself, have begun to flow.

I urge my colleagues to support continued funding for the HRMS, a worthwhile scientific program with real and potential technology benefits.

Mr. BRYAN. I am pleased to yield the remainder of my time.

Ms. MIKULSKI. As the proponent of the bill, opponent of the amendment, I yield all the opposition time.

The ACTING PRESIDENT pro tempore. All time is yielded back.

Mr. GRAMM addressed the Chair.

The ACTING PRESIDENT pro tempore. The Senator from Texas.

Mr. GRAMM. Madam President, we have an agreement on the D'Amato amendment. I ask unanimous consent that I might offer that amendment now on behalf of Senator D'AMATO.

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

AMENDMENT NO. 912

(Purpose: To limit overall increases in permanent Federal employment by the Office of Federal Housing Enterprise Oversight)

Mr. GRAMM. Madam President, I send an amendment to the desk and ask for its immediate consideration.

The ACTING PRESIDENT pro tempore. The clerk will report.

The bill clerk read as follows:

The Senator from Texas [Mr. GRAMM], for Mr. D'AMATO, proposes an amendment numbered 912.

On page 40, line 20, before the period, insert the following: ": *Provided further*, That funds made available by this paragraph shall not be available for employment of more than 45 full-time equivalent positions".

Mr. GRAMM. Madam President, this amendment is simply aimed at trying to prevent the explosion of Federal bureaucracy, trying to limit the number of people who can be hired in supervisory positions in a new oversight board.

Mr. D'AMATO. Madam President, just 2 weeks ago, President Clinton unveiled his plan to reinvent the Government by cutting the size of the bureaucracy and slashing redtape. Today, along with Senator BOND, I am offering an amendment to limit the size of a new Federal bureaucracy before it grows out of control.

Last year Congress created a new office in HUD to regulate the financial safety and soundness of the Federal National Mortgage Association [Fannie Mae] and the Federal Home Loan Mortgage Corporation [Freddie Mac]. At that time, a number of my colleagues on the Banking Committee were concerned that we might be sowing the seeds of a new bureaucracy and put provisions in the legislation to ensure that this new office was run on a cost-effective basis.

At that time, we were told that the estimated budget for this new office was $5.7 million. In fact, this is the amount of money that the House of Representatives approved in its VA-HUD appropriations bill.

Madam President, the Office of Federal Housing Enterprise Oversight has failed to provide Congress with an acceptable business plan to justify this increase in both staff and budget.

The amendment that Senator BOND and I am offering would assure that this office has the resources to do its job without creating a large bureaucracy. Under this amendment, the proposed appropriation for the operation of this office will not be affected. Instead, the number of full-time staff would be capped at 45—still a 5-percent increase over the original budget. If the new Director needs additional help to get the office going, she has broad authority to contract with other agencies or consultants. It is my hope that the Director will seek to minimize costs, consistent with the need to fulfill the Director's required duties.

Madam President, I encourage the Director to submit a detailed business plan to Congress if the need for an increase in the number of permanent staff is evident. I would be happy to revisit this issue at that time. I want to work with the Director to ensure that she has a sufficient budget.

Mr. GRAMM. Madam President, there is no objection to this amendment on either side. I ask unanimous consent that the amendment be agreed to.

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

The amendment (No. 912) was agreed to.

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

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

The bill clerk proceeded to call the roll.

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

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

Mr. BIDEN. Madam President, I ask unanimous consent that I be able to proceed for 15 minutes as if in morning business.

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

The Senator from Delaware is recognized for 15 minutes.

JUDGE FRANCIS A. REARDON

Mr. BIDEN. Thank you very much.

Madam President, I have been here going on 21 years. I think this is the first time I have sought the privilege of the floor to speak about a personality in my State, a gentleman who recently passed away. I do so because he was such an extraordinary man. There have been other men and women of accomplishment in my State and ones of equal, although considerable, accomplishment but few who had the special thing that Francis A. Reardon possessed.

An era ended in Delaware on Wednesday, September 8, with the death of Francis A. Reardon at the age of 88. Francis Reardon was born in Wilmington, DE, in 1905, the son of Irish immigrants. He attended the local Catholic schools in Wilmington, and he graduated in 1928 from my alma mater, the University of Delaware. He came down here and went to Georgetown Law School. In 1930, he married the former Mildred Moore, who is also of Wilmington, DE. And in 1931, he graduated from law school and was admitted to the Delaware bar and was able to practice law.

In his more than 56 years as a professional in the Delaware bar, Francis Reardon held the following positions, among others. He was attorney general, he was attorney for the General Assembly of the Delaware State Legislature, he was the chief prosecutor during World War II for the Office of Price Administration, he was an assistant U.S. attorney, he was a family court judge, he was deputy attorney general, and he was the State prosecutor.

These are some of the basic facts about Francis Reardon's career, Judge Reardon's career. But, as I am quick to add and as every Delawarean who knew him would be quick to add, these basic facts, as impressive as they are, do not begin to tell the story of Francis A. Reardon and, even more importantly, the impact he had on thousands and thousands and thousands of lives in the State of Delaware.

It was not what he did. As I said, other people did some of the things he did just as well and in some cases better. But the spirit, the conviction, the dedication, the absolutely unrelenting optimism of this man was what made him a legend in my State and in the Delaware legal community. But not only in the legal community; he was known in every neighborhood in the city of Wilmington, DE. He was known in every public-spirited organization. He was a man who never hesitated to tell you what was on his mind. He never hesitated to help.

The facts of his life do convey accurately, though, that Francis Reardon was a model of involved citizenship. He was a leader whose dedication to community, to professional excellence and to public service was sincere and unwavering—I emphasize "unwavering"—and the positions of trust to which he was appointed convey again accurately that Francis Reardon was a model of personal and professional integrity. From his vigorous and very successful prosecution of black marketeers during the war to his earning the first ever appointment as a Democrat in the office of a Republican attorney general who was 13 years on the bench, to his service beginning a new career at the age of 60 years of age as Delaware's first State prosecutor, a position he held for 20 years until his retirement, all speak to his energy, his intelligence, and his integrity.

However, the traditional use of the term "model citizen" tends to imply a kind of tameness, someone who does not get into trouble, who does not make a lot of people angry. And that, Madam President, was not Francis Reardon because he was a model citizen who made people angry. He was a model citizen who shook things up. He was a model citizen who made us stare our problems in the face and, when we shrank from dealing with the problems, pointed out our cowardice for having done so.

Judge Reardon was the kind of model citizen who was willing to get into trouble, to make people angry if that was the price of speaking his mind, and living according to his convictions. Judge Reardon himself described his courtroom and family court—I suspect with a touch of satisfaction—as the only one where "both the wife and the husband came and went away dissatisfied."

Yet it was for his service on family court that B'nai B'rith honored him and presented, in 1961, the Community Service Award to "a man who has preserved kindness and sympathy and has used both his heart and his head in a difficult public post."

That is where I first met Judge Reardon, as a young attorney in the family court. Judge Reardon was particularly suited for the family court,

and I believe he would have been suited to serve on our court of chancery, a completely different court, because Judge Reardon on occasion thought the law was an ass and had no reluctance to say so. Judge Reardon often pointed out the stupidity of some of the arcane notions that we took into courtrooms, and in the family court he had the leeway to do so.

Let me give you an example. I will never forget the first case that I had in the family court and it was a question—and different States refer to this by different names—but the issue was whether or not a young man—I was a public defender, I was assigned to defend the one who had been accused of a particularly serious crime—should be tried in the adult court because, although he was 16 years old, just not quite 16 years old, it was argued by the State prosecutor in the State's attorney's office that he should be tried as an adult because he had, quite frankly, a fairly long record. I was assigned to represent this young man. I had only been practicing law a little while, I guess about 3 months. And to my great shock, and I must say momentary panic, into the room comes this fellow who some might refer to as a big leprechaun—short man, always looking like he was wired, bouncing everywhere, with a glint in his eye—and if it was not the chief prosecutor from the State of Delaware who was deigned to come down to family court to argue with this young lawyer of 3 months on a case I did not even know he knew existed.

And after, as I said, that momentary feeling of panic evaporated, just simple fear set in. And there was a judge named Melson who was one of the fine men on our bench and Judge Melson was sitting there and Judge Reardon, Francis Reardon, who was—as the State prosecutor, everyone still called him Judge, which was also mildly intimidating if you are a lawyer on the other side. I had worked very hard on one of these first cases that I had been assigned and I had psychiatric testimony from the State hospital that this young man—who was my client and assigned to me—was not capable of being tried as an adult and he should stay in the family court and be tried as a juvenile.

And, unfortunately, my expert witness, the State psychiatrist, was testifying in a case in the superior court, and so I was seeking an extension. I was seeking an opportunity to delay this so that we could have my expert witness come down. I was trying to figure out what is the precise language you are supposed to use: "May it please the Court" or "Your Honor," and I kept calling the State prosecutor judge because I had known him all my life as Judge Reardon. I knew him from the CYO League, I knew him from family court, I knew him from everywhere as almost everybody did.

And Judge Melson finally looked at me and said, "To which judge are you directing your inquiry?"

I regained some of my composure, I think, and I looked at the presiding judge, Judge Melson, and I said—I was trying to be as serious as I could, and I looked at him and I said, "Your Honor, I ask for a continuance because my expert witness"—the psychiatrist, Dr. So and So—"is not available."

And up out of the seat like he was on springs popped old Judge Reardon, the prosecutor, and he said, "No problem, Judge. No problem." He said, "I'll stipulate to everything BIDEN's psychiatrist will say."

And I thought what a coup I had just accomplished; I did not even have to bring down my psychiatrist. It was not even necessary; he was going to stipulate to everything he said. And what he was going to say was this young man should be tried not in the superior court but right there in the family court.

I said, "Fine."

And he said, "On one condition, Your Honor."

Judge Melson looked at him and he said, "Yes, what's that, Reardon?"

He said, "That you give me a chance, you give me 3 hours to bring in one of my psychiatrists because Your Honor has been practicing long enough to know that if he can find an expert to say that he is not, I can find two who will say he is."

With that, I realized I had just been taken, and we decided to go to trial.

But the point of the story is Judge Reardon always had a very practical, straightforward, simple solution to everything, and on occasion angered someone because the truth of the matter was he could have produced a psychiatrist who said the exact opposite thing. The truth of the matter also was that he had a degree of empathy and sympathy for young lawyers as they began to practice that few of the elder members of the bar conveyed at least to me and I suspect to my colleagues.

I had shown up one day—and the Presiding Officer was a prosecutor herself, a graduate of the University of Chicago Law School and someone who knows the law and trial work—on my first day on the job after being admitted to the practice, I went as a public defender into court with the chief of the Public Defender's Office, a fellow named Eddie Sobasinsky, and we stood there and he had five files in his hand. One was a murder trial, two very serious, brutal robberies and two burglaries, and it was before a particularly stern judge. All the defendants were sitting on the front bench.

He said, "Mr. Sobasinsky, are you prepared to go to trial?"

He said, "Well, I will plea on two and," he said, "the two robberies I don't have a plea, Your Honor, and I am ready to go to trial on the murder case."

I had literally been admitted to the practice the day before in a ceremony like every other member of the bar, and I was sitting on a bench in the second row. And he looked down, this particularly officious judge, who I was never very crazy about so I will not mention his name, and he said, "Who is that?"

Mr. Sobasinsky looked at me and he said, "Oh, I beg your pardon."

He thought he had made a breach of protocol not introducing a member of the bar.

He said, "Your Honor, I would like you to meet Mr. Biden. He was admitted, he was sworn in in the Supreme Court," so and so.

And he said, "Good, he can take the robbery case."

And I said, "I beg your pardon, Your Honor."

I could feel my—I said, "Your Honor"—and this is the God's truth. The defendant was a fellow named Earl Larkin, a black man who had been very involved in the community but not in an appropriate way the previous 5 or 6 years but a very well-known tough guy in the community.

And he said, "Mr. Larkin, you don't mind if Mr. Biden takes your case, do you?

And he said, "No." He said, "One honkey is as bad as any other so," he said, "I don't care who I get."

He said, all of a sudden, "Mr. Biden, you draw the jury at 1 o'clock, go to trial tomorrow."

And I thought that was so unfair to do to this client let alone me. I did not know what to do.

And so later that day we drew it. I stayed up all night. I was out in the community looking for witnesses that night, literally at 11:30 at night. The next morning I get to the public building and I am running across—they had little corner elevators, and I am running across to jump on an elevator. They literally held five or six people. No more than I get in the elevator and all of a sudden, as if it was Superman, comes Judge Reardon, my recollection is, about five-six and he bursts the door open. He comes in and he says, "What's your hurry, Biden?

And I said, "Geez, Judge Reardon."

And he said, "Where are you going?" And he reached out and he grabbed my hand. He said, "Ah, sweaty palms."

And I looked at him and I said—I was so angry, I was so offended that he had—I was embarrassed that he knew how nervous I was going into court. And he grabbed my hand. He walked off the elevator on the fourth floor, and he said, "Let me tell you something." He said, "The day you get in this elevator to go to trial and your palms aren't sweaty, your client's in trouble. You will do fine."

The man not only helped me through that trial, even though he was the State prosecutor, but he took the time

after the trial was over to come to me, sit with me, tell me as a young public defender what I had done right and what I had done wrong.

This is a man who was a little bit like a Solomon in our court, Madam President. He was a man who literally, instead of trying to automatically apply the law in family court, would sit with husbands and wives and he would actually in his courtroom, close the door, tell the lawyers to leave and try to reconcile. He would actually settle disputes in ways that few people could. He would take young men, and women occasionally, but young men he had sentenced to what we call fair school, reformatory, and then he would have them come to his home on the weekend, and he would make them work with him. They did not really work with him; they hung out with him while he cut the grass, while he did whatever.

There were certain kids in the community he would take and put back into the basketball leagues and the football leagues. He would go to them. He would be there as a judge. He was deeply involved in the community in a way that few members of the bench in any State I suspect have.

Madam President, there are so many stories about him that I could go on for a long time, but Judge Reardon told the court on one occasion, "The Christian charity and the advent of Christmas compel my appearance here today to say a word on behalf of a not too smart defendant." This is when he came as a character witness —tough, honest, compassionate. And that was just as true in his dealings with the judges, colleagues, and many young lawyers he advised.

There is another story I thought I might add, and there are too many Judge Reardon stories to count. This involves the late Daniel Herman, who was the chief judge of the Supreme Court of the State of Delaware, who was hired in the district attorney's office at the same time Judge Reardon became the first assistant district attorney. Among other things, the story illustrates a fact of which we are all aware: Judge Reardon had an Irish sense of humor to go with his self-described Irish temper.

Dan Herman, his former colleague, went on to the district attorney's office and, ultimately, to the Delaware Supreme Court, where he had occasion to overturn a conviction that prosecutor Reardon had won in the lower court. Well, the former Judge Reardon entered Judge Herman's office calling, "I want to see the liberator. Where is the liberator?" This is when he was a Supreme Court justice.

Judge Reardon loved—and I do mean loved—to argue points of law, and he believed in rigorous fidelity law. He had a compassionate understanding of human frailty, and he believed in common sense as the bottom line in results where it mattered most to him. He shared these beliefs, and many of the lessons of his career, with an entire generation of young Delaware lawyers, and with more than a few members of his own generation, whether his opinion was invited or not.

As one of those then young lawyers, I can tell you how much Judge Reardon's guidance of both career and character meant. In private moments as well as in public pursuits, Judge Reardon always took the time to care. The difference he made in his public efforts is known throughout my State, Madam President. But the difference he made in the countless individual lives he touched can never be measured by me or anyone else.

Francis Reardon was the family lawyer in the very best sense of the tradition. He was the first person many people turned to in times of trouble. As another Supreme Court Justice, Judge Walls, said at the eulogy, many clients could not pay a fee and received no bill from Francis. As Justice Walls emphasized of his personal friend, no tribute to Francis Reardon would be complete if it did not honor his private as well as public life. As committed as he was to his community and profession, he had an even deeper commitment to his family and his faith. He himself had private loves as great as his public concerns, one of which was the shore of Lewes, DE, where if Judge Reardon got lucky and the fish were biting, he would clean them for dinner, or if he got lucky and the fish were not biting, he would not have to clean them.

It was in that quiet offshore setting, as Judge Walls recalled, that the image of Francis Reardon was so clearly that of a man truly at peace with himself and his God. Judge Reardon's greatest love was his wife, Mildred, with whom he shared his life in more than 50 years of marriage, until her death in 1982. Together they raised a remarkable family including sons Francis, Dennis, William, Lawrence, Alfred, and daughters Mary and Margaret. Thanks to them, Judge Reardon was blessed with 21 grandchildren, 16 great grandchildren, and a great-great granddaughter. I also mention Judge Reardon's surviving sisters, Mary, Alice and Evelyn, all of whom still reside in Wilmington.

Family and heritage. It is where I began the story of Francis Reardon and where it will end. For as great a public man as he was, the truest measure of his life rests in his countless unwitnessed acts of charity and love. Pope John Paul II once said: "Love is never defeated." The history of Ireland proves that; and so does the life of Francis Reardon prove that. The victories won through his love will sustain and inspire all of us who knew him through his life.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Ms. MOSELEY-BRAUN). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

DEPARTMENTS OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT APPROPRIATIONS ACT FOR FISCAL YEAR 1994

The Senate continued with the consideration of the bill.

AMENDMENT NO. 913

(Purpose: To reduce funding for the National Service Initiative to authorized levels)

Mr. NICKLES. Madam President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Oklahoma [Mr. NICKLES] proposes an amendment numbered 913.

Mr. NICKLES. Madam President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(1) On page 69, line 23, strike "$391,000,000" and insert "$370,000,000".

(2) On page 70, line 15, strike "$211,500,000" and insert "$190,500,000".

Mr. NICKLES. Madam President, this amendment is relatively simple, I hope, maybe even noncontroversial, but that remains to be seen. This amendment would reduce the funding in this appropriations bill to the authorized level for the national service initiative, or community service initiative, the bill the President signed just yesterday with some fanfare. The authorized legislation said we will not exceed $300 million in financing subtitles (c), (d), and (h). The legislation before us appropriates $321 million for those three subtitles. The amendment I have submitted to the desk would reduce that amount to $300 million which is the authorized level.

I would hope my colleagues would concur. It would save the taxpayers $21 million if this is what is ultimately agreed to in conference. So I would hope that my colleagues would concur.

I know the manager of the bill is reviewing the amendment, and I am happy to speak on a couple other issues while she reviews it or, if she wishes to discuss it now, I will be happy to do that as well.

The PRESIDING OFFICER. Under the previous order the Bryan amendment is laid aside and the Senator from Oklahoma [Mr. NICKLES], submitted an authorized amendment. There will be 1

hour of debate equally divided on his amendment, 2 minutes and 30 seconds having transpired on the side of the proponents of the amendment.

The Senator from Maryland.

Ms. MIKULSKI. Madam President, before I respond to the Senator from Oklahoma I would like to discuss the matter with him and, therefore, I will suggest the absence of a quorum.

Mr. NICKLES. Madam President, if the Senator will withhold the suggestion of a quorum, I will speak on a couple other related issues.

Ms. MIKULSKI. If the Senator will withhold, I would like to discuss with him about the amendment.

Mr. NICKLES. Yes.

Ms. MIKULSKI. I suggest the absence of a quorum and ask unanimous consent that it be charged equally divided between the two sides.

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

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Ms. MIKULSKI. Madam President, yesterday I went to the White House for the signing of President Clinton's new national service program, a new rung on America's opportunity structure, a new rung that will give help to those who practice self-help, a new rung on the opportunity ladder that will say yes to the kids who say no to drugs, no to dropouts; yes to the kids who stay in school, doing their homework and wanting to through their own sweat equity be able to earn a voucher in which they can reduce their student debt for higher education and at the same time roll up their sleeves to help deal with the social deficit facing the United States of America. Not only is it a rung on the opportunity structure, this is not just one other program. This will change America's culture.

We will go from the me generation to the we generation, the we generation, in which young people will say for every opportunity there is an obligation to serve; for every right in our country, there is a responsibility of citizenship.

This is not about entitlement. This is about enlightenment, enlightenment about yourself, your community and serving.

That is why I do not want this bill nickeled and dimed. I do not want this bill nickeled and dimed. We had ample debate on authorization. We had ample debate in hearings, and now we are on the Senate floor with what I think is adequate funding to deal with this first year of the proposal that passed with bipartisan support to create this rung on America's opportunity.

The sponsors of the pending amendment might say that our bill is slightly above the authorized level. In response to that, I would like to make several points.

First, the committee will have to negotiate with the House on the total final agreed on for this year. They have no funds in their bill for this legislation because when they moved their bill no authorizing had passed.

So we are trying to position the Senate so that the conference agreement we will reach guarantees that we will have enough money for 20,000 service opportunities in fiscal year 1994. That is the compromise we agreed upon in the authorization bill.

Second, the Senator should note that only $94.5 million has been provided for the national service trust in the bill. The trust is where the postservice benefits are placed until they are drawn down by the national service participants and after they complete their service.

The amount we provide can only be stretched to cover 20,000 people at a benefit level of $4,725 for 1 full year of service. What does that mean is that if you get out there and work in your community as part of the national service you will earn a voucher for $4,725 to reduce your student debt or to be held for you to reduce your student debt.

You know, Madam President, you walked the streets of Chicago and you were out in small towns of Illinois. You know for a lot of our kids that first mortgage is their student loan program. When they say, "Senator CAROL MOSELEY-BRAUN, how are we going to keep hope alive," this is one of the ways. This is one of the ways for 20,000 kids. Their having an extra cushion in the bill for full- and part-time service opportunities enabled the corporation to do another summer of service program next year.

President Clinton called it the SOS Program, summer of service. But it was not SOS for riots. It was not SOS to deal with breakdown and anarchy in our cities. It is SOS in which young people worked together across ethnic and class lines to do extraordinary things.

The President of the United States held a forum in the State of Maryland with the kids who actually worked in summer service.

Oh, Madam President, I wish you would have heard those stories on what they did. They did immunization. Did they do the needles? No. That is clinical personnel. But they could get people to take advantage of some of the services to immunize kids. People did not know about the benefit. They were afraid of a needle. They did not know what it was going to mean. And many of the communities in New York people went door to door, these young people many of whom could speak many languages and were able to through work—it was summer of service—with trained clinicians be able to immunize thousands of kids. That was summer of service.

Now, what they said was, we like this. One young lady said, "This so changed me I want to be a doctor." Another young man said: "I loved this so much. I did not know about a career called public health. I now know what I want to do. I now know that I can do well, while doing good."

Well, my gosh, we got kids immunized and these benefits. We wanted summer service. And when we talk about SOS, we wanted to have service and not disaster that we are responding to.

Fourth, the cushion will help the corporation address any unanticipated contingencies in the coming year.

Suppose we have another national disaster? National volunteers made a difference in the Midwest over the summer. One of our able members of our subcommittee, Senator BOND of Missouri, was one of the real leaders, along with Senator WELLSTONE and Senator DURENBERGER. It was bipartisan. We said, why can we not use national service to get out and help with the recovery from the floods and also help the floods from coming in.

The distinguished Presiding Officer had enormous floods in her own State. We know about the flooding in the deep tunnel in Chicago, of which she has been a strong advocate.

When the floods come, you do not worry about cutting line items. You want people out there to do the backup. Many of the volunteers were exhausted, but national service volunteers made a real difference in the Midwest over the summer, in which they then came out to do backup, to help do the cleanup, to help restore our communities.

Well, that is what the contingency is all about. We have had floods in the Midwest, we had hurricanes on the east coast, we had an earthquake—5.67 on the Richter scale—in Oregon.

We do not know what is going to happen to our country. But volunteers in national services with contingency funds could be moved around to help with needed recovery.

Madam President, I think that this bill keeps up our end of the bargain on national service. We cut the budget request by 17 percent. Do you know what? We did not compromise our investment for education programs in the way we have been able to move this bill.

And, boy, have we been tough on the bureaucracy issue. When we began to talk about national service in this Senate 5 years ago, Senator NUNN and I said: No bloated bureaucracy; no lavish headquarters. The money is in service, opportunities for young people to reduce student debt, not for bureaucrats to have opportunities for big salaries, big offices, but hands on, neighbor helping neighbor.

You know, we cut the money for bureaucracy from $40 million to $25 million. And we have capped the amount available for full-time postservice benefits at $250,000 in fiscal 1994.

I do not want to rehash the debate that we settled on the reauthorization bill, but I think that we have been prudent, we have put forth the money.

This will be the first year of this program. We want it to get off to a good start. We want it to get off to the right start. For many of our young people, this will be the opportunity that ranks up there with night school, ranks up there with the community college.

Madam President, we are a country of great technological innovation. A lot of that is in my bill in space and science. But we are also a country of great social invention.

The distinguished Presiding Officer might not know, but we are the country that invented night school. And we invented it at the turn of century. Immigrants streaming into the United States of America wanted to learn English, learn about citizenship, and begin to learn skills to move up in our society. But they worked in sweat shops, they worked in mines, they did not have the opportunity to go to school. So the ingenuity of the Settlement House created night school and created a whole new way for people to help themselves.

At the end of the World War II, with the GI bill, not everybody could go to a 4-year college. They could not afford to go away or pay the bills. So we invented a community college which gave them a 2-year opportunity to then either have technical training or be able to stay in their own neighborhood and matriculate to a 4-year program.

Now we come along with a rung in the American opportunity ladder, and that is the America Corps that has been passed by this Congress.

So I hope we give it full funding. I hope we give it our full support. And I hope that we defeat the Nickles amendment.

Mr. NICKLES. Madam President, I wish to compliment my friend and the manager of the bill, Senator MIKULSKI, because she has been tireless in her efforts in managing this bill. This is not an easy bill. It is one of the more difficult subcommittees to be chairman of. She has done an outstanding job. I compliment her and I hope that she is successful in concluding this bill a little later today.

So, Madam President, it is with reluctance that I offer this amendment. This amendment basically seeks to keep the Appropriations Committee in line with the authorization bill that passed earlier this year.

I might mention I did not support the bill that passed, but I was involved in trying to reduce the scope and the cost of the bill. I opposed the package as originally introduced by President Clinton that would have cost $10.8 billion over the 5-year program.

Many hours were spent—as a matter of fact, days were spent—on the floor of the Senate trying to reduce the cost. And many people, my colleagues, Senator KASSEBAUM, Senator DURENBERGER and others, who even in some cases support the idea of national service or community service, did want to bring the cost down. A great deal of time, probably the majority of the time that was spent in the debate on the package, was an effort to make sure that the costs were definable and that they were limited.

The bill, as originally reported out of the Senate Labor and Human Resources Committee, after the first year, said "such sums as necessary." I believe the first year it authorized $394 million, and then it said in subsequent years "such sums as necessary."

Most everyone said, "Wait a minute. That is irresponsible. That is open-ended. There is no limit to how much that might cost."

So we put in a definitive, limited amount. We said, well, in 1994 we will have $300 million authorized; 1995, $500 million authorized; 1996, $700 million authorized; a $1.5 billion program, significantly less than the President had requested at $10.8 billion over 5 years.

So I question whether we need it or we can afford even a $300 million program. I am bothered by the fact that I see the Appropriations Committee, the day after the President signed the bill, coming forth with an appropriation that says $321 million instead of $300 million. It is only $21 million, but there is some principle at stake.

I have stated time and time again on the floor that this program will explode in cost. It will have enormous opportunity to grow. And if we allow legislation to pass such as "such sums," or if we allow these appropriations to grow, they will grow, and grow very rapidly.

So I fought the battle on authorizing the legislation and I lost. Now I am just trying to say we should hold this level to the level as authorized. I would think that those Senators who were involved in that debate would support this amendment.

Madam President, I also ask unanimous consent that Senator MCCAIN be added as a cosponsor.

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

Mr. NICKLES. Madam President, I wish to just touch on kind of a related issue, and that is the issue of cost. I am very concerned about programs that we initiate, new programs or new expansions that will grow, I am going to say, many times the rate of inflation. I am concerned that the national service program is one such program.

I want to tell my friend and colleague from Maryland that I know that she has the capability and capacity to be a watchdog over programs probably better and more tenaciously than any other chairperson of any of the Appropriations Committees, so I welcome her comments as far as her commitment to make sure that these programs are not overloaded with bureaucracy.

I also compliment her for reducing the amount of administration costs, I believe, from $40 million to $25 million. I think that was a step in the right direction. But I also think, at the same time, if we are going to be fiscally responsible, we should stay with the authorized level and not exceed that authorized level, and that level would be $300 million.

Madam President, just to touch on a couple other issues that concern this Senator as far as exploding costs. And that is, maybe the No. 1 issue that is on everybody's mind today, and that President Clinton will be addressing a joint session of Congress on, is the issue of health care and how much the health care costs can explode.

I am very concerned that the President is announcing a program that is going to be overpromised and underfinanced.

I look at the President's charts. I happen to be a person who kind of pays a lot of attention to financial numbers and so on. I look at the costs and the new spending in his program and also the new revenues, and I see a lot of new spending. In his program, he says it is $350 billion in new spending over the next 5 years. The only proposed new taxes I see are $105 billion in "sin" taxes. So that concerns me.

I look at some of the estimates on spending and, frankly, I think he has greatly underestimated the amount of spending for many of these programs. Let me just give an example.

Early retiree health benefits: Early retiree health benefits are not included in this handout that was made available by the White House dealing with the cost of the program. Mr. Magaziner has said publicly it would cost about $5 billion a year. Now we are going to have the Federal Government picking up health care costs for people who retire between the ages of 55 and 64. The Federal Government has never done that, and now we are saying the Federal Government will pick up 80 percent of that cost.

Somehow or another, he picked out a figure and said that is $5 billion a year, or $25 billion over the next 5 years. I think he grossly underestimated the cost of this brand-new entitlement program.

My guess is he did it to get the support of a few major unions or maybe it is a couple of companies, but this is a ripoff. This is telling people in Maryland and in Oklahoma, that their tax dollars are going to be used to pay health benefits for people who retire, in many cases voluntarily, probably the

majority of cases voluntarily, between the ages of 55 and 64. It will cost billions of dollars and encourage early retirement in many cases. Really, the Federal Government has no business taking that over.

I compliment Mrs. Clinton and the administration for having the recent congressional workshop. I brought the question of early retirees up to a couple of the administration's presenters and asked, "Why are we doing this?" And no reasonable explanation was given. I might mention, that is not in their cost estimates. That is not part of that $350 or $360 billion of new expenses. It is not there. But it is an enormous expense.

What about some of the other expenses? What about the subsidies involved? What about the loss of jobs? I have made many comments on this floor as to my concern about putting people out of work, about expensive mandates, like mandating a very expensive and extensive health care proposal on small business and pricing those jobs out of the marketplace.

The administration has come back and said, "Well, we will subsidize low-income people. People who make less than $12,000 will not have to pay anything, and their employer will only have to pay 3.5 percent." If you have an individual that makes $10,000 a year, 3.5 percent of that is $350. The cost of this for a family plan is estimated to be $4,200. That means that the taxpayers are going to end up subsidizing this person to the tune of about $3,900. That is an enormous subsidy.

So when I look at the administration's estimate for the subsidy amount, and they say, well, the subsidy is to small firms and low-income people, $160 billion over 5 years, Madam President, I think they have grossly underestimated the amount of subsidies. I think you will find a lot of small businesses are saying, "This is cheaper than what I have had before, Uncle Sam. This is great. We will pay 3.5 percent and you pay the balance. Thank you very much, Federal Government. Now you are picking up almost all of our costs. Thank you so much."

I happen to be a small businessman. I used to have a business that was in this category where I had employees and we did not provide health insurance for this little janitor service. But now Uncle Sam is going to come in and say to some of those janitors, some part-time and some not, "We are going to pick up your health care expense," and if you happen to have a family—and a couple of our employees did, they were married—that is to the tune of $4,000 a year. That is outlandish.

I look at the other methods of financing this package, and the biggest bulk of financing revenues is from savings in Medicare and Medicaid. I, for one, think we could and should save a lot of money from Medicare and Medicaid, but I do not see how that is possible—remotely possible—at the same time we are expanding benefits under the programs. This administration is proposing the largest expansion in Medicare in history, including prescription drugs and long-term care.

I might mention, too, in this long-term care program, they are talking about the Federal Government picking up from 75 to 95 percent of the cost. I am sure the Governors are all very pleased and maybe they will endorse the package as a result of this gift, but we are talking about enormous expansions in Medicare at the same time this administration says we are going to cut Medicare and Medicaid, to the tune of $124 billion in 5 years in Medicare and $114 billion in Medicaid. So all together they are talking about $238 billion in savings at the same time they are talking about enormous expansions in benefits.

The two will not add up. The numbers are not credible. I do not see how anyone can say we are going to have this enormous expansion in benefits, yet at the same time we are going to cut the rate of growth in Medicare and Medicaid by over one-half. I just do not think the numbers are credible. I am afraid that the administration is overpromising and underfinancing, and the only way they will be able to make the numbers match is to come in with a massive amount of price controls. Price controls will not work, certainly not by themselves, and then they will have to have volume controls. We will have to have Federal regulators decide who can go to the doctor and when. The waiting lines will appear. The quality of medical care will greatly deteriorate if that happens.

I do not want that to happen. I do think there are a lot of things the administration is talking about we can and could and should pass. I want and happen to believe in the goal that we should make health care available for every single American. We should make it less expensive. We should take care of individuals who have preexisting illness, make sure they not be denied health care. We should make sure that health care is portable, that it is available.

I also happen to believe we should make health care options available, not put everybody into the same health care package but allow a multitude of health care options at different prices, at differ ranges for all Americans.

Madam President, I make these comments in conjunction with the underlying amendment because the bill dealing with national service is a brand new program that I am afraid will explode in cost. Many of our colleagues, Democrats and Republicans, agreed with that, and that is why in the authorization level we limited the amount in fiscal year 1994 to $300 million. That is what my amendment does. It says we will spend no more in 1994 than $300 million, not $321 million, not greater sums, but $300 million. It will save the taxpayers $21 million.

So I hope my colleagues will support that amendment. It is consistent with the authorization bill.

Likewise, I will just tell my colleagues, I think it is very important that we look at the cost of the health care plan as proposed. They are probably the most extensive and the most expansive and expensive expansions in health care proposed by any President, certainly going all the way back to the midsixties. So I think we need to look very closely at those costs, and if we see those costs exceeding estimates, and so on, we should take measures, such as this amendment, to make sure that those costs do not balloon out of proportion as well.

Madam President, I suggest the absence of a quorum and ask that the time be equally charged.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. DURENBERGER. Madam President, I rise to oppose the amendment authored by my distinguished colleague from Oklahoma to lower the appropriations level for national service programs from $321 to $300 million.

I understand the authors' intent that fiscal year 1994 appropriations for this program not exceed the $300 million we authorized in the National and Community Service Trust Act.

Members of this body will recall that this fiscal year 1994 funding level was the subject of considerable debate during consideration of that bill—along with the $500 and $700 million authorized funding levels for new national service programs for fiscal year 1995 and fiscal year 1996.

I strongly supported those funding levels and believe they represented significant factor in the ultimate approval of this legislation. I continue to support those funding levels and would not oppose this amendment if I believed its defeat would lead to fiscal year 1994 appropriations exceeding $300 million.

On the other hand, I strongly believe Congress should match the authorized funding level for new national service programs with $300 million in actual appropriations for this coming fiscal year. But, I understand that the House has not met that funding level in its appropriations bill for HUD and Independent Agencies including the new Corporation for National and Community Service.

With that in mind, I do not believe it is unreasonable to give Senate conferees the room to achieve a compromise with the House near the authorized funding level by retaining the $321 million in the legislation now before us.

National and community service has great potential to reconnect young Americans with themselves, with education, and with their communities. I'm proud to have been a strong advocate for the legislation the President signed yesterday. And, I believe defeat of the amendment now before us will make sure we launch this new initiative on a scale consistent with our intent in passing this important new initiative.

Thank you, Madam President. I yield the floor.

Ms. MIKULSKI. Madam President, I ask how much time do those of us who oppose the Nickles amendment have?

The PRESIDING OFFICER. Seventeen and one-half minutes.

Ms. MIKULSKI. I yield myself such time as necessary.

Madam President, the budget request for National Service was $471 million. That was the President's budget request. The Senate VA-HUD bill provides $391 million. That is a cut of $80 million, or 17 percent below the budget request.

The current Senate position will be a negotiated position with the House because they have no money whatsoever.

So we expect that this money will come down. The committee's recommendation is fully consistent with the intent of the authorizing legislation, which the President just signed into law.

Madam President, I think both the proponents and opponents have covered this amendment. I thank the Senator from Oklahoma, who is also a member of the subcommittee, for his kind words said about me.

I wish to assure him and all Senators that our subcommittee does intend to be a watchdog on this bill. We are not going to let the bureaucracy grow. We want the opportunity structure, the opportunity to grow. I felt during the authorizing discussion the issues raised particularly by the Senator from Kansas, NANCY KASSEBAUM, ranking minority member on the authorizing committee, Labor and Human Resources, were excellent, and that is why we reduced the overall request in the authorization. She raised excellent questions about duplication of bureaucracy and volunteer reference.

We are not going to do the authorizing debate again. I think the authorizers have received the message. Certainly the appropriators are clear in our goals. And I expect that over the next years we will hold a very rigorous oversight on how they have gotten started.

Madam President, I am prepared to yield the time on this. We know of no other Senators who wish to speak. Or if we just want to do a quorum.

What would be the Senator's preference?

Mr. NICKLES. I will be happy to yield back the remainder of my time.

Ms. MIKULSKI. I am happy to yield back the remainder of my time. And as I understand, under the unanimous-consent request propounded last night, this vote will occur after the Bryan vote on radio astronomy.

The PRESIDING OFFICER. The Senator is correct.

Mr. NICKLES. Madam President, I ask for the yeas and nays on the amendment.

The PRESIDING OFFICER. Is there a sufficient second?

This is a sufficient second.

The yeas and nays were ordered.

Ms. MIKULSKI. I wish to also thank the Senator from Oklahoma for being very faithful to the unanimous-consent agreement and being prompt in his appearance in this Chamber. We do wish to finish this bill before we need to vacate in preparation for the President's address tonight. I thank the Senator for his courtesy and comity in this matter.

Having said that, Madam President, I also ask now that other Senators who have amendments on VA-HUD appropriations that they felt such a compelling need of either in conscience or fiscal responsibility to come to the floor and offer those amendments, this Senator is here, ready to discuss them, in the way that we have just proceeded so promptly and efficiently on this amendment, with rational discussion, with the Senate ready to work its will. That was the model that I would like to follow the rest of the day—promptness, civility, and content rich. I really ask my colleagues to come.

I note the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum has been suggested. The clerk will call the roll. The assistant legislative clerk proceeded to call the roll.

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

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

Mr. NICKLES. Madam President, I ask unanimous consent to proceed as if in morning business for 7 minutes.

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

SAFE DRINKING WATER ACT

Mr. NICKLES. Madam President, my comments today mark the fact that a full year has now gone by since we vigorously debated placing a moratorium on the implementation of new regulations under the Safe Drinking Water Act. It is unfortunate that the short-term help we offered to small water systems last year is just about to expire. There have been no hearings on reauthorization of the Safe Drinking Water Act and there is no committee bill, and the Science Advisory Board says the EPA report on radon that we asked for is not a good piece of work, and the other EPA report we required was late and failed to answer the most basic questions that were asked.

In the meantime, the mayors and Governors are fed up. They have organized a "National Unfunded Mandate Day" and are calling for risk assessments and cost-benefit analyses in all legislative mandates. I agree with their approach. They want this for the same reasons that we sought to place a moratorium on implementation of useless and unnecessary drinking water regulations 1 year ago.

I wish to make this point very clear. The 1-year break we gave the small water systems is about to end with absolutely no solution in sight. These communities are now going to start paying over $12,000 per well to meet Federal testing regulations that make no sense at all and do nothing in themselves to improve the quality of drinking water.

Let me give you one example to show you how broken this law is and will continue to be, and let me put it into proper legislative setting.

As we begin our debate on health care legislation, we all know that one of the most difficult issues to confront will be which health remedies we will choose not to pay for. We are going to have to make some hard decisions on what is too expensive for benefits derived. I can promise you one thing without any fear of contradiction. We will never authorize a treatment for cancer that costs $10 billion per case.

But under the Safe Drinking Water Act we are doing just that. There simply is not a single health provider, public or private, that would even contemplate spending that kind of money on a single case of cancer.

Ten months ago, I asked EPA to provide me with the cost per case of cancer associated with its rules. To be polite, they didn't hand over the information. Instead, they gave me a stack of reports and said it was buried in those reports somewhere, or could be calculated from the data.

The Safe Drinking Water Act contains some regulations that are a good buy at any price. Standards for surface water filtration and nitrates, for example, are the kind of investments any sane and caring person would want to make. On the other hand, no competent health care manager, whether in the White House or in your house, would ever be willing to pay for the dozens of high cost rules under the act. The numbers are staggering. For example, rules regulating pentachlorophenol cost $711 million per case of cancer avoided, and the worst one of all, alachlor, an important agricultural

chemical that is very safe to use, could cost as much as $80 billion per cancer case avoided.

It is not hard to understand why EPA did not want to give us data on the incremental costs and benefits of their drinking water rules.

Mr. President, some have proposed that the Federal Government pay for these rules through use of a new State revolving fund. Even, if we were flush with money, we would not pay for this kind of waste. If the States had to pay for it, they would not pay for this kind of waste. And the citizens of this Nation certainly do not want to pay for this kind of waste.

The facts are clear—when it comes to the safe Drinking Water Act, we need to extend relief to small communities, just as we did last year. We need to continue to extend them reasonable relief as long as we, ourselves, are unable to fix this desperately broken Federal mandate.

I take no joy in calling this to the attention of the Senate. I hope that the authorizing committee will give serious attention to those elements of my bill dealing with local choice, risk-cost-benefit assessment, and recognition of the fact that some risks are so small as to be unimportant.

At a time when we are reassessing how best to offer economical health care to the Nation, we must ensure that all aspects of our health care system, including safe drinking water, are given the same degree of thoughtful attention.

Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. KERREY). Without objection, it is so ordered.

AMENDMENT NO. 914

(Purpose: To provide funding for the Asbestos School Hazard Abatement Program of the Environmental Protection Agency.)

Mr. SIMON. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant clerk read as follows:

The Senator from Illinois [Mr. SIMON], for himself, Mr. PELL, and Mr. LOTT, proposes an amendment numbered 914.

Mr. SIMON. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

On page 46, between lines 11 and 12, insert the following:

ABATEMENT, CONTROL, AND COMPLIANCE LOAN PROGRAM ACCOUNT

For the cost of direct loans, including the cost of modifying loans, under the Asbestos School Hazard Abatement Act of 1984 (20 U.S.C. 4011 et seq.), $29,000,000: *Provided*, That such funds are available to subsidize gross obligations for the principal amount of direct loans not to exceed $70,500,000.

In addition, for administrative expenses necessary to carry out the implementation of such Act, $1,000,000.

Funds for the cost of direct loans, and for administrative expenses, under this heading shall be derived from any funds available to the Environmental Protection Agency for fiscal year 1993 which remain unobligated at the end of such fiscal year.

Mr. SIMON. Mr. President, if I may ask the manager of the bill—and I regret I have been tied up in committee—do we have any time agreements on any of these amendments?

Ms. MIKULSKI. At 11:40, the Bumpers ASRM amendment begins, and when that concludes, we will be moving on the vote.

If we can conclude this in 25 minutes, that would be all right. If not, I will ask the Senator to return to the floor after the completion of the designated vote.

Mr. SIMON. If the Senator wants to ask unanimous consent that we conclude it in 25 minutes, that would be fine with me.

Ms. MIKULSKI. I have no objection.

Mr. BUMPERS. Reserving the right to object, I was not here when the unanimous consent request was made. As I understand it, we will go back on the Bumpers amendment at 11:40 if this has not been completed, in any event.

Ms. MIKULSKI. The Senator from Arkansas will promptly have the floor at 11:40, and I will wrap up after him, and we will move to the vote.

The PRESIDING OFFICER. Does the Senator from Illinois wish the time to be equally divided?

Mr. SIMON. Yes, equally divided. And unless it is agreed to—and I do not think it will be—I will ask for the yeas and nays on the amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There is not a sufficient second.

Ms. MIKULSKI. Will the Senator withhold? Have the yeas and nays been ordered?

The PRESIDING OFFICER. There is not a sufficient second.

Ms. MIKULSKI. Have we agreed to the unanimous-consent request?

The PRESIDING OFFICER. If there is no objection to the request——

Mr. SIMON. I withdraw my unanimous-consent request, unless I can get a rollcall.

Ms. MIKULSKI. We are not stopping the Senator from that rollcall.

Mr. SIMON. I understand.

May I ask the Parliamentarian, there are three Senators on the floor and all three have said we ought to have a rollcall.

The PRESIDING OFFICER. Under the rules of the Senate, that number is not sufficient.

Mr. SIMON. I see. We have another Member now.

Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request?

Mr. GRAMM. Reserving the right to object. I did not hear the request.

Mr. SIMON. It is that we limit debate on this to 25 minutes, 12½ minutes divided on both sides.

Mr. GRAMM. That is fine. I have no objection.

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

The Senator from Illinois is recognized.

Ms. MIKULSKI. If the Senator will yield for a point of clarification.

I ask unanimous consent that the yeas and nays occur on the SIMON asbestos amendment also during the stacked votes that we will have starting at the noon hour.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Illinois is recognized.

Mr. SIMON. Mr. President, this amendment, cosponsored by Senator PELL and Senator LOTT, takes $30 million out of unobligated funds by the EPA and applies them for the school asbestos problem.

I do not know how many meetings I have attended where Senators get up and say: If we mandate responsibilities to State and local governments, we have the responsibility to provide revenue.

Mr. President, we have mandated action on asbestos, and unless this amendment is adopted, we are going to give the schools of the Nation zero assistance in terms of asbestos help.

This provides $30 million—not a huge amount, but it would help the poorest and those where the hazards are the greatest.

Why do we need help there? First of all, there is a general acknowledgment that while there is a minority who believe asbestos does not cause any harm, the evidence is overwhelming, and EPA recognizes that, OSHA recognizes that, and the others recognize that. Why it is particularly important for children is that children breathe more rapidly than we do. So the fibers in the air get into their lungs and cause cancers.

That is the reality. And for the Federal Government to say to schools, "You have to clean up but we are not going to give you a penny to help clean up," and that is what we do without my amendment, that simply is not the right thing to do.

In its July 1989 final rule the EPA said:

It is well recognized that asbestos is a human carcinogen and is one of the most

hazardous substances to which humans are exposed in both occupational and nonoccupational studies.

We had a study recently about custodians at school. We find that they are getting cancers produced by asbestos appreciably more than most citizens. You can imagine what is happening to those children who are breathing that in and out.

The evidence is just overwhelming. Frankly, originally I was going to have in my amendment that this $30 million would be taken out of the space program, but with the vote—and I voted with Senator BUMPERS on that—that was passed, it is clear that is not something that the U.S. Senate wants to do.

Taking it out of the unobligated EPA funds makes sense in that this is an environmental hazard that we ought to do something about. This is an environmental hazard where the EPA has ordered the schools of the Nation to act.

So, what we are doing with this amendment is simply saying this has to be a priority to take care of our children in our schools. Every educational group that I know of has endorsed this amendment, and my hope is that we can move on this very quickly.

Mr. President, let me hold off and reserve the remainder of my time at this point.

The PRESIDING OFFICER. Who yields time?

Ms. MIKULSKI. Mr. President, I yield to myself such time as necessary.

The PRESIDING OFFICER. The Senator from Maryland is recognized.

Ms. MIKULSKI. Mr. President, I am so reluctant to oppose this amendment because it is filled with good intentions, given by one of the best Senators in this institution. It provides $30 million for asbestos abatement in schools, and it is offset by a $30 million cut in the fiscal year 1993 unobligated EPA funds.

Why do I oppose this amendment? I oppose it, first of all, because EPA opposes the need for additional funds for asbestos.

No. 2, I have been attempting to get this administration and the previous administration's EPA Administrator to go to a risk-based strategy on environmental protection. We fund every mandate in the world based on whatever we saw on a Sunday evening TV show. We fund the scare of the month, and we come in with mandates.

All of the science indicates that, though asbestos in the schools is a real concern, it is relatively low risk as compared to, say, lead paint in public housing, because asbestos, by its very nature, can be contained. Also, to cut other programs would be unacceptable. The amendment would mean cuts possibly to higher risk areas, such as drinking water and that lead cleanup. It gives EPA a line-item veto authority in choosing which program to cut, which is a dangerous precedent.

The Simon amendment is a clear example of how Congress often forces EPA to spend money on a lower priority or a lower risk problem at the expense of the high-risk area. I know the Senator is well-intentioned. We are looking at the chaos in New York City on the issue of asbestos. Schools are concerned. But I believe it is not by adding more money but by examining the mandate that we will solve this problem.

According to scientists, asbestos in schools ranks low in terms of health risk relative to other environmental hazards. Researchers at Harvard University stated that a person stands a 70 percent greater chance of premature death from drinking water in some of our States than from normal asbestos exposure.

An environmental interest group, the Center for Resource Economics, analyzed EPA's fiscal 1994 budget and did not recommend funding for asbestos because of the low relative risk. The Alexandria School Board Association said on the list of things to worry about with our kids this is not the highest priority.

In determining which environmental programs to fund, I had to make tough choices. My decisions were based on a risk-based strategy to environmental protection. Including funds for low risk would have meant fewer dollars for high-risk environmental programs such as lead. I know the Senator from Illinois has been one of my strongest supporters, as has the Senator from Connecticut [Mr. LIEBERMAN] on this whole issue of lead.

These grants will help States eliminate lead hazards, because it is the number one environmental hazard for kids either in the classroom, in public housing, or even in their own homes because of antiquated water systems. EPA opposes the additional funds for asbestos.

In a letter, EPA Administrator Carol Browner says that the asbestos funds jeopardize the Agency's ability to carry out other high-risk programs.

Mr. President, I ask unanimous consent that the Browner letter be printed in the RECORD.

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

ENVIRONMENTAL PROTECTION AGENCY,
Washington, DC, September 17, 1993.

Hon. BARBARA MIKULSKI,
Chair, Subcommittee on VA, HUD and Independent Agencies, Committee on Appropriations, U.S. Senate, Washington, DC.

DEAR MADAM CHAIR: As you prepare for the Senate floor debate on the FY 1994 VA, HUD and Independent Agencies Appropriations bill, I would like to provide you with further insight into our rationale for not requesting continued funding for the Asbestos-in-Schools Loan and Grants Program.

For the past nine years (from FY 1985 to FY 1993), EPA issued over $420 million in loans and grants. This funding helped over 1,400 school districts abate the most severe asbestos hazards in about 2,100 public schools. The number of applications for Priority 1 projects, which represent the most serious environmental hazards, have steadily decreased since 1989. For each of the last two award cycles (1992 and 1993) all Priority 1 applications have been funded and a portion of the Priority 2 programs have received funding. Also, the type of projects being funded is shifting from large exposure, general areas such as classrooms and hallways to more confined areas such as boiler rooms and maintenance areas. In these areas exposures are significantly less, especially for children. In addition, state and local governments are increasingly assuming the vast majority of the responsibility for asbestos abatement projects within their local public schools.

Given these trends in the changing nature of applications for loans and grants, and the evidence that state and local governments are increasingly funding these projects, Federal funding can now be eliminated. However, EPA will continue to provide the states with the tools and information necessary to insure that children are not at risk.

I hope this clarifies the Agency's position on future funding of the Asbestos-in-Schools Program.

Sincerely,

CAROL M. BROWNER.

Ms. MIKULSKI. Mr. President, also, dealing with the unobligated funds gives EPA the complete discretion to determine which programs in fiscal year 1993 are to be cut. This is tantamount to line-item veto authority, and I am concerned about giving it.

EPA could choose to cut congressional priorities funded in last year's appropriations: Air quality, which I know the Senator from Illinois supports, the Great Lakes program, or State grants for air, radon, water, or hazardous substances. It also creates a terrible precedent. I know we have great confidence in Administrator Browner. We had confidence in Administrator Reilly. We did not have confidence in Anne Gorsuch. Now, precedent is precedent regardless of the quality and competence and character of the Administrator. So I do not want to create a precedent in this area.

How much carryover funds will there be? They are under a very tight budget, so we do not know yet. So the Simon amendment assumes there is going to be a $30 million carryover balance. Last year there was only $10 million in carryover, and that was due primarily to the fact that they had not promulgated certain regulations.

Mr. President, if any of the agencies in my VA portfolio, which number 29, is on a very tight budget, it is the Environmental Protection Agency. We have essentially shoehorned them into a $6 billion appropriation. The environmental needs of this country are compelling. We hope that the administrative approach is a risk-based strategy, and we ask the support of our colleagues to focus on allowing the U.S. Senate to fund those things that are of highest risk, and that where there are mandates that were passed in haste without accurate scientific evaluation,

we reexamine the mandate rather than rearrange the funding.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois is recognized.

Mr. SIMON. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator has 8 minutes remaining.

Mr. SIMON. Mr. President, first of all I am unaccustomed to disagreeing with my colleague from Maryland. Usually, she and I are fighting the battles together, and, frankly, if we want to come in with a more comprehensive program of assistance to schools or have more money from EPA for something else, I am willing to do it.

But all of us get out and we make these speeches. I am sure the Senator from Colorado has made these speeches where he said, if we have a Federal mandate, we ought to provide Federal funds. Last year we provided $37 million to the schools for asbestos, just a small amount relative to the total need, but we provided $37 million. This year, unless my amendment is adopted, we are providing zero to the schools.

And I think clearly we have to do something. In today's USA Today, Bob Sherman, from my staff, points out they have a paragraph in a story headed "Schools Bear Brunt of Asbestos Management," and it says:

> Although requests totaled $1.2 billion from 1988 through 1991, the EPA has given out just $157 million in loans or grants to help pay for testing and removal.

The EPA has $623 million in unobligated funds and will have at the end of this fiscal year.

We are saying—and when I say "we," my cosponsors are Senator PELL and Senator LOTT—we are saying $30 million ought to be a priority that goes to the schools. We have a new administration. Carol Browner is a fine Administrator, but it is a new administration and there may be projects that the previous administration accepted that they do not accept.

Dr. James O. Mason, then Director of the Centers for Disease Control in Atlanta concluded:

> Scientific studies conclusively demonstrate that crystalline asbestos is a hazardous substance and poses a substantial health risk when inhaled.

And that is doubly true for children because they are breathing more rapidly than the rest of us.

Here is a quote from an OSHA report:

> OSHA is aware of no instance in which exposure to a toxic substance has more clearly demonstrated detrimental health effects in humans than has asbestos exposure.

I think it is very clear that we have a responsibility. I am not trying to harm the EPA. I am a strong supporter of the EPA and the environmental causes. But, I believe we have an obligation to the schools of this Nation. This does not anywhere near meet their needs. But this amendment, again cosponsored by Senator PELL and Senator LOTT, says, let us take $30 million of the $623 million that will be unobligated at the end of this fiscal year that the EPA has, let us take $30 million of that and use it for the asbestos program.

Mr. President, if the Senator from Maryland is willing to yield back the remainder of her time, I am willing to yield back the remainder of my time

Ms. MIKULSKI. Before I evaluate the Senator's request, how much time do the opponents to the Simon amendment have?

The PRESIDING OFFICER. The Senator from Maryland controls 4 minutes and 45 seconds.

Ms. MIKULSKI. I yield such time as is necessary to the Senator from Texas.

The PRESIDING OFFICER. The Senator from Texas is recognized.

Mr. GRAMM. Mr. President, the bottom line is, the Clinton administration did not ask for this money. Asbestos is a hazard. But what has happened is, as we have gone out and fixed the problem in areas related to asbestos in heating ducts and air-conditioning ducts, we have reached the point where tearing down buildings or breaking open walls to get to asbestos that no one is exposed to is costing a lot more money than is spent on other environmental issues and other environmental concerns that could yield us a greater return.

In short, we had a scare about asbestos. We had a substantial response. We provided $350 million. We have knocked down walls, torn down buildings.

The primary concern, now that we look at the problem, is in heating and air-conditioning ducts, where people are exposed to the asbestos. And the bottom line is that, as people have looked more at this problem, they have concluded that if the asbestos is sealed up in the wall, if people are not exposed to it, then spending the money on other environmental hazards that are more dangerous makes sense.

So the Clinton administration did not ask for this money. The Bush administration did not ask for this money. The program that has been underway and has expended $350 million has been a program that we have had a lot of problems with.

Finally, unobligated balances simply mean that we have an ongoing program that has not yet spent the money and, ultimately, as those programs are obligated, as contracts are let, these funds will go to environmental programs that we have adopted that are aimed, at least in the minds now of a Republican administration and a Democratic administration, at greater risk than asbestos that may be wrapped around some pipe that has been painted over 100 times and, as a result, does not represent a real threat.

So if we had money to throw away, if our problem was deciding how to spend money on environmental concerns, I think this would be a good amendment, and I would vote for it. But to take money away from other programs that have been funded, but where we have not yet obligated the balances, to pay for this I do not think is a wise decision. And I think it is very instructive that two different administrations have reached that same conclusion, that they decided that they did not want to continue to fund this program.

And so I think the bottom line here is one of priorities. What the committee has done is looked at our priorities in terms of EPA, an area where we have great demand for resources, and basically decided that having spent $350 million on this problem, that we had dealt with a part of the problem where the return clearly exceeded the cost, and that to go further did not make sense, given other things out there that represent greater hazards.

Finally, the committee report language has urged the authorizing committee to go back and look at these unfunded mandates. We mandate that school systems do things that we do not pay for. So I fully agree that we need to go back and look at these mandates. And, quite frankly, I believe in the principle that in the future we should not mandate unless we are going to pay for it.

But the bottom line is, given the choices we have in expending the taxpayers' money to protect the environment, we have reached the point where this is not as high a priority for those resources as alternatives that are available.

I reserve the remainder of our time.

Mr. SIMON addressed the Chair.

The PRESIDING OFFICER. The Senator from Illinois is recognized.

Mr. SIMON. Mr. President, when my friend from Texas, the distinguished senior Senator from Texas, says in the future when we mandate programs we ought to be willing to pay for them, let us start September 22.

If the administration believes that it is not wise to have this mandate, then we ought to get rid of the mandate. But do not keep the mandate and stop all the funding.

The Senator says that neither the previous administration nor this administration has asked for these school funds. Let me tell you, the schools of this Nation are asking for these funds. They are under this mandate. They are, many of them, in desperate straits. And this $30 million, under the Federal statutes, will reach only the most hazardous schools that are the poorest schools.

I think we have an obligation here. We are going down from $37 million last year to $30 million this year and, if you add the inflationary factor, it is even more of a factor.

The answer is not in every case ripping up a wall. Frequently, it is just

containing, putting something around it.

But to say that we do not have a problem with asbestos is to ignore reality. Unless my amendment is adopted, we are just going to say to schools, "Sorry, we are going to order you to do this, but we are not going to pay you one penny for what you are doing,"

I think that is wrong. I think we have to stop making speeches about paying for mandates. We have to produce, not in the future, but let us start September 22, 1993. When we have a mandate, let us pay people for that mandate.

I would add, finally, Mr. President, this is supported by all the education groups. I think the need is obvious.

The PRESIDING OFFICER. Who yields time?

The Senator from Maryland controls 26 seconds. The Senator from Illinois controls 30.

Ms. MIKULSKI. Mr. President, I ask unanimous consent that the USA Today article, entitled "End the Phony 'Asbestos' Panic," be printed in the RECORD.

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

[From the USA Today, Sept. 13, 1993]

END THE PHONY "ASBESTOS PANIC"

(By Tony Snow)

New York City's 1,069 public schools won't be doing anything for at least another week, and neither will the 1 million students who attend them. Thanks to a case of government-induced hysteria, the school board has decided to inspect every classroom in its domain for asbestos.

The operation will gobble up at least $30 million to $40 million of school funds, and if scientific studies and Environmental Protection Agency reports are any guide, the "cleanup" could make the air worse.

The New York schools are just the latest innocents to tumble into the maw of the great unlamented scandal of our age, the Asbestos Panic.

The scare began 30 years ago when distinguished scientist Irving J. Selikoff reported that asbestos exposure seemed to increase lung cancer rates, especially among smokers.

Unfortunately, Selikoff failed to distinguish between two kinds of asbestos fibers, one as harmless as a cheese doodle, the other potentially as lethal as an ice pick.

The cheese-doodle variety, known as chrysotile, or white asbestos, accounts for 95 percent of the asbestos used in the United States.

Nobody has ever been able to produce evidence that white asbestos can hurt, let alone kill.

In fact, scholars at a Harvard University symposium in 1988 announced that a person stands a 300 percent better chance of getting killed by lightning than dying from normal asbestos exposure, and a 700 percent chance of meeting an early grave from drinking water in New Orleans or Miami.

That's not true of the dangerous fibers, know as amphiboles.

The asbestos Selikoff studied poses a threat 100,000 to 1 million times greater than the chrysolite found in New York schools.

Unfortunately, the federal laws governing asbestos removal treat good asbestos the same as bad.

As a result, Americans could spend $200 billion for asbestos removal over the next decade and suffer property losses as high as $1 trillion—for no good reason at all.

Asbestos expert Michael J. Bennett notes in his book, "The Asbestos Racket," that the EPA deliberately fomented this hysteria.

He quotes former EPA administrator William Ruckleshaus as confiding in the early 1980s that the federal asbestos policy was to "get mothers to form a mob and storm the school committee" because "otherwise the federal government would have to pay for it (asbestos removal) and the cost would be astronomical."

The plan worked.

Despite a 1990 confession of error by the EPA, schools from coast to coast continue spending vast sums of money to rip asbestos out of ceilings, walls and floors—usually at the behest of parents scared that their kids will contract life-threatening disabilities in the very rooms those parents sat a generation ago.

Houston, for example, has spent nearly $46 million in the past decade to clear asbestos from 70 schools, and it has another 170 to "clean."

Catholic schools in Michigan calculated in 1989 that they would have to shell out $75 million to meet federal standards.

Oakland County, Mich., pegged its compliance costs at $112 million.

While the government has loosed these incredible burdens on schools, it has provided virtually no help. A 1992 Government Accounting Office study of five schools estimated three-year abatement expenses of $28 million, of which the state and federal governments would contribute the princely sum of $335,000—1.3 percent of the total.

And those were the good old days! The House of Representatives recently decided to spend zero dollars next year to help schools remove asbestos.

There's a common-sense way out of this mess: Demand that people clean up asbestos only when it poses an actual health threat.

Michigan state Sen. John J. Schwartz, a physician by trade, persuaded his fellow lawmakers this year to decree that citizens may remove asbestos only under very specific conditions: it exists in harmful concentrations; its presence violates federal laws; it costs more to maintain than to remove; and so on.

In other words, the law demands that a problem exist before officials fix it.

Congress could duplicate that Solomonic statute by attaching it to the law that governs asbestos removal, the Asbestos Hazard Emergency Response Act.

The maneuver would let Uncle Sam put a quiet end to a costly health hoax and admit that asbestos, contrary to popular opinion, is not the most dangerous substance this side of cyanide.

The asbestos panic, started by sloppy science and spread by gullible journalists, has gone far enough. Today, a million New York kids await school, and they're probably not alone.

A common-sense amendment to the law would put those students back in the classroom and let beleaguered schools spend their money on books and supplies and teachers—the important stuff—rather than on cleanups more likely to do harm than good.

Ms. MIKULSKI. They say it best.

The asbestos panic, started by a sloppy science and spread by gullible journalists, has gone far enough. Today, a million New York kids await school, and they're probably not alone.

We need a common sense amendment to the law that would put students back in the classroom and then focus the need to spend for it. Where asbestos cleanup is needed, it should be done. But there is serious question about whether it should be mandated.

The PRESIDING OFFICER. The time of the Senator from Maryland has expired.

Mr. SIMON. I ask unanimous consent that the other article in USA Today that gives the other side of that issue be printed in the RECORD.

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

[From USA Today, Sept. 21, 1993]

COST VERSUS "PEACE OF MIND"

(By Paul Hoversten)

The Environmental Protection Agency has required schools to test and treat cancer-causing asbestos since 1986.

But federal funding has been scarce, and much of the cost has been borne by local school districts. And some have questioned whether the health risk is high enough to justify the cost of removal, which could exceed $3 billion.

"This has not been one of the great chapters in American public health policy," says John Welch of the Safe Building Alliance, a business group.

In Salina, Kan., schools, removal cost $2.7 million, and Superintendent Andy Tompkins says it's money well-spent. "The downside is the cost, but the other side is peace of mind to the community."

More than 94% of the nation's 107,000 schools have complied with the Asbestos Hazard Emergency Response Act, which requires them to test for asbestos and either seal or remove it. "Most of the states and cities appear to have the asbestos management issue under control," Welch says.

Although requests totaled $1.2 billion from 1988 through 1991, the EPA has given out just $157 million in loans or grants to help pay for testing and removal.

There is no money in this year's EPA budget request for the school asbestos program, although the Senate this week may vote to restore money.

Commercial asbestos use in the USA began in the early 1900s and peaked between World War II and the 1970s.

Asbestos was banned in 1979 after studies linked it to serious health problems.

Today, the EPA estimates that more than 760,000 public and commercial buildings nationwide—including 30,000 schools—contain asbestos in unsafe, crumbling condition.

When deteriorating asbestos is disturbed, the fibers can crumble and mix with air. Experts say asbestos is a threat only if its fibers are airborne, where they can be inhaled.

Nationwide, up to 15 million schoolchildren and 1.4 million school workers may be at risk from asbestos, the EPA says.

In Salina, both high schools and three elementary schools had asbestos on ceilings or pipes. At South High School, which has 1,000 students, workers in 1987 had to replace every ceiling, at a cost of more than $1 million.

Troubesome as it was, "we dealt with it," Tompkins says. "We're glad we got by and we're on to something else. We mostly took

care of this in the 1980s. In Kansas, if most schools haven't removed every bit of asbestos, they're well on the way to doing so."

In most states, wealthier school systems often choose to remove asbestos while the poorer ones may seal it if they can't get federal assistance.

"Just because you have asbestos does not mean you have a health hazard. You need a thought-out plan to manage it," says Joel Packer of the National Education Association.

Mr. GLENN. Mr. President, I rise today to express my support for Senator SIMON's amendment to restore funding for the Asbestos School Hazard Abatement Act [ASHAA]. Maintaining current funding levels for this program is essential to assist the neediest school districts comply with Federal asbestos and inspection mandates without further reducing funds for instructional purposes.

The Environmental Protection Agency [EPA] has estimated that it will cost schools a total of $3 billion to comply with Federal laws on asbestos abatement; yet, Congress has only appropriated $400 million for ASHAA since 1984. Under ASHAA, grants and loans are made available to schools with the highest level of asbestos hazard and the greatest level of financial need. Reducing funding for this program will therefore place the most onerous burden on the poorest school districts—those least able to absorb the costs of reducing asbestos hazards.

Mr. President, EPA has estimated that approximately 30,000 schools contain friable asbestos. Some 15 million children and 1.4 million teachers and school employees occupy schools containing friable asbestos. The loans and grants provided through ASHAA are critical for protecting these children, teachers and other school employees from exposure to asbestos.

I urge my colleagues to join me in supporting this important amendment.

Mr. WELLSTONE. Mr. President, it is a pity when the health and education of our children is not at the top of our Nation's list of priorities. The Asbestos-in-Schools Loan and Grant Program, which protects the health and education of our children, has been entirely defunded for fiscal year 1994, and I think that is just wrong, tough economic times or no.

The Federal Government has mandated—mandated—that school districts create and implement plans to abate asbestos in schools. This is not a discretionary item for schools—the asbestos must be dealt with, removed if necessary. Not surprisingly, abating asbestos anywhere is an expensive proposition. Since schools are legally required to find the money for asbestos abatement somewhere, asbestos abatement is made to compete with basic educational needs for part of the strained school budget.

That is not how it should be. There are programs that can be put off until economic times improve, but this is not one of them. If asbestos in a school is a threat to our children's health, then it should be abated. If paying for this abatement means less money for basic educational needs, then there is also a threat to our children's education. The Federal Government can, and should, help avoid such threats.

The committee report itself states that "there continues to be significant demand for Federal funds for this purpose." So why does the committee order a 6-month study to determine if children are still at risk? Isn't this what EPA does when it awards funding to schools under the program?

The committee explains its decision to defund this program by pointing to the fact that applications for the "most serious environmental hazards" have been decreasing. This baffles me. If this program was worth funding in the first place—and it certainly was—then it is worth funding until all of the immediately threatening asbestos hazards are gone. It is bad public policy to kill a good program when it proves itself to be working.

This amendment would allow the program to go on allowing schools to protect the health of our children without threatening our kids' education, and it would do it by taking $30 million from the $130 million appropriated for the advanced solid rocket motor—a program which, while some may find it worthwhile, can certainly wait for a better economic climate.

The PRESIDING OFFICER. All time has expired.

UNANIMOUS-CONSENT AGREEMENT

Ms. MIKULSKI. Mr. President, I ask unanimous consent that no other amendments be in order to the Simon amendment; that the vote on, or in relation to, the Simon amendment be stacked to occur, without any intervening action or debate, following the disposition of the Nickles amendment No. 913.

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

AMENDMENT NO. 910

The PRESIDING OFFICER. Under the previous order, the question recurs on the Bumpers amendment No. 910, with 20 minutes remaining for debate, divided and controlled in the usual form.

Mr. BUMPERS. Mr. President, I yield myself 5 minutes.

The PRESIDING OFFICER. The Senator from Arkansas is recognized.

Mr. BUMPERS. Mr. President, I ask my colleagues to please shift gears from the Simon amendment dealing with asbestos in the schools—a very important amendment—to the opportunity to save $1.84 billion.

I heard the Senator from Alabama say last night that this project would cost more to shut down than to continue. I have no earthly idea, with utmost respect to my colleague and good friend, how he ever arrived at such a figure.

The figures are clear, and the Senate committee report says there is a serious question about the need for the advanced solid rocket motor because we have a redesigned solid rocket motor that has had 36 successful uninterrupted, unperturbed flights and after every one of those, they have taken all of these things apart, looked at them. No malfunction, no wear, no nothing.

The Senate committee says that this project is in deep trouble, and the only way it will ever fly is that it gets stable funding. What is stable funding? That is $400 million a year. Here is what the House thinks about it. The House killed it 379 to 43. I must say, Mr. President, that is one of the things when you get 110 new Members of Congress who tell the people "I am going to cut spending" and they come up here and keep their word. The House did the very responsible thing in torpedoing this project.

The committee says, we put $130 million in here, but if NASA wants any more than that, by October 1, they must identify offsets within their own budget for any additional amount of money. But, above all, they say this project must have stable funding. You tell me, Mr. President, how stable do you think the funding is going to be for this program in the future when the House already killed it last year by almost this big a margin and this year by one of the most lopsided margins I have ever seen since they voted on the Pledge of Allegiance.

The truth of the matter is, you can shut this sucker down, redesign it, build a lot of the components of the space station there—if we, indeed, are going to go forward with the space station—you can develop the aluminum/lithium tank there.

Here are your options: You can go ahead with this and build something that nobody is going to have any degree of confidence insofar as safety is concerned, or you can use a solid rocket motor that has been redesigned since the *Challenger* catastrophe, add an aluminum/lithium tank for $300 million. The reason you do not save more money in this is because I have subtracted $300 million for the aluminum/lithium tank.

They said, "Well, you can't get the lift, you can't lift this thing to 51.6 degrees," the so-called international orbit. The truth of the matter is the committee report says that you can get the 8,000 additional pounds of thrust that you have to have if you are going to deploy the space station; you can get the 8,000 pounds by spending $300 million to develop the aluminum/lithium tank.

I am not an astronaut, but if I were to ask people in this Chamber who they would trust most to decide whether or not to build this motor or not—William

McArthur, from the astronaut office at NASA, sends this letter, August 6, 1991, to Lawrence Adams, Committee on ASRM Quality Assurance and Test Program:

As the committee's efforts draw to a conclusion, please permit me to make a few comments. This program is viewed warily by the astronauts' office. We are concerned about the number of technological firsts in the program, new applications to solid rocket motors or to motors of this size, many of the same concerns identified by committee members. We may be abandoning—

Listen to this—

We may be abandoning a motor with a large and rapidly growing experience base, one in which we have great confidence.

The PRESIDING OFFICER. The Senator's 5 minutes have expired.

Who yields time?

Ms. MIKULSKI. Mr. President, I rise in opposition to the Bumpers amendment, and I ask unanimous consent that the remaining 10 minutes in opposition to that amendment be allocated as follows: 3 minutes to myself; 3 minutes to the Senator from Texas, Senator GRAMM; 2 minutes to Senator HEFLIN; 1 minute to Senator COCHRAN; and 1 minute for wrap-up and would be reserved for Senator SHELBY, if he comes, or to myself, as appropriate.

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

The Senator from Maryland controls 9 minutes and 26 seconds.

Ms. MIKULSKI. Mr. President, the committee has taken a tough love to ASRM. That means we like it but we felt we had to be tough on it around performance standards and also the funding of it. This committee has provided $162 million, $130 million for development, and $32 million for construction. We know the amount we provided is insufficient to cover the cost of keeping ASRM on schedule. Yet, at the same time, because the administration supports ASRM and believes it to be an important tool to building the space station, particularly to get it in the higher orbit and, therefore, do more because of the cooperative effort with the Russians, that is why the committee has given the administration until the end of this month to find offsets to keep the ASRM on schedule.

If they cannot find these offsets which are in the order of $150 million, then ASRM would be terminated automatically. So this amendment is not necessary.

The $130 million in development funds we provided are sufficient to cover those termination costs should additional funds not be found in the NASA budget. But if the funds are found, it would be a major propulsion device for the ASRM. As a result, I believe we need the funds provided in the bill for ASRM. I note that there is substantial technical justification for continuing this program.

We are not going to go into a lot of technical discussion, but I did want to make the point that the justification is there. While I do not dispute alternatives exist to get the shuttle more payload lift capacity, the administration believes ASRM to be the optimal option available. We should give the administration, the NASA Administration, the chance to make up its minds once and for all on this program.

Therefore, I urge a vote against the Bumpers amendment and at the appropriate time, I will move to table the Bumpers amendment.

The PRESIDING OFFICER. Who yields time?

Ms. MIKULSKI. I now yield 2 minutes to the distinguished Senator from Alabama.

The PRESIDING OFFICER. The Senator from Alabama is recognized.

Mr. HEFLIN. Mr. President, I spoke in detail last night, and I do not want to be repetitious as I have very limited time. But there is, first and foremost, the question of the safety of the shuttle and its current solid rocket motors. I mentioned and showed last night that in September 1992 a test discovered leaks in the shuttle rocket's O ring, and the O ring was what caused the *Challenger* explosion.

I want to introduce into the RECORD these newspaper articles from the Associated Press in connection with that O ring defect that occurred less than a year ago. I ask unanimous consent that they be printed in the RECORD.

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

LEAK IN SHUTTLE BOOSTER SEAL DISCOVERED

CAPE CANAVERAL, FL.—A seal is leaking in one of the solid rocket boosters intended for Discovery's November launch, NASA said Tuesday.

An earlier version of the rubbery seal, known as an "O-ring," was responsible for the 1986 Challenger disaster. Since then, the seal has been redesigned and an extra one added.

The leak was discovered late last week during a test, NASA said. NASA officials said they did not know if the leak would affect the launch scheduled for the first week of November.

"The trouble is, we don't know where the leak is coming from," said NASA spokeswoman Lisa Malone. They can't see it even after cold nitrogen gas has been injected and checked with an infrared device. They've used ultrasonics, but they can't even hear it."

Nevertheless, the leak is significant, Malone said. "The leak would fill a 2-inch cube with gas every minute."

The right booster, already stacked for Discovery's next flight, will be taken apart, new O-rings inserted and reassembled this week, Malone said.

NASA FINDS LEAK IN DISCOVERY BOOSTER SIMILAR TO CHALLENGER FLAW

(By Beth Dickey)

CAPE CANAVERAL, FL.—A booster rocket intended for the space shuttle Discovery has a leak similar to the one that destroyed the shuttle Challenger in 1986, killing its seven crew members, NASA said Tuesday.

National Aeronautics and Space Administration inspectors found the leak Friday. The Inspection was made part of the agency's routine ever since the Challenger disaster.

Booster engineer Phil Weber said it was the first time since shuttles resumed flight in 1988 that a booster seal has failed the test.

NASA said metal parts were being inspected and repairs were to begin early Wednesday at the Kennedy Space Center, where the shuttle is being prepared for launch Nov. 15 with five astronauts and a secret military satellite.

The space agency said rubbery "O-rings" that seal joints in the multiple-piece booster would have to be replaced but that the repairs were not expected to delay the shuttle's mission.

The Jan. 28, 1986, Challenger disaster was blamed on two O-rings that hardened in frigid weather—allowing fiery propellant to seep through a tiny gap between two segments and burn a hole in the shuttle's external liquid fuel tank.

Air escaped past an O-ring in Friday's test.

The rockets were redesigned after the Challenger disaster. Engineers added a third O-ring and a tongue-and-groove feature designed to capture hot gases if they managed to burn through the main O-ring seal.

[From the Orlando Sentinel, Sept. 22, 1992]

TESTS DISCOVER LEAK IN SHUTTLE ROCKET'S "O-RING"

(By Shiriah Date)

CAPE CANAVERAL.—Shuttle workers will dismantle a booster rocket intended for the shuttle Discovery after a routine test found a leak similar to the one that destroyed the Challenger, NASA officials said Monday.

Technicians had stacked the last of four, fuel-packed segments on the booster early Friday when a test showed that one of three rubbery "O-rings" used to seal the joints was leaking slightly.

Engineers must now figure out which O-ring is leaking and why—a task that could delay Discovery's November flight, said Jim Harrington, director of shuttle operations at Kennedy Space Center.

Challenger exploded Jan. 28, 1986, killing seven astronauts, when hot gases inside a booster rocket burned through two O-rings and cut through the external fuel tank.

Investigators concluded that the rings hadn't sealed the joint properly because of the cold weather the morning of the launch. Engineers added a third O-ring and another tongue-and-groove flange to each booster joint. The redesigned booster has successfully flown on 25 flights since Challenger.

After each launch, the two boosters are retrieved from the Atlantic Ocean, taken apart and shipped back to Utah, where builder Thiokol Corp refurbishes the segments and packs them with solid fuel. The segments are then sent back to KSC for reuse.

Friday was the first time since shuttles resumed flying in 1988 that a joint between segments has failed a check, Harrington said.

To test the O-rings, engineers pump nitrogen gas into the cavity between the first and second rings until it's at a pressure of 1,000 pounds per square inch—about equal to the pressure inside the 149-foot booster when its ignited at liftoff.

Engineers can tell whether the first and second rings are working if the pressure holds steady and no nitrogen is detected in the cavity between the second and third rings. The test is then repeated in that cavity, Harrington said.

The leak found Friday is so small that it can't be seen or heard unaided and was noticed because the pressure inside the cavity between the first and second rings began falling, he said. Technicians planned to use sensitive sound detectors to locate the leak, he said.

Harrington said the joints between segments are safer in the redesigned rockets than those used on Challenger. "It's got all kinds of redundancy in there." he said.

Even so, shuttle managers don't want to use the boosters unless every O-ring passes inspection, KSC director Bob Crippen said.

Discovery, which has been undergoing inspections and modifications after a January flight, had originally been scheduled to fly again Nov. 5. That date was pushed back to Nov. 10 because of problems with a maneuvering engine.

Harrington said he didn't know whether the O-ring problem might set back the launch.

Mr. HEFLIN. Mr. President, second, I want to mention that the ASRM will result in over $100 million in cost savings compared to the continuing use of the present motor, even if the space station is terminated. That is calculated by the savings that occur on a per set unit of motors. You can save $18 million on a per unit basis by going with the ASRM over the old rocket motor, and you multiply that by the number of shuttle flights that we expect to fly over the next 10 years and then add the $300,000 in contract termination fees, and it costs more to terminate the ASRM than to complete it.

If you use it in conjunction with the space station, it will bring about a net deficit reduction of $2.5 million.

The PRESIDING OFFICER. The Senator's time has expired. Who yields time?

Ms. MIKULSKI. I yield 3 minutes to the ranking minority member, Senator GRAMM.

The PRESIDING OFFICER. The Senator from Texas is recognized.

Mr. GRAMM. Mr. President, I see a disturbing trend here which I think is counterproductive to the good of the legislative process. And, that is, every time we try to tighten up on a program, it seems, in our space program, every time we cut a program and require internal absorption, that is used as an argument to terminate the program.

I am afraid if we continue that process, what should be a continuing effort to probe to find savings is going to be discouraged.

When *Challenger* exploded in 1986, we tried to find an alternative engine. ASRM is basically that alternative, and it has greater performance and it is safer. We have invested very heavily in the program. We are getting ready to come on line with production. We have had many changes in the space program, and one of those changes is going to a higher inclination on the space station which is going to mean a need for more boost capacity.

So what we have done is provided $162 million, and we have asked NASA to absorb internally the other $150 million and to give us a clear commitment to this program as their ultimate solution.

We have few doubts, given the information that is available, that they are going to do that, and we thought that was prudent. But to terminate this program now eliminates a cheaper, long-term solution, and eliminates a solution that gives us greater performance and greater safety, and I think that that is a bad decision.

So what we are trying to do here in a space program that is changing dramatically with the involvement of the Russians, with our effort to downscale, is to put more burden on NASA to provide justification and to absorb costs. That is prudent.

Terminating a new system that we are ready to come on line with, having spent millions of dollars in the process, a system that is more powerful, that is safer, and that can do the job that we know the new inclination for the space station is going to require, is unwise, and I am hopeful our colleagues will reject it.

ASRM is something in which we have invested heavily. We have high hopes for it. It can ultimately mean savings. It seems to me we ought to give NASA an opportunity to tell us how they are going to use ASRM and through absorption provide half of the funding. That is the kind of reform we need. Terminating something we have invested in, improved, is not prudent, in my opinion.

I yield the floor.

The PRESIDING OFFICER. Who yields time?

Ms. MIKULSKI. I yield 1 minute to the distinguished Senator from Mississippi.

The PRESIDING OFFICER. The Senator from Mississippi is recognized.

Mr. COCHRAN. Mr. President, I thank the distinguished manager for yielding time to me.

Mr. President, it has been stated, and I wish to emphasize, that after the *Challenger* exploded and our seven astronauts were killed, NASA was called upon to convene a task force of the best scientists, and engineers to determine how to make this shuttle motor safe for our astronauts in future space travel.

The advanced solid rocket motor program, which is the subject of this amendment, was born of that event and that task force effort. We have almost completed the construction phase of the production plant. We will soon have this new, safe, advanced rocket motor. My message is clear: do not vote for this amendment to take all the money out of this program. Do not make the workers, the scientists and the engineers victims of congressional caprice, and do not subject our astronauts to what is described as a marginally adequate system for safety.

The PRESIDING OFFICER. The Senator's time has expired.

Who yields time?

Mr. BUMPERS. Mr. President, I yield myself such time as I may use.

The PRESIDING OFFICER. The Senator from Arkansas is recognized.

Mr. BUMPERS. Mr. President, the Senator from Mississippi just talked about do not go against the scientists, workers, and so on, down there. Let me invite you not to go against the *Alpha* station implementation plan, the NASA Aerospace Advisory Board, and a whole host of other boards that have said we do not need the ASRM.

The O-ring leak that occurred last year to which the Senator from Alabama alluded, the astronaut office and NASA will tell you that has absolutely nothing to do with the kind of O-ring leak that brought about the *Challenger* disaster.

Do you know why the astronauts do not want the ASRM? The same reason the committee report alluded to—cost overruns, mistakes. This is in the Senate committee report—that this program has been plagued by cost overruns, mistakes, everything going wrong.

If you were going into orbit, would you want to fly the first flight on a shuttle or anything else that is being flown for the first time, when you have a rocket already here that will do the job, that has flown 33 times without a hitch?

I can tell you which one I would want. William McArthur, who is in the astronaut office of NASA, can tell you which one he wants.

Mr. President, I have to ask this question: What on Earth has happened to the enthusiasm that was so pervasive and abundant here 45 days ago for cutting spending and trying to get the deficit under control? Forty-five days. I have a dog that has a longer memory than the Senate. If we had offered this during those fervent days, that sucker would be dead right now. But politicians depend on the constituents to have short memories, and they do. You go home and make those justifications without challenge. When you are speaking to the chamber of commerce, there is nobody there to challenge you and you can say anything you want to; they do not know the difference. And we depend on that to bail us out when we vote for such irresponsible things as this.

Mr. President, I am going to put a chart up here in the next few days on amendments I have offered, and what the vote was last year, and how much money it would have saved over the life of the program. I want this Chamber to see if the Senate is living up to the expectations of the people of this country when it comes to deficit reduction, trying to salvage the economic future of this Nation.

Mr. President, you are not ever going to get stable funding of this program

when the House has killed it 2 years in succession, and when they allude in the Senate report to cost overruns, mistakes, everything under the shining Sun. I am saying, for God sakes, let us live up to people's expectations just once—just once. Everybody here knows if you were debating this on national television, like the space station, it would be overwhelmingly opposed.

Mr. President, I reserve the remainder of my time.

The PRESIDING OFFICER. Who yields time?

Ms. MIKULSKI. Mr. President, how much time is remaining for the proponents, the Senator from Arkansas?

The PRESIDING OFFICER. The Senator from Arkansas has 1 minute and 3 seconds, the Senator from Maryland has 41 seconds.

Ms. MIKULSKI. Mr. President, I ask unanimous consent that the time for debate on this be extended for an additional 5 minutes.

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

Ms. MIKULSKI. Mr. President, I also ask unanimous consent that it be in order for me to make a motion to table the Bryan amendment, the Nickles amendment, and the Simon amendment, and ask for the yeas and nays.

The PRESIDING OFFICER (Mrs. MURRAY). Without objection, it is so ordered.

Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

Ms. MIKULSKI. Madam President, I know that the Senator from Arkansas has additional comments that he wished to make, and I also know that the Senator from Maine [Mr. COHEN], was going to attempt to get here, and I am attempting to accommodate those Senators.

I wish to inquire if the senior Senator from Alabama wishes to make additional comments on this debate.

I wish to say to the senior Senator from Alabama I heard on the news this morning about the terrible train wreck in Alabama.

While we are debating important issues of national substance, just as one Senator to the other, I would like to extend to the Senator from Alabama and to the people of Alabama my enormous concern for their health and safety and note that, if there is anything relating to FEMA that will be needed to help the people of Alabama, we stand ready to work with Senator HEFLIN and Senator SHELBY on that matter.

Mr. HEFLIN. I want to thank Senator MIKULSKI for that. That is very thoughtful. I have been in touch today with Graham Claytor, head of Amtrak. We have been talking about the Department of Transportation facilities and the Department staffs, and we are talking to the Federal Railroad Administration, all of which are going there as well as the National Transportation Safety Board.

They do not have any clues at this time, but they declared to us that they will do everything they can to get to the cause of this so that it will not happen again in our State, and, hopefully, they can remedy any possible similar situation that would occur in other States.

We thank you.

In regard to the solid rocket motor—I talked on that last night for 40 minutes or more; I could talk on— but to me this is an issue primarily of safety. Somehow or another we have gotten away from the fact that when the *Challenger* exploded, the attention of the world was attracted to the solid rocket motors and to the O-rings. And a Presidential commission was formed. They said we have to have a solid rocket motor that does not have O-rings. So they directed that a new solid rocket motor be produced without O-rings.

In the meantime, in order to let the shuttle keep on flying, they revised it. They took precautions. But these were never intended as more than a temporary measure.

They say we have flown 33 flights without having any incident. But it was the 25th flight that caused the explosion in the *Challenger*. I do not see much difference between the 25 and 32. You could have an accident like this occur any time.

The PRESIDING OFFICER. All time has expired for the opposition.

Mr. BUMPERS. Madam President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator has 3 minutes 27 seconds.

Mr. BUMPERS. Madam President, I want to say to my colleague, I do not care. You can be the biggest space cadet in the U.S. Senate and you are not giving one thing if you vote for my amendment. What you are getting is proven safety.

As I said a moment ago, no astronaut—they do it because they are very brave and courageous people, but I can tell you they would not put their families on the first flight with this advanced solid rocket motor. Do you know something else? That thing had to be tested seven times down in Mississippi on the ground, and every time it is tested it emits 100,000 tons of hydrochloric acid. No wonder the Sierra Club and all the environmental groups favor the Bumpers amendment.

The other thing is you not only do not give anything up; you save $4 billion, counting the interest, because we are going to borrow every dime of the $2.23 billion that it is going to take to continue this thing; borrow every nickel of it. If you do not borrow it, you save $1.84 billion and you save the interest on that money forever.

Madam President, I consider it a strange thing. The committee does not like this. I am not speaking for the subcommittee chairman, but the subcommittee does not like it. Look at the committee report. It takes $400 million a year to keep this thing going. They put $130 million in there for what they call a placehold, just to go to conference with the House. We did that last year. They came back with about twice as much. No, more than that; over $300 million. We only appropriated $50 million, but they came back with $300 million, despite the fact the House had killed it. This placeholding business is not going to get it.

Here is a project that richly deserves to be curbed. The American people would like to see it.

Does the Senator from Utah wish to make a statement?

Ms. MIKULSKI. Would the Senator yield?

Mr. BUMPERS. I will be happy to.

Ms. MIKULSKI. I think this has been a wonderful debate and the spirit has been excellent. I ask unanimous consent that we extend it for another 5 minutes equally divided between the proponents and the opponents.

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

Mr. BENNETT addressed the Chair.

Mr. BUMPERS. I yield 2 minutes to the Senator from Utah.

The PRESIDING OFFICER. The Senator from Utah.

Mr. BENNETT. I thank my friend from Arkansas.

Madam President, I have here a letter that supports the statement that the Senator was earlier making about the astronauts. This is a letter signed by William S. McArthur, astronaut, dated August 6, 1991, addressed to the Committee on ASRM Quality Assurance and Test Program, Irvine, CA. I will not take the time to read the entire letter, but in the key paragraph he says the following:

> As the committee's efforts draw to a conclusion, please permit me to make a few comments. This program is viewed warily by the Astronaut Office. We are concerned about the number of technological "firsts" in the program, new applications to solid rocket motors or to motors of this size, many of the same concerns identified by committee members.

Then in the sentence which summarize it for me he says:

> We may be abandoning a motor with a large and rapidly growing experience base, one in which we have great confidence.

The Senator from Alabama talks about the importance of safety. He talks about the first flights, and then after 25 there was a failure.

It is the redesign that has eliminated that failure that gives the astronauts, those people who are betting their lives on this program, confidence in the RSRM program. It is their concern about the untested new technology of the ASRM that is causing them to feel that maybe the safety argument is on behalf of the RSRM that is tested and solid and been examined and not the ASRM.

The Senator from Arkansas said you can be the biggest space cadet in the Senate. I want to compete for that prize. I think I probably am the biggest space cadet in the Senate. But I believe our space program will be better served by going with that which we know works, going with that which NASA, prior to this administration, said we should have. The Vice President prior to our present Vice President said the program was not needed. I accept that and intend to vote for the Bumpers amendment.

The PRESIDING OFFICER. Who yields time?

Ms. MIKULSKI. I yield 2 minutes to the Senator from Mississippi.

Mr. LOTT. Madam President, I want to again congratulate the chair of the committee, Senator MIKULSKI, who has done a great job, and the ranking member, Senator GRAMM, who has done a great job. I want to point out to my colleagues that these two members of the subcommittee oppose this amendment. They support the ASRM. That is very important. I want to emphasize again that all of the last three Administrators of NASA have asked for and supported this project.

I say to my colleagues, we have already spent $1.5 billion building this facility so that we can have this next generation of rocket for safety purposes, for capability purposes, and to keep our commitment now to the international community. You are talking about thousands of jobs in the immediate area and across this country that could be disrupted if we shut down this very important project. This is another effort to just pick apart our NASA programs and our space program.

Then, finally, I want to make this point: With the new orbit that has been agreed to with our international partners, we must have a stronger, smaller rocket to boost our equipment into that altitude. And the ASRM is the way to do it. The head of NASA said that. Dan Goldin recommended that ASRM is the way to do it. If we do not, we have two options: Russian rockets, and I do not think the American people would like that as an alternative; or an unresearched, untested, undeveloped capability that we do not know whether it would be there or not.

So from the standpoint of what we have already spent, what we can save with this new rocket, and for safety, and also for the commitment we made to our trading partners, our international partners, I urge that we defeat the Bumpers amendment.

Ms. MIKULSKI. That concludes, I believe, the robust debate on the ASRM.

Mr. BUMPERS. Madam President, has the time expired?

The PRESIDING OFFICER. The Senator from Arkansas controls 38 seconds. The Senator from Maryland controls 22 seconds.

Mr. COHEN. Madam President, in 1986, the failure of the space shuttle's solid rocket motor resulted in the *Challenger* accident. NASA adopted a two-track approach to correct the problem: a redesigned solid rocket motor was initiated as an interim solution, while a new, advanced solid rocket motor or ASRM was designed.

The purpose of the new ASRM was to increase the reliability and safety over that offered by the interim, redesigned solid rocket motor. As an added side benefit, the ASRM could be made somewhat more powerful since it was to be designed from scratch.

EXISTING ROCKETS SAFE; NO NEED TO REPLACE

Since then it has become clear that there is no need for the ASRM. The existing, redesigned rocket motors have flown 62 times on 31 shuttle flights. There have been no performance problems, and postflight examination of the rockets has shown no design problems. NASA recently said that the existing rocket has no flight safety issues. The evidence clearly demonstrates that the redesigned rocket motor is highly reliable and need not be replaced.

Last month, at my request, GAO updated its ASRM report. According to the GAO, the ASRM "design was unproven and its reliability would not be known for a long time. In contrast, the existing redesigned motors had proven themselves to be very reliable."

As a result, the GAO notes, two NASA advisory groups have concluded that the ASRM's "high technical and programmatic risks, together with the redesigned motor's proven performance, make development of the ASRM unnecessary."

NASA's own safety advisory panel say the existing redesigned rocket motors are performing well and that ASRM funding could be better spent on improving the safety of the shuttle's main engines.

The National Research Council has reported that there are significant design and manufacturing problems with the ASRM, as well as cost overruns and schedule delays. The National Research Council has recommended that NASA continue to rely on the existing rocket motor since it has proven to be reliable.

Last November, NASA's space policy advisory board urged that the ASRM be canceled because it was unnecessary and it is suffering from tremendous cost overruns and delays.

In fact, GAO's report from just last month states that the ASRM's development cost has grown by 130 percent over the original estimate and the program is 6½ years behind schedule. The first flight of the ASRM was supposed to occur early next year, but is now not scheduled until the turn of the century.

NASA, itself, agreed to the termination of the ASRM last year. Congress, however, provided funding for this program being built in the district of the then-chairman of the House Appropriations Committee. Not wanting to look a gift horse in the mouth, NASA took the money and has now asked for more even though its own advisory groups call it unnecessary.

MORE LIFT CAPABILITY NOT NEEDED FOR SPACE STATION

Having lost the primary justification for the ASRM—safety and reliability—ASRM proponents now seek to justify it on the basis of the modest additional lift capability it may provide.

The GAO reported in November, however, that the two payloads for which the added lift capability might be useful, no longer need it. One was an astrophysics facility that has been redesigned and no longer needs the ASRM. The other was the space station.

Last month, the GAO reported that "the report of NASA's advisory committee on the redesign of the space station shows that the ASRM is not required to launch the redesigned station."

You will hear the argument that inclusion of Russia in the space station program requires the ASRM because the station will have to be placed in a higher inclination orbit. But NASA's station redesign panel proposed three options for putting the station in this higher inclination orbit without the ASRM.

The Appropriations Committee has expressed its serious interest in one of these options: using a lighter weight shuttle fuel tank, which could be developed more quickly and at less cost than the ASRM.

TERMINATION SAVES $2 BILLION

CBO states that cancellation of the ASRM will save the taxpayer $2 billion over the next 5 years. OMB has estimated the savings to be even greater.

ASRM advocates quote a statement by the ASRM contractor that termination would cost, rather than save, the Government money.

Who should we believe, the independent budget analysts at CBO and OMB, or the contractor who has a vested interest in the program?

SUMMARY

The ASRM is not needed for safety or reliability. NASA's own safety panel and the National Research Council have confirmed this.

The ASRM is not needed for the space station, even if Russia participates. The Appropriations Committee report and NASA's own space station redesign panel have confirmed this.

The ASRM will damage the environment, and it is opposed by all of the major environmental groups.

NASA needs to cut at least $10 billion in programs over the next 5 years in order to meet its budget ceilings. Terminating the ASRM will save $2 billion over 5 years. If we do not cancel the ASRM, then $2 billion in worthwhile NASA programs will have to be cut instead.

Madam President, I ask unanimous consent to insert in the RECORD the August 1993, GAO report on the ASRM Program.

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

GENERAL ACCOUNTING OFFICE,
Washington, DC, August 13, 1993.

Hon. WILLIAM S. COHEN,
Ranking Minority Member, Subcommittee on Oversight of Government Management, Committee on Governmental Affairs, U.S. Senate.

DEAR SENATOR COHEN: Enclosed is a copy of our November 1992 report detailing the status of the National Aeronautics and Space Administration's (NASA) Advanced Solid Rocket Motor development program. At your request, this letter updates some of the information in that report.

NOVEMBER 1992 STATUS

In November 1992 we reported that the need for the advanced motor had diminished since the development program was first approved in 1988. The advanced motor program was justified on the basis that it would enhance the shuttle's safety and reliability and increase the shuttle's lift capability by about 12,000 pounds.

When the advanced motor program was approved, NASA had no actual flight experience with the motors, which were redesigned following the January 1986 *Challenger* accident. While the advanced motor incorporated design features and automated manufacturing processes, which held the potential for a more reliable and safer motor, the design was unproven and its reliability would not be known for a long time. In contrast, the existing, redesigned motors had proven themselves to be very reliable. Through October 1992, NASA had successfully flown the redesigned motors 26 times and had identified no major design problems during post-flight inspections of the motors.

Also, although the advanced motor was expected to increase the shuttle's lift capability, we reported that it might not be used for launching either of the two payloads originally identified as needing the additional lift. The Advanced X-ray Astrophysics Facility had been redesigned and no longer needed the additional lift capability, and the advanced motor was not expected to be available in time to launch the space station's U.S. laboratory module.

We also reported that the estimated development costs had increased by about 95 percent—$3.25 billion from the program's January 1988 initial estimate and that the first flight schedule had slipped by over 2½ years. The cost increases occurred primarily because the development program scope was expanded to include the first six sets of motors and a comprehensive evaluation of the first six flights, construction costs increased, and NASA added cost reserves to the estimate. The schedule slip occurred because of delays in awarding the development contract, funding constraints, and redesigning the building where propellant will be mixed and motors cast. At the completion of our review in October 1992, NASA expected further cost increases and schedule slips as a result of the Congress' decision to continue the development program but at a lower funding rate; however, officials could not quantify the likely increases.

JULY 1993 STATUS

Since our November 1992 report, NASA has launched the shuttle another five times with no evidence of any significant solid rocket motor safety problems, according to motor project officials. Also, since our November 1992 report, NASA has redesigned the space station. The report of the Advisory Committee on the Redesign of the Space Station[1] shows that the advanced motor is not required to launch the redesigned station. According to the Committee's report, even if NASA decides to place the station in a higher inclination orbit where the shuttle's lift capability is reduced, the necessary capability can be obtained by (1) redesigning the shuttle's external fuel tank to reduce its weight, (2) using some of the shuttle's capability that is normally kept in reserve, and (3) assembling some of the heavier components at a lower altitude and later boosting them to the station's final orbit using the station's own propulsion system.

Estimated development costs have increased another $575 million since our November 1992 report, bringing the total to $3.825 billion. NASA attributes this latest increase to a stretch-out of the development caused by reductions in the program's annual funding levels for fiscal years 1993 and subsequent years. For example, NASA estimated that it needed about $520 million in fiscal year 1993 to avoid the schedule slip, but the Congress appropriated only $360 million. Because of the reductions in the previously planned annual funding levels, NASA delayed the first flight of the advanced motor another 3 years and 10 months, bringing the total schedule delay to almost 6½ years. The first flight was originally scheduled for July 1994.

FUNDING STATUS

Through fiscal year 1993, the Congress has appropriated about $1.5 billion for the advanced motor program—$1 billion for motor development and $500 million to construct and equip motor development, test, and production facilities. The President requested an additional $280.4 million for development and $32.6 million for construction of facilities for the advanced motor program in fiscal year 1994.

Of the $1.5 billion appropriated, $180 million remained unspent as of June 30. However, NASA was spending at a rate of about $31 million a month for the program, and projected that at the end of the fiscal year only $80 million will remain unspent.

NASA also estimates that it would cost about $212 million to terminate existing contracts as of September 30, 1993. The estimate of the cost to terminate the existing contracts assumes that construction that is currently at least 90 percent complete will be finished and other partially completed buildings will be enclosed to protect NASA's investment.

METHODOLOGY

To identify changes in the status of the advanced motor development program, we analyzed NASA program and budget documents and external reports such as the report of the Advisory Committee on the Redesign of the Space Station.

We also discussed the program's status with cognizant NASA officials. If you or your staff have further questions, please call me on (202) 512-8412.

Sincerely yours,

DONNA M. HEIVILIN,
Director, Defense Management and NASA Issues.

Mr. SHELBY. Madam President, today we are considering the second amendment in as many days that is designed to kill a NASA project. This amendment deals with the advanced solid rocket motor. We have heard a good deal of rhetoric regarding orbiting pork and junk science in the last couple of days. Much of that rhetoric has centered around the claim that the space station was a project without design, purpose, or direction. If these are the criteria for killing a NASA project, then in no way does the ASRM deserve termination. The ASRM has a clearly defined design and purpose. Congress mandated after the *Challenger* disaster that the space program come up with a more reliable, safer, and more powerful booster. The ASRM Program has delivered on this mandate. It will provide a more reliable, safer, and more powerful solid rocket booster for the space shuttle and future launch systems. The ASRM will provide an additional 12 thousand pounds of payload capacity while making a multitude of safety improvements that far surpass the present RSRM design.

Madam President, the ASRM is critical to the future of U.S. rocket launch capacity and aerospace competitiveness. The present RSRM is based on technology that is over two decades old and our current fleet of expendable launch vehicles is based on designs that are, on average, over three decades old. While the ASRM is to be specifically used on the shuttle, it is important to note that the new technology that is being applied to the ASRM is vital to the future development of both new liquid and solid boosters that are more reliable and efficient launch systems that will allow America to compete in the expanding international commercial launch market. If we continue to balk at developing new rocket technology, then our domestic aerospace industry will continue to lose pace with its international competitors who are using newer, cheaper, and more reliable launch systems. Madam President, the shuttle will remain the centerpiece of the U.S. launch system for the foreseeable future. The ASRM is an important and necessary upgrade to that aging system in terms of safety and cargo capacity.

Madam President, the ASRM plant is a Government-owned and contractor-operated facility. If funds for the completion of the facility and rocket development are eliminated, then the Government will still own a state-of-the-art rocket construction facility.

As I said previously, ASRM is not fantasy. The main facility is nearly complete. If we are truly worried about Government waste, then what could be more wasteful than canceling a project that is nearly complete after millions of dollars in investment? I challenge any of my colleagues to tour the facility at Iuka, MS, and defend the construction of a complete facility in

[1] Final Report to the President, Advisory Committee on the Redesign of the Space Station, June 1993.

order to mothball it. Such action, at this late date, makes no fiscal sense whatsoever.

This amendment may indeed appear to be a substantial step toward deficit reduction. However, the entire cost to complete the ASRM Program and deliver six sets of motors will be substantially less than a single year's space station appropriation. The ASRM will cost a third less to produce than the RSRM which we will have to continue to use over the life of the shuttle.

The ASRM is not a budget buster, either for NASA or for the Government as a whole. Cancellation at this late date makes neither good economic nor fiscal policy. I urge my colleagues to oppose the Bumpers amendment.

Mr. MATHEWS. Madam President, I rise today to voice my support for the continuation of the advanced solid rocket motor [ASRM] project.

In 1988, Congress approved NASA's decision to develop the ASRM as the next generation replacement for the redesigned solid rocket motor [RSRM].

Objectives outlined for the ASRM at that time were improved reliability, optimal cost, and enhanced safety and flight performance.

In addition, Congress sought to foster competition through the use of a Government-owned but contractor-operated solid rocket motor facility.

Madam President, these original objectives are still valid today.

It would be foolish and wasteful to end the project at this point: the ASRM design is now nearly complete, and construction is well over half finished.

All plant equipment is on order, all major construction contracts are awarded, and facilities will be 90 percent complete by the end of 1993.

Now is no time to cancel this important project.

The ASRM provides employment for 16,500 people nationwide and has created business opportunities in 38 States.

Many people from my own State of Tennessee are employed at the main facility in Mississippi, just across the Tennessee border.

The development of the advanced solid rocket motor will provide greatly enhanced safety, reliability, and performance for the space shuttle by the end of this decade.

The ASRM will use new technology, materials, and processes to increase motor manufacturing efficiency while reducing environmental concerns facing the rocket industry today.

Numerous environmental safeguards and improvements will be incorporated throughout the ASRM project operations, including a resource recovery system to replace open propellent burning, a new wastewater treatment facility, and state-of-the-art effluent containment systems.

Madam President, ASRM is before us today, already the victim of the budget ax.

Although wounded, its motion is still forward.

The $162 million funding level is some $150 million less than the current appropriation.

In recognition of the need for spending reductions, this program has met the test.

The United States is the preeminent space-faring Nation.

ASRM will ensure that we integrate development of advanced technology with space commercialization, and enhance our competitive edge.

The ASRM Program is on track and ready to provide the safety, reliability, and improved performance needed to move NASA's space shuttle program into the 21st century.

I urge my colleagues to join me in supporting this important project.

Mr. SPECTER. Madam President, the Senate will be voting on four amendments to the Department of Veterans Affairs and Housing and Urban Development appropriations bill for fiscal year 1994.

I have long supported efforts to reduce the exposure to asbestos. As far back as 1971, as district attorney in Philadelphia, I prosecuted a case to eliminate the practice of open-air spraying of asbestos at South Penn Square in Philadelphia. Since then, I have joined my colleagues in promoting legislation to identify asbestos in public facilities and its removal.

Today, we are considering an amendment by Senator SIMON to provide additional funding under the Asbestos Hazard Abatement Grant and Loan Program. Funding for asbestos abatement must continue to ensure that schools have the resources to eradicate the asbestos risk to children. The amendment by Senator SIMON proposes to pay for a fiscal year 1994 appropriation through a transfer from EPA unobligated funds.

The Appropriations Committee stated in its report that an assessment of the remaining hazards associated with asbestos in schools is necessary before more appropriations are made in addition to the $350 million appropriated for the program to date. I understand that school districts in the Commonwealth of Pennsylvania and across the Nation urgently need more money for the removal of asbestos. Therefore, we must sustain adequate funding simultaneously with making an assessment of the continuing risk of asbestos in our Nation's schools.

With respect to the amendment by Senator BUMPERS, I believe we must consider deficit reduction when evaluating the continued expenditure of Federal tax dollars for the Advanced Solid Rocket Motor [ASRM] Program. With the development of the space station *Alpha*, the need for added performance capabilities which could be developed through the ASRM Program are no longer needed. If a program is no longer needed to accomplish the goals of the Federal Government, I believe we should discontinue the program.

Likewise, I support the amendment by Senator BRYAN to eliminate funding for the Extraterrestrial Intelligence Program in order to reduce the burgeoning Federal deficit.

The amendment by Senator NICKLES to reduce funding for national service by $21 million will bring the Senate appropriation in line with the authorized level provided in the National Service Act recently adopted by Congress. During consideration of the act by the Senate, I worked to ensure that adequate funding levels were established to launch a national service program. The Senate should adhere to the funding limits contained in the act.

Mr. BUMPERS. I do not know of anything else I can say except here is an opportunity for the Senate to say to the American people that we recognize something is not necessary, and we are going to save $4 billion over the lifetime of this.

This is a chance to reinvigorate the spending cut enthusiasm that swept through this body about 45 days ago. Do not squander this opportunity.

The PRESIDING OFFICER. The time of the Senator has expired.

Ms. MIKULSKI. Madam President, I move to table the Bumpers amendment.

I ask for the yeas and nays, and I yield back the time of the opposition.

The PRESIDING OFFICER. Is there a sufficient second.

There is a sufficient second.

The yeas and nays were ordered.

Mr. MITCHELL. Madam President, I ask unanimous consent that in the upcoming sequence of four votes the votes after the first vote be limited to 10 minutes.

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

UNANIMOUS-CONSENT REQUEST

Mr. MITCHELL. Madam President, I ask unanimous consent that following disposition of the four amendments about to be voted on, the following listed amendments be the only floor amendments remaining in order to H.R. 2491, the VA–HUD appropriations bill, and that they be subject to relevant second-degree amendments, if applicable.

The amendments are:

An amendment by Senator BROWN regarding CDBG's; an amendment by Senator BUMPERS regarding Stafford loans; an amendment by Senator BYRD that is relevant; an amendment by Senator DECONCINI regarding intellectual property; an amendment by Senator GORTON that is relevant; an amendment by Senator GRAMM of Texas that is relevant; an amendment by Senator GREGG that is relevant; an amendment by Senator HATFIELD that is relevant; an amendment by Senator HELMS that is relevant; an amendment

by Senator MCCONNELL regarding the EPA; an amendment by Senator METZENBAUM that is relevant; an amendment by Senator METZENBAUM that is relevant; an amendment by Senator MIKULSKI that is relevant; an amendment by Senator MURKOWSKI that is relevant; an amendment by Senator PRESSLER that is relevant; an amendment by Senator RIEGLE and Senator LEVIN that is relevant; an amendment by Senator STEVENS regarding Alaska clean air.

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

VOTE ON AMENDMENT NO. 910

The PRESIDING OFFICER. The question now occurs on the motion to table the Bumpers amendment. The yeas and nays have been ordered.

The clerk will call the roll.

The legislative clerk called the roll.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 53, nays 47, as follows:

[Rollcall Vote No. 275 Leg.]

YEAS—53

Akaka	Gorton	Moseley-Braun
Boren	Graham	Murkowski
Breaux	Gramm	Nickles
Brown	Grassley	Packwood
Bryan	Hatfield	Pressler
Coats	Heflin	Reid
Cochran	Helms	Riegle
Coverdell	Hutchison	Robb
D'Amato	Inouye	Roth
Danforth	Johnston	Sasser
Dodd	Kassebaum	Shelby
Dole	Lott	Simpson
Domenici	Lugar	Smith
Exon	Mack	Stevens
Faircloth	Mathews	Thurmond
Feinstein	McCain	Wallop
Ford	McConnell	Warner
Glenn	Mikulski	

NAYS—47

Baucus	DeConcini	Levin
Bennett	Dorgan	Lieberman
Biden	Durenberger	Metzenbaum
Bingaman	Feingold	Mitchell
Bond	Gregg	Moynihan
Boxer	Harkin	Murray
Bradley	Hatch	Nunn
Bumpers	Hollings	Pell
Burns	Jeffords	Pryor
Byrd	Kempthorne	Rockefeller
Campbell	Kennedy	Sarbanes
Chafee	Kerrey	Simon
Cohen	Kerry	Specter
Conrad	Kohl	Wellstone
Craig	Lautenberg	Wofford
Daschle	Leahy	

So the motion to lay on the table the amendment (No. 910) was agreed to.

Mr. HEFLIN. Madam President, I move to reconsider the vote by which the motion was agreed to.

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

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. MITCHELL. Madam President, I want to call to the attention of all Senators the fact that the next three votes are 10 minutes each. I encourage Senators to remain in the Chamber.

I also remind Senators that it is the responsibility of the individual Senator to make certain that the clerk has properly noted the Senator's vote. If Senators miss a vote here because they come and go out of the Chamber, that is their responsibility. The next three votes are for 10 minutes each.

VOTE ON AMENDMENT NO. 911

The PRESIDING OFFICER. The question now occurs on the motion to table amendment No. 911, offered by the Senator from Nevada [Mr. BRYAN].

The yeas and nays have been ordered.

The clerk will call the roll

The assistant legislative clerk called the roll.

The PRESIDING OFFICER. Are there any other Senators in the Chamber who desire to vote?

The result was announced—yeas 23, nays 77, as follows:

[Rollcall Vote No. 276 Leg.]

YEAS—23

Akaka	Graham	Levin
Bond	Gramm	Lott
Breaux	Harkin	Mikulski
Brown	Hatfield	Moynihan
Daschle	Heflin	Pell
Dodd	Hutchison	Rockefeller
Feinstein	Inouye	Shelby
Glenn	Johnston	

NAYS—77

Baucus	Exon	Mitchell
Bennett	Faircloth	Moseley-Braun
Biden	Feingold	Murkowski
Bingaman	Ford	Murray
Boren	Gorton	Nickles
Boxer	Grassley	Nunn
Bradley	Gregg	Packwood
Bryan	Hatch	Pressler
Bumpers	Helms	Pryor
Burns	Hollings	Reid
Byrd	Jeffords	Riegle
Campbell	Kassebaum	Robb
Chafee	Kempthorne	Roth
Coats	Kennedy	Sarbanes
Cochran	Kerrey	Sasser
Cohen	Kerry	Simon
Conrad	Kohl	Simpson
Coverdell	Lautenberg	Smith
Craig	Leahy	Specter
D'Amato	Lieberman	Stevens
Danforth	Lugar	Thurmond
DeConcini	Mack	Wallop
Dole	Mathews	Warner
Domenici	McCain	Wellstone
Dorgan	McConnell	Wofford
Durenberger	Metzenbaum	

So the motion to lay on the table the amendment (No. 911) was rejected.

The PRESIDING OFFICER. The question now is on agreeing to the Bryan amendment No. 911.

The amendment (No. 911) was agreed to.

Mr. FORD. Madam President, I move to reconsider the vote by which the amendment was agreed to.

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

The motion to lay on the table was agreed to.

VOTE ON AMENDMENT NO. 913

The PRESIDING OFFICER. The question now is on agreeing to the motion to lay on the table amendment No. 913, offered by the Senator from Oklahoma [Mr. NICKLES]. The yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk called the roll.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 45, nays 55, as follows:

[Rollcall Vote No. 277 Leg.]

YEAS—45

Akaka	Ford	Moynihan
Biden	Glenn	Murray
Boren	Harkin	Nunn
Boxer	Heflin	Pell
Breaux	Inouye	Pryor
Bryan	Johnston	Reid
Bumpers	Kerry	Riegle
Campbell	Leahy	Robb
Conrad	Levin	Rockefeller
Daschle	Lieberman	Sarbanes
DeConcini	Mathews	Sasser
Dodd	Metzenbaum	Shelby
Durenberger	Mikulski	Simon
Feingold	Mitchell	Wellstone
Feinstein	Moseley-Braun	Wofford

NAYS—55

Baucus	Exon	Lott
Bennett	Faircloth	Lugar
Bingaman	Gorton	Mack
Bond	Graham	McCain
Bradley	Gramm	McConnell
Brown	Grassley	Murkowski
Burns	Gregg	Nickles
Byrd	Hatch	Packwood
Chafee	Hatfield	Pressler
Coats	Helms	Roth
Cochran	Hollings	Simpson
Cohen	Hutchison	Smith
Coverdell	Jeffords	Specter
Craig	Kassebaum	Stevens
D'Amato	Kempthorne	Thurmond
Danforth	Kennedy	Wallop
Dole	Kerrey	Warner
Domenici	Kohl	
Dorgan	Lautenberg	

So the motion to lay on the table the amendment (No. 913) was rejected.

Mr. NICKLES. Madam President, I move to reconsider the vote by which the motion to table was rejected.

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

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The question now occurs on the amendment by Senator NICKLES, No. 913. The yeas and nays——

Mr. NICKLES. I ask unanimous consent to vitiate the yeas and nays.

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

The question is on agreeing to the amendment of the Senator from Oklahoma.

The amendment (No. 913) was agreed to.

Mr. NICKLES. Madam President, I move to reconsider the vote by which the amendment was agreed to.

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

The motion to lay on the table was agreed to.

VOTE ON AMENDMENT NO. 914

The PRESIDING OFFICER. The next vote will be a 10-minute rollcall vote.

The question now occurs on the motion to lay on the table amendment No. 914 offered by the Senator from Illinois [Mr. SIMON]. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. FORD. I announce that the Senator from Ohio [Mr. METZENBAUM] is necessarily absent.

The PRESIDING OFFICER (Mr. CAMPBELL). Are there any other Senators in the Chamber who desire to vote?

The result was announced—yeas 31, nays 68, as follows:

[Rollcall Vote No. 278 Leg.]

YEAS—31

Baucus	Graham	Mikulski
Bingaman	Gramm	Nickles
Bond	Heflin	Nunn
Bryan	Hutchison	Packwood
Byrd	Inouye	Robb
Craig	Johnston	Rockefeller
Danforth	Kennedy	Shelby
Dole	Leahy	Simpson
Domenici	Levin	Wallop
Dorgan	Lieberman	
Gorton	McConnell	

NAYS—68

Akaka	Faircloth	McCain
Bennett	Feingold	Mitchell
Biden	Feinstein	Moseley-Braun
Boren	Ford	Moynihan
Boxer	Glenn	Murkowski
Bradley	Grassley	Murray
Breaux	Gregg	Pell
Brown	Harkin	Pressler
Bumpers	Hatch	Pryor
Burns	Hatfield	Reid
Campbell	Helms	Riegle
Chafee	Hollings	Roth
Coats	Jeffords	Sarbanes
Cochran	Kassebaum	Sasser
Cohen	Kempthorne	Simon
Conrad	Kerrey	Smith
Coverdell	Kerry	Specter
D'Amato	Kohl	Stevens
Daschle	Lautenberg	Thurmond
DeConcini	Lott	Warner
Dodd	Lugar	Wellstone
Durenberger	Mack	Wofford
Exon	Mathews	

NOT VOTING—1

Metzenbaum

So the motion to lay on the table the amendment (No. 914) was rejected.

Mr. SIMON. Mr. President, I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The question is now on agreeing to the amendment of Senator SIMON.

The yeas and nays have been ordered.

Mr. SIMON. Mr. President, I ask unanimous consent to vitiate the yeas and nays.

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

The question is on agreeing to the amendment of the Senator from Illinois.

The amendment (No. 914) was agreed to.

THE FOREIGN OPERATIONS APPROPRIATIONS BILL

Mr. LEAHY. Mr. President, I ask my friend from Colorado to yield. I know he is ready to go forward. I want to make an announcement about the foreign operations appropriations bill.

Mr. President, I have been discussing this with the distinguished Chair of the HUD and independent agencies bill, Senator MIKULSKI, how the schedule is going. I know Senators are cooperating in every way they can. May I please urge all Senators to try to shorten whatever time they can on their amendments, and to finish the bill that is on the floor.

Following this bill will be the foreign operations appropriations bill. We know that this evening we will not be in session because of the joint session. We will be meeting to hear the President of the United States. Should this bill finish, I intend to go immediately, with the concurrence of the distinguished leader, to the foreign operations bill. I would like to get started on that today. Ideally, I would like to finish it, but I do not think that will be possible. I would like to finish early in the day tomorrow. There are a number of reasons for this. If we do not pass and get signed into law the foreign operations bill by the end of the fiscal year next week, two-thirds of the money that is being committed to the former Soviet Union is lost.

I met with President Clinton last night. He has stated strong support for President Yeltsin.

One thing I would hope that the Senate of the United States could do is to pass this foreign aid bill, demonstrating our support for the position that the President is in.

There has been strong bipartisan support, Republicans and Democrats alike, for this part of the foreign aid bill. They have worked with the distinguished Republican leader. The distinguished Senator from New Mexico [Mr. DOMENICI], the distinguished Senator from Kentucky [Mr. MCCONNELL] who is the ranking member have all worked very, very closely together as has the distinguished chairman of the overall Appropriations Committee, Senator BYRD, and the ranking member on the Republican side, Senator HATFIELD. Senator INOUYE on the Defense Subcommittee, along with Senator STEVENS, myself, and others have worked very closely on this.

We are prepared with a good bill to go forth. It is my judgment that we should move forward on Russian aid now notwithstanding what is going on in Russia today.

I think the United States is going to be looked to by the rest of the world to see what position we take. Much of the rest of the world interested in what is going on in Russia will follow the United States lead. This is not the time for us to falter. It is a time to go forward.

We have another major package which, of course, is the Middle East package. There is money in the bill that my subcommittee put together for the Palestinians. We are also going to have to draw in waivers for the President to allow PLO members to come to Washington to meetings. This is in the best interest of both the Israelis and the Palestinians because they have both made very clear to me that they know that Washington will be a venue for meetings.

That, too, will have to go forward as quickly as we can so we do not in any way slow up the Middle East peace process.

I tell this to my fellow colleagues to let them know it is important to move forward and complete this bill.

I thank the distinguished Presiding Officer, my friend from Colorado, and I thank my other friend from Colorado for letting me step forward. I know he was waiting to go forth with his amendment. And I appreciate the courtesy.

Thank you.

DEPARTMENTS OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT APPROPRIATIONS ACT FOR FISCAL YEAR 1994

The Senate continued with the consideration of the bill.

The PRESIDING OFFICER. The Senator from Colorado is recognized.

AMENDMENT NO. 915

(Purpose: To reduce the amount appropriated for fiscal year 1994 for community development grants of the Department of Housing and Urban Development)

Mr. BROWN. Mr. President, I send an amendment to the desk on behalf of myself and the distinguished Senator from New Mexico [Mr. DOMENICI].

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Colorado [Mr. BROWN], for himself and Mr. DOMENICI, proposes an amendment numbered 915.

Mr. BROWN. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

On page 36, line 8, strike out "$4,400,000,000" and insert in lieu thereof "$4,223,675,000".

The PRESIDING OFFICER. Is there objection to setting aside the committee amendments?

Hearing none, without objection, it is so ordered.

The Senator may proceed.

Mr. BROWN. Mr. President, this amendment is quite straight forward. It deals with the question of the Community Development Block Grant Program. This is an area over recent years that has grown dramatically. Started in 1990, it was funded at $2.9 billion a year. The President's recommendation for funding this year, just a few years later, will be $4.2 billion, an enormous increase in a brief period of time.

The President's recommendation represents a 6.8-percent increase over the appropriations bill that passed last year. I say the appropriations bill because since then we have had a supplemental for the disasters, which were

special funding. But even if you count that special funding, this is significantly above all of the spending last year on CDBG's. The President's recommendation was very generous, giving it a much bigger increase for this program than other programs, in spite of the fact that this had had a huge increase in recent years as well.

The President's 6.8-percent increase represents a huge increase in a year in which this Nation felt so strongly about deficit reduction that this Senate and the House passed the biggest tax increase in the history of this country or any country in the world.

In light of that huge tax increase and in light of the crisis with our economy, it seems to me that the President's recommendation is more than generous for this program.

Yet what lies before us in the way of the appropriations bill is a suggestion that we increase this program not 6.8-percent but 11¼ percent. That is $176 million more than even the President's request.

This amendment is quite straightforward and simple. What it suggests is that we go back to the level requested by the President, President Clinton, in his budget and not go with the higher figure.

The House has considered this issue and acted to fund the CDBG at the level suggested by the President. They do include a $50 million provision for emergencies.

So what we are suggesting is simply the number the President has asked for. What we are suggesting is the number the House has come up with, not counting their $50 million suggestion for additional funding for emergencies.

I think the issue comes down to this—we are either going to get serious dealing with the deficit and dealing with spending, or we are going to watch the future of this Nation wash away as this Congress ignores the crying need of our Nation to get our accounts in order to increase savings and to put productive resources to work in the private sector.

It is not easy to control spending. No one said it would be. But we have an obligation that surpasses simply responding to those who lobby us. We have a responsibility to help this Nation put its house in order.

This is a modest step. It simply goes to what the President asks for, but it sets a course for a determined effort to bring this deficit in line.

I ask the Members to consider this amendment, to act in a courageous manner to save $176 million for the taxpayers of this country.

Moreover, Mr. President, I hope this amendment will pass because I think it shows that this body is serious about dealing with the budget crisis that continues in our country.

Mr. President, I reserve the remainder of my time.

The PRESIDING OFFICER. The Senator from New Mexico [Mr. DOMENICI].

Mr. DOMENICI. Mr. President, I am very pleased to have been asked by Senator BROWN to cosponsor this amendment. Obviously, it is very simple and forthright.

In a very real sense we are not cutting anything or cutting an increase over what President requested. So we are reducing the level of the CDBG Program, the Community Development Block Grant Program, to a level requested by the President of the United States.

I truly believe this is a program that the President likes. It is kind of fundamental to some of the things he would like to get done. I might say I am not quite that sanquine, although it does some good things. Clearly, an inventory of how it is used would reveal some items that would turn some of us away from this program. We do not choose to do that today. That is for another day.

We are offering $176 million in savings by just saying do not increase this program more than the President asked that it be increased.

I do not know whether there will be any strong arguments on the other side. But essentially I am sure that one can get up and talk about all the add-ons that could be used by the Community Development Block Grant Program. It is a never-ending wish list. We know that. It comes to the Governors from the cities and then it is funded and there is some local matching.

So obviously you could put all the money in the world in it, and there would be someone out there asking for it.

But essentially in a budget that is tight and an appropriations bill that is tight with reference to veterans and with reference to other important issues, such as HUD funding and housing, the NASA Program, it seems to this Senator that Senator BROWN is on the right track.

We clearly ought not spend $176 million more than the President requested for this program. It is an opportunity for Senators to say we want to fund CDBG, if that is your purpose, but we do not need to fund it for $176 million more than the President asked for.

I hope that the Senate will adopt the Brown amendment on which I am pleased to be an original cosponsor. I thank Senator BROWN for permitting me to be part of this. It is an excellent amendment, and I hope the Senate sees it that way.

I yield the floor.

The PRESIDING OFFICER. Who yields time?

Is there further debate on the amendment?

The Senator from Colorado.

Mr. BROWN. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is not a sufficient second.

Mr. DOMENICI. Mr. President, I ask for the yeas and nays.

Ms. MIKULSKI. Will the Senator withhold? Could we go to the absence of a quorum? I think there might be an accommodation here if the Senator will withhold.

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

The PRESIDING OFFICER. The absence of a quorum has been suggested.

The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Ms. MIKULSKI. Mr. President, I have a question for the Senator from Colorado. I had to be off the floor when he presented his statement, and I apologize to the Senator.

What was his key argument in opposing the increase? Because CDBG is the tool that provides maximum flexibility to local communities and also takes us away from some of those categorical line-item programs.

I am not asking the Senator to repeat his arguments, but was it because it was over the President's request, or is it CDBG itself?

Mr. BROWN. I thank the distinguished Senator for the question.

My concern was primarily that it exceeded the President's request of 6.8 percent. I thought that was more than adequate, even for a program that we both see some advantages for.

If I may add to the distinguished Senator from Maryland, the amount that this amendment would take it to is exactly the same as what the President asked for in his request. It is $50 million less than what the House appropriated, or what I understand the House appropriated, and the House had included an additional $50 million to take care of disaster emergencies, as I understand the committee report.

Ms. MIKULSKI. I thank the Senator for outlining his concerns. I must oppose it, though I understand his arguments.

Therefore, I will yield the floor so that he can make his original request for the yeas and nays.

Mr. BROWN. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

Mr. SARBANES. Mr. President, I rise to oppose the Brown amendment to H.R. 2491 that would cut CDBG funding.

Does anybody really think we are spending too much money on our low-income communities? Just take a walk through the District of Columbia, Sandtown-Winchester in Baltimore, Detroit, South-Central Los Angeles,

the South Bronx, or any other of our Nation's cities? The needs of our Nation's low-income communities are vast and this amendment would reduce the resources so desperately needed to address these needs.

The CDBG Program continues to be a cornerstone in Federal efforts to rebuild and strengthen our Nation's cities and distressed communities. Localities are given great flexibility in deciding how best to meet the needs of their low- and moderate-income citizens—whether through rehabilitation of affordable housing, development of day care centers, construction of transitional housing for homeless persons, or assistance to struggling entrepreneurs developing small businesses.

The riots that occurred in Los Angeles and other cities nearly a year-and-a-half ago are a painful reminder of the distress simmering in so many neighborhoods across America. President Clinton and Secretary Cisneros have recognized the urgent need to respond to our cities after years of neglect and disinvestment and this program is a key ingredient to this program.

I want to commend Senator MIKULSKI on her fine work with this bill. She has worked long and hard to craft a bill that is fair and equitable. This amendment would dismantle the work put forth and begin an unraveling process of this important program.

As many of you may know, the CDBG Program has been under attack since the beginning of this year in Congress. Unfortunately, many Republican Senators have been using a death by anecdote technique to try to derail the CDBG Program.

This technique clearly misses the point. First, if one were to compile a list of all the good things that States and cities do with their CDBG dollars, the list of worthwhile projects would clearly overwhelm the few questionable projects. During the stimulus package debate in the beginning of the year, CDBG opponents questioned only 45 projects out of 4,500 projects suggested in a list of stimulus projects proposed by mayors.

Second, some of the same opponents who now seem to think that the Federal Government should second-guess local needs, were the original supporters of the program's local flexibility and decisionmaking. When the program was created in 1974 by a Republican administration, the whole concept was to encourage local decisionmaking. It was President Reagan and the Gramm-Latta budget agreement in 1981 that terminated all of HUD's up-front review of CDBG projects and shifted administration of the small cities program to the States.

Third, opponents have been distorting perfectly good CDBG projects as pork barrel. A swimming pool built in South-Central L.A. or another inner city neighborhood may well do more to keep kids away from gangs and drug dealers and improve community safety than additional policemen or jails could ever do.

The vast majority of the 850 CDBG recipients are meeting the law's purposes of benefiting low- and moderate-income neighborhoods, reducing urban blight, and creating jobs in their communities. The 1992 CDBG annual report found that 90 percent of the CDBG funds benefited low- and moderate-income households.

This amendment is mischievous—it does not save any money. Total discretionary funding is capped. All appropriations bills are capped. Cutting CDBG does not necessarily decrease the aggregate amount of discretionary spending. In fact, it merely allows the funding to flow to other types of discretionary spending. I would submit there are few places that we could spend this money in a more worthy fashion than through the CDBG Program.

The PRESIDING OFFICER. Is there further debate on the amendment?

If not, the yeas and nays have been ordered, and the clerk will call the roll.

Ms. MIKULSKI. Wait. Wait.

Mr. President, I thought that the Senator was just reserving that pending the debate. If the Presiding Officer will withhold, in asking for the yeas and nays, that was just a place holder, subject to the conclusion of the debate.

The PRESIDING OFFICER. The Chair asked if there was further debate and put the question to the floor. No one sought recognition.

Mr. BROWN. Mr. President, I ask unanimous consent that the vote be delayed while we add 10 minutes, to be equally divided between the Senator from Maryland and myself.

The PRESIDING OFFICER. Is there objection to the limit of 10 minutes of debate on the amendment?

Ms. MIKULSKI. And no second-degree amendments.

Mr. BROWN. And no second-degree amendments.

The PRESIDING OFFICER. Is there objection to 10 minutes debate on the amendment?

Hearing none, it is so ordered.

The Senator from Maryland is recognized.

Ms. MIKULSKI. Mr. President, the reason we are doing this is because the CDBG is probably the most important tool that local and State governments have in order to meet the needs of their communities without Government stipulation for categorical programs.

Mr. President, the CDBG Program is probably the most highly supported program. It was really created under the Republican administrations of Nixon and Ford exactly because they believed in local flexibility, a block grant approach to provide decent housing, a suitable living environment, and expansion of economic opportunities to low-income people.

The means to achieve these objectives are to carry them out to achieve three national objectives: The benefit of low and moderate income persons; the aid in the prevention of slums and blight; and to meet other particularly urgent development needs.

Thirty-seven percent of these funds go for housing.

Mr. President, our total CDBG request is $4.4 billion. What a modest amount of money, a modest amount of money for it to return to States and local communities on a formula basis to meet these needs.

When Senator Garn was here, probably, in addition to the space program, the one thing he and I really supported was the community development block grant money, exactly because it provided local flexibility. It was not all these kinds of mandated line item programs.

The reason we are over the President's request is that we analyzed it on the basis of need; we analyzed it on the basis of the projects that we knew were in the pipeline; and we analyzed it, quite frankly, when one looked at the kinds of needs articulated by our colleagues.

There were 1,100 requests that I received for special projects. Over 65 percent of those projects were related to community development block grants. They were not ice skating rinks or Alpine sliding boards. These were to deal with blight. These were to deal with modernization of homeless shelters to make them fit for duty. These were opportunities that generated jobs in the construction industry and, at the same time, would deal with the social deficit in local communities.

I understand why the Senator from Colorado raised his argument, and I appreciate his concern for fiscal soundness. But if there was anything in HUD that was truly worthwhile, that is truly worth fighting for, it is the community development block grants.

We have not been able to provide as much as we want for housing in 1994 for specific line-item programs. But for CDBG, we leave it to the local communities.

We really hope that the Brown amendment will be defeated.

Mr. BROWN addressed the Chair.

The PRESIDING OFFICER. The Senator from Colorado, Mr. BROWN.

Mr. BROWN. Mr. President, the distinguished Senator from Maryland has made an excellent plea. I hope Members, as they decide this issue, will keep a couple of things in mind.

One is the fiscal crisis that this country faces, not only today but in the future. That was heightened by a report just issued by the Congressional Budget Office. The Congressional Budget Office noted the impact of the tax increase in reducing the forecasted deficit, but they also quote in that report their view that this Nation's budget

problems remain extremely serious. And they note that the budget trend is for significantly increasing deficits as we go toward the end of this century and on into the next.

In other words, we face a Nation that not only is heavily in debt, more heavily in debt than any country on the face of the Earth, but whose budget problems are getting worse, not better.

To say no to a modest amendment that will save this country money ignores the impact that we will have on this country's future if we continue on the fiscal course we are on now.

This is not just a modest increase. The President's request was a 6.8-percent increase. The committee's request is an 11.25-percent increase in the year where we have had the biggest tax increase in history.

Mr. President, there are two things I think are worthy of note. The CDBG Program has been mentioned as a program that is helpful in job creation. The Congressional Research Service studied that and commented thusly. Their estimate is that only 10 to 18 percent of the CDBG money goes for so-called job creation. Our own research service verifies the fact that the vast majority of this money does not come out into our economy in terms of job creation.

There is one other fact I hope Members will keep in mind as they cast this vote. We are told in the committee report that to date there is over $8 billion of previously authorized funds for CDBG that remains unspent.

Mr. President, think of that. It is incredible. We are talking about a huge increase in this program, and we already have $8 billion that has already been appropriated that remains unspent. If there is such a crisis need to increase funding for this program, perhaps the way to handle it is to spend the money that has already been appropriated and lies unobligated and unspent.

Mr. President, the bottom line in this is that this is an opportunity for us to help put our country on the road to fiscal sanity, to reduce the deficit, and to control spending.

I hope that Members will approve the recommendations sent to us by the President.

I reserve the remainder of my time.

The PRESIDING OFFICER. Is there further debate on the amendment?

Ms. MIKULSKI. Mr. President, I would just like to conclude by saying this. We eliminated special purpose, site-specific HUD CDBG-funded grants this year. We took the pork out of that, or the alleged pork. But out of all those projects, over 65 percent really met such extraordinary, compelling need. We said, OK, this year we are not going to do it. But what was very clear, Members came to us with these special projects out of frustration because there was not the money there to meet them in their local communities. So mayors and the heads of nonprofit organizations prevailed upon them to try to get a line item out of the HUD appropriations bill. We said we do not want to follow that practice, but we will try to put the money in to do that.

The Senator is right, there is money over the President's request. This is so there are sufficient funds to really meet what local communities' needs.

I hope that we will defeat the amendment of the Senator from Colorado, and I hope that the Senators will affirm the compelling need for community development block grant money. Quite frankly, if I had my way and only one program would survive at HUD, it would be community development block grant money—I feel that strongly about what it means to people at the local level, having been a city councilwoman, not to have to struggle through redtape—it would be the community development block grant money.

The Senate can exercise its will and we will abide by it. How much time is there remaining?

The PRESIDING OFFICER. The Senator's time has expired.

Mr. BROWN. I will be happy to yield any time I have remaining to the Senator, if she wishes.

The PRESIDING OFFICER. The Senator from Colorado has 1 minute 30 seconds left.

Ms. MIKULSKI. This has concluded the debate. I am happy to give the Senator a straight up-or-down vote on this.

The PRESIDING OFFICER. Is there further debate? If not, the question is on agreeing to amendment No. 915.

The yeas and nays have been ordered. The clerk will call the roll.

The bill clerk called the roll.

Mr. SIMPSON. I announce that the Senator from Pennsylvania [Mr. SPECTER] is necessarily absent.

The result was announced—yeas 48, nays 51, as follows:

[Rollcall Vote No. 279 Leg.]

YEAS—48

Baucus	Dorgan	Mack
Bennett	Durenberger	Mathews
Bingaman	Exon	McCain
Boren	Faircloth	McConnell
Brown	Gorton	Murkowski
Burns	Graham	Nickles
Campbell	Gramm	Nunn
Coats	Grassley	Packwood
Cochran	Gregg	Pressler
Cohen	Hatch	Roth
Conrad	Helms	Simpson
Coverdell	Hutchison	Smith
Craig	Kassebaum	Stevens
Danforth	Kempthorne	Thurmond
Dole	Kohl	Wallop
Domenici	Lott	Warner

NAYS—51

Akaka	Bumpers	Feingold
Biden	Byrd	Feinstein
Bond	Chafee	Ford
Boxer	D'Amato	Glenn
Bradley	Daschle	Harkin
Breaux	DeConcini	Hatfield
Bryan	Dodd	Heflin
Hollings	Lieberman	Reid
Inouye	Lugar	Riegle
Jeffords	Metzenbaum	Robb
Johnston	Mikulski	Rockefeller
Kennedy	Mitchell	Sarbanes
Kerrey	Moseley-Braun	Sasser
Kerry	Moynihan	Shelby
Lautenberg	Murray	Simon
Leahy	Pell	Wellstone
Levin	Pryor	Wofford

NOT VOTING—1

Specter

So the amendment (No. 915) was rejected.

Mr. SARBANES. Mr. President, I move to reconsider the vote by which the amendment was rejected.

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

The motion to lay on the table was agreed to.

Mr. SASSER. Mr. President, the Senate Budget Committee has examined H.R. 2491, the Departments of Veterans Affairs and Housing and Urban Development, and independent agencies fiscal year 1994 appropriation bill and has found that the bill is under its 602(b) budget authority allocation by $522,000 and under its 602(b) outlay allocation by $39,000.

I compliment the distinguished manager of the bill, Senator MIKULSKI, and the distinguished ranking member of the VA, HUD, independent agencies appropriation subcommittee, Senator GRAMM, on all of their hard work.

Mr. President, I have a table prepared by the Budget Committee which shows the official scoring of the VA, HUD, independent agencies appropriations bill and I ask unanimous consent that it be inserted in the RECORD at the appropriate point.

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

SENATE BUDGET COMMITTEE SCORING OF H.R. 2491—VA, HUD, INDEPENDENT AGENCIES APPROPRIATIONS

[IN MILLIONS OF DOLLARS]

Bill summary	Ba	Outlays
Discretionary total:		
New spending in bill	67,590	29,501
Outlays from prior years appropriations		40,476
Supplementals	0	−4
Advance appropriations for Housing contract renewals	720	
Subtotal, discretionary spending	68,310	69,973
Mandatory total	18,897	20,521
Bill total	87,207	90,494
Senate 602(b) allocation	87,208	90,494
Difference	−1	
Discretionary total above (+) or below (−):		
President's request	−1271	−886
House-passed bill	51	18
Senate-reported bill		
Senate-passed bill		

EXCEPTED COMMITTEE AMENDMENT ON PAGE 42, LINES 16 THROUGH 24

The PRESIDING OFFICER (Mr. DORGAN). The question now recurs on the committee amendment on page 42 of the bill.

Ms. MIKULSKI. I urge adoption of this amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The committee amendment on page 42, lines 16 through 24, of the bill was agreed to.

Ms. MIKULSKI. Mr. President, I move to reconsider the vote by which the committee amendment was agreed to.

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

The motion to lay on the table was agreed to.

EXCEPTED COMMITTEE AMENDMENT ON PAGE 69, LINES 17 THROUGH LINE 4 ON PAGE 71

The PRESIDING OFFICER. The question now occurs on committee amendment on page 69. Is there debate on that amendment?

Ms. MIKULSKI. Mr. President, I believe the Senator from Alaska has an amendment that he wishes to offer.

Mr. MURKOWSKI. Mr. President, the floor manager is correct.

AMENDMENT NO. 916

Mr. MURKOWSKI. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Alaska [Mr. MURKOWSKI] proposes an amendment numbered 916.

Mr. MURKOWSKI. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

On page 13, line 16, strike "$369,000,000" and insert in lieu thereof "$271,900,000".

On page 14, line 5, after the colon, insert the following: "*Provided further*, That none of these funds shall be used for any project with a cost of $3,000,000 or more to construct, alter, extend, improve, replace or modernize any inpatient care facility, including any planning or architectural or engineering services in connection with any such project, unless funds have previously been made available for that purpose:".

Mr. MURKOWSKI. Mr. President, the amendment offered by the Senator from Alaska perhaps treads on the sensitive ground of our responsibility for meeting our obligation to America's veterans. However, in offering the amendment I refer specifically to our Vice President and his proposal to create a Government that works better and costs less entitled "Getting Back To Basics." The Vice President made the following recommendation:

Over the next 5 years the Federal Government is slated to spend more than $800 million a year acquiring new Federal office space, courthouses * * * and under current conditions these acquisitions simply do not make sense.

Mr. President, he further States that the Federal work force is being reduced; the Resolution Trust Corporation is disposing of real estate once held by failed savings and loans; GSA will place an immediate hold on GSA acquisitions. And obviously the point of our Vice President is well-founded. We have surplus facilities.

The Senator from Alaska in this specific amendment proposes the following. I would refer to the committee amendment itself where the VA construction account is listed at $369 million. The Senator from Alaska would insert and substitute the expenditure of $271,900,000. There is an approximate reduction of $97.1 million.

The amendment would reduce new inpatient hospital construction only. My amendment does not—does not—Mr. President, affect funding for outpatient construction. The question has come up on nursing home construction. It does not affect nursing homes, nor does it affect any project previously funded and ongoing.

So make no mistake about it, Mr. President, we are looking at an amendment which would delete funding for only 1 year and only for new inpatient hospital construction.

Mr. President, is this necessary? I recognize this is a sensitive issue, because one of the areas that is affected is Anchorage, AK. It clearly affects the Senator from Alaska.

We are also talking about Lyons, NJ; it affects the State of New Jersey. We are talking about Memphis, TN; it affects Tennessee. We are talking about Muskogee, OK; it affects Oklahoma. It does not affect the ongoing inpatient projects underway in Palo Alto, CA, where facilities that were damaged by an earthquake are being replaced; or Temple, TX, which is a 300-bed replacement for a 1942 building; or the new outpatient project in San Juan, PR; or the new medical school relocation in Mountain Home, TN; or nursing homes in Baltimore; Honolulu; Prescott, AZ; Tuskegee, AL. The amendment would delete funding only for the inpatient hospital projects that I have listed.

So I encourage all offices listening to the debate to reflect on the specifics of the amendment. This would not throw out all of VA's construction funding by any means. It is quite specific in its intent. Again, it addresses only the four hospitals that I have named.

Let us see what the circumstances are and what the needs are in these specific areas. Muskogee, OK. There is the proposal to build a 140-bed building to replace an old facility. I am sure it is needed, and I will concede that it is needed. The 1994 bill would fund all $32 million in cost. But the vacancy rate currently in the Muskogee VA hospital is 25 percent. In the Muskogee County area, the hospital vacancy rate is 35 percent. What we are talking about is a 1-year delay of funding for this facility so the Congress can assess the impact of veterans' eligibility reform and national health care reform before constructing a new hospital.

The second hospital is in Memphis, TN. It would replace approximately 270 beds in a seismically unsafe bed tower. Let us look again at the occupancy. For a cost of $10.7 million, which is in the 1994 bill, which is part of a $95 million ultimate construction cost, we are looking in Memphis, TN, at a VA hospital with a vacancy rate of 41 percent. In Shelby County, the vacancy rate in the hospitals there is 30 percent. So clearly, it is not an immediate necessity.

Let us go to New Jersey—Lyons, NJ—a new 180-bed psychiatric building. The 1994 bill will fund all of the $41 million cost. What are the vacancy rates? The vacancy rates in the VA hospital there now are 33 percent. Somerset County is 31 percent.

In Anchorage, AK, we are talking about an 18-bed portion for a joint VA/Department of Defense hospital. Vacancy rates in the current Department of Defense hospital are not relevant because we do not have a VA hospital facility, with the exception of access to a few beds. But it is interesting to note that in the Anchorage private sector hospitals, vacancy rates are 47 percent.

What is the justification for the amendment of the Senator from Alaska?

Well, if we reflect on our President's national health care program, which we are going to hear about tonight in some detail, we find that the question of how the VA hospital system and medical care system really fits in, is not spelled out. We really do not now know.

This amendment will simply put off constructing, or appropriating for the initial construction process to begin, only these four hospitals in Anchorage, New Jersey, Tennessee, and Oklahoma. So we are putting off the commitment of expending some $95 million until we can take a look at how the VA system will fold into the national health care system, if it should, or whether it will stand alone.

So when we are talking about savings, of trying to reduce expenditures, here is an opportunity to simply put off, for a year, the expenditure of $95 million, until we have an opportunity to look realistically at the necessity for these hospitals to be built, when we recognize the VA system may well be in transition in the national health care system. And as far as addressing the immediate need, as I have indicated, in all instances, there are substantial vacancies in the existing VA hospitals and substantial vacancies in hospitals in the immediate area.

So that is the basic outline, Mr. President, of the amendment. I want to stress again that we are talking about inpatient construction only, not outpatient. Outpatient care or nursing homes will not be affected by this amendment.

Again, the amendment imposes a 1-year delay on funding of new inpatient hospital bed construction only. The reason is so we can assess the impact of health care reform on VA—I might add that we also have veterans eligibility

reform underway —and the continuing movement of health care away from inpatient treatment and toward outpatient treatment. And as the minority ranking member on the VA Committee, based on all of the testimony we have had, there is more and more attention given to the necessity for outpatient treatment. So this amendment would give us an opportunity to address that. Furthermore, it gives the VA time to revamp construction priorities toward more ambulatory care, where the need obviously exists.

And it avoids new taxpayer funded hospital construction in areas with a surplus of hospital beds.

Again, the vacancy rates in these communities: Memphis, TN, 30 percent; Somerset County, NJ, 31 percent; Muskogee, OK, 35 percent; Anchorage, AK, 47 percent.

In the bill, as reported, 83 percent of the VA construction funding allocated to the specific purposes is directed toward inpatient facilities. Only 1 percent is directed toward outpatient treatment.

Mr. President, I would hope that I could respond to the floor managers relative to my presentation, but I think I have outlined in adequate detail the purpose of the amendment, the fact that it is a fiscally responsible way to address the realities associated with the narrow area that the amendment covers.

I see my friend, the chairman of the committee, appearing on the floor. So I trust he is going to have something to say about this as well.

But let us recognize clearly we are just talking about new hospital construction. We are talking about putting off $95 million in expenditures for 1 year. We are talking about the reality that new beds are not needed based on the number of vacancies. We are talking about the reality that this will give us some time to assess the needs for future hospital construction until after we have the input of the administration relative to how the VA will fit into the national health care program; recognizing that these things are the type of things that every Member is proud to bring home by providing facilities in his or her community for our veterans.

Realism simply dictates that we have to look beyond that now. We have to look at the realities associated with meeting our responsibility to the veterans, by providing them the very best of health care benefits. And when the costs are escalating and the necessity for more outpatient care is necessary, questioning whether we should continue building new hospitals in areas where we have adequate vacancies at this time, I think deserves the consideration of this body and the support of this body for my amendment, which would preclude the expenditure only of the $97.1 million for the four new inpatient hospital projects out of the $340 million medical construction that is proposed in the bill before us.

I thank the Chair and yield the floor.

The PRESIDING OFFICER. The Senator from Alaska yields the floor.

Who seeks recognition?

The Senator from Michigan [Mr. RIEGLE].

MEXICAN AUTHORITIES DETAIN TRADE UNIONISTS

Mr. RIEGLE. Mr. President, I just received a news release from a group of members of the International Machinists Union of this country, and I want to just read it into the RECORD because it is very important. They issued this from Anaheim, CA, and I will just read the text of it.

ANAHEIM, CA, September 22.—Mexican immigration authorities detained for more than three hours, 38 American and Canadian citizens who had come to Tijuana to study the affects that a NAFTA agreement would have on their jobs.

One member of the delegation from the International Association of Machinists and Aerospace Workers (IAM), is a Maryland state legislator and chair of the Maryland General Assembly's Black Caucus.

IAM President George J. Kourpias strongly objected to their treatment by the Mexican government and demanded an apology.

"This flagrant attempt by Mexican officials to harass visitors who clearly were not in violation of any laws, is an outrageous act against common decency," he said. "Clearly these modern day international robber barons are frightened of what visitors will see."

Mexican federal government officials who identified themselves as being immigration authorities told the delegation who were seated on a bus outside of a maquiladora plant, that they were being detained.

The bus driver was ordered to drive to an area near the border. Repeated attempts to learn why the group was being detained were rebuffed. Mexican authorities also refused to allow phone calls to the American consul in Tijuana. For much of the time the delegation was forbidden to leave the bus and treated as criminals.

Mexican authorities boarded the bus and demanded that each person show identification, including addresses and ages.

The driver had obtained his Mexican permit upon entering the country. After nearly three hours, the visitors were told variously that they were violating Mexican law by not notifying border officials that they planned to visit a maquiladora area, then were told later that the violation was "discussing internal working conditions with Mexican workers". Still later they were told that what they were accused of was not illegal, but "irregular."

The delegation was part of an IAM group meeting in Anaheim, California, and were dispatched to Tijuana on a fact finding mission to determine the conditions workers are forced to endure in the maquiladora program.

Maquiladora corporations owned by U.S. and other multinationals operate along the border in the same way that such giant conglomerates will operate throughout Mexico if NAFTA is approved.

The immigration agents admitted they held the IAM American and Canadian citizens at the request of the owners of maquiladora factories.

The 38 visitors included John Jefferies, a member of the Maryland House of Delegates.

Visitors found that workers employed by the U.S. multinationals worked for less than $7 per day and lived in abject poverty in slums polluted by the surrounding high tech plants.

The names of the people who put out this release are Jim Conley and Pat Ziska, and they have given a telephone number (714) 740-4460.

Taking this on its face and assuming that it is accurate, as I take it to be, this is an outrageous act by these immigration officials, or whoever these Mexican authorities were that would have detained these American visitors and Canadian visitors in this situation and held them under the conditions that they have described in this press release that they have prepared now and circulated.

I think we need an immediate explanation as to what happened here. I think we need an assurance there is not going to be any more intimidation of a single American citizen who is down there taking a look at what is going on, and that this kind of a situation cannot be tolerated.

I would hope that our own Government, at the highest levels within the State Department, would examine this without any delay and act appropriately to put a stop to conduct and behavior of this kind directed at our people.

I thank the Chair.

DEPARTMENTS OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT APPROPRIATIONS ACT FOR FISCAL YEAR 1994

The Senate continued with the consideration of the bill.

The PRESIDING OFFICER. The Chair recognizes the Senator from West Virginia [Mr. ROCKEFELLER].

Mr. ROCKEFELLER. I thank the Presiding Officer.

Mr. President, I am very glad I was here when this amendment was offered by my very good friend, the Senator from Alaska, Senator Frank MURKOWSKI, because this is the day that health care legislation is going to be introduced. I have been about everywhere but here during the course of the day and I had no knowledge that it was going to come up now, so, maybe there would be nobody to argue.

I am chairman of the Veterans Committee, so obviously I care very much about this. I am very pleased that the Appropriations Committee requested funding for all of the major VA medical facilities authorized by our committee, the authorizing committee, for fiscal 1994, and added only facilities which had been previously authorized by law, as was consistent with Public Law 102-405.

Mr. President, I note that our committee's construction authorization

legislation passed unanimously in the Senate—I interpret that to mean everybody voted for it—and was signed into law on August 13, 1993, by the President as Public Law 103-79. This was the first year that our committee had the statutory responsibility to authorize major VA medical projects, the first year. I would suggest the proper time for the Senator from Alaska to object to VA major construction projects would have been when our authorization bill came before this body, not now.

Senator MURKOWSKI has suggested that we wait to find out how VA health care reform will provide or not provide for the VA system under national health care reform. The President will talk to us about that tonight.

The one thing that I can guarantee the Senator from Alaska and anybody who cares to listen is that the VA system is going to be kept separate and that there is nothing that I have seen that suggests there will be any fundamental change in the VA health care system under national health care reform. Indeed, both the President and the First Lady have gone out of their way to make it clear that the VA system will continue under health care reform. It will not go the way of the Canadian VA system. The draft of the President's plan bears out this promise, as do briefings that were provided to Members, and staff of all Members, including members of our committee's minority staff.

Senator MURKOWSKI is particularly concerned that there be no new construction of acute care facilities until we know more about the VA's future health care mission.

Except for the joint venture project with the Air Force in Anchorage, AK, all of the VA major medical facilities targeted by Mr. MURKOWSKI's amendment today involve either the addition of long-term care beds or the replacement of existing structures that do not meet current safety standards or current health codes.

If the VA health care system is to compete with the private sector, which is part of what we contemplate in health care reform, the VA facilities must continue to be brought up to date.

I do not think it is any surprise or shock to point out to my colleagues that there are absolutely good VA facilities for health care, but some of them are not, and there are vast shortages of equipment, nurses, and some of the buildings would never cut it under so-called non-VA or private-hospital-type systems.

So we are talking only about the replacement of existing structures that do not meet current safety or other health codes. The Department of Veterans Affairs has some 60- and 70-year-old facilities with open wards, with, if you can believe it, gang showers, and no elevators, which have to be replaced.

For my colleagues whose veterans would be affected by Senator MURKOWSKI's amendment, let me just briefly list the projects at stake.

The VA Medical Center, Memphis, TN. This would be struck. That is $10.7 million to modernize and make seismic corrections. That is for earthquakes. Memphis, TN, is one of the prime spots in the country for that. The existing hospital tower does not meet current seismic codes and it is approximately 10 miles in the New Madrid Fault. Frivolous? Hardly.

The VA Medical Center in Lyons, NJ, $41.7 million for a new psychiatric building. A psychiatric building, Mr. President, frivolous? No. This is all in the Appropriation Committee's bill.

The VA Medical Center in Muskogee, OK, $32.3 million for the replacement of a 70-year-old bed building filled with asbestos that lacks handicap accessibility and physical therapy treatment space. Frivolous? No.

The VA/Air Force joint venture in the Senator's home State of Alaska, in Anchorage. That will provide 18 medical/surgical beds for VA use in a facility at Elmendorf Air Force Base. The balance of the $160 million total cost for the 110-bed facility will be paid for by the Air Force.

Smart? Yes. Frivolous? No.

Mr. President, all these projects are needed. They were in the appropriations bill. They have been passed. They have been authorized. They have been appropriated.

At the appropriate time, I will move to table the amendment.

Mr. MURKOWSKI addressed the Chair.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. MURKOWSKI. Mr. President, I very much appreciate the candid remarks from my good friend, Senator ROCKEFELLER, from West Virginia.

I believe the reference he made to the word "frivolous" was coined by the Senator himself, not the Senator from Alaska. I would like the RECORD to note that.

There is no question that all of these matters have a degree of justification because, obviously, we have an obligation to provide for the best type of care for our Nation's veterans.

The issue here is not that the amendment by the Senator from Alaska would eliminate the construction of these facilities. There would be only a 1-year delay while we determine the necessity of these facilities, and while we address the availability of funds for our veterans, and assess the direction of those funds as the priorities of our Nation's veterans change.

I think the Senator from West Virginia would certainly agree that more and more attention must be given to meeting the out-patient demand, and more attention must be given to the fiscal aspects associated with the possibility of leasing facilities.

Why not—in the case outlined by my friend from West Virginia—lease available facilities? Because what was not said was that in the case of Oklahoma, we are looking at vacancy rates in the VA of 25 percent, and in the country of 35 percent. Is it not realistic, rather than to continue to embark on new hospitals, to look at the rationale of leasing a facility, or of leasing beds?

I am sure that if the committee chairman would hold a hearing and get input from those medical providers in Oklahoma, Tennessee, and New Jersey, or Anchorage, AK, where there is excess capacity, he would find a strong, strong point of view that would suggest that it would be more beneficial to lease additional facilities, particularly at a time when we are in some transition as far as our national health care priorities are concerned.

Let us recognize reality where it is. These vacancies exist. They exist in my State of Alaska, in Anchorage, 47 percent; they exist in New Jersey, 33 percent; in Tennessee, they exist to the extent of 41 percent; and, as I have stated, in Oklahoma, 25 percent.

The Vice President himself, in his statement to the Nation relative to creating a new Government, says that we must recognize that facilities are available in the private sector and begin to utilize them.

To repeat again, he indicated that over the next 5 years, the Federal Government is slated to expend more than $800 million in acquiring new Federal office space—this could also obviously include new hospitals—at a time when he suggests that there are vacancies in the private sector.

And, indeed, we have a joint responsibility in meeting the requirements of our Nation's veterans to recognize that our responsibility is to do the utmost with the few dollars available.

It is not necessarily true around here to suggest that just because these funds were appropriated, that the appropriation is the best expenditure of the funds. There is an obligation for our committee, with input from the VA, as well, to recognize that there is going to continue to be a scarcity of funds. There is going to continue to be a challenge to the committee to look at the changing priorities of the veterans.

What we are doing here is looking only at a 1-year delay. We are not saying these projects will not ultimately be built. We are not saying that there will not be justification to go ahead and construct these facilities following a determination of the priorities within the VA. But we cannot have it both ways.

I would remind my good friend from West Virginia, he knows as well as I do that we will be looking at an even

greater amount in next year's budget proposal. I am advised that it will be over $1 billion—I think it will probably be somewhere in the area of $2 billion—in the construction account. There is no way we are going to be able to be faced with the reality of continuing to build these new hospitals in the future.

We are going to do so at the expense of providing veterans' medical care services if, indeed, at all. So we have to start somewhere.

Somebody once made the profound statement that charity begins at home. Well, obviously my State stands to benefit by this. But, by the same token, my State has vacancies in the private sector medical facilities, as do these others. Is it necessary that we embark now, again, because we have always done it before, or because it is going to benefit New Jersey, or it is going to benefit the Senator from Tennessee, or the Senator from Oklahoma? Or should we finally address the reality that here is a chance to put off the expenditure of $95 million that has been appropriated and take another look? If we do it this year, it is going to be that much easier to do next year, in the sense that next year we are going to have more projects, but are we going to have the funding? And given the number of vacancies, what is the immediate necessity?

If, as the Senator says, there is an unsafe condition, why, it is up to the State and the Federal Government to close the facilities, but to suggest that there are not other VA facilities in the neighboring areas, neighboring States or in the private sector in those same counties to take care of these people, why, the facts simply do not suggest that. The data suggest that there are vacancies. And why not use these vacancies for the purposes intended, if other bids are needed because the facilities are old or unsafe?

So there are alternatives, Mr. President, and that is why I feel so strongly that we have to start somewhere. That is why we have excluded outpatient projects, medical school relocations, nursing homes in Baltimore, Honolulu, Prescott, and Tuskegee. I can well understand a number of my colleagues who would say, "Well, this is going to gut something that is in my area." That is one reason we excluded the ongoing projects that have not been completed and are underway.

I could not agree more with the concept that once we start something we have an obligation to finish it. But here we are embarking on something new, without questioning the necessity of going ahead now without looking at the changing role of the VA. Mr. President, is it going to be business as usual, another $95 million? Will we hit the cash register and simply charge it to the taxpayer and add it to the deficit? Or we hold off on this for a year, evaluate the necessity of these projects, make a determination if we have problems in these communities by considering the vacancy rate and, as a consequence, Mr. President, do good business by recognizing realities.

One of the things that we continually hear around here is that these projects are essential, these are mandatory. Once health care reform becomes a reality, these projects may or may not fit in. We do not know. The Senator from West Virginia says they will. I do not necessarily have that assurance. Maybe he is a little closer to the process than I am, and I understand how that works.

But if you go back to testimony before our committee—we shared it—the GAO and the Paralyzed Veterans estimate between 25 percent and 50 percent of the veterans in this country may abandon the VA system. That is what they said. They said they may abandon the VA system once we have universal care and coverage for all Americans. What does that mean? I do not know. I do not think the Senator from West Virginia knows. But it means we ought to take a look at some of the things we are doing in the VA system. I cannot be sure this is going to happen.

But why continue down a road to build expensive hospitals until we have a better handle on the question of how the VA system is going to fit into the changing needs? PVA and GAO came in and testified before our committee. If we do not believe those people, I do not know who we are going to believe.

So, Mr. President, I again encourage my colleagues to evaluate the intent behind this amendment. It is not to gut the VA system; it is not to cut the programs that are underway; it is quite specific. It does not affect funding for outpatient construction. It does not affect nursing home construction. It does not affect any project previously funded and ongoing. But it does address the reality that in these areas, we have a high segment of vacancies. We can use the private sector, benefit the private sector which, after all, underwrites this whole process because they are the taxpayers.

Thank you, Mr. President. I yield the floor, and I will be happy to respond to any questions my good friend, the Senator from West Virginia, may have.

Mr. ROCKEFELLER addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from West Virginia.

Mr. ROCKEFELLER. Mr. President, I thank the Senator from Alaska for placing me in the proper State.

Mr. MURKOWSKI. Absolutely.

Mr. ROCKEFELLER. It took me 20 years trying to fight that, and I do not want to be put back in that situation.

A couple points. The Senator from Alaska referred to the GAO and the Paralyzed Veterans of America. They specifically, in testimony, endorsed the projects which the Senator from Alaska is trying to remove and implies that they might be against it. They specifically endorsed these and others.

Point No. 2: The Senator from Alaska refers to a $1 or $2 billion amount of money which might come up next year. The Senator is correct about that. That will not, however, be available for any of these or any other inpatient facilities. That is the revolving fund which is contemplated in the President's health care reform plan which the Department of Veterans Affairs, in its efforts to be able to compete with the non-VA system, could borrow from, paying back with interest, for outpatient facilities, which is where the competition is going to be.

In fact, the criticism of the VA system, in terms of health care now, is that it is too heavy on inpatient, not strong enough on outpatient, so that the point the Senator from Alaska makes about money next year, implying there will be billions available, that may or may not be true, depending on what we do with it. But none of it will be available for inpatient facilities, all of which these four, which he is trying to eliminate, are. They are inpatient facilities.

Point No. 3: And that is, there is no new construction in the sense that three of these are replacement. They are not adding anything new. In New Jersey, the psychiatric building, it is to replace a building which does not meet accreditation standards for building, safety, or health codes. Replacement, and that is true in Oklahoma. Replacement, Mr. President, not new.

My second final point—we have been through a very long process on this. These have been thoroughly discussed. The Senator had a chance to raise these objections. Other Senators had a chance to raise these objections and did not. The Senator talks about changing priorities for the veterans under health care reform. There is no changing of priorities, Mr. President. The priorities are we need better health care than the VA system. We want to be able to compete. We want to do better by the people we already serve. We are not an entitlement. We are an annual appropriation. We have to fight for everything we get.

Now here we have four facilities, three of them replacements endorsed by the GAO and the Paralyzed Veterans of America. I only make that point to counter what the Senator from Alaska said. They are all needed and the veterans want health care. And it does not make any difference what is in the President's health care plan, the veterans need at least to have what they have in place, which is crumbling and out of date, does not meet safety codes, health codes or other kinds of codes to be replaced. Nothing new; replacement.

I move to table the amendment.

The PRESIDING OFFICER. The question is on the motion to table the amendment.

Mr. MURKOWSKI. I wonder if the Senator will just hold for one moment.

Mr. ROCKEFELLER. I will be happy to.

The PRESIDING OFFICER. The motion is withheld. The Chair recognizes the Senator from Alaska.

Mr. MURKOWSKI. Mr. President, I have fondness for my working relationship with the Senator from West Virginia. Sometimes the Senator from Alaska generalizes because those States on the other side of the Mississippi are all the same.

Nevertheless, I think the points my good friend has made are appropriate. I think my points are appropriate. Yet, I stand here as one who is going to take some grief back home for suggesting that one of my projects, included in this appropriation, be terminated.

I suppose you can say, "Well, we will throw the project out, of the Senator from Alaska." I think we have to start somewhere with the process, and that conviction has been expressed in my remarks. I understand the Senator from West Virginia will move to table. I would urge adoption of my amendment. I think the points have been made at least adequately, as far as this Senator is concerned.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from West Virginia.

Mr. ROCKEFELLER. I pray that all States would have the good deal that is had in the State of Alaska where the Defense Department will pay for most of the medical facility and where many veterans receive their care through a military hospital while many of the rest are taken care of on a fee basis from the VA to private health care providers. The rest of us do not have that luxury.

So I understand that the Senator feels he is going to take some grief from home, but this is not a loss to him as it would be to others.

Now, I say that because that record needs to be made clearly, and I also wish to state I value enormously the friendship of the Senator from Alaska and I say that professionally and personally so that is understood as between the two of us. But this is a very open-and-shut case as far as I am concerned. As I said, at the proper time I will move to table.

Ms. MIKULSKI addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from Maryland.

Ms. MIKULSKI. Mr. President, I just have a few comments really for the Senator from West Virginia and a question.

I say to the Senator from West Virginia, I wish to compliment him on the leadership role he played in developing the health insurance plan which will be presented tonight to the American people by the President of the United States. I know he has been a close adviser to the President, and he should be complimented on the role he has played as a member of the Finance Committee.

Also, I wish to compliment the Senator from West Virginia for the role he played in making sure that veterans health care was left intact and untouched in this bold health insurance initiative. In too many countries, too many times, when the call for reform was sounded, it was often veterans who lost out. As one knows, in the Canadian system, the single payer system that has a lot of well-intentioned support from colleagues, the veterans program just shriveled into nothing.

The Senator, by providing this leadership, and I know talking to the White House task force, was able to leave veterans health care untouched, so that as we move ahead in the reform process we can analyze how to enhance veterans health care, strengthen the system, make sure it is competitive, and see how it will blend in with the overall system. I compliment him for that.

I intend to support the Senator in his motion to table because I think it is premature, but I hope, as we move ahead in the bold exploration of reforming health insurance not only for our veterans but for all Americans, we then could be over the next year analyzing exactly, carefully construction needs, particularly for new facilities, and that we also look at how perhaps we need to remodel, recycle those existing facilities to meet the contemporary demand particularly for an aging geriatric population to which I know the Senator has a long-term commitment.

Mr. ROCKEFELLER. I thank the Senator.

Mr. GRAMM addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from Texas [Mr. GRAMM].

Mr. GRAMM. Mr. President, the point I want to make is very similar to the chairman's point. If President Clinton's health care reform was the law of the land today, there is no doubt about the fact I would vote with the Senator from Alaska, because we do not have the foggiest idea of how the President's health care reform plan or anything similar to it is going to affect the VA medical system.

I think this proposal is premature in the sense that I hope the President's plan will not be adopted. I hope we will take a long, hard look at not just the sugar coating on this pill, which is all the new benefits people are going to be given, but we will chew down to the bitter core of the pill which is that we are talking about committing ourselves to massive new benefits, all to be paid for by having the Government run the health care system. My guess is that is not going to work, and we are going to end up with a system we cannot afford and a system most Americans would not want even if it were free.

But the bottom line is when we dramatically change the health care system, anybody who does not think that that is going to have a tremendous impact on the VA clearly is not being realistic.

There is a very real question, when you give people access to general medical care, as to whether they are going to go to VA hospitals. I think we have to be prepared next year, when Congress does act, either on a movement toward competition and making the consumer and the producer cost conscious through expanding choice, which is what I would like to do, what the Senator from Oklahoma would like to do, or by collectivizing medicine, which is what the President wants to do—whichever direction we go, we need to realize it is dramatically going to change the VA.

So we are clearly going to be debating this issue next year if there is a dramatic reform of health care, and at that point we are going to have to look long and hard at our VA construction budget.

So I have supported what I think is a reasonable compromise. I am not ready to stop modernizing the VA because we might collectivize medicine in America. But if we do, if we do expand access to such a degree that the people who are currently going to the VA hospital have access to other medical care, they are going to have the freedom to exercise that access. And if they do, we are going to have to go back and dramatically change the VA health care system.

So I disagree with our colleague from Alaska today, but he is bringing us, I think, the sound of reality and we are so busy debating new benefits, new cost, freedom of choice, the "big issues" about the President's health care plan that nobody has looked at the impact on the VA. I think we have seen a little insight into reality today, and I wish to thank our colleague from Alaska for bringing us that insight.

The PRESIDING OFFICER. The Chair recognizes the Senator from Oklahoma [Mr. NICKLES].

Mr. NICKLES. I thank the Chair.

I rise in opposition to Senator MURKOWSKI's amendment, and I do this maybe for a parochial reason.

Yes, we have a hospital in my State, but I might mention this is not pork barrel. This is something that is needed. Again, I compliment the manager of the bill, Senator MIKULSKI, for I think putting together a good package and also for her willingness, along with the Senator from Texas, to exercise oversight and to make sure a lot of the

projects, including these hospitals, are needed.

I will tell you that I know the hospital in Muskogee, OK is needed. I just share with my colleagues that this hospital happened to be built in 1923, 70 years ago. It is not in good condition. It is not providing our veterans with the type of service that one would expect. I will just read a couple things:

The main building of the Muskogee Hospital was constructed in 1923 and is structurally not suited for a modern medical facility. Replacement of the 70-year-old structure is urgently needed. Because of the age of the current facility, the VA cannot provide adequate health care to thousands of Oklahoma veterans. As an example, there are no sinks in the patient rooms, thus making it very difficult to control the spread of infections. The poor condition of the facility is making it increasingly difficult for the hospital to recruit staff, both full time and medical residents. And repeated delays——

It goes on.

I just make this comment, Mr. President. I might also mention that we have reduced the size and scope of this project. Originally, the VA was talking about a project that was $57 million. We have scaled that project back, both in size and the number of beds, to where now we are talking about a facility that will be completed at a cost of $33 million.

So we have cut the project almost in half. And again this is a project that has been in the works for many years. I have a letter by Edward Derwinski, who is the Secretary of Veterans Affairs. It just says:

This project is primarily intended to provide a patient care environment consistent with current standards of safety and privacy. As such, it is among our higher construction priorities.

Then, also, I have a letter by Jesse Brown, Secretary of Veterans Affairs. He said:

VA considers this project to be a high priority. Construction funding has been included in the '94 budget request.

Mr. President, this project is needed. If we postpone it for a year, I think we are doing a real injustice to veterans throughout eastern Oklahoma, and I urge my colleagues to oppose the amendment of the Senator from Alaska.

Mr. LAUTENBERG addressed the Chair.

The PRESIDING OFFICER (Mr. KOHL). The Chair recognizes the Senator from New Jersey.

Mr. LAUTENBERG. I thank the Chair.

Mr. President, I rise in opposition to this amendment.

Frankly, I find it is kind of an anomalous situation for me to be disagreeing with someone who has, obviously, over the years portrayed his interest in taking care of the veterans, taking care of our responsibilities to them. That is the distinguished Senator from Alaska.

So I oppose this amendment, and I would like to try to make the case. Obviously, I am interested in the psychiatric facility in Lyons, NJ this amendment would cut. I visit there frequently. Many veterans who, like I, served in World War II, desperately need psychiatric and long-term care.

Needs are also emerging on a constant basis for those who have served in wars most recently. We cannot yet determine all of the ramifications for our veterans of the Persian Gulf war. We do know that many of our veterans need psychiatric treatment. Treatment is needed for those who served in the terrible days of Vietnam and in our other conflicts.

Medical service needed by and provided for veterans has shifted considerably. It is not only the conventional illness, the orthopedic problem. There are all kinds of other needs, including the need for extensive counseling, psychiatric care, and of course, long-term care.

Mr. President, this amendment would eliminate $41.7 million in funding that is targeted for the 180-bed psychiatric facility in Lyons, NJ. Lyons has over 600 beds, and they have been occupied 91 percent of the time in recent periods. The reason that they are not 100 percent is because the facility is old. It constantly needs renovation and repair. There is construction going on. As a consequence, there are areas of the hospital that cannot be used due to this activity.

These funds were requested by the administration in the fiscal year 1994 budget. Certainly, the administration, as many here have indicated, is trying to protect the growth of the deficit and is reviewing programs very, very carefully. So when this kind of request is made in the budget for this year, it has to have passed muster and been carefully reviewed. The Senate Veterans' Affairs Committee authorized the funding requested by the administration as well.

The psychiatric building on which these funds would be spent is a critical component of the Lyons Medical Center's ongoing effort to improve its psychiatric care services. The current facility is plagued with deficiencies, in numerous areas, including handicapped accessibility, patient safety, and in the availability of sufficient living space.

Our veterans, Mr. President, deserve better than this. The project this amendment would eliminate would provide minimum facilities necessary to address some of these deficiencies.

It would provide the Lyons Medical Center with facilities necessary to improve its overall provision of psychiatric care. It would replace buildings which today do not meet accreditation standards, building codes, or safety codes. There are problems that go way beyond the inability to deliver basic services. It would enable the VA to provide some basic and critical services to those who served the country when they were called upon.

This amendment I believe is misguided because it is really unfair to our veterans.

The director of the Lyons psychiatric facility, as I indicated, informed me that there is a 91-percent occupancy due to ongoing construction activity.

Mr. President, the debate has gone on long enough. I commend the distinguished chairman of the Veterans' Committee.

I say again to our friend from Alaska, who is very supportive of veterans' programs, that the need for the Lyons psychiatric facility was carefully debated and carefully thought out. It is in the budget request and is authorized. We ought to move ahead with it.

I hope that my colleagues will oppose the amendment.

Mr. MURKOWSKI. Mr. President, I think we have talked about this to an adequate degree. I understand my friend from West Virginia is going to move to table. I will terminate the debate and accommodate the floor leader.

I would like the RECORD to reflect on the fact that Senator ROCKEFELLER made a reference to the Department of Defense and its role in Alaska, which is certainly prominent. However, the obligation to meet the veterans' needs is interesting in Alaska because we are the only State in the Union with a growing population of veterans as opposed to the other States, the other 49 States, which have a declining population for veterans. The consequence of that is that we in Alaska have the youngest veterans' population, and the largest per capita population of veterans. And we think we enjoy, and our veterans enjoy, the most progressive services which allow our veterans to choose a hospital of their choice because building veterans' hospitals in Alaska is simply unrealistic.

Geography simply makes it impractical to transfer people thousands of miles to a hospital even if there were justification. For once, it is much cheaper to meet our obligation by having our veterans use in-patient services in the private sector hospitals, and for most cases the doctors of their choice.

Now to suggest this in the VA system is heresy, absolute heresy. Some will try to say we are doing away with the VA system. The Senator from West Virginia knows that as well as I do.

That is not what we are doing here. That is not the intent. I am not surprised that my friends came from Oklahoma, from New Jersey to speak on the amendment.

I would like to think we are objective enough as a body to recognize this is not a vote on whether we support veterans' benefits in the United States. This is not a vote on what our obligation is to American veterans. This is a vote on the reality of the real world that we live in today.

The hospital in Oklahoma is 70 years old. The Senator from Alaska is not saying it will never be built; just saying let us make it 71 years old. We put this off for quite awhile reflecting on the realities associated with the need to set priorities. But is it needed? Does it have to be now? Or could we utilize some of the 30 percent of the beds in that area of Oklahoma that are vacant?

I concur with my friend from New Jersey. The two buildings that are going to be replaced by the new psychiatric facility, clearly are justifiable. We are not talking about their never being built. We are simply saying that we should look at this for 1 more year and address how the project is going to mix into the changing health care environment.

Do you want to do it now? Because I can guarantee you, Mr. President, and I guarantee the chairman of the Veterans' Committee, that next year we will be looking at different numbers, a different reality, and a different obligation as we address the unknown costs associated with health care.

Some people have said that health care reform is something we all want to happen. We all want to make it realistic. We all want to live within fiscal responsibility.

The other extreme says health care is a new administration's way, a sure way, to bankrupt the Nation.

Whatever the truth is, it lies somewhere in the middle.

We are going to be addressing the question of new hospital construction in both the Veterans' Committee and on this floor in the future. The question is, do we start now, or do we start tomorrow?

So in conclusion, Mr. President, this amendment and this vote are not a litmus test on whether we support American veterans. The amendment reflects the reality that veterans' needs are changing. Outpatient care needs are becoming more of a priority.

Domiciliary care is becoming a mandate that we are not addressing. We are going to have to face providing funds for those families who care for the veteran at home.

So, today, it will be business as usual, more of the same. I can count. But the reality is that we have an obligation to look to tomorrow and whether we start today or tomorrow, it is the responsibility of this body to address that reality.

I urge adoption of the amendment.

VA MAJOR CONSTRUCTION

Mr. GRAHAM. Mr. President, I commend the VA/HUD Appropriations Subcommittee chairwoman and the members of her subcommittee for their efforts in compiling this comprehensive and fair bill, considering the many requests that they receive each year from individual Members. As always, the subcommittee has recognized the many concerns of the State of Florida, despite severe budget constraints this year.

Ms. MIKULSKI. I thank the Senator from Florida for his comments.

Mr. GRAHAM. If the chairwoman would indulge this Senator, I would like to take a few moments now to pursue clarification from the chairwoman on three veterans construction projects in Florida.

One of our top priorities remains caring for Florida's large veterans population. Last year, the VA recognized the growing number of underserved veterans in the Fort Myers area and promised to increase patient care space, including a new outpatient clinic and 120-bed nursing home. Unfortunately, an administrative glitch prevented site selection. I understand, however, that the VA plans to include construction dollars for this project in its 1995 budget.

It is also my understanding that the VA plans to include construction dollars for the East Central Florida VA Hospital in its 1995 budget and for the Tampa spinal cord injury unit in its 1997 budget. The VA has been planning to expand the Tampa facility for over 20 years. Both of these projects are an integral part of the VA's plans for future expansion in Florida.

I note that the subcommittee has provided funding for the eight major construction projects that were included in the VA's 1994 budget request. Is it fair to assume that the subcommittee plans to include funding for the Florida projects in 1995 and 1997 when they are requested by the VA?

Ms. MIKULSKI. The subcommittee did receive the requests from the Senator from Florida for these VA construction projects; however, only authorized construction projects were funded. Once the projects are authorized and the VA submits a comprehensive facility modernization plan, the subcommittee will closely consider these projects in the future.

Mr. GRAHAM. I thank the chairwoman for her time and her consideration of this request.

Mr. HATFIELD. Mr. President, in 1973, the VA requested and Congress authorized funding for the replacement of the Portland and Vancouver VA hospitals. Funding was made available in fiscal year 1973, fiscal years 1977–79, and again in fiscal year 1982. The total amount requested by the VA and appropriated was $176,100,000. The final cost of construction was $156,911,000.

Although the replacement hospital was opened in 1987, we have yet to replace a significant and original mission of the old hospital—clinical research. In fact, in the mid-1980's I argued against tearing down the old research building until the new one was built. Unfortunately, I did not win that argument and now the VA research clinicians at VAMC Portland have very limited space to conduct their life-saving work.

This new facility needs to be built and Congress and the VA need to finish the replacement we started in 1973.

Ms. MIKULSKI. Mr. President, I want to thank Mr. HATFIELD for bringing this issue to the attention of the full Senate. I have discussed this project with him over the course of the last few months and I remain sympathetic to his point.

During the time that the bulk of the funds were made available for the Portland VAMC replacement, funds were also made available for the Baltimore hospital replacement so I am very familiar with the Portland project. I'm happy to say that Baltimore VAMC is finished. I look forward to working with the Senator to finish the Portland project with all of the components that were to be replaced by the new facility including the 97,000 square feet needed for the clinical research building addition.

Like Baltimore, the Portland project is a replacement. And that is what we should do—replace the old facility and its functions. I look forward to working with the Senator from Oregon and the authorizers and the agency to remedy this situation.

Mr. SIMPSON. Mr. President, I would like to take a brief moment to voice my support for Senator MURKOWSKI's amendment to freeze the VA construction authority for fiscal year 1994. I was also pleased to support the ranking member's amendment in committee last summer.

This $97 million in construction authority funding is simply not critical at this time.

The Department of Veterans Affairs—and our veterans—would not be hurt in any way if we simply deferred this funding until we have examined the outcome of the current debate on national health care reform.

What role will the VA play in a national health care system? Will the VA be a separate system? Will it be a bigger system, or a smaller system than it is currently?

The answers to these important questions are forthcoming. And yet, we continue to authorize the funding for buildings such as these, despite expert testimony that some of the projects are simply not needed. That is just absurd.

I applaud Senator MURKOWSKI's eternally tenacious and courageous effort to honestly assess the need for Federal funding for one of the VA construction projects in his own home State. Reluctantly, but with pragmatism, he decided that funding for that project was truly not needed at this time.

If we can not give credence to the rational argument made by the committee's ranking member regarding his own State, who are we to believe?

We are not voting to abandon the VA construction authority, but merely to

postpone it until we know the true need for a changed VA system in a national health care system.

I believe this money might be spent much more prudently for medical care, medical research or in some other fashion, rather than to fund construction that we are not absolutely sure is necessary.

Professional health care experts and others have continually told me that it is well established that a $1 expenditure in medical research eventually results in $10 of benefits in improved care and medical advances.

Can anyone make that same claim when it comes to construction? I do not believe the VA facility at Martinez, CA, which was build on a seismic fault gave us any return on our investment. Did it?

The Memphis VA facility which is also included within this funding authority was also built on a seismic site.

We need to look more closely at exactly what we are doing in this body, and just why we are doing it.

I am not anti-veteran, nor anti-anybody. I am simply pro common sense. And that is what this amendment is about.

BARRING FUNDS FOR THE VETERANS ADMINISTRATION

Mrs. FEINSTEIN. Mr. President, I rise today to oppose the amendment offered by the Senator from Alaska [Mr. MURKOWSKI], which would bar new construction funding for the Veterans Administration.

Each year some of our best and brightest young men and women volunteer to serve our Nation by joining the Armed Forces. They live a hard life and make many sacrifices. But they do so willingly, knowing they will be taken care of throughout their career. They are promised that when they are through protecting us, we will protect them.

Yes, everyone must sacrifice in this time of tight budgets. But we have a debt to pay. We must fulfill our duty to those veterans who now depend on us. The new construction funds, which would be banned by Mr. MURKOWSKI'S amendment, are imperative for renovating and repairing veterans facilities which are essential to their well-being.

Let me give you an example of the havoc this amendment could wreak on veterans. In my home State of California there is a hospital which has been needing construction work for more than 3 years. This hospital serves 400,000 veterans. That's 400,000 people who are not receiving the quality of care due them. That's 400,000 people suffering needlessly because their hospital can't get the money it should.

In another case, a seismic emergency forced an in-patient hospital facility in Martinez, CA, to close in 1991. Veterans in that area are still waiting for their new replacement facility. If this amendment is agreed to these people will be waiting for many years to come.

We cannot let these situations continue. It does not make sense and it is not fair. I urge my colleagues to defeat Mr. MURKOWSKI'S amendment and give back to our veterans the care they have given to us.

Mr. ROCKEFELLER. Mr. President, I just point out, in concluding, that there are many, many projects that come before the Veterans Committee for funding, and the waiting list is long. There are many projects that did not make it, because we are trying to be prudent. And the list that the Senator from Alaska would wish to cut today is one which was considered to be top priority. The committee went through a long process. Many other facilities that needed to be rebuilt or changed in some manner could not be taken care of because of money and other considerations. So these, in a sense, are the cream of the crop. We have been through the process. It has all been discussed, and I say let us not wait until next year. Let us make sure that we are doing the best we can for our veterans' health care today.

I move to table the amendment.

Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays are ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 73, nays 27, as follows:

[Rollcall Vote No. 280 Leg.]

YEAS—73

Akaka	Glenn	Mitchell
Baucus	Gorton	Moseley-Braun
Biden	Graham	Moynihan
Bingaman	Gramm	Murray
Bond	Grassley	Nickles
Boren	Harkin	Nunn
Boxer	Hatfield	Pell
Bradley	Heflin	Pryor
Breaux	Hollings	Reid
Bryan	Inouye	Riegle
Bumpers	Jeffords	Robb
Byrd	Johnston	Rockefeller
Campbell	Kennedy	Roth
Coats	Kerrey	Sarbanes
Cochran	Kerry	Sasser
Cohen	Lautenberg	Shelby
Conrad	Leahy	Simon
Daschle	Levin	Specter
DeConcini	Lieberman	Stevens
Dodd	Lugar	Thurmond
Domenici	Mathews	Warner
Dorgan	McCain	Wellstone
Exon	McConnell	Wofford
Feinstein	Metzenbaum	
Ford	Mikulski	

NAYS—27

Bennett	D'Amato	Gregg
Brown	Danforth	Hatch
Burns	Dole	Helms
Chafee	Durenberger	Hutchison
Coverdell	Faircloth	Kassebaum
Craig	Feingold	Kempthorne
Kohl	Murkowski	Simpson
Lott	Packwood	Smith
Mack	Pressler	Wallop

So the motion to lay on the table the amendment (No. 916) was agreed to.

Mr. ROCKEFELLER. Mr. President, I move to reconsider the vote by which the motion was agreed to.

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

The motion to lay on the table was agreed to.

Mr. STEVENS addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from Alaska.

AMENDMENT NO. 921

(Purpose: To prohibit expenditures by the Administrator of the Environmental Protection Agency to regulate fuel additives that may cause adverse health effects)

Mr. STEVENS. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report the amendment.

The bill clerk read as follows:

The Senator from Alaska [Mr. STEVENS], for himself and Mr. MURKOWSKI, proposes an amendment numbered 921.

Mr. STEVENS. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

On Page 51, after line 21, insert the following new paragraph:

"No funds appropriated by this Act may be used to enforce the requirements of section 211(m) of the Clean Air Act in any nonattainment area where any State has prohibited the use of methyl tertiary butyl ether to comply with such requirements and where the State has committed to submit prior to October 1, 1994 a revision to its implementation plan or plans for carbon monoxide that would achieve carbon monoxide emissions reductions equivalent to those realized by implementation of such section."

Mr. STEVENS. Mr. President, oxygenated fuels are required in winter months in carbon monoxide nonattainment areas in over 40 cities nationwide—including Anchorage and Fairbanks, the two largest cities of my State. These fuels were originally imposed to reduce carbon monoxide emissions.

Ms. MIKULSKI. Mr. President, will the Senator withhold?

Mr. STEVENS. Yes.

Ms. MIKULSKI. Mr. President, the Senate is not in order. The Senator has afforded us the courtesy of offering the amendment and being prompt about it, and I thank him so much. I would like to hear the Senator.

The PRESIDING OFFICER. The Senate will be in order. The Senator from Alaska is recognized.

Mr. STEVENS. Mr. President, I thank the manager of the bill.

As I said, these fuels were originally imposed to reduce carbon monoxide emissions.

One type of oxygenated fuel, known as MTBE, is utilized in Alaska. Other types of such fuel are not safe and practicable in my State. For instance, ethanol attracts water in extreme cold temperatures and poses drivability and safety problems.

Recent Centers for Disease Control health studies from Fairbanks found the level of MTBE in the blood correlated with health complaints from individuals there, including dizziness, headaches, nausea, shortage of breath, skin rashes, and other symptoms. Other CDC studies in different parts of our Nation have confirmed similar results.

In Anchorage, over 10,000 people signed a petition last year calling for the removal of MTBE fuels in my home city. Hundreds protested in Fairbanks because people were getting sick when exposed to these fuels.

These health complaints in Alaska associated with the fuels relate to our extremely cold environment, which causes inversion layers. Our temperatures in Fairbanks, for instance, are often 50 degrees below zero or lower. Fumes from the oxygenated fuels get trapped in the first 60 feet of our atmosphere. This concentrates the fumes from MTBE and we believe has caused these illnesses.

CDC is undertaking additional studies with the EPA on the effect of MTBE fumes and vapors in Arctic climates. I appreciate the EPA's efforts and encourage Administrator Browner to continue working with our Department of Environmental Conservation and the CDC on this issue.

The amendment I have offered stops the enforcement of these oxygenated fuel MTBE requirements in States that have prohibited the use of MTBE and agree to come up with alternatives to make up the difference in carbon monoxide emissions. Subarctic and Arctic regions, especially Anchorage and Fairbanks, need relief from the provisions of existing law requiring MTBE.

I do thank the Administrator of EPA. Carol Browner has been very gracious in her time in meeting with us on this problem, both with me and my staff and the members of the Governor's staff, particularly our Commissioner of Environmental Conservation.

I want to also thank the chairman of the subcommittee, Ms. MIKULSKI, and Senator GRAMM as the ranking member, as well as Senator BAUCUS and Senator CHAFEE of the Public Works Committee for their courtesy in working with me on this issue and for their cooperation and help.

We do not seek to be exempt from the Clean Air Act requirements. What we do seek is to have ways to comply with existing laws in a way to make up for the carbon monoxide emissions without the requirement of the fuels that are suspected of causing illness or would pose drivability and safety problems in our State.

That is my statement, Mr. President.

Mr. GRAMM addressed the Chair.

The PRESIDING OFFICER. The Senator from Texas.

Mr. GRAMM. Mr. President, I am supportive of the Senator from Alaska. I know he has a unique State and it has unique problems. I would say the amendment is pretty broadly drafted. For example, I am concerned that we might simply have States who want to get around the requirement to come in and legislate a ban on oxygenated fuels and, in the process, in areas that do not have problems as serious as Alaska, we could end up with problems.

I am also a little bit confused about the uncertainties and potential litigation. But I think that the Senator from Alaska clearly is trying to deal with a problem in his State. We can work with him, and we have an opportunity to refine this as we go through conference and come up with a final bill. I am happy to support the amendment.

Ms. MIKULSKI addressed the Chair.

The PRESIDING OFFICER. The Senator from Maryland.

Ms. MIKULSKI. Mr. President, I would like to inform the Senator from Alaska that I intend to take his amendment with the same caveats as outlined by his ranking minority member, and I think the Senator would agree. I believe that Alaska does have very unique environmental problems, and I also am well aware from our conversations and the debate that he did during the full committee about the impact of this material on Alaska, and that his position is backed up by the Centers for Disease Control.

I believe that if we cannot believe the Centers for Disease Control and their sincere belief about the toxic and hazardous effect that this would have on States like Alaska, then I do not know who we can believe.

We want to help Alaska, but we do not want to open a whole new loophole. I think the Senator would agree with that.

So in that spirit, the ranking minority member and I have consulted on this and we would be happy to accept the Senator's amendment.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. Mr. President, I do thank the Senator from Maryland and the Senator from Texas for their consideration and their patience in working this out. I do thank my good friend from Maryland, the chairman of the subcommittee, for the statement she just made. It is a very, very serious problem in our State. I do not think any other State has the temperature variation that we do or the type of temperature inversions we do.

I lived in Fairbanks for a while. I assure you I have seen over 100 degrees in the summertime, and I have seen 68 degrees below in the wintertime. During that period of very cold weather is the period of our nonattainment days. It is primarily caused by the trapping of these fumes, as I said, in that temperature inversion. When these fumes, that in other areas are blown away, are not trapped by that temperature inversion that we have, they are dispersed. They do not cause the serious problems we have as far as illness and rashes and other individual problems.

I am delighted with the statement made by the manager and the ranking member of the bill and I thank them.

Mr. MURKOWSKI. Mr. President, I join my colleague Senator STEVENS today to support legislation to provide critical relief for the citizens of Alaska by providing a resolution to the oxygenated fuels problem.

The Oxygenated Fuels Program is mandated by section 211(m) of the Clean Air Act Amendments of 1990 for all cities that have failed to attain carbon monoxide [CO] air quality standards. The program has been instituted in 39 cities including two cities in my State, Anchorage and Fairbanks, neither of which had a serious CO nonattainment problem.

In Alaska, we are most prone to exceed CO standards during the winter months—November through March—when temperatures can dip as low as 50 degrees below zero. In 1992, a surge of health complaints accompanied the use of methyl tertiary butyl ether [MTBE] in fuels. Because the Environmental Protection Agency [EPA] had not conducted the proper tests, the EPA was not able to determine whether the use of MTBE was the source of the health complaints. EPA had not studied the possible health risks associated with the use of MTBE in Arctic temperatures or the possibility that the use of MTBE in cold temperatures could lead to increased emissions of air toxins.

Since December 1992, Alaska's epidemiologist and the U.S. Centers for Disease Control and Prevention [CDC] have done studies in Anchorage and Fairbanks on the use of MTBE in cold weather. The State epidemiologist has determined that Alaskans should not be subject to oxygenated fuels until further definitive research on the possible correlation between MTBE use in Arctic temperatures and a public health risk are measured. A study conducted by the CDC reinforces the State's concerns.

The research presented thus far indicates that MTBE may not reach the desired goal of CO emission reductions and may, in fact, increase emissions of CO and aldehydes at sub-Arctic temperatures.

Too many serious questions remain to go forward with this program in Alaska. The studies done so far have not been conducted with the proper cold weather control factors and have not produced a consensus on the health effects or the effects on CO emissions of MTBE use under Arctic temperatures. EPA should not implement the

Oxygenated Fuels Program until the EPA has completed the cold weather studies with the proper controls.

Mr. STEVENS. Mr. President, I ask that the amendment be adopted.

The PRESIDING OFFICER. Is there further debate?

Ms. MIKULSKI. There is no further debate on this side.

The PRESIDING OFFICER. If there is no further debate, the question is on agreeing to the amendment.

The amendment (No. 921) was agreed to.

Mr. STEVENS. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Ms. MIKULSKI. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. STEVENS. Again, I express my deep gratitude to the managers of the bill for their consideration.

Ms. MIKULSKI. Mr. President, having been to Alaska, having seen the great State of Alaska and also the pressing environmental needs, particularly in those far removed Eskimo villages, the Senator has, indeed, both our sympathy and our support.

Mr. STEVENS. Mr. President, I thank the Senator.

AMENDMENTS NOS. 922, 923, AND 924, EN BLOC

Ms. MIKULSKI. Mr. President, I send three amendments to the desk and ask unanimous consent that they be considered en bloc; and that the motions to reconsider be considered to have been laid on the table, en bloc.

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

The clerk will report.

The bill clerk read as follows:

The Senator from Maryland [Ms. MIKULSKI] proposes amendments numbered 922, 923, and 924.

Ms. MIKULSKI. Mr. President, I ask unanimous consent that the reading of the amendments be dispensed with.

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

The amendments are as follows:

AMENDMENT NO. 922

On page 41, between lines 2 and 3, insert the following:

ADMINISTRATIVE PROVISION

None of the funds provided under this title or otherwise made available to the Department of Housing and Urban Development, which are obligated to State or local governments or to housing finance agencies or other public or quasi-public housing agencies, shall be used to indemnify contractors or subcontractors of the government or agency against costs associated with allegations or judgments of infringement of intellectual property rights or any legal proceedings related to such allegations.

AMENDMENT NO. 923

On Page 59, line 15 strike "7,532,100,000" and insert "7,544,400,000".

On page 61, insert the following prior to the proviso which begins on line 7: "*Provided further*, That not more than $1,086,800,000 shall be for Mission to Planet Earth activities, of which $5,000,000 shall be for a socioeconomic data active archive center:".

On page 61, insert the following before the period on line 12: ": *Provided further*, That not more than $289,500,000 shall be available for space research and technology activities".

On page 61, delete the text on lines 13 through 16.

AMENDMENT NO. 924

At the second excepted committee amendment, strike line 25 on page 70 through line 2 on page 71 and insert in lieu thereof the following:

"be for activities under section 129(d)(5), (7) not more than $15,000,000 shall be for Summer of Service activities pursuant to section 122(a)(15), and (8) not more than $9,000,000 authorized under Section 428J of Higher Education Act: Provided further, That not".

Mr. RIEGLE. Mr. President, my colleague from Michigan, Senator LEVIN and I, would like to engage in a colloquy with the distinguished chair of VA, HUD Appropriations Subcommittee, on an issue of importance to our State, to the Nation, and the world—the Consortium for International Earth Sciences Information Network [CIESIN]. Also, we would like to thank the Senator from Maryland for agreeing to accept our amendment to this bill on CIESIN.

Ms. MIKULSKI. Mr. President, I would be pleased to engage in a colloquy with my colleagues from Michigan on that subject.

Mr. LEVIN. We thank the Senator from Maryland for her consideration, and for working with us to develop an amendment on CIESIN that is acceptable to the committee. We know that she must juggle an incredible number of projects and programs to bring the VA-HUD bill to the floor, and CIESIN is only a small, but important, piece of that much larger picture.

Mr. RIEGLE. Mr. President, as Senator LEVIN has indicated, CIESIN is a small, but very valuable component of the overall U.S. response to global environmental change. The committee has recognized the importance of understanding the planet's changing environment as an important priority for the National Aeronautics and Space Administration.

I fully support, as does the Senator from Maryland, the Earth observing system and the associated data and information system [EOSDIS]. The importance of this project is reflected in the decision of NASA to have the Goddard Space Flight Center serve as the lead for the crucially important Mission to Planet Earth. This is a NASA-led program to attempt to understand the Earth as an integrated system, including all the oceanic, atmospheric, land surface, and geologic processes and their interactions. I think we would all agree that it is extremely important to learn as much as we can about our planet, including the role that humans have played in changing our planet and how we are affected by those changes. That is where CIESIN can come in and help extend the benefits from EOSDIS to the international community and policymakers around the world.

Mr. LEVIN. Senator RIEGLE has focused on an important, and growing, field of knowledge, that is, the human dimensions of global environmental change. CIESIN has played an important role already in furthering this field of knowledge, despite having expended only a fraction of the funds it has so far been appropriated. CIESIN has developed quite an array of relevant data sets, either available through CIESIN or electronic network linkages, via cooperative information sharing agreements with many U.S. executive branch agencies and international organizations. I ask unanimous consent that several pages listing CIESIN's data sets that are available now, and a brief summary of "CIESIN's Information Cooperative: A Human Dimensions Perspective" be printed in the RECORD following our discussion.

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

(See exhibit 1.)

Mr. RIEGLE. Mr. President, the advanced technology that CIESIN has developed to access interdisciplinary Earth science and social science information as part of its data and information cooperative is impressive. Apparently, the cooperative will become fully operational later this month. CIESIN is well on its way to fulfilling its mission to facilitate access to, use, and understanding of global change information worldwide, through the development of an interdisciplinary Earth science data and information network as directed in the fiscal year 1992 VA-HUD Appropriations Act. This advanced network, which the United States has already invested in, should clearly be incorporated into and utilized as the United States develops or evolves a Global Change Data and Information System [GCDIS].

Senator LEVIN and I are not the only ones impressed with CIESIN's activities and their mission. The House has voted several times in favor of CIESIN, and numerous well-respected scientists have expressed strong support for it. I would like to ask unanimous consent that letters from these distinguished individuals be placed in the RECORD following our discussion.

Ms. MIKULSKI. As I have indicated to the Senators, there is no dispute over the value to CIESIN's mission. The committee is, however, uncertain as to whether or not all of CIESIN's overarching mission appropriately belongs in NASA, since NASA is not the sole component of the U.S. Global Change Research Program. Certainly, CIESIN should remain integrated in the EOSDIS as an affiliated Socioeconomic Data and Applications Center

[SEDAC] and should have access to the physical science datasets archived and collected through EOSDIS, so that they can be integrated with social science and other information collected by CIESIN. The Senators' amendment, which I have agreed to accept, provides $5 million for CIESIN's function as a NASA-affiliated SEDAC in fiscal year 1994, and leaves untouched the fiscal year 1993 operating funds.

Mr. RIEGLE. Would it be the Chair's intention to support in future years a similar level of funding, or perhaps a little higher, owing to CIESIN's additional, extra-DAAC costs of collecting and manipulating nonuniform datasets?

Ms. MIKULSKI. I am sure the Senators understand, it is impossible to commit future Congresses to any particular action. But, I will try to support CIESIN's SEDAC at a $6 million level annually.

Mr. LEVIN. Mr. President, as we have discussed these issues with the Senator from Maryland, I believe that the Senator has also indicated that she would be willing to work with us to develop a competitive grant funded at about $6 million annually to be awarded by the National Science Foundation or through the Committee on Earth and Environmental Sciences for the conduct of CIESIN-like activities. If that is the case, it would be a couple of things. It would address the issue the Senator has raised regarding the difference between NASA's EOS program goals and capabilities and CIESIN's overarching mission. And, if CIESIN were to win such a grant, it would help CIESIN achieve its expected capabilities, and thereby assist policymakers and the scientific community.

Ms. MIKULSKI. Again, as I stated earlier, I cannot commit future Congresses, but as I originally suggested the idea to the Senator, I think it would make good sense to develop such a grant proposal. I will work with the Senators and administration to see if we might be able to come up with a firm proposal similar to the one described by Senator LEVIN. Undertaking such an action could help sort out some of the priorities of the Committee on Earth and Environmental Sciences.

Mr. RIEGLE. Mr. President, I would like to state our understanding of the amendment that the Senator from Maryland, the manager of the bill, has agreed to accept. It will provide CIESIN with the opportunity to use $13 million of its already appropriated, unobligated fiscal year 1993 funds in fiscal year 1994, plus the additional new $5 million for SEDEC activities, which would bring CIESIN to an operating level of $18 million in fiscal year 1994. Does the manager accept that interpretation of the amendment?

Ms. MIKULSKI. The Senator from Michigan states the effect of the amendment correctly.

Mr. LEVIN. Would the distinguished manager also clarify a matter for us regarding the CIESIN facility? The committee has recommended a recission of $10 million from the amount appropriated for its construction. That is a significant cut for a project that has already been reduced by a $5 million reprogramming.

Nonetheless, as the subcommittee chair knows, the NASA inspector general is conducting a routine audit of CIESIN's grant from NASA. The IG has not reported yet on his findings, but he has indicated preliminarily that he has concerns about the need for the building size that CIESIN has selected and that the building might be larger than required even for the number of employees that CIESIN projects will eventually be housed there.

I would not want to limit CIESIN's chances for success by placing a significant limit on the building. Whatever downsizing might occur due to conference action should not reduce the facility below a level at which CIESIN's employee projections would be unachievable, and should be based on a comparison to like facilities. I would like to ask unanimous consent that a letter from the President of CIESIN regarding the building size requirements be included in the RECORD following our discussion.

Would the Senator attempt, in conference, to limit any rescission in fiscal year 1993 facility funds, based on an objective review, consideration of CIESIN's overarching mission, and the final audit report by the NASA inspector general?

Ms. MIKULSKI. The Senator has touched upon an important issue that will not be easily resolved. I have been briefed on the NASA inspector general's work, and remain concerned about the size of the facility. However, I would be willing to head into conference with the intent that no more than $10 million of the rescission from fiscal year 1993 construction funds should go forward. And, I will carefully weigh any final recommendations by the NASA inspector general and consider the extent to which the non-NASA part of CIESIN's mission drives the building's requirements, so that the committee can reconsider even that reduction.

Mr. RIEGLE. Mr. President, I would like to raise one last issue with the manager of the bill. It is very important that there be no gap in the disbursal of fiscal year 1995 funds for CIESIN, particularly since some of the fiscal year 1993 funds that we are moving to fiscal year 1994 were already designated and planned on for various activities in fiscal year 1993. To make CIESIN wait another entire year before getting its fiscal year 1995 money would be very detrimental to CIESIN's long term plans. NASA took nearly 9 months to release CIESIN's fiscal year 1993 money.

Ms. MIKULSKI. I would be willing to work with the Senators to encourage NASA to speed up their funding process.

Mr. LEVIN. I and my staff have talked to a lot of people in the global environmental change field and almost uniformly, knowledgeable people say, "If there were no CIESIN, it would have to be created." So, I am glad we are going to utilize the investment we have made in CIESIN already. Also, I think CIESIN can and should play a crucial role in improving the efficiency of the Federal Government's environmental data collection, policymaking, and regulatory activities, by acting as a conduit for and integrator of environmental data.

Mr. RIEGLE. I would like to echo the sentiments of my colleague from Michigan and express my appreciation once more to the Senator from Maryland. I know that this is a very difficult year. But, I think CIESIN will prove to us that we are right to support it. I have been to CIESIN and seen a demonstration of its technology and met CIESIN's new president, Dr. Roberta Balstad Miller. CIESIN, under her guidance, has the potential to be a truly world-class organization. I hope that we will be able to count on the distinguished manager in conference and in the next few years, until CIESIN has achieved its desired subscriber base and some measure of independence from Federal contributions.

Ms. MIKULSKI. The Senators from Michigan have been persistent and thorough in arguing in support for CIESIN. I look forward to seeing CIESIN fulfill its mission so that the trust and hard work of the Senators is rewarded.

EXHIBIT 1

CIESIN DATA SETS AVAILABLE NOW

(Note: Data sets physically archived at originating agencies but available through dedicated CIESIN/agency electronic network link are italic)

Name—producer:

UNCED Collection, UN Conference on Environment and Development.

Register of International Treaties and Other Agreements on the Environment, U.N. Environmental Programme.

Public Use Microdata Samples 1940–1990, U.S. Bureau of the Census.

March Current Population Survey Data, 1968–1992, U.S. Bureau of the Census.

Economic Census 1987, U.S. Bureau of the Census.

County Business Patterns, U.S. Bureau of the Census.

County and City Data, 1988, U.S. Bureau of the Census.

USA Counties: A Statistical Abstract Supplement, U.S. Bureau of the Census.

National Economic, Social, and Environmental Databank, U.S. Department of Commerce.

Regional Economic Information System, U.S. Department of Commerce.

Hazardous Substance Release/Health Effects Database (HAZDAT), Agency for Toxic Substances and Disease Registry.

Environmental Subset of Collection of Multilateral Conventions, Fletcher School of Law and Diplomacy.

Summary Tape Files (STF) 1970–1990, U.S. Bureau of the Census.

TIGER files for entire US, U.S. Bureau of the Census.

Human Carrying Capacity Database, UN Food and Agriculture Organization.

1990 World Census of Agriculture (Selected), UN Food and Agriculture Organization.

State and Local Legislation Related to Global Climate Change, University of Maryland Center for Global Change.

Digital Chart of the World, ESRI (Defense Mapping Agency).

CIA World Factbook, Central Intelligence Agency.

Maastricht Treaty, European Community.

U.S. AID's Development Information System, USAID.

National Agricultural Statistics Service All Crops County Database (Selected), U.S. Department of Agriculture.

Policy GIS (limited), CIESIN.

Human Dimensions Effects of Ozone Depletion (limited), U.S. CIESIN.

Selected Datasets from Approximately 30,000 Political and Social Records, Inter-University Consortium for Political and Social Research.

Maastricht Treaty, European Community.

World Resources Institute Annual Data Reports, World Resources Institute.

World Resources Institute Time Series Database, World Resources Institute.

Environmental Almanac, World Resources Institute.

NGO Newsletter, World Resources Institute.

Center for International Research Georeferenced Database, World Resources Institute.

Mortality Database, World Health Organization.

CORINE Biotopes and Land Use, Coordination of Information on the Environment (EEC).

AGROSTAT, Food and Agriculture Organization (UN).

National Agricultural Statistics Service All Crops County Database 1972–1991, U.S. Department of Agriculture.

Agri/Stats, U.S. Department of Agriculture.

Saginaw Watershed Data Integration Project, CIESIN.

Pacific Northwest Data Integration Project, CIESIN.

Epidemiology and Surveillance Database, Centers for Disease Control.

International Population Database, Center for International Research.

Georeferenced Database—Population, Electric Power Plants, Factories, Center for International Research.

World Resources Institute Database, World Resources Institute.

Environmental Law Information System, International Union for the Conservation of Nature.

World Health Statistics Database, World Health Organization.

Global Anthropometry Data Bank, World Health Organization.

Matthews Vegetation, Land Use, and Seasonal Albedo, NASA GISS.

Chesapeake Bay Data Integration Project, CIESIN.

Rio Grande Data Integration Project, CIESIN.

Arctic Strategic Environmental Data Active Archive Resource (SEDAAR), CIESIN/Office of Naval Research.

SELECTED DATASETS FROM

Economic and Social Research Council, Essex, England.

Norwegian Social Science Data Services, Bergen, Norway.

Zentralarchiv fuer Empirische Sozialforschung, Cologne, Germany.

Indian Council of Social Science Research, New Delhi, India.

CIESIN'S INFORMATION COOPERATIVE: A HUMAN DIMENSIONS PERSPECTIVE

THE CIESIN INFORMATION COOPERATIVE

The Information Cooperative is a mechanism for sharing data and information by major international data and resource centers. Its goal is to facilitate global environmental research and understanding, and it is designed to work closely with developing earth science information networks such as NASA's Earth Observing System.

FUNCTIONS OF THE COOPERATIVE

Sponsors joint efforts to share and disseminate information, develops mechanisms for one-line data file access, and develops integrated data products for global change study.

Establishes ongoing forums for exchange of information and technology among Cooperative partners.

Conducts User Workshops—which are an important part of the Information Cooperative effort.

MEMBERSHIP IN THE COOPERATIVE

Partners in the Cooperative have an effective means to distribute their data and information to a broad audience, to access data from other partners, from NASA's Active Archive Center System, and through CIESIN's Global Change Resource Center's integration support capabilities. Partnership is established through a "Memorandum of Understanding," which reflects the partner organization's particular requirements.

Additional information about CIESIN's Information Cooperative, including how to join, is available from Dr. Vincent J. Abreu, CIESIN, 2250 Pierce Road, University Center, MI 48710, phone (517) 797–2700, Internet.

HOW CIESIN SUPPORTS THE COOPERATIVE

Conducts preliminary assessment of user needs.

Acts as a "broker" to help partners access data that is outside the Cooperative.

Ensures that data quality standards are carefully defined and stringently upheld.

Ensures that each partner has opportunities to increase the user base for its data and other services.

Provides each partner with a distributed directory of global change-related data and information. The directory will emphasize human dimensions of global change and will be interoperable with the Global Change Master Directory, thus providing a "window" into the earth sciences.

Places entries from each Cooperative partner in the distributed directory, provides tools for creating and maintaining directory entries, and, if required, assists partners in developing expertise necessary for such creation and maintenance.

Develops a general, coherent user interface framework consistent with todays most common graphic user interfaces.

Aids in development of data and information products resulting from special collaborations among Information Cooperative sites; new or customized data products and integrated data sets, for example, or reports, models, simulations, and specialized geographic information system and data analysis tools.

PARTICIPANTS IN THE COOPERATIVE

ATSDR (Agency for Toxic Substances and Disease Registry)—ATSDR is an agency of the Public Health Service, U.S. Department of Health and Human Services. Its mission is to prevent or mitigate adverse human health effects resulting from exposure to hazardous substances in the environment. ATSDR's database contains data sets with detailed toxicological profiles about toxins commonly found in the environment, health effects by exposure route and duration of exposure, interactions of substances, susceptible populations, and biomarkers of exposure and effects.

CCRS (Canadian Centre for Remote Sensing)—CCRS is a Canadian federal government center, within Energy, Mines and Resources Canada, that is responsible for data collection and management of satellite and related data. CCRS is the Canadian representative in the International Directory Network and operates the RESORS (REmote Sensing On-line Retrieval System) database of bibliographic materials associated with remote sensing applications.

CDC (Centers for Disease Control)—The CDC have a central mission of promoting health and disease prevention as a public health service for the U.S. government. Its user audience includes state and local health departments, the Public Health Service, and the academic public health community. CDC archives a variety of health related data for the U.S., including morbidity, mortality, and some demographic data.

CIR (Center for International Research)—Part of the U.S. Census Bureau, the CIR compiles international data relevant to economics, agriculture, health, and demographics for other U.S. government agencies. The CIR has extensive demographic and international expertise, international contacts, and long time series archives.

EDC (EROS Data Center)—The EROS (Earth Resources Observation System) Data Center provides support in land remote sensing data for the National Mapping Division, U.S. Geological Survey, and for the Department of the Interior. It is also the national point of dissemination for Landsat (Land Remote Sensing Satellite) data, and provides support and technology transfer for earth science information nationwide. EDC is the land data archive for NASA's Earth Observing System Data and Information System (EOSDIS). Its data products include continental scale land use maps, soils maps, digital terrain models, and specialty products.

EPA (U.S. Environmental Protection Agency)—This agency monitors the environment and compliance with federal environmental regulations. The EPA has established numerous databases relevant to air and water quality, pollution, and specific environmental problems.

FAO (Food and Agriculture Organization)—The principal functions of this United Nations program are to help raise levels of nutrition and standards of living; to improve production and distribution of agricultural products, and to better the conditions of rural populations. FAO has extensive agriculture related archives, which provide global coverage. This organization also has expertise in environmental and social sciences and in the development of geographic information systems.

GCRIO (Global Change Research Information Office)—The GCRIO will serve as a

central repository and international dissemination point for global change data and information produced by U.S. Government agencies.

GLC (Great Lakes Commission)—The Great Lakes Commission is a coordinating body among the eight U.S. states bordering the Great Lakes for environmental and economic policy issues. U.S. federal and Canadian federal and provincial agencies also work with the commission. The GLC supervises regional policy and environmental research projects. It is establishing a regional electronic network to facilitate communications and data sharing among its participating institutions.

IARC (International Agency for Research on Cancer)—An international agency for data on the incidence of cancer, IARC provides global coverage.

ICPSR (Inter-university Consortium for Political and Social Research)—ICPSR has more than 300 member institutions from universities around the world. It serves as a central repository and dissemination service for machine readable social science data, and contains data sets relevant to policy and social issues.

NCDC (The National Climate Data Center)—An arm of the National Oceanographic and Atmospheric Administration, the NCDC is an important source of long-time-series weather and climate data.

NIH (National Institutes of Health)—Part of the U.S. Public Health Service, the National Institutes of Health contain the National Cancer Institute, the National Library of Medicine, and the National Institute of Environmental and Health Sciences.

SEDAC (Socioeconomic Data and Applications Center)—The SEDAC, operated by the Consortium for Earth Science Information Network (CIESIN), is one of nine NASA Distributed Active Archive Systems (DAACs), which archive and disseminate remotely sensed data. The SEDAC's mission is unique in that it attempts to integrate earth science data and remotely sensed data from the other DAAC's, with human science data. The SEDAC will archive existing human science data sets that are relevant to global change, generate new data products, provide a directory to global change data and information resources and link existing human services archives through the CIESIN Information Cooperative.

UNEP (United Nations Environment Programme)—The United Nations Environment Programme oversees a wide range of environmental research, monitoring and training programs. For example, its Global Resource Information Database (GRID) collects data on various environmental parameters and is building a data directory. UNEP's Industry and Environment Programme Action Centre maintains databases on ozone depletion and pollution prevention. The UN Institute for Training and Research (UNITAR) assists developing countries to increase their capacity for environmental monitoring and programs.

USDA (United States Department of Agriculture)—The USDA monitors agricultural practices through the United States. It collects data related to most aspects of agriculture in the U.S. and maintains thousands of databases; collects and analyzes international agricultural data; and conducts research to assess the effects of global change on food, fiber and forest systems of the U.S. and internationally.

USGS (United States Geological Survey)—The USGS has established numerous databases with data on geological features. It also provides base maps and a variety of other maps for all areas of the U.S.

WHO (World Health Organization)—The WHO archives health related data sets, monitors key indicators on an international basis, and provides health assessments. The WHO's databases provide global coverage in the areas of morbidity, nutrition, and sanitation.

WMO (World Meteorological Organization)—The WMO functions to establish international networks of meteorological stations and systems for the rapid exchange of meteorological information, to promote standardization of meteorological observations and statistics, and to further cooperation between meteorological and hydrological services. The WMO collects meteorological data.

WRI (World Resource Institute)—The WRI is known and respected worldwide for integrity, science expertise, close contact with policy makers, and intimate knowledge of lesser developed countries. This institute provides policy analysis and publishes compendiums of environmental data and information. It is known for its revisions of United Nations data sets, which attempt to correct for political biases.

CONSORTIUM FOR INTERNATIONAL
EARTH SCIENCE INFORMATION NETWORK,
University Center, MI, September 17, 1993.

Hon. CARL LEVIN,
Room 459, Russell Senate Office Building, Washington, DC.

HONORABLE SENATOR, In response to your inquiry regarding average office size in the new CIESIN Facility, we have prepared the following.

CIESIN's new facility is planned to be 169,250 gross square feet (which is the actual size of the building, including common areas such as: elevators, corridors, toilets, mechanical rooms, food vending areas, conference/training rooms, and visiting scholar & analyst center).

GSA's and NASA's standard for office size is based on 125 net square feet per person. Net square feet per person is determined by taking the gross square feet, subtracting the aforementioned common areas, and dividing by the number of employees.

In the new CIESIN facility the net square feet per person is determined as follows. 169,250 gross square feet minus 129,976 square feet (common areas) equals 39,274 net square feet. The average net square feet per person is as follows: 39,274 net square feet divided by 301 persons which equals 130 net square feet per person. The additional 5 square feet is due to the nature of the work at CIESIN and scientists' need for books and research materials.

For your information, NASA's net/gross ratio standard for facilities is ideally 0.65 to 0.70. The new CIESIN facility net/gross ratio will be 0.60.

Sincerely,

ROBERTA BALSTAD MILLER,
President.

THIRD WORLD FOUNDATION
OF NORTH AMERICA,
College Park, MD.

Hon. BARBARA A. MIKULSKI,
320 Hart Senate Office Building, Washington, DC.

MY DEAR SENATOR MIKULSKI: I would like to take this opportunity to brief you on the work of the Third World Foundation and the proposed plans to establish a North American Center for Sustainable Development at the University of Maryland, College Park. The North American Center will provide the foundation for creating a world-class Consortium for Sustainable Development at College Park. This Center in turn will become a prime mover in organizing financial resources and electronically linking other Centers to a global research network of shared earth, human, and socio-economic data and information.

For nearly two years, the North American Center has enjoyed a productive partnership with the Consortium for International Earth Science Information Network (CIESIN). CIESIN enables institutions of learning like the University of Maryland to collaborate with government agencies like Goddard, by converting raw scientific data into formats useful in many academic disciplines. The CIESIN-University of Maryland partnership clearly bolsters Goddard's data-gathering and EOSDIS program. Furthermore, CIESIN's data access and integration activities are critical to the success of the North American Center. We would therefore like you to approve CIESIN's budget when it comes up for consideration. As Senate legislation on this issue is fast approaching, I would greatly appreciate a meeting with you prior to September 7, 1993.

BACKGROUND

The Third World Academy of Sciences and the Third World Network of Scientific Organizations, acting through the Third World Foundation and CIESIN, propose to assist the World Bank in its efforts to foster environmentally sustainable development by establishing a network of twenty Centers of Sustainable Development. The plan would emulate the highly successful CGIAR (Consultative Group for International Agricultural Research) organizations model sponsored by the World Bank. CGIAR is associated with the "green revolution" that introduced high-yielding species of grains to the developing regions of Asia, Latin America, and the Middle East. We contemplate a project on the scale of the CGIAR Agricultural Centers, but with a broader mission. The Centers would be unique in focusing on urgent local and regional problems that have global implications for environmentally sustainable development. At the same time, they would open windows of opportunity for U.S. access to the wealth of data and information residing in the Third World.

Specifically, the Centers would concentrate on improving education, health, public policy, applied scientific and engineering research, and environmental impact research and assessment. The Centers would be linked by high speed electronic networks to global storehouses of scientific knowledge, in order to enhance (1) the study of the Earth as a system, (2) reach consensus on environmental policies, and (3) promote trade and commerce between North and South.

WHY THE UNIVERSITY OF MARYLAND

The University of Maryland at College Park was chosen because of the strong commitment and support from university and state leadership.

It enjoys an ideal global and national location, allowing it to draw on the powerful resources of a myriad organizations such as NASA, USDA, EPA, DOE, NIST, NIH, the Smithsonian Institution, and World Bank. In short, it is strategically located near the world's most concentrated intellectual, scientific, and economic centers.

The university's high degree of fiber connectivity and its internet capability would make the North American Center a primary node in the dissemination of data and information to other scientific centers.

The university is also within easy reach of the Chesapeake Bay, the world's largest estuary/wetlands ecosystem, which provides an

unparalleled proving ground for projects in sustainable development.

Finally, the University of Maryland is the headquarters of the Third World Network of Scientific Organizations.

HOW WOULD MARYLAND BENEFIT

New U.S. jobs would emerge from the infusion of funding and the establishment of the North American Center for Sustainable Development.

The University of Maryland would significantly enhance its scientific research capabilities, thereby attracting distinguished faculty, graduate, and undergraduate students.

By generating viable solutions to the struggle between maintaining our state's growth and development while preserving the Chesapeake Bay's fragile stability, our faculty and students will not only alleviate Maryland's growing pains, but will also address the world's foremost sustainable development challenges.

Sample projects focusing on the Bay are projected for the Baltimore area, operating out of the newly constructed Columbus Center, and/or the University of Maryland, Baltimore County.

CURRENT PROGRESS

To create a North American Center, the University of Maryland has established a very productive relationship with CIESIN. The Third World Foundation and CIESIN are attempting to secure World Bank support so that the North American Center for Sustainable Development can become the prime mover in a world program for sustainable development.

CONCLUSION

This letter is to request your support for CIESIN in the appropriations process. CIESIN has an $18 million appropriation for NASA and a $4.75 million appropriation for the EPA from the House of Representatives. To fully fund our program, a $22 million appropriation to the CIESIN initiative is required for NASA. Consistent with the House authorization bill, the North American Center would cost share the additional $5 million with the World Bank. The World Bank, in turn, would provide an additional $20 million. This amount would still hold the 1994 CIESIN VA-HUD appropriation at its 1993 level when CIESIN received $27 million.

The program will have a dramatic impetus on fulfilling the potential envisioned global Mission to Planet Earth and the work being performed at Goddard. The opportunity to make a powerful, positive impact on the human potential of the Third World as well as the First, while simultaneously broadening and enriching the educational opportunities of Maryland's flagship campus, could be missed without your leadership. I trust that I can count on your support for the vital role that CIESIN is playing, for all of us at the University of Maryland, and for the Third World.

Sincerely,

CYRIL PONNAMPERUMA,
President.

INTERNATIONAL COUNCIL OF SCIENTIFIC UNIONS (ICSU),
September 20, 1993.

Hon. BARBARA A. MIKULSKI,
Hart Senate Office Building, Washington, DC.

DEAR SENATOR MIKULSKI: It is my understanding that later today the Senate Appropriations Committee will be deciding on funding for the Consortium for International Earth Science Information Network (CIESIN).

I write as the Chair of the Scientific Committee that directs the International Geosphere-Biosphere Program, which, with the support of more than sixty nations, is addressing key gaps in our understanding of global change on the decade to century time scale. An important component of this effort involves the development of regional research networks that enhance opportunities for scientists from all nations to share in this research, and importantly provide the truly global context that decision makers in all countries will need in order to develop informed and prudent policy on a wide range of environmental issues. This global network is know as the Global Change System for Analysis, Research and Training (START), and since its inception by the IGBP sponsorship has been extended to include two other partners in the study of global change, the World Climate Research Program and the Human Dimension of Global Environmental Change.

CIESIN plays a crucial role in the development of START through its support of the START Secretariat in Washington, DC. The successes of START in developing regional priorities for global change research and in building bridges among regional partners are widely recognized in the scientific community, and are becoming increasingly well known in many governmental and intergovernmental organizations. These successes are a tribute to the wisdom of CIESIN in embracing START as an important part of its mission. Without this support the central coordinating function of START would be seriously handicapped.

I am certain that I speak for many of my scientific colleagues throughout the earth sciences community in the United States when I say that CIESIN's support for START is greatly enhancing our efforts to assemble the body of information that you and others will be seeking as we all strive to make the wisest possible decisions regarding global environmental change.

Yours sincerely,

JAMES J. MCCARTHY,
Chair and Professor.

INTERNATIONAL SOCIAL SCIENCE COUNCIL,
September 17, 1993.

Hon. BARBARA A. MIKULSKI,
U.S. Senator from Maryland, U.S. Senate, Washington, DC.

DEAR SENATOR MIKULSKI: As President of the International Social Science Council, I am deeply grateful for the support that the Consortium for International Earth Science Information Network (CIESIN) has provided for the Human Dimensions of Global Environmental Change Programme (HDP). I am also deeply distressed that the funding for CIESIN, and thus CIESIN's capacity to serve the international global change research community, may be in jeopardy.

It is essential for the world-wide understanding of global environmental change that data about the human dimensions of global change be broadly available. We were delighted when we signed the Memorandum of Understanding with CIESIN under the terms of which CIESIN became HDP's Data and Information System (HDP/DIS). It would be a serious problem for international research on global change if CIESIN were unable to perform this function.

The discontinuance of CIESIN's support for the Global System for Analysis, Research and Training would also be an extremely serious blow, especially for scientists in the developing countries. Achieving a global consensus on the understanding of global change and on the policy choices that are available will be extremely difficult if scientific competence and knowledge are not spread throughout the world. The United States and CIESIN have played an important leadership role in efforts to achieve this goal.

I echo and support everything that Harold K. Jacobson, the Chair of HDP's Steering Committee said in his letter to you.

I urge you to take into account the vital role that CIESIN plays in international global charge research. The work that CIESIN does is crucial to developing knowledge about global change and disseminating it throughout the world.

Sincerely yours,

LUIS RAMALLO,
President.

HUMAN DIMENSIONS OF GLOBAL ENVIRONMENTAL CHANGE PROGRAMME OF THE INTERNATIONAL SOCIAL SCIENCE COUNCIL,
September 17, 1993.

Hon. BARBARA A. MIKULSKI,
U.S. Senator from Maryland, U.S. Senate, Washington, DC.

DEAR SENATOR MIKULSKI: I am writing to express my deep concern about continued funding for the Consortium for International Earth Science Information Network (CIESIN). I am the Jesse Siddal Reeves Professor of Political Science and the Director of the Center for Public Students at the University of Michigan. I am writing, however, in my capacity as the Chair of the Steering Committee of the Human Dimensions of Global Environmental Change Programme (HDP).

HDP was started by the International Social Science Council in 1990. Along with the World Climate Research Program (WCRP) and the International Geosphere-Biosphere Programme (IGBP), HDP is one of the three international research programs devoted to improving understanding of global environmental change. HDP focuses particularly on the human activities that contribute to global change and the consequences of global change for humankind. HDP has been developed in close cooperation with the United States Global Change Research Program. HDP's research priorities match those of the U.S. program. HDP's research will complement, amplify and strengthen that done under the auspices of the U.S. program.

The Consortium for International Earth Science Information Network has made a crucial contribution to the Human Dimensions of Global Environmental Change Programme. During 1991 and 1992, CIESIN sponsored HDP's data inventories and assessments. In January 1993, CIESIN and HDP signed a Memorandum of Understanding under the terms of which CIESIN became HDP's Data and Information System (HDP/DIS). Functioning as HDP/DIS, CIESIN will be the principal vehicle for making data about the human dimensions of global change to research workers throughout the world.

Our intention to sign the Memorandum of Understanding with CIESIN was announced at HDP's Second Scientific Symposium in Paris in December 1992. There was great enthusiasm for CIESIN becoming HDP/DIS, and research workers from all areas of the world expressed their deep appreciation. It would be a setback of major proportions if CIESIN were unable to function as HDP/DIS. The international research program would be severely hampered without the global access to data that CIESIN will provide.

Along with WCRP and IGBP, HDP is developing the Global System for Analysis, Research and Training (START). START has

been designed to meet the widely acknowledged need to strengthen the capacity of individuals and institutions in developing countries to engage in global change research. CIESIN has provided vital support to START. Thanks to U.S. leadership and CIESIN's support, START has opened its international secretariat in Washington, D.C. and is making rapid progress in developing its program. If CIESIN were no longer able to support START, this crucial but fledgling effort would face serious difficulty and could well collapse.

If humankind is to deal with global environmental change effectively, the understanding of global change must be improved and the knowledge that is gained must be accepted as valid and legitimate throughout the world. HDP and START are vital to the process of improving knowledge about global change and insuring that this knowledge is available and accepted throughout the world. CIESIN has played an indispensible role in the development of HDP and START. CIESIN's continuation is vital to both programs.

I hope very much that you will take CIESIN's indispensible role in global change research into account as you consider the appropriation for CIESIN. Continued funding of CIESIN at at least the current level is essential.

Sincerely yours,

HAROLD K. JACOBSON,
Chair, HDP Steering Committee.

EUROPEAN CENTRE FOR
ENVIRONMENT AND HEALTH,
Bilthoven, February 11, 1993.

Dr. VINCENT J. ABREU,
Director, Data and Information Resources, CIESIN, University Center, United States of America.

DEAR VINCE, Further to our constructive discussion on Monday last, I would like to outline those areas and issues which could form the basis for informal discussions leading up to a formal memorandum of understanding between our organizations. The primary role until now of the Environment and Health Service of the WHO Regional Office for Europe has been in supporting country needs in achieving the goals of the Health For All Targets related to environmental health (Environmental Health Policy and Management Implementation, Accidents, Water and Waste Water, Food, Air, Occupation, Housing and Settlements) utilizing information at national level only. By contrast, the major use of information intended by the Bilthoven Division of the European Centre for Environment and Health is to produce a situation and trend analysis of the current state of Europe in terms of: a) the environment, b) public health and c) certain socio-economic infrastructure aspects. The Centre would like to shift the emphasis away from national issues, and focus the attention of the member states on subnational issues, hence our thrust is towards the collection of subnational data. Our particular interest is directed towards the countries of Central and Eastern Europe, especially the new member states of WHO, where we are aware there is a great interest and a potential infrastructure for such self-appraisal.

The overall approach is through the development of a programme of indicators. Since we are interested in showing spatial variations in environment, health and socio-economic status, we are in the process of collecting geocoded/georeferenced information which will be maintained in a relational database within a GIS environment (Arc Info/SPANS). Because of our limited capacity, we restrict our interest to a broad overview of the entire European Region (currently 44 member states including the Russian Federation, the Newly Independent States, and extending to Turkey and Israel) and have decided to limit resolution to that just above Communes (e.g. Oblasti, Department, etc.). There are 800 such "regios" in Europe, with an average population in each of 1,000,000. We intend to demonstrate to the member states that there are subnational regions with "unusual" values of the various indicators, but stress that our descriptive approach does in no way permit an analytical solution relating the various indicators: the message is then that each country must initiate local programmes which are appropriate to developing an understanding of the origins of these locally extreme situations.

We would be interested in developing joint programmes with CIESIN based on a model whereby we provide those datasets currently available or in the process of assembly, and whereby CIESIN acts as a broker, obtaining additional datasets which we need to complete our descriptive models, and distributing products which we can design jointly. For some of these products, e.g. spatial risk assessments, it will be necessary to obtain additional financial and technical resources, to which we hope we could look to CIESIN for assistance.

Our current database consists of the following:

The 162 statistical indicators of the Health For All Database of WHO/EURO: available for most countries as national annual averages from 1970, by 5-year age groups where appropriate (e.g. as incidence, cases, deaths, standardized disease or mortality rates), related to infectious and chronic disease, and defining lifestyle issues, environmental issues, appropriate care and infrastructure, and health development support;

Population density and demography, for 800 "regios" in the European Region, at a level of resolution above that of Communes (e.g. Oblasti, Departments, etc.) for most of the countries in Europe, for the years 1980–81 and 1990–91 and some additional years:

Deaths by cause, age strata and sex, for 25 diseases or groups of diseases, for the European member states, including NIS and the Russian Federation, for 1980–81 and 1990–91, corresponding to the subnational populations of the 800 "regios" (under preparation);

By the end of March 1993, we shall have the agreement of 16 member states and 12 IGO's and NGO's to help create a georeferenced database of a minimum core set of environment, health and socio-economic infrastructure indicators, with emphasis on "regio" resolution; it is our intention to use these data to prepare "state of"-maps for the Region, and, as a point of argument, that the participating countries develop national programmes at high resolution to deal with local issues of environment and health:

A set of digitalized map boundaries of the member states and their subnational regions.

It is our intention to produce a series of products which can be considered as "risk maps" covering the European Region at "regio" resolution, which will relate environmental or socio-economic infrastructure or health themes to populations. Our initial efforts are in overlayering concentrations of air pollutants with population densities, to arrive at population based exposure assessments, using "air quality guideline" exceedances as the measure of putative risk. We would also like to use this principle for a series of other thematic risk maps: radiation, water pollution, waste, waste disposal, energy production and use, noise, traffic and transportation effects, electric power distribution, health service delivery, etc.

We would like assistance in collecting georeferenced datasets (at "regio" or better resolution) concerning a number of issues: socio-economic infrastructure data, mortality and morbidity data, air quality and air pollution (background, episodes) data, water quality, noise, urban services, health care resources and health care delivery, quality of life, etc. for the preparation of the aforementioned risk, status or trend maps. The main effort is in establishing self-renewing data-resource networks, to replace our reliance on ad hoc collection methods used at present. Similarly, we would like to develop a generalized programme for quality assurance and control, involving feedback from data sources and peer review of the products. Toward this end we would see a joint effort necessary in defining as a medium term goal, a set of thematic risk assessments with appropriate spatial (and temporal) resolution, and in finding sufficient external funding for the resource development and application.

As an extension of this issue of quality assurance and control for environment and health data, one can point to a lack of centralized infrastructure for developing and collecting harmonized data sets across Europe. The two major issues are establishing the basis for estimation of population exposures (e.g. through concentration of pollutants in various media) and establishing the potential evidence for effects of exposures on public health. Occupational exposures and occupational health provide perhaps an important example where there is a potential for a well-documented assessment of the impact of chemicals on health. There is a good opportunity to try to create a network to provide harmonized data concerning occupational exposures to a set of the high-volume chemicals of interest to the outdoor environment and perhaps to issues of global change. Similarly, there is an opportunity for harmonizing the collection of comparable data for occupational accidents and disease, currently hampered by a wide range of definitions and criteria for reporting.

Please let me know which of the above areas you find of interest so that we can focus on issues of CIESIN contributions to our information needs, and development of joint products for eventual external funding, as well as the foundation for development of a MOU between the organizations.

Yours sincerely,

RICHARD M. STERN,
Manager, Environmental Health Information Systems.

UNITED NATIONS INSTITUTE
FOR TRAINING AND RESEARCH,
Geneva, December 14, 1992.

DEAR RIC: As you are well aware, the interim Climate Change Convention Secretariat (INC/FCCC) and the United Nations Institute for Training and Research (UNITAR) are currently in the process of establishing a training programme to promote the implementation of the United Nations Framework Convention on Climate Change (UNFCCC). The approval of the Intergovernmental Negotiating Committee at its Sixth Session in Geneva allows us to go a step further.

In the past months, UNITAR has held many discussions with CIESIN staff and associates about possible collaboration between our organizations on this project:

We envision that CIESIN could act as our primary source for resources and advice on international information and data systems;

We have explored the possibility of CIESIN creating a brief (ten-page) resource guide to assist the participants at our workshops with many of the obstacles in accessing and retrieving information. This could also be followed by country-specific guides for those involved in the pilot phase;

We have also speculated about the possibility of sending UNITAR trainers to Saginaw for short intervals for instruction on the various skills and technology that CIESIN offers.

We are enthusiastic about the mutual benefits that both organizations could gain from this partnership. At this stage in the development of the programme, we are specifically trying to identify those individuals and organizations interested in a long-term collaboration; the pilot phase of the programme is to span 18 months, but we envision a long-term activity that will both benefit from and build upon ongoing initiatives. I am trying to get an indication of who our partners could be in the pilot phase at least, by January of 1993. Could you kindly advise what CIESIN's interest and possible contribution could be (i.e. focal point or task group)? Based on your response we could then discuss in more concrete terms the specific projects and timetable.

Yours sincerely,

NASSRINE AZIMI,
Coordinator,
Environmental Training Programmes.

THE WORLD BANK,
Washington, DC, August 3, 1993.

Ms. ROBERTA BALSTAD MILLER,
President, Consortium for International Earth Science Information Network, University Center, MI.

DEAR MS. MILLER, I am responding to your letter of June 21 which was sent at my request to my successor as Chief of the Bank's Socio-Economic Data Division, Boris Blazic-Metzner. I do so partly because it may be a month before he and other principals can send a formal response; and partly because chats with Vincent Abreu suggest that overlaps with my present assignment are stronger than I thought. Hence, this interim response is to indicate that signals are so far positive, about your proposal; and to express my thanks for the formal networking that your staff have begun.

The Bank certainly supports CIESIN's mission of facilitating access to, as well as use and understanding of, global change information worldwide. As you may know, we are now linked indirectly by Global Environment Facility funding of START, which you in turn support. I see joining your Information Cooperative as a natural next step given its efforts at involving developing countries in the Human Dimensions of Global Environmental Change Program of the International Social Science Council. The Cooperative also promises to help us learn more about how the Bank itself could use Internet.

For these reasons, I have asked my colleagues to consider offering you a no-cost license to disseminate the Bank's published socio-economic indicators. Before doing so, however, some technical discussions seem necessary. On the one hand, I think we must ensure that your dissemination procedures are at least as "user-friendly" as ours, in leading users to information of immediate interest and in alerting them to associated texts, particularly technical notes about the data. On the other, we need to demonstrate that Bank participation is indeed helping developing countries and is unlikely to provide for-profit users with cut-rate access to Bank data.

You will receive, under separate cover, a beta-test version of the CD-ROM we plan to release in the near future, tentatively named CD*STARS. A quick way to resolve issues of "user-friendliness" would be to agree that members of the Cooperative could access CD*STARS via CIESIN. The beta-test version should allow you to indicate whether this would be an acceptable start; and, if not, how you would recommend that we proceed to ensure that essentially the same information packets can be transmitted thru your network.

While the beta-test CD*STARS is more limited than the Andrex data system mentioned in your letter, the final one will contain the basic data for all published indicators. You will note that the CD-ROM includes a test version of our new software for text, TEXT.STARS. Assuming our practical concerns are resolved, we could make public domain texts available to you in this format. We may also explore the possibility of including much of our Andrex operating system (for report-generation, which composes the page-images or our statistical publications, and data-transformation, which produces growth rates, etc., given in publications). In following up on such systems-related issues, I recommend that Vincent Abreu contact Ms. Shaida, Badiee; Chief, Systems Division; Room S-9139; phone (202) 473-3830.

We share CIESIN's interest in archiving and disseminating data at the lowest reasonable cost to users, with as few access restrictions as possible. However, the Bank is at best a secondary disseminator of data of member governments; it can be argued that we are a tertiary source, when we pass along data obtained via other international agencies. Most of our data sources wish to encourage public access but there is not consensus about whether "reasonable" cost recover means marginal or average cost, whether some users should be subsidized, etc. We must proceed with due regard for their diverse concerns, to ensure the data-flow.

There is broad support for preferential access by official users, notable from developing countries; NGOs (nongovernmental organizations); and academics. So long as this is the main clientele accessing Bank information via CIESIN, we can justify according you similar preferences. However, we understand that for-profit concerns can participate; we would need more information on their actual usage. If it is negligible at present, we would only need your assurance that we would be advised should the situation change, and your understanding that we might then have to rethink the terms of our participation. In following up on these issues, I recommend that Vincent contact James Feather; Publisher; Room T8079; phone (202) 473-1956.

Apart from improving public access to Bank information, as discussed above, we appreciate your offer to help us access data from WHO, UNEP/GRID, the Agency for Toxic Substances and Disease Registry, etc. These are certainly of interest to us and I would welcome more details about databases that can be accessed, and how we might do so. Boris Blazic would be the best person to receive such documentation and to contact if substantive questions should arise about socio-economic indicators being provided by the Bank. On Internet-related issues, I recommend that Vincent contact Nicholas Carter; Chief, ITF Policy, Strategy & Evaluations Division; Room R7002; phone (202) 473-2118.

I expect to continue facilitating dialog between CIESIN and Bank staff. As progress is made on the preceding, I hope we can devise case-studies that demonstrate CIESIN's potential for meeting information needs of individual Bank borrowers. I think these will be quite rich if we can fold in progress on outreach efforts of mutual interest, like support for UNDP's Sustainable Development Network; systematizing subnational databases; and helping developing countries and Bank staff access the massive databases generated by remote sensing.

Sincerely Yours,

JOHN C. O'CONNOR,
Senior Adviser,
Environment Department.

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION, GODDARD SPACE FLIGHT CENTER,
Greenbelt, MD, August 31, 1993.

To: Dr. Roberta Balstad Miller, President, CIESIN.

From: Dr. Gerald Soffen, Director of University Programs GSFC.

I was very favorably impressed with the technical visit yesterday by scientists from your organization, who demonstrated the use and handling of socioeconomic data sets. Dr. Vince Salomonson, the Director of Earth Sciences and Dr. Robert Price the newly appointed Head of the Mission to Planet Earth Office were also there. I felt that all of our questions were answered, the interaction between GSFC and CIESIN has begun and the demonstration illustrated what you are trying to do.

I recall our first meeting at the GSFC Conference on July 29 when you, as one of the social scientists, actively entered into the dialog with both the social and physical scientists on this issue of the need to build the bridge between the two communities. It was rewarding to discover several of GSFC scientists acknowledging the need for this bridge.

When I was the EOS Project Scientist early in the Program, I began to realize that the Social sciences will be a very important segment of the users of NASA satellite data in the years to come. Most NASA scientists have little professional involvement with social scientists and those interdisciplinary investigators using socioeconomic data, most of our data is used by people trained like ourselves. As a biologist with some of my training in the biomedical area, I realize the need to develop these relationships. Most physical scientists are not even comfortable with ecologists let alone demographers or economists. But, I believe in the coming decade, the changing Earth responding to an increase in population and advancing technology will put demands on people who have the breadth of knowledge to be comfortable in both camps. GSFC and CIESIN working together can help close this gap.

I want to thank you for helping to stimulate the interaction between CIESIN and GSFC, and look forward to the developing relationship. I am particularly interested in that aspect of your charter that deals with the Third World and also with Education.

DEPARTMENT OF STATE, UNITED STATES MAN AND THE BIOSPHERE PROGRAM,

Washington, DC, May 25, 1993.

Dr. HASSAN VIRJI,

Director, International Operations, Consortium for International Earth Science Information Network, CIESEN, Washington, DC.

DEAR DR. VIRJI: On behalf of the Man and the Biosphere (MAB) Programs of the thirty two (32) nations which collaborate through the EuroMAB program, I am most grateful to the Consortium for International Earth Science Information Network (CIESIN) for taking this international leadership position by agreeing to be the key distributing organization for diskettes containing the directory ACCESS.

As ACCESS will direct scientists and policy makers to the environmental data bases available on 175 scientific research sites in the 32 countries. EuroMAB felt that it was essential to share this information on the widest possible basis. At a number of EuroMAB meetings discussions centered on the problem of finding a credible organization which could undertake this task of making this directory available in a diskette format—and also have the capability to maintain the up dated versions and also be able to share it through various electronic media/networks etc. The other international organizations we surveyed simply did not have the same institutional capabilities as CIESIN. Consequently all in EuroMAB are all delighted at CIESIN would not only agree to serve this essential task, but have the demonstrated institutional capabilities to actually serve as a distributional organization and network.

I expect that, as the world's scientific community increasingly seeks empirical evidence and data to measure and monitoring the global status of climate change, biological diversity ad sustainability of ecosystems, CIESIN will be increasingly called upon to provide access to the data at biosphere reserves through MAB and through other international scientific networks.

Again thanks very much for taking the leadership on this and through CIESIN's institutional capabilities, helping to share access to this important scientific data and information.

With every best wish, on behalf of EuroMAB, I am,

Sincerely,

ROGER E. SOLES,
Executive Director, U.S. MAB.

UNIVERSITY OF CALIFORNIA, BERKELEY,

Berkeley, CA, September 14, 1993.

Senator DIANNE FEINSTEIN,

331 Hart S.O.B., Washington, DC.

DEAR SENATOR FEINSTEIN, In my capacity as Project Director for the "Presidio Consortium on Global Change" (see attached materials), I feel compelled to provide you with some important information in your capacity as a member of the Committee on Appropriations. I understand that funding for the Consortium for International Earth Science Information Network (CIESIN) is now before the Committee. Let me state quite clearly that CIESIN forms a critical part of the planning for the Presidio Consortium and its future. The thirteen world-class Bay Area institutions that have decided to pool their global environmental change teaching and research resources through a facility to be based at the Presidio of San Francisco are generally concerned about improving efficiency and performance. Our ability to bring specialists together in unprecedented ways to advance our knowledge of the scientific and human dimensions of global change must occur at two levels. The Presidio allows us to meet the first objective by bringing our own specialists together. CIESIN is of fundamental importance because it represents the only avenue for our members to interface with the growing human dimensions research community. The value added by the Presidio Consortium will be reduced significantly if we fail to form strong communications linkages with other leading research groups.

As you are no doubt aware, CIESIN adds tremendous value at limited cost by providing two indispensible services. It not only acts as a network to add value by allowing important new collaborations but, more importantly, it will translate the enormous amount of scientific data being produced by NASA and other members of the U.S. Global Change Research Program (USGCRP) into a format that allows the social science community to make critical contributions to our responses to the human dimensions of global change. I urge you to continue supporting CIESIN at a level that will allow the U.S. global change community to make the scientific contributions necessary for our nation to make sound judgments about the difficult strategies to combat global environmental change.

Most respectfully,

MICHAEL R. MOLITOR, Ph.D.

Ms. MIKULSKI. Mr. President, all three amendments have been cleared. The bill remains within those 602(b) allocations, and I urge their adoption.

The PRESIDING OFFICER. Without objection, the amendments are agreed to en bloc.

So the amendments (Nos. 922, 923, and 924) were agreed to.

Ms. MIKULSKI. Mr. President, I understand that there is one remaining committee amendment; is that correct?

The PRESIDING OFFICER. The Senator from Maryland is correct.

COMMITTEE AMENDMENT ON PAGE 69, LINE 17 THROUGH PAGE 71, LINE 4

The PRESIDING OFFICER. The question is agreeing on the committee amendment on page 69, line 17 through page 71, line 4, as amended.

The committee amendment, as amended, was agreed to.

Ms. MIKULSKI. Mr. President, I move to reconsider the vote by which the committee amendment was agreed to, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

PRIVILEGE OF THE FLOOR

Ms. MIKULSKI. Mr. President, I know of no further amendments, but as we move to the concluding moments of this debate, I ask unanimous consent that Martin Gensler, a congressional fellow, be granted privilege of the floor for the consideration of the last 30 seconds of this bill.

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

Mr. GORTON. Mr. President, I have spoken on the floor many times about the difficult economic situation which timber communities in Washington State are facing as a result of timber set asides and short supply. Today, I would like to educate the Senate on another hit which the timber community of Port Angeles and Cosmopolis, WA, are anticipating because of a proposed rulemaking by the Environmental Protection Agency which is currently pending review at the Office of Management and Budget.

The proposed EPA rulemaking would dramatically impact timber communities in my State. EPA is in the process of issuing effluent guidelines for the pulp and paper industry. Within these guidelines is a subcategory for dissolving sulfite pulp mills. And within this subcategory, EPA has proposed, I am told, totally chlorine free technology. This technology is being used in an Austrian mill which makes a product entirely different from that which is produced by United States dissolving sulfite mills. This Austrian mill is producing a low-end grade of rayon, while in contrast, domestic dissolving sulfite mills produce a high-grade product which cannot be produced without chlorine. Herein lies the problem.

Essentially, EPA is comparing apples to oranges. And the current EPA proposal, I am told, would result in the closing of U.S. dissolving sulfite mills because current technology would not be acceptable.

Mr. President, I see the Senators from Georgia on the floor and know that both share an interest in this issue. Would they care to add to this discussion?

Mr. COVERDELL. The Senator from Washington is not alone in his frustration with the proposed EPA rulemaking on dissolving sulfite mills. An ITT mill in Jesup, GA, faces the same plight of the Washington mills. I would like to echo the concerns which have been raised by the Senator and pledge to work with him on a speedy resolution to this issue.

Mr. GORTON. I would be happy to work with the junior Senator from Georgia.

As the Senator is undoubtedly aware, many have argued that dissolving sulfite mills should not worry about the EPA proposed rulemaking, because, after all, it is only a proposal. But because the proposal, as it currently stands, does not mention any alternative to totally chlorine free technology for dissolving sulfite pulp mills, EPA cannot consider any such alternative to TCF in its final rule.

This is disturbing for me to consider because I have a great many friends in Port Angeles and Cosmopolis who work in the dissolving pulp mill there. I would hate to see the implementation of a rulemaking on technology which cannot be implemented because it is too costly, and because it will not enable the mill to produce its same end

product if imposed upon dissolving sulfite mills throughout the United States. I am told that should this rulemaking come to be, that the Port Angeles mill and its 400 employees would no longer be employed, because this mill would shut down. Further the Weyerhaeuser mill in Cosmopolis would also be impacted.

Ms. MIKULSKI. I wonder if the Senator from Washington would yield to the Senator from Maryland?

Mr. GORTON. The Senator would be happy to yield.

Ms. MIKULSKI. I have listened to the Senators outline this problem and would be happy to try to assist the Senators on this issue.

Mr. NUNN. As the chairwoman of the VA-HUD Subcommittee, would the Senator from Maryland consider assisting the Senators from Washington and from Georgia in soliciting information from EPA on the economic feasibility of the implementation of the TCF technology which is proposed within the rulemaking we have discussed here today. Could the Senator from Maryland assist us in this effort?

Ms. MIKULSKI. The Senator from Maryland would be happy to assist the Senators in this effort.

Mr. NUNN. Mr. President, I share the concerns raised by the senior Senator from Washington and the junior Senator from Georgia. I am hopeful that officials within the Office of Management and Budget and the Environmental Protection Agency will consider the issues discussed today as they review this proposed EPA rulemaking. I also hope they keep in mind comments President Clinton and Vice President GORE have made regarding environmental policy. They believe, as I do, that you can have environmental policies that are both proenvironment projobs and probusiness. These do not have to be mutually exclusive. I am hopeful that OMB and EPA will reach a conclusion on this matter that will take the necessary steps to preserve our environment while considering the economic feasibility of the proposed rulemaking on the timber industry.

Mr. GORTON. If the Senator would yield, I would like to recommend four specific questions for EPA to answer—specifically: First, is the best available technology which is proposed for our dissolving sulfite mills economically achievable? Second, if this technology were implemented would our dissolving sulfite mills be able to produce the same, identical high grade end product which they currently produce? Third, how much would it cost the basic dissolving sulfite mill to implement this technology—using generic or general cost estimates? Fourth, has EPA taken economic factors into consideration in the development of this proposed rulemaking? Specifically, has EPA considered the devastating effects which the possible closure of a dissolving sulfite mill would have upon the local economy of Port Angeles and Cosmopolis, WA, or Jesup, GA?

Ms. MIKULSKI. The Senator has proposed some questions which merit serious consideration by the Agency. I would recommend that the EPA furnish the committee with a report with their findings on the questions outlined by the Senator from Washington no later than October 6, 1993.

Mr. GORTON. The chairwoman, as is her custom, has been most helpful and I sincerely appreciate her efforts on this issue.

Mr. COVERDELL. I, too, would like to thank the Senator from Maryland for her gracious consideration of our request.

Mr. NUNN. I thank the Senator from Maryland for her assistance in this matter.

MANDATED SET-ASIDE GOALS

Mr. BOND. Mr. President, I am concerned about a problem that has arisen at NASA. Last year, NASA, in a well-intentioned effort to meet its mandated small business set-aside goal, designated the operating contract at the Lewis Research Center as an 8(a) set-aside. That operating contract was valued at several hundred million dollars and represented more than 500 jobs. There are now indications that NASA is considering setting aside the operating contract at the Marshall Space Center, as well, and that other centers might follows.

I understand the goal behind setting aside the operating contract at Lewis—NASA was simply trying to meet its small business mandates more quickly. I am concerned, however, that using these large operating contracts as a way of quickly fulfilling small business contracting mandates will have unintended consequences.

First of all, any small business winning an operating contract like the one at Lewis will not be small for long. It is simply too big a job, involving more than 500 people, and the winner of that contract is going to become a big business instantly.

Second, using the operating contracts as the major means of expanding small and disadvantaged business contracting is likely to have an inordinate impact on a very small number of businesses. For example, the operating contract at Lewis was held by the Sverdrup Corp. Sverdrup also holds the operating contract at Marshall and at other space centers. Relying solely on operating contracts to meet small business contracting mandates would nearly drive Sverdrup out of the space business. I understand that is the case, as well, for a few other similarly situated firms.

Third, I am concerned that using the operating contracts as the major means of meeting the mandates will have a negative impact on many small and disadvantaged businesses. Looking at the Marshall Space Center, for example, one sees that Sverdrup has committed approximately 30 percent of its prime contract to small and disadvantaged businesses, and is actively pursuing mentoring programs. The firms that are participating in these contracts would lose out if the contract at Marshall is set aside.

Mr. President, I certainly share the goal of seeing more Government work go to small and disadvantaged businesses. As a senior member of the Small Business Committee, I am acutely aware of the importance of the Small Business Committee, I am acutely aware of the importance of working to ensure more participation of small firms. However, I believe it is important that it be done in a way that not harm NASA's existing contractor support network, an irreplaceable asset.

I believe NASA should develop a plan—a systematic approach to achieving the mandated small business utilization goal, and it directs NASA to consult with us as it works to achieve that goal, and specifically, to consult with us regarding contracts for scientific, engineering, technical, administrative, and related services contracts at NASA's various centers. The current system simply is not working. We have contractors spending huge sums of money to bid on contracts only to find out at the last minute that they are no longer qualified bidders because the contract has been set aside. That just doesn't make sense.

I believe it not only makes sense, but also fits in well with the committee's statement that in downsizing NASA's existing support contractor base, there should be a spirit of shared sacrifice.

Ms. MIKULSKI. I share the concern of my colleague from Missouri that NASA needs to develop a comprehensive plan for achieving its mandated small and disadvantaged business utilization goals. The current system simply is not working, with the result that we are seeing many problems like the one cited here by Senator BOND.

Despite my sympathy for his views, however, I will have to oppose an amendment because it would represent legislation on an appropriations bill.

Let me say, however, that I am willing to work with him to address his concerns on this issue. I strongly support NASA's efforts to meet its small and disadvantaged business utilization mandates, but I think we need to ensure that those goals are being met in a way that does not harm existing NASA contractors, large or small. So I will work with the Senator to ensure that NASA addresses the concerns he has raised; and, specifically, that they work to enact a responsible utilization plan using input from NASA's Minority Business Resource Advisory Committee and affected contractors like Sverdrup, and that they consult with our subcommittee in developing that plan. In

addition, I will express my concern to NASA that any continuing plans to set aside the operating contracts for the various centers, such as Lewis and Marshall, may not be in NASA's best interest, and ask that they consult with the subcommittee before going forward with further set-asides.

Mr. BOND. I thank the chairwoman for her expression of support for this issue and I look forward to working with her to address the concerns I have raised. With the assurances that have been given to me by the Senator, I ask unanimous consent to withdraw my amendment.

NATIONAL ENVIRONMENTAL WASTE TECHNOLOGY TESTING AND EVALUATION CENTER

Mr. BAUCUS. I would like to thank the Chair and express my appreciation for this bill and the hard work which it represents, and I would like to bring the Chair's attention to the National Environmental Waste Technology Testing and Evaluation Center [NEWTTEC] and its Mine Waste Technology Pilot Program [MWTPP].

The Mine Waste Pilot Program is a critical and exciting initiative within the Environmental Protection Agency to develop and provide on-site testing of technologies that will either prevent future releases of mine wastes or remediate existing sites. Although this program is less than 1 year from inception, it is quickly gaining enthusiastic support from EPA, the Department of Energy, the technical community, national laboratories, environmental groups, State regulators, and the public at large.

The Mine Waste Pilot Program has received funding from EPA in previous years, and it is my understanding that funding was not included in fiscal year 1994 because the initiative has not been authorized.

Ms. MIKULSKI. Senator BAUCUS is correct. The committee has taken great steps to fund only those programs that have been previously authorized, and the Mine Waste Pilot Program, regardless of its achievements, has not been previously authorized.

Mr. BAUCUS. The Chair is aware that the Environment and Public Works Committee is currently working on legislation, the National Environmental Technology Act, that addresses just this type of environmental technology development. I want to clarify with the Chair that the exclusion of NEWTTEC's Mine Waste Pilot Program in the VA/HUD and independent agencies bill is not a reflection of the committee's view of their efforts.

Ms. MIKULSKI. The committee is aware of the progress being made with the Mine Waste Pilot Program and the lack of funding in this bill is in no way a reflection of the program's merit. On the contrary, we are well aware of this program and look forward to working with the Senator from Montana to forward our shared objectives of addressing the remediation of mine waste throughout the country.

Mr. BAUCUS. I thank the Chair. NEWTTEC and the Mine Waste Pilot Program have demonstrated good innovation and solid technical support. We appreciate the support of the Chair and the Committee.

THE TUNNEL AND RESERVOIR SYSTEM

Ms. MOSELEY-BRAUN. Mr. President, as we consider the fiscal year 1994 VA, HUD, and independent agencies appropriations bill, I would like to call the attention of my colleagues to a unique flooding problem that plagues the city of Chicago and its surrounding suburbs, and to ask that $25 million be provided to complete 9 miles of a flood control tunnel that is critical to solving this problem.

In early June of this year, approximately 45 billion gallons of rain fell in Chicago over a 2-day period. The subsequent flooding from this massive thunderstorm resulted in nearly one billion dollars' worth of damage to Cook and Du Page Counties, the death of three people, and disruptions of Interstate 55, and the Dan Ryan and Stevenson expressways. Rainwater and raw sewage backed up into the basements of nearly 500,000 homes, creating serious public health problems. These type of flooding emergencies will continue to plague the city of Chicago until an integral system of tunnels and reservoirs are brought fully on line. This system is known as the tunnel and reservoir plan [TARP], an initiative of the metropolitan water district of Greater Chicago.

TARP is a network of underground tunnels and reservoirs designed as an outlet for sewage and floodwaters during large thunderstorms. For almost two decades, the TARP system has slowly grown, gradually improving flood prevention system in Chicago. Without TARP, local sewage and rainwater drainage would have nowhere to go when large storms hit the area.

Already, TARP has greatly reduced polluted backflows into Lake Michigan, and to the amazement of many, has markedly improved the water quality of the Chicago River, a feat thought to be impossible a decade ago. Although TARP is largely complete, funds are still needed to finish the system. The urgency of bringing this system online was exemplified during the recent Chicago floods, when TARP tunnels held nearly 1.5 billion gallons of the total rainfall before quickly filling to capacity.

Chicago desperately needs additional capacity to stop this flooding. Without TARP, Chicago will continue to experience serious economic and health hazards from flooding.

Therefore, during conference consideration of the fiscal year 1994 VA, HUD, and independent agencies appropriations bill, I ask the distinguished Senator from Maryland to include $25 million to complete the final 9 miles of the Des Plaines system tunnel.

Ms. MIKULSKI. I thank the Senator from Illinois for her comments regarding the Des Plaines system tunnel. Regrettably, the EPA has advised me that there is no specific authorization for appropriations for this request. As you know, I made an agreement with my House counterpart, Chairman LOU STOKES, not to fund unauthorized programs. Given the pending consideration of the Clean Water Act this year, I urge the Senator from Illinois to obtain the necessary authorization through the Environment and Public Works Committee. Once this project is authorized, I can assure my distinguished colleague that I will give high priority to reprogramming fiscal year 1994 funds for her request.

HOPE VI

Mr. SIMON. Mr. President, I want to thank the chair of the VA/HUD Appropriations Subcommittee. The committee's recommendation of $803,240,000 for grants for the revitalization of severely distressed public housing is to be commended.

This is $503,240,000 above the 1993 level. This program HOPE VI, greatly needs increased funding to revitalize severely distressed public housing developments in a number of cities. In Chicago, it will affect the Cabrini-Green project, which, as you know, desperately needs help in improving conditions for residents of the project and for the economic development of the community.

A request for HUD funding under the HOPE VI program for fiscal year 1993 for the Cabrini-Green project was rejected. I know the Senator from Maryland has had a similar situation in Baltimore. This grant recommendation is encouraging to Chicago and Baltimore, and to a number of other cities across the country, and we are grateful for the committee's action.

Ms. MIKULSKI. Mr. President, I want to thank the senior Senator from Illinois. There is a compelling need for increased funding for this program. The committee's initial allocation of $300,000,000 provided in 1993 has received great response from cities around the country. We are pleased to recommend the increased appropriation for this very worthwhile program—for Chicago, for Baltimore, and for many other cities.

INDIAN HOUSING

Mr. DASCHLE. Mr. President, I would like to engage the distinguished chair of the VA/HUD Appropriations Subcommittee, Senator MIKULSKI, in a colloquy on a matter related to Indian housing. As the Senator is aware, I have for a number of years supported efforts to address the serious shortage of housing on our Nation's Indian reservations, and I commend the chair for this year's level of funding at $268 million, which will provide an estimated

2,838 Indian housing units. Her support for this program over the years has been instrumental in the effort to address this serious problem.

On a related matter, I would urge the chair to review closely in conference and support funding for an Indian Housing Loan Guarantee Program included in the House bill.

This program provides a 100 percent Federal guarantee on loans, made through private lenders to Indian families, for the purchase, rehabilitation or construction of a home on Indian trust lands. The trust status of tribal land has made lenders unwilling to make loans for homes on that land. This program addresses lenders' concerns by providing them with a 100 percent guarantee on their loans, and keeps the trust status of the land intact by providing that the Federal Government will only liquidate foreclosed properties by selling them to a member of the tribe, the tribe itself, or the Indian housing authority where the tribal land is located.

The House-passed version of the VA/HUD/Independent Agencies appropriations bill includes $2 million to capitalize the program. Secretary Cisneros has expressed support for the program and has indicated that a $2 million appropriation will allow $50 million in loan guarantees to be made.

This program has been authorized through fiscal year 1994. If we do not fund it this year, the program will likely die. I urge the chair and the Senate conferees to support this House-passed provision in conference.

Ms. MIKULSKI. Mr. President, I can assure the Senator from South Dakota that the Indian Housing Loan Guarantee Program will get every possible consideration in conference.

THE BERKELEY PIT

Mr. BURNS. Mr. President, as Chairman MIKULSKI knows, the Berkeley Pit in Butte, MT, is our Nation's largest Superfund site. This old copper mine which is an open pit with hundreds of miles of tunnels underneath, is filling up with water at a rate of 9 million gallons a day. This water is contaminated with dangerous mine wastes, such as arsenic.

However, the Berkeley Pit is not only a Montana problem. Butte is a part of the area which serves as the headwaters of the Columbia River system. If the polluted water rises above the pit this problem won't stay in Montana, the polluted water will flow all the way down the Columbia to Portland, OR.

The cleanup of this site has been a long process for the community of Butte. Montanans have not received a dollars' worth of cleanup for every dollar spent. The EPA continues to study this site; instead, I urge the Environmental Protection Agency to move quickly in the cleanup of the Berkeley Pit.

I would like for EPA Administrator Browner to come to Butte and tour the Berkeley Pit herself. Action on this site is needed now. The longer we wait for cleanup, the larger the threat to the Columbia River system becomes.

Ms. MIKULSKI. My colleague from Montana, Senator BURNS, is correct. The cleanup of the Berkeley Pit is long overdue. I would encourage Administrator Browner to go to Butte, MT, and see this site for herself. I did so and found it to be an appalling situation.

THUNDER CHILD TREATMENT CENTER

Mr. BAUCUS. Mr. President, I would like to thank the Chair, and I would like to bring to the Chair's attention the critical needs of the Thunder Child Treatment Center in Sheridan, WY.

The Thunder Child Treatment Center is owned and operated by a Wyoming-based nonprofit corporation, the Intertribal Addictions Recovery Organization, Inc. The center provides critically needed residential substance abuse treatment to Native Americans residing in Wyoming and Montana. My colleague from Montana, Senator BURNS, and our colleague from Wyoming, Senator SIMPSON, have been working with me on an effort to secure a final $1 million in funding for this important center.

Ms. MIKULSKI. The committee has been made aware of the needs of the Thunder Child Center in Wyoming. However, it is my understanding that this project is not authorized under the jurisdiction of the VA-HUD-independent agencies bill.

Mr. SIMPSON. The Chair is correct; however, Thunder Child was authorized to receive $2 million in Federal matching funds under the Indian Health Service Amendments of 1992. The Chair generously assisted with funding the Center at $1 million last year. That was accomplished by a special purpose grant within the jurisdiction of the VA-HUD Appropriations Subcommittee. We understand that this type of special purpose grant may not be available this year because of tight budget constraints, but we ask the Chair's help in identifying a funding source.

Ms. MIKULSKI. The committee is aware of the funding history and needs of the center, and although I think we have a difficult fight ahead, I pledge to do all I can to assist the Senators from Montana and Wyoming to identify a funding source for the $1 million balance required for Thunder Child. Further, I offer my personal assistance in obtaining these funds by writing to Secretary Cisneros about the merits of the Thunder Child Treatment Center in regard to the special purpose grants within the Community Development Block Grant Program.

Mr. BURNS. As the Chair knows, there is need for funding of substance abuse centers for native Americans in our region. I raised this issue during the subcommittee markup. The Chair should know that the Thunder Child Treatment Center has an astounding 95-percent completion rate compared to 37-percent completion rate found at nonnative specific centers.

While the center is in Wyoming, the State of Montana has a great interest in the facility since the seven tribes within the State depend on the Thunder Child Center. This facility has provided native Americans from Montana with assistance to overcome dependencies. The center has a critical need for an additional $1 million to complete construction.

As Senators who represent constituents served by the center, we believe it merits funding pursuant to the language included in the Indian Health Service Amendments of 1992, Public Law 102-573. Thunder Child provides an invaluable service to native Americans in this region. Providing this final round of funding will ensure that necessary service delivery is not interrupted.

Mr. BAUCUS. We appreciate the support of the Chair and the committee.

SOUTH VALLEY WASTEWATER TREATMENT NEEDS

Mr. BINGAMAN. Mr. President, I am extremely concerned about the wastewater treatment problems of the South Valley in Bernalillo County, NM, a small, unincorporated community along the Rio Grande. This is a community which I brought to the attention of Congress on August 4, 1993, when I testified before the Senate Environment and Public Works Committee on serious wastewater treatment needs.

It is a semirural community of 4,100 households experiencing recent growth. Original homes were constructed with onsite water wells and septic tanks. However, increasing density, a combination of soil characteristics, and a very shallow water table now makes this area susceptible to groundwater contamination, thereby contaminating the drinking water. In the past, the Governor has had to call in the National Guard to provide clean drinking water when problems existed within the area.

South Valley lacks the tax base and governmental structure for funding the needed infrastructure improvements. It faces high system costs per household because of its relatively small population, a high percentage of residents with lower incomes, and lack of access to existing Federal rural water grants due to its size. The State of New Mexico recognizes the plight of this community and is already contributing to finding solutions to the problem. However, State and local funds cannot meet all needs. I believe that the Clean Water Act should be amended to include a grant program to help the South Valley and similar communities.

I appreciate the subcommittee's intent not to fund any site specific

projects in the bill unless they are specifically authorized by law. However, because of the serious nature of this situation, I ask, if the Chair agrees, that the authorizing committees should give serious consideration to communities such as the South Valley, so that EPA or HUD may ultimately allocate funds to them?

Ms. MIKULSKI. I agree.

Mr. BINGAMAN. Mr. President, there is a continuing problem in hundreds of communities with inadequate wastewater treatment. These are communities where documented health and environmental problems exist, but the inhabitants lack the resources to provide this most basic of services.

Some of the most serious problems exist in communities known as colonias. These are generally unincorporated communities which have sprung up along the United States-Mexico border adjacent to towns and cities. They are characterized by substandard housing, inadequate roads and drainage, and inadequate infrastructure, if any exists at all. In many of these colonias, drinking water is obtained by hauling it from buckets from a neighbor's house or running a garden hose from one house to the next. There is great concern about basic health threats such as cholera, dysentery, and gastrointestinal illnesses from untreated or poorly treated wastes.

The Environmental Protection Agency agrees with the need to help the colonias and asked that Congress appropriate funds to EPA to help construct needed infrastructure. During a meeting that I recently held dealing with environmental problems of the Rio Grande and the border area, EPA Administrator Carol Browner reiterated her concern over the colonias and the need to help them find adequate wastewater treatment.

I understand that the committee has directed that only authorized projects are to be funded. The committee included $500 million for wastewater grants in special needs areas, contingent upon authorization. Does the distinguished Senator from Maryland agree that EPA should provide funding for the colonias through its wastewater treatment grants program, once authorized and approved by the Appropriations Committee?

Ms. MIKULSKI. I agree.

Mr. DOMENICI. Mr. President, the Senate is now considering H.R. 2491, the VA-HUD Independent Agencies Appropriations bill for fiscal year 1994.

One of the major agencies funded in the bill is the Environmental Protection Agency [EPA] for which the Appropriations Committee had provided $6.7 billion for fiscal year 1994.

As part of its recommendation for EPA, the Senate subcommittee has set-aside $500 million within EPA's water infrastructure/State revolving fund program to be available after May 31, 1994, for grants to cities with special needs.

There are three very important projects in my home State of New Mexico, which I hope will receive some of this funding, which has also been approved by the House. These projects are the South Valley project in Bernalillo County, colonias along the Southwest border, and infrastructure requirements at the Dona Ana County Airport in southern New Mexico.

SOUTH VALLEY

Mr. President, for more than 60 years, the residents of the South Valley, an unincorporated area of Bernalillo County adjacent to Albuquerque, have been threatened by groundwater contamination resulting from septic tank usage.

This year, I requested $3.5 million to continue the planning, design, and construction of facilities to clean up this serious problem. The South Valley project will demonstrate the use of a variety of technologies to remedy groundwater contamination and project public health.

Substantial State and local funds are already being employed to address these problems. I sought a federal contribution of $3.5 million so that the most severely polluted area could be addressed this year.

The South Valley in New Mexico is a community with special needs. I will be seeking authorization for assistance to the South Valley during the process to reauthorize the Clean Water Act. I hope my colleagues will lend their support to this extremely important project.

COLONIAS

Mr. President, our border with Mexico is under intense pressure from the rapidly expanding relationship with our southern neighbor. The tripling of trade with Mexico has placed significant demands on border infrastructure.

Whether a North American Free-Trade Agreement [NAFTA] passes or not, this trend is going to continue for the foreseeable future, placing serious burdens on some of the poorest communities in our Nation.

I am very concerned about the plight of Americans now living in these colonias along the border. These unincorporated settlements generally have only the most rudimentary sanitary facilities, creating substantial health hazards for their residents and environmental hazards to more adequately served communities downstream.

Last year, I introduced an amendment during the Appropriations Committee markup of this bill to provide $10 million requested by the administration to assist Colonias in New Mexico address these serious problems. That funding was signed into law and is having a significant impact on some of these communities.

I was extremely pleased to see the administration request an additional $10 million for New Mexico in this year's EPA budget. However, as my colleagues may recall, these funds were stricken from the House version of the bill with the argument that this activity was not specifically authorized.

Funding for the Colonias along the Southwest border may now become available through the $500 million set-aside for communities with special needs.

Mr. President, these Colonias desperately need help. I have introduced legislation to authorize assistance to Colonias. I will press for the enactment of that bill, and for the full funding of the $10 million proposed for New Mexico Colonias.

DONA ANA COUNTY

Mr. President, there is yet a third serious water and waste water situation in New Mexico. Lack of available services in southern Dona Ana County presents a major obstacle to development in the region along the southwestern border, which is also experiencing increased commerce.

Indeed, the increase of migratory populations has put an even greater strain on the already limited infrastructure in place.

Engineering assessments of the area point out that the situation is so critical that not only is there insufficient service for economic growth, there are inadequate utilities to meet fire flow standards to meet insurance service organization standards.

In order to break this cycle of inadequate resources to support development, I will also seek congressional authorization for $4.7 million to support the establishment of water and waste water facilities in the area adjacent to the Dona Ana County Airport.

As with the South Valley project and the Colonias, this area has special needs that are not being met by existing programs. I will seek authorization for these priority projects at every step of the legislative process, and I will prevail upon my appropriations colleagues to fund these important wastewater treatment initiatives out of the $500 million in this bill for communities with special needs.

I thank the distinguished subcommittee chairman and ranking member for their concern and assistance on these important matters.

DRIED HOPS

Mr. HATFIELD Mr. President, I wish to inquire of the distinguished chair of the VA-HUD Subcommittee about a provision in the fiscal year 1994 VA-HUD appropriations bill relating to EPA's classification of dried hops under the Federal Food, Drug and Cosmetic Act. This is an issue that a number of committee members have pursued for some time. The Senator from Maryland has shown great leadership in bringing this issue before the subcommittee and raising it with EPA.

Could the Senator from Maryland clarify the Appropriations Committee's expectation with respect to the hops provision included in the bill?

Ms. MIKULSKI. It is the expectation of the committee that EPA will proceed expeditiously to properly classify dried hops as a raw agricultural commodity under the Federal Food, Drug and Cosmetic Act.

Mr. HATFIELD. To inquire further, is it committee's expectation that EPA should proceed to accomplish this classification of dried hops using its administrative authority or is EPA required to accomplish this result through a notice and comment rulemaking pursuant to the Administrative Procedures Act?

Ms. MIKULSKI. It is the belief of the committee that EPA possesses the administrative authority to classify dried hops as a raw agricultural commodity under the Food, Drug and Cosmetic Act. Further, the committee expects that EPA will proceed in this fashion, and not under an APA notice and comment rulemaking.

Mr. HATFIELD. I thank the Senator from Maryland for her characteristic graciousness in resolving this issue that has been a source of great frustration for hop growers and purchasers. I am greatly reassured by the words of the Senator from Maryland and look forward to the resolution of this issue.

HOP GROWERS

Mr. GORTON. Mr. President, I would like to thank the Senator from Maryland for working with this Senator, and Senators HATFIELD, BOND, and MURRAY on an issue which is extremely important to hop growers in Washington and Oregon. As the Senator from Maryland is well aware, hop growers have been working hard for the past 8 years to have their commodity reclassified from a processed agricultural commodity to a raw agricultural commodity.

After 8 years of frustrating results with an administration of my own party, the language included within the fiscal year 1994 VA-HUD and independent agencies appropriations bill will effectively end the frustration of hop growers on this issue.

As the Senator from Maryland knows, on this issue, hop growers have both science and the facts on their side. Hops, whether fresh or dried, are not a food and do not represent a public health threat. In addition, dried hops, which are used exclusively as a flavoring agent in the preparation of beer, undergo a process in the preparation of beer that effectively eliminates any threat pesticides may represent in human consumption.

The Senator from Maryland has been extremely helpful in bringing to the attention of the EPA the seriousness of this issue for hop growers. Would the Senator agree that the language included within the fiscal year 1994 VA-HUD appropriations bill serves to direct the EPA to use its administrative authority to reclassify hops from a processed agricultural commodity to that of a raw agricultural commodity?

Ms. MIKULSKI. The Senator is correct. The intended outcome of the language which was included within the fiscal year 1994 VA-HUD appropriation bill which states: "None of the funds provided for in this act may be used within the Environmental Protection Agency during any period of fiscal year 1994 to classify or conduct any activities resulting from the classification of hops as a processed commodity for the purposes of administering regulations pursuant to the FFDCA and FIFRA," is for EPA to use its administrative authority to reclassify hops as a raw agricultural commodity.

Mr. GORTON. I would like to thank the Senator from Maryland for her assistance in this matter and clarifying the intent of the language which was included within the fiscal year 1994 VA-HUD appropriations bill.

AIR QUALITY STUDY FUNDING

Mr. GORTON. Mr. President, would the Senator from Maryland yield for a question?

Ms. MIKULSKI. The Senator would be happy to yield.

Mr. GORTON. Included within the EPA portion of the Senate VA-HUD appropriations report is $2 million in funding for air quality studies authorized under section 103 of the Clean Air Act.

As you may know, PM-10—particulate matter—is a serious air quality problem in Washington State and the Pacific Northwest. In my State three different metropolitan areas are faced with the threat of being labeled "serious" for PM-10 nonattainment. Because of the seriousness of the PM-10 problem for Washington State, EPA region 10, Soil Conservation Service, Washington State University, and State and local officials have put together a proposal to study the origins of PM-10 in order to work toward compliance with the Clean Air Act.

EPA region 10 and the Washington State Department of Ecology have each contributed money toward the PM-10 study, but more is needed. USDA's Cooperative State Research Service will soon provide some funds as well.

Would PM-10 air quality studies, such as the ongoing study in Washington State, be eligible for the funding from the funding set-aside for air quality studies authorized under section 103 of the Clean Air Act within the fiscal year 1994 VA-HUD bill?

Ms. MIKULSKI. The Senator from Washington asks a very good question, and the answer is yes. Air quality studies on PM-10, such as Washington State's, would be eligible to compete for the $2 million in funding set-aside within this bill for air quality studies authorized under section 103 of the Clean Air Act.

Mr. GORTON. I thank the Senator from Maryland.

OZONE TREATMENT IN HOWARD AVENUE PLANT, MILWAUKEE

Mr. KOHL. Mr. President, this past spring, the city of Milwaukee experienced an outbreak of cryptosporidium in its drinking water supply, which caused hundreds of thousands of citizens to experience severe flu-like symptoms, and resulted in the deaths of several citizens.

In that context, I had requested funding through the fiscal year 1994, VA, HUD, appropriations bill, to install ozone treatment in Howard Avenue plant in Milwaukee, in order to assure that any future cryptosporidia present in the intake water would be fully treated before it reached the homes of Milwaukee citizens.

Ms. MIKULSKI. I certainly understand the concern of the Senator from Wisconsin about the drinking water problems that Milwaukee has experienced, and I share those concerns. I agree that there is a great need for drinking water infrastructure funding to address that problem.

I regret that I was not able to honor the Senator's request for funding to install the ozone treatment process at the Howard Street plant. The subcommittee enforced a strict policy that no project or program would receive funding it was not previously authorized. However, the fiscal year 1994 VA, HUD, appropriation bill does include $599 million for a drinking water revolving fund. That funding is in the form of a placeholder, meaning that the funding will be provided only if an authorization for that program is enacted. I know that the Senator from Wisconsin is a strong supporter for this program as well.

Mr. KOHL. I appreciate the efforts of the Senator from Maryland to include funding for the drinking water revolving fund, and I am a supporter of that program. I look forward to working toward an authorization for that program through the Environment and Public Works Committee.

It is also my intention to work with the Environment and Public Works Committee to explicitly authorize funding to address the Milwaukee drinking water problem.

I would ask the Senator from Maryland, if there is such an authorization for ozonation treatment for Milwaukee, would she give greater consideration to providing funding for that project?

Ms. MIKULSKI. I would assure the Senator from Wisconsin that I will give my full consideration to funding Milwaukee's drinking water project, in the event that it becomes authorized.

Mr. KOHL. I thank the Senator, and I look forward to working with her on this issue in the future.

EARTH RESOURCES OBSERVATION SYSTEM

Mr. PRESSLER. Mr. President, H.R. 2491, legislation making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and independent agencies for fiscal year 1994, provides funding for an important Mission to Planet Earth Program—the Earth observing system data information system [EOSDIS]. The Earth Resources Observation System [EROS] Data Center outside Sioux Falls, SD, will play a key role in the EOSDIS Program as the data active archive center [DAAC] for land processes.

Mr. President, I see the distinguished chair of the VA, HUD Appropriations Subcommittee on the floor and would like to discuss briefly with her a reference in the committee report to H.R. 2491, which could affect the EROS Data Center. But first, I would like to yield to my distinguished colleague from South Dakota, Senator DASCHLE. He and I are justifiably proud of the EROS Data Center. For 20 years, it has been the Nation's primary center for managing and distributing land remote sensing data. Last year, Congress recognized the value of the EROS data archive when it adopted the Land Remote Sensing Policy Act of 1992, which designates EROS as the National Satellite Remote Sensing Data Archive. The EROS Data Center's partnership with the National Aeronautics and Space Administration [(NASA] in the EOSDIS program will increase substantially its data handling responsibilities.

Mr. DASCHLE. Mr. President, I join the senior Senator from South Dakota in praising the work of the scientists, engineers, and technicians who are involved in data management, systems development, and research in support of Earth science investigation at the EROS Data Center. As part of the EOSDIS Program, EROS personnel will be responsible for the final processing, archiving, and distribution of all land-related data obtained from EOS space platforms. The EROS Data Center, a U.S. Geological Survey [USGS] facility, presently lacks adequate space to handle the vast amounts of data processing and archiving associated with the EOSDIS Program.

To ensure adequate space for EOSDIS responsibilities, the USGS and NASA agreed that a building addition was needed at the EROS Data Center. As a result of the efforts of the entire South Dakota congressional delegation, the Department of the Interior Appropriations legislation for fiscal year 1994 includes funding for the EROS expansion. The Clinton administration originally included $12.6 million for the EROS expansion in its budget request. Due to budget constraints, USGS worked with the House and Senate Appropriations Committees to secure a reduced, but adequate, level of funding. H.R. 2520, as passed by the House and the Senate, provides $5 million for fiscal year 1994 to USGS and authority to construct a $9 million facility. The remaining $4 million would be included in the Department of the Interior's appropriations bill for fiscal year 1995.

Mr. President, I join Senator PRESSLER in seeking clarification of a statement in the committee report.

Mr. PRESSLER. Mr. President, permit me to explain this clarification. On page 152 of Senate Report 103-137, the Committee makes clear its intention that no NASA funds are to be used for non-NASA facilities, including reimbursement of construction costs through annual DAAC operation budgets. Bill language has been included to guarantee compliance. In addition, all prior interagency agreements that would have permitted this are considered null and void, including that of NASA and USGS dated December 3, 1992.

This memorandum of understanding [MOU] between NASA and USGS sets forth their agreement for participation in EOSDIS. It is the understanding of the South Dakota delegation that this language is not intended to threaten that relationship. Rather, it merely voids those portions of the MOU referring to a previously proposed lease purchase arrangement for building the addition. The current plan provides that Department of the Interior funds will cover the entire $9 million cost of construction. Would the Senator from Maryland agree that this is entirely consistent with the Committee's intent that construction costs should be borne by the non-NASA agencies themselves?

Ms. MIKULSKI. The distinguished senior Senator from South Dakota is correct. The committee has reported legislation providing full funding for operation of all the DAAC's, including the DAAC for land processes at the EROS Data Center. The committee supports the efforts by NASA and the USGS to work together on the operation of the DAAC facilities. I recognize and commend the leadership of both Senator PRESSLER and Senator DASCHLE on behalf of the EROS Data Center. The Committee simply wants to make clear that DAAC operation funds cannot be used to recoup construction costs.

Mr. DASCHLE. Mr. President, I thank the distinguished chair of the VA, HUD Appropriations Subcommittee for her clarification.

Mr. PRESSLER. Mr. President, I, too, thank our distinguished colleague for her cooperation in this matter.

NAPA AND NPR RECOMMENDATIONS

Mr. GLENN. Mr. President, I rise to discuss contracting problems at EPA—an issue that the distinguished floor manager highlights in her committee report.

Over the last couple of years, my Committee on Governmental Affairs and Senator PRYOR's Federal Services Subcommittee have held hearings on contract abuses at EPA. We learned in testimony from the inspector general how EPA contractors perform inherently governmental functions; about abusive contract practices that flagrantly ignore Federal procurement law; of numerous conflicts of interest between EPA employees and contractors; and about an Agency that puts insufficient emphasis on wise stewardship of taxpayer resources.

Let me put some flesh on the bones of these problems. The IG told us of instances where EPA contractors authorized, filled out, and cut their own paychecks; of EPA's building of a childcare center largely to house the children of its contractors; and of a $1,000 a day sole source contract to train EPA officials on how to testify before Congress and give media interviews. Both the GAO and the inspector general have documented wasteful spending practices on things like contractor Christmas parties and gold watches. The list could go on and on.

So we know the problems, but how do we find the solutions? Well, the Agency has taken steps in the last year to improve contract management. Starting with the implementation of recommendations made by an internal taskforce, EPA is beginning to make changes through needed restructuring to make contract management work. I am pleased to note that one of Carol Browner's first actions as Administrator was to send an edict to all EPA employees that high standards of accountability will and should be upheld.

However, while these efforts are both necessary and praiseworthy, further action will be needed to correct EPA's systemic contracting problems. Since the Agency was created in 1970, both the executive branch and Congress have adopted a policy of emphasizing the funding of extramural resources rather than intramural resources at EPA, while at the same time giving the Agency more and more statutory responsibilities. According to the EPA inspector general, between 1973 and 1992 funding for contracting at the Agency rose by a factor of 14, while the number of EPA employees doubled over the same time period. It is no wonder then that EPA has problems managing its contracts. The net effect of favoring extramural over intramural funding has been that the crucial scientific and technical expertise on the environment resides with the contracting community, and not with EPA. With the downsizing of the Government and the implementation of President's reductions in the number of Federal employees, I fear that we may see a further hollowing out of EPA's core functions.

My distinguished colleague from Maryland is well aware of EPA's contract management problems. In her committee report, she suggests that

the National Academy of Public Administration undertake a study to determine the right balance between extramural and intramural resources as well as to recommend ways for the Agency to bolster its staffing to manage contracts.

I would like to enter into a brief colloquy with the subcommittee chair. Her report language does not actually approve funds for the NAPA study, but rather notes on page 111 that the "Committee is expected to approve a reprogramming request by EPA" for the study. I understand that it is the strong intention of the Senator from Maryland to seek this reprogramming authority when the committee goes to conference. Am I correct in this understanding?

Ms. MIKULSKI. The Senator is correct.

Mr. GLENN. Further, I would like to pose a question to my distinguished colleague. Of the $252 million the committee recommends in budget cuts at EPA, how much does the committee recommend in cuts in EPA contract funds?

Ms. MIKULSKI. Approximately $55 million.

Mr. GLENN. I thank the Senator. In closing, I would note that originally Senator PRYOR and I had intended to offer an amendment that would give EPA flexibility to shift funding from extramural to intramural resources. In lieu of the NAPA study, it makes sense to wait and see what NAPA recommends on the specifics of how these funds should be shifted. Also, as part of the National Performance Review, the President has recommended giving agencies greater discretion and flexibility over how they spend their money. I look forward to seeing the NAPA study and to reviewing the legislative recommendations of the NPR on agency spending flexibility.

I thank Senator MIKULSKI for her attention to this issue and I look forward to working with her as the NAPA and NPR recommendations come forth.

STANDARDS FOR RADON IN DRINKING WATER

Mr. DOMENICI. Mr. President, I rise to urge the Environmental Protection Agency to take full advantage of an opportunity being afforded it by a managers' amendment in this bill.

The managers of the VA/HUD appropriations bill have, with the concurrence of the Environmental and Public Works Committee, included an amendment placing a 1-year moratorium of use of funds by the Environmental Protection Agency to promulgate a rule setting standards for radon in drinking water. The standard which we understand EPA intended to set was, according to EPA's own Science Advisory Board, based upon "highly uncertain" analyses of risk and cost.

The board suggested that EPA request an extension of a October 1, 1993, court-imposed deadline to give the EPA adequate time to reexamine the data and reduce the uncertainties in their risk and cost estimates. The Senate amendment provides a window for the Agency to take the steps urged upon it by its own science advisors.

EPA's preliminary agency recommendation called for a maximum contaminant level, or MCL, of 300 picocuries per liter, while the board in its review noted that an MCL of 1,000 to 3,000 could be considered. The SAB noted that the higher, 3,000 picocuries, level would "result in water contributing no more radon to indoor air than is present in outdoor air."

In other words, at that level, an individual would be exposed to the same amount of radon as he or she is exposed to by simply walking outdoors. If that is accurate, what possible justification can there be for setting a level 10 times lower? Surely a disparity of this magnitude deserves further scrutiny by EPA. This is particularly true when the initial capital cost of compliance with the lower standard is estimated between $2 and $10 billion, with a disproportionately large share of that cost to be borne by small water systems.

We will shortly take up reauthorization of the Safe Drinking Water Act. We have found numerous provisions of the act which will need to be modified to make it effective in protecting the public health without bankrupting small communities in the process. As we begin that process, we need to be assured that EPA, in carrying out the act, bases its regulatory actions on the best science available, and does not act in arbitrary ways which add to compliance costs without a corresponding benefit to the community. The radon standard would be a good place for them to begin.

DRINKING WATER STANDARD FOR RADON

Mr. SMITH. Mr. President, on August 5, I took the floor and warned that the approach the Environmental Protection Agency [EPA] was taking with regard to setting a drinking water standard for radon would force Congress to intervene in the regulatory process as it did last year on this appropriations bill. That time has come again.

Last year, Congress made a point of requiring the EPA's Science Advisory Board [SAB] to analyze the proposed standard in order to have a nonpolitical, scientifically based recommendation on the most cost-effective way to mitigate radon exposure. It now appears that EPA lacks the scientific data and justification for finalizing its proposed radon in drinking water standard.

According to SAB, there is no direct evidence of cancer being caused by the ingestion of radon in drinking water. The report further states that, in the absence of direct evidence, it is possible there is a zero risk from ingested radon. It also questions the health effects from lower levels of radon exposure and suggests additional research in this area.

Mr. President, EPA's proposed radon-in-drinking-water rule will impose costs estimated as high as $12 billion, but would reduce indoor radon levels by only 1 percent. Instead of exhausting our resources on that 1 percent, we should make the reduction of the greatest source of radon the top priority. It is incumbent upon the Federal Government to base its environmental regulations on sound science and adequate risk assessment given our limited resources. In this case, it is clear that considerable data gaps still exist concerning the health effects of waterborne radon.

H.R. 2491 recognizes the need to close this data gap and develop a rationale, cost-effective approach to reducing hazardous radon exposure. The bill includes a provision prohibiting the expenditure of funds to promulgate or enforce the radon-in-drinking-water rule. This will hopefully provide EPA time to gather additional data on radon's health effects, particularly ingestion risk. It will also provide the Agency with an opportunity to consider alternative regulatory schemes. For example, the SAB has suggested:

> * * * setting a water standard at 3000 pCi/L [which] would result in water contributing no more radon to indoor air that is present in outdoor air. At the same time it would be appropriate to intensify research on radon ingestion and radon mitigation, data gathering on radon occurrence for all media, and dialogue with interested parties.

This delay will also give Congress an opportunity to review options for the regulation of radon and to review EPA's congressionally mandated radon report, which is still pending. Over the course of the next 12 months, Congress is likely to reauthorize the Safe Drinking Water Act. This legislation can be used to develop regulatory alternatives if Congress determines radon in drinking water should be regulated on a single-media basis.

Alternatively, Congress could, as I have suggested in the past, regulate radon in a comprehensive, multimedia fashion. This would be done through the Indoor Radon Abatement Act where the focus would properly be placed on the contribution waterborne radon makes to indoor air radon levels and regulated accordingly. Whichever forum is ultimately chosen, it is clear Congress will continue to participate in the regulatory process until a satisfactory regulation is developed.

It would be a mistake to go forward with the proposed regulation and further erode public confidence in the Safe Drinking Water Act. Each time a regulation is promulgated which provides little public health benefit for an exorbitant cost, public confidence in our Federal Government erodes.

Mr. President, I applaud the foresight of the managers of the VA–HUD Appropriations Act to include the radon moratorium among its provisions. I urge them to retain this provision in conference and thereby maintain pressure on the EPA to develop a reasonable and affordable radon regulation.

COMMUNITY-BASED PROGRAMS FOR HOMELESS VETERANS

Mrs. BOXER. Mr. President, it is estimated that on any given night, 250,000 veterans of our Nation's Armed Forces may be found living on the street, struggling to get by. Twice that number, approximately half a million, experience homelessness over the course of a year.

Veterans from every peacetime era and armed conflict since World War II are among the homeless, including veterans of the Persian Gulf war. Veterans constitute between 30 and 50 percent of the homeless population. And the numbers of homeless veterans are only expected to increase as the military downsizes.

Mr. President, I believe that it is a tragedy that so many men and women who risked their lives to fight for our country are living without shelter. It is a tragedy that challenges us to do more to keep our commitment to take care of those who have bravely served their country.

For years, homeless veterans have received vital services and assistance from community-based organizations [CBO's]. In the last session of Congress, an important piece of legislation was passed, which, in part, paid tribute to the invaluable contributions of CBO's. This bill, Public Law 102–590, the Homeless Veterans Comprehensive Service Program Act of 1992, established a grant program to provide Federal support for CBO's serving homeless veterans. Public Law 102–590 sought to expand the network of nonprofit, community-based, vet-helping-vet organizations that have been so effective in serving homeless veterans. According to the National Coalition for Homeless Veterans, there are approximately 100 such organizations nationwide that have demonstrated impressive success records.

Unfortunately, this program has yet to secure funding. Although the fiscal year 1994 VA/HUD appropriations bill, as it passed the House, included $10 million to start up the Homeless Veterans Comprehensive Service Programs, the same funding was not included in the bill as reported out of the Senate Appropriations Committee.

I am concerned over the possibility that the CBO grant program will fail for the second year to receive a modest amount of startup funding, when there is clearly such a great need to do more to keep our veterans off the streets.

Therefore, I urge the members of the Appropriations Committee, and of the upcoming conference, to recede to the House provision that funds the programs in Public Law 102–590.

I also urge my colleagues to consider an additional provision that would state that 50 percent of funds provided for programs authorized in Public Law 102–590 be directed to sections 3 and 4, which would support the work of nonprofit, community-based organizations. Public Law 102–590 authorized a series of programs, including four pilot projects operated by the Department of Veterans Affairs. I am troubled by the prospect that funds that will be provided may only go to the VA pilot programs.

CBO's make a unique contribution. They focus on self-sufficiency as vets help vets, and are a critical element in our efforts to keep veterans from becoming homeless.

My colleague, Senator ROCKEFELLER, chairman of the authorizing committee that worked to pass the Homeless Veterans Comprehensive Service Programs Act, stated his continued support for community-based programs on the floor earlier this week.

He agrees that CBO's serve a crucial role in assisting homeless veterans and urged Senate support for the House provision which specifically provides $10 million for the programs authorized in Public Law 102–590.

I thank Senator ROCKEFELLER for his involvement in developing the Homeless Veteran Comprehensive Service Programs Act, and for his ongoing commitment to helping homeless veterans.

As chairman of the authorizing committee for the Department of Veterans Affairs, Senator ROCKEFELLER extensively reviewed the problems of homeless veterans. He has presided over numerous hearings concerning their needs, and worked to pass the Homelessness Veterans Comprehensive Service Programs Act to respond to them. His committee worked to include provisions to assist community-based organizations because they understood the important role which CBO's fill in the preventing and ending homelessness among veterans. I sincerely hope that in conference, the Senate will do the same, and agree with the House to fund these programs.

PUBLIC AND INDIAN HOUSING

Mr. DOMENICI. Mr. President, there are two housing issues that I would like to raise in the context of the pending VA–HUD independent agencies appropriations bill for fiscal year 1994.

The first issue concerns the proposed distribution of HUD public housing drug elimination grants. The proposed distribution of these funds is troubling. The Senate bill directs HUD to limit the bulk of the drug grant moneys to large housing authorities, meaning those that manage 1,250 or more public housing units.

Of the money available under the program for public housing drug elimination, 79 percent would go to those large authorities. There are 157 such agencies nationwide. None is located in my State of New Mexico. Nor are there any in Maine, Wyoming, Montana, Utah, New Hampshire, Vermont, Iowa, Idaho, or North Dakota. Yet, there are crime problems in public housing communities in each of those States.

Those public and Indian housing authorities with fewer than 1,250 public housing units, of which there are 3,337, would have to compete for 21 percent of the money. These authorities, in total, manage more than 40 percent of all public housing nationwide. And their public housing residents have equally serious problems with drugs and related crime in their housing developments.

So I have to ask: Where is the equity in this proposal? Where did it come from? HUD, I am told, was not consulted on this spending directive and is opposed to it. The Department, I am told, prefers the flexibility, in keeping with the reinvention of government theme, to make those funding decisions based on the merits of individual applications, the seriousness of the drug problem, the quality of the proposal, and past performance by the Agency under the program.

It is my view that this 1,250 unit cutoff is an arbitrary one that is not based on valid drug-related crime data. I would urge my Senate colleagues who will conference this bill with the House to seriously reconsider this directive to HUD.

The second issue that concerns me is the Senate's deferral of funding for the Indian Housing Loan Guarantee Program, which was enacted in the last Congress.

The House bill includes $2 million to support this program, which will provide up to $50 million in loans to finance the new construction of homes on Indian land. I note that the committee has deferred funding for the program without prejudice because of overall budget constraints, and that it will reconsider funding for this program in conference with the House.

I strongly urge the subcommittee to approve the House recommendation for this program. The housing needs for native Americans are overwhelming. While we have made some progress in addressing the serious housing problems on Indian reservations with the support of the distinguished chairwoman, much remains to be done. This program holds great potential for improving this serious situation.

I thank the chairwoman for allowing me to address these important issues, and I appreciate her consideration of my concerns.

EMERGENCY SHELTER GRANTS

Mr. CAMPBELL. Mr. President, the legislation before the Senate, H.R. 2491, VA–HUD appropriations provides increased funding for many important

housing programs including the HOME Program, public and Indian housing programs, the drug elimination grants program for low-income housing and the Supportive Housing Program for the homeless.

I am concerned, however, about the funding level in the legislation for the Emergency Shelter Grants [ESG] Program. The funding level recommended by the Senate for the ESG Program of $55 million—$96,350,000 below the House level—is not sufficient to address the growing homeless problem in rural communities.

The Emergency Shelter Grants Program provides funds for temporary shelter for the homeless in America. This program is designed to help improve the quality of existing emergency shelters for the homeless, to make available additional shelters, to meet the costs of operating shelters and of providing essential social services to homeless individuals, and to prevent homelessness.

The ESG Program is particularly important to rural parts of the country. It is the backbone for funding homeless families in rural Colorado. This funding is essential for those homeless families who live in ski towns, in agriculture areas, or on Indian reservations where homelessness is usually temporary and not as apparent as in urban areas. Many homeless people in rural communities often stay with friends, live in cars, camp outside, or sleep in mountain caves for temporary shelter. Other families migrate to the cities in need of support services, jobs, and housing.

I understand that funding for homeless programs is being made available for activities focused on long-term solutions that represent permanent alternatives to homelessness. However, in Colorado, there is still a sizable increase in the number of people who find themselves in need of temporary emergency shelter. In December 1992, the U.S. Conference of Mayors announced a 14-percent increase in individual requests for emergency shelter based upon the results of their 1992 survey.

I believe maintaining our emergency shelter system is still a priority. The funding level for the Emergency Shelter Grants Program in the House legislation is more in line with the increasing requests and need for emergency homeless assistance in rural Colorado and across our Nation. I would hope that the conferees would increase the funding level for the ESG Program beyond the Senate level.

PENSION FUND INVESTMENT IN AFFORDABLE HOUSING

Mr. DOMENICI. Mr. President, I want the RECORD to show that I have a great deal of concern with the report language of this bill regarding the investment of pension funds in affordable housing. I have serious reservations about the proposed demonstration project referred to in the Senate report.

The Banking Committee has had a hearing on the issue of authorizing a demonstration of pension fund partnerships with multifamily housing projects and there is an authorizing bill ready to be considered by the Senate.

However, until that bill is enacted, I do not consider the report language of this appropriations bill to be an adequate substitute for authorization.

The bill which authorizes a limited demonstration program of pension investment, H.R. 2517, contains a number of clarifications and limitations which I view as imperative. It assures that ERISA standards will be maintained in this demonstration project and that the GSE standards on multifamily housing will be complied with to minimize risk of default.

Mr. President, I certainly understand the attractiveness of the concept. At a time we can no longer sustain the dramatic rate of growth of government spending and the proliferation of new programs we've enjoyed in past decades, it makes good sense to encourage the private sector to invest in socially sensitive projects.

I am not convinced, however, that pension funds should be the source of that capital when a both a Federal subsidy upfront and a Federal guarantee of the investment prove necessary.

Over the past few years, the growing reservoir of capital in private and public pension funds has become the increasingly attractive target to policy makers at all levels of government.

Politicians who are struggling for ways to finance increased social spending or the revitalization of local and regional economies look at pension fund assets which have grown 500 percent since 1978—to a total exceeding $3 trillion, or roughly 26 percent of total financial assets in the United States.

President Clinton, when he was a candidate, advocated the tapping of pension fund assets to supplement public funding of transportation infrastructure. Now we are looking at a proposal to facilitate the investment of private pension fund assets in affordable housing.

While I am one of the strongest advocates of encouraging public-private partnerships, the common assumption in these pension fund investment proposals which troubles me most is the provision of a real or implied Federal guarantee of the rate of return.

In this case, the Federal Government would provide a subsidy up front to increase the marketability of these multifamily housing mortgages, then Fannie Mae or Freddie Mac—that is, the Federal Government—would take the loss should the projects ultimately fail. What kind of partnership assigns all the risk to one partner?

My first concern with this concept is about the potential increase in exposure to the Federal Government. Should we choose to go down the path of promoting Federal guarantees to solicit pension fund investments in projects that are not otherwise marketable, are we not setting in place the creation of yet another huge unfunded Federal liability.

One might ask, if these investments are good, high quality investments, why is there a shortage of private investors. In fact, pension funds currently have the option of making these kinds of investments. If they are generally not good investments, why should we be encouraging pension funds to put resources there.

What is the impact on the long-term rate of return for these pension funds? Need I point out that the Federal Government also picks up the tab for failed private pension funds through programs of the PBGC?

While on its face, this demonstration may seem harmless enough, it appears clearly designed for the AFL-CIO funds, with the prospect of that union's requirement of all union labor. That raises more than a few questions about the ultimate cost and allocation of these projects.

Mr. President, there have been several modifications made to this particular proposal that offers some reassurance to those of us with reservations, and with those assurances, I will not object to adoption of the authorizing bill, H.R. 2517.

I would urge my colleagues, however, not to be lulled into presuming that the pension funds of this country will be the panacea which solves our budget problems. Particularly in the section 8 program at HUD, we will be faced with some extraordinarily tough choices as billions in section 8 contracts come up for renewal in the next 2 or 3 years.

Mr. President, I will be vigilant in my efforts to minimize future reliance on Federal guarantees which provide a short-term solution and the potential for long-term disaster.

Mr. WARNER. Mr. President, last night I offered an amendment concerning the so-called fence of the appropriations for the space station. I have now carefully reviewed the record of the debate concerning that amendment, as well as the record of the debate earlier in the day on an amendment offered by Senator BUMPERS, myself, and offers to terminate funding for the space station.

Mr. President, I am concerned that some of the assertions made during that debate concerning the so-called fencing of the appropriations may have resulted in confusion among Senators. I am further concerned that some of my colleagues may have been mislead about how the appropriations for the space station could be obligated.

Mr. President, I intend to further discuss this matter with the chairman of the Appropriations Committee, Senator BYRD, and with the chairman of

the subcommittee, Senator MIKULSKI, to make them fully aware of my concerns about the nature of certain assertions made during this debate. Following those discussions, I will have further to say on the floor of the Senate about the real nature of the so-called fencing of appropriations for the space station and why that fence does virtually nothing to protect the real interests of the Senate and of the taxpayers in this program.

THE HOPS PROVISION

Mr. HATFIELD. Mr. President, a provision included in the VA, HUD, and independent agencies appropriations bill before us today impacts the hop industry in Oregon and is of particular significance to me. The provision will resolve a decade-long disagreement between the Northwest hop industry and the Environmental Protection Agency [EPA].

The EPA currently classifies dried hops as a "processed" rather than a "raw" agricultural commodity under the Federal Food, Drug, and Cosmetic Act, subjecting growers to the restrictive chemical residue rules under the so-called Delaney clause. No other hop producing or importing nation classifies hops as a processed agricultural commodity. This has caused hop growers throughout the Pacific Northwest tremendous difficulty in securing approval of the safe and effective chemicals they need to prevent mold, particularly in rainy Oregon, and fight pests.

While Delaney clause reform has emerged recently as a highly charged issue in Congress, the reclassification of dried hops as a raw agricultural commodity is not a recently manufactured proposal of convenience put forward by the hop industry. Rather, it is a longstanding point of disagreement between hop growers and EPA. The disagreement involves the definition of dried hops, a question which does not involve the merits of the Delaney clause and should not be dependent upon comprehensive food safety policy reform.

Moreover, this is not a food safety issue. Hops are not eaten. Hops are used as flavoring agents in beer. The brewing process eliminates all but traces of the hop itself; any chemical residue remaining on the hop is effectively boiled away. Risk to human health is not a point of contention in this matter.

Many in this body have, in the strongest terms, urged EPA to take real risk into account in determining how best to use its limited resources for the public good. The risk to human health involved in reclassifying hops is virtually nonexistent. Yet, in the face of this fact, EPA has expended significant time and valuable staff resources debating the administrative intricacies of the commodity classification under the Federal Food, Drug, and Cosmetic Act.

On June 17, 1993, a number of Senators joined in sending a letter to Environmental Protection Agency Administrator Carol Browner urging an expeditious resolution of the challenged classification of dried hops as a processed agricultural commodity. The letter also asked the Administrator to advise the committee on the course of action EPA officials planned to take to resolve the issue, including a date certain for resolution prior to the markup of the VA, HUD, and independent agencies fiscal year 1994 appropriations bill. I ask unanimous consent that the June 17, 1993, letter to EPA Administrator Carol Browner be printed at this point in the RECORD.

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

U.S. SENATE,
COMMITTEE ON APPROPRIATIONS,
Washington, DC, June 17, 1993.

Hon. CAROL BROWNER,
Administrator, U.S. Environmental Protection Agency, Washington, DC.

DEAR MADAM ADMINISTRATOR: During its recent markup of legislation to provide supplemental appropriations, the Senate Appropriations Committee considered an issue related to EPA's classification of hops as a processed rather than a raw agricultural commodity under the Federal Food, Drug and Cosmetic Act. We write to request EPA's expeditious resolution of this matter.

The reclassification of dried hops as a raw agricultural commodity is not a recently manufactured proposal of convenience put forward by the hop industry. Rather, it is a longstanding point of contention between the hop growers and EPA. Thus, determining the proper classification for dried hops should not be dependent upon comprehensive food safety policy reform.

The Committee has often directed EPA to take risk into account in determining how best to use its limited resources for the public good. By all accounts brought to our attention, the risk to human health involved in reclassifying hops is virtually nonexistent. Yet, in the face of this information, EPA has expended significant time and valuable staff resources debating the administrative intricacies of the commodity classification under the Federal Food, Drug and Cosmetic Act. It would seem that to now proceed with a time consuming formal rule making may not make sense in terms of the relative risk.

We request that you use your administrative authority to resolve this continuing inequity. Please advise us of the action you plan to take to resolve this issue, including a date certain for its final resolution. We request notification of your decision before the Appropriations Subcommittee on VA, HUD, and Independent Agencies begins to markup its fiscal year 1994 appropriations bill.

Thank you for your cooperation in resolving this matter.

Sincerely,

BARBARA A. MIKULSKI,
PATTY MURRAY,
SLADE GORTON,
MARK. O. HATFIELD,
CHRISTOPHER S. BOND.

Mr. HATFIELD. Unfortunately, despite this encouragement, the classification problem remains unresolved by EPA and there appears to be no prospect for an expeditious resolution without further action by Congress. Therefore, with the able leadership of the Senator from Maryland, the chair of the VA-HUD Subcommittee, language has been included in the pending bill that will quickly bring this longstanding matter to a just and final conclusion. The objective of this language is for EPA to properly classify dried hops as a raw agricultural commodity under the Federal Food, Drug and Cosmetic Act. This determination is clearly within EPA's administrative authority to properly classify hops; thus, it is not anticipated that this action would require a lengthy rulemaking process.

It is my hope and firm expectation that this issue will be resolved with sufficient time for farmers to plan prior to the 1994 hops growing season. Officials at EPA have reviewed the language that is included in this bill and have indicated that it is sufficient to carry out the intent of the Senate that dried hops be classified as a raw agricultural commodity under the FFDCA. I ask unanimous consent that a September 20, 1993 letter from Victor Kimm, Acting Assistant Administrator in the Office of Prevention, Pesticides and Toxic Substances at EPA be inserted at this point in the RECORD.

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

ENVIRONMENTAL PROTECTION AGENCY
Washington, DC, September 20, 1993.

Hon. BARBARA MIKULSKI,
Chair, Subcommittee on VA, HUD and Independent Agencies,
Committee on Appropriations, U.S. Senate, Washington, DC.

DEAR MADAM CHAIR: This responds to an inquiry from the Subcommittee regarding the language in the proposed FY 1995 appropriations bill for the Environmental Protection Agency. The Committee's proposed appropriations bill language is sufficient to carry out the Committee's intent to have EPA treat hops as a raw agricultural commodity rather than a processed food. This will allow EPA to grant emergency exemptions under section 18 of FIFRA to use unregistered pesticides on hops that are barred currently by the Delaney Clause.

Please let me know if I can be of further assistance.

Sincerely,

VICTOR J. KIMM,
Acting Assistant Administrator.

Mr. HATFIELD. The hop harvest, just concluded in Oregon, has shown the detrimental effects of the absence of chemicals to control mildew. I ask unanimous consent that a letter from the Oregon Hop Commission and a letter from S.S. Steiner, Inc., be included at this point in the RECORD.

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

OREGON HOP COMMISSION,
September 17, 1993.

Hon. MARK HATFIELD,
U.S. Senate, Hart Senate Office Building, Washington, DC.

DEAR SENATOR HATFIELD: The 1993 harvest season is over and the Oregon Hop Commission would like to report to you on the impact of EPA's misclassification of hops and the resulting mid-season loss of our fungicide.

It will be several months before we have a complete picture of the impact but we are aware of many cases where growers have suffered yield losses and quality problems this season. Yield reductions have ranged from partial losses, to entire fields which have been left unharvested.

It is important to remember that growers did have the use of the fungicide for early season control. Had we not had at least partial use of the fungicide, our losses would have been much greater. Without a resolution of the classification issue there will be a tremendous impact on the Oregon growers.

Oregon's reputation as a reliable supplier of high quality hops is in jeopardy. Breweries will look for alternative sources given the uncertainty surrounding Oregon hop production.

I know you understand the importance of this issue, and realize the pride in which we take in producing our crop. I thank you again for your continued support.

Sincerely,

GAYLE GOSCHIE,
Chair.

S.S. STEINER, INC.
SALEM, OR,
September 17, 1993.

Hon. MARK O. HATFIELD,
U.S. Senate, Hart Senate Office Building, Washington, DC.

DEAR SENATOR HATFIELD: The Oregon HOP growers have asked us to comment on the overall quality of the 1993 Oregon hop crop. Harvest in Oregon is almost complete and we have begun sending samples of the Oregon crop to the breweries for evaluation. We have seen a tremendous impact on the quality of Oregon hops from mildew disease this year. In our opinion the damage from mildew disease is as severe as we have seen in decades. Hop yield and quality were both affected.

Without an effective control of mildew disease in Oregon, the Oregon grower's ability to compete in the world hop market is severely limited. The Oregon hop grower without your help will face a bleak future. We trust you are successful in your efforts.

Sincerely,

RON WEATHERS.

Mr. HATFIED. Oregon grows 15 percent of the hops grown in the United States, about 11.8 million pounds. Half of that represents aromatic hops, most of which are sold to domestic brewers. The other half represents high alpha hops, most of which are exported. Due to the lack of mildew control spray for most of the 1993 season, between 50 and 70 percent of the aromatic crop is of such poor quality that it will not be marketable. Brewers will thus look abroad to meet their requirements. I am informed that, if the classification issue is not resolved by early 1994, many Oregon hop farms will not be replanted.

The seriousness of the issue is demonstrated by the fact that the Oregon attorney general, Theodore Kulongoski, has taken a strong interest in the matter and is considering bringing a legal action challenging EPA's classification of dried hops as a processed commodity; the Oregon Department of Agriculture has urged EPA to resolve the issue; the entire Oregon congressional delegation has also joined in requesting EPA to resolve this problem. And yet the problem continues unresolved. I ask unanimous consent that a September 14, 1993, letter from the Oregon attorney general, a July 1, 1993, letter from the director of the Oregon Department of Agriculture, and a May 14, 1993, letter from the Oregon congressional delegation appear in the RECORD at the conclusion of my remarks.

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

DEPARTMENT OF JUSTICE
SALEM, OREGON,
September 14, 1993.

Re revocation of section 18 exemption for the use of Fosetyl-Al on hops, issued to the Oregon Department of Agriculture, DOJ file No. 643-001-NR001-93.

CAROL BROWNER,
Administrator,
U.S. Environmental Protection Agency, Washington, DC.

DOUGLAS D. CAMPT,
Office of Pesticide Program (H7501C),
U.S. Environmental Protection Agency, Washington, DC.

The Environmental Protection Agency (EPA) has classified fresh hops as a raw agriculture commodity and dried hops as a processed commodity. The Oregon Department of Agriculture (ODA) and the Oregon Hop Commission (Commission) submit that the current classifications of hops are legally and factually inconsistent with current statutory and regulatory definitions and policies. Because the erroneous classifications have caused significant harm without any countervailing benefit to public health or safety, ODA and the Commission urge EPA to correct its classification of hops immediately.

The ODA and the Commission appreciate EPA's recognition of difficulties with its current classifications of hops. Letter from Carol Browner, Administrator, EPA, to Senator Mark Hatfield (July, 1993). However, the general proposal to "reconsider the classification of dried hops as part of a larger effort to reconsider the criteria for the definition of 'raw agricultural commodity,'" *id.*, provides no assurance of a solution, much less one that could provide relief for the next growing season.

This letter is written in response to EPA's revocation of the Section 18 exemption allowing the use of Fosetyl-Al (Aliette) in the production of hops in Oregon. Letter from Douglas D. Campt, Director, Office of Pesticide Programs, EPA (May 7, 1993) (Revoking Section 18 Exemption granted to ODA for Aliette for 1993). However, because the 1993 spray season is now over and reinstatement of the Section 18 exemption would be a useless act, the ODA and the Commission do not now appeal the revocation. Rather, the ODA and the Commission anticipate that other Section 18 exemptions will be revoked or denied unless the classifications of hops are corrected. Therefore, the ODA and the Commission submit the following statements in opposition to such revocations and denials for your consideration at the earliest possible time.[1]

FACTS

On February 11, 1993, the EPA granted the ODA a Section 18 (7 USC §136p (1988)) exemption for the use of Fosetyl-Al (Aliette) to control downy mildew in the production of hops. On May 7, 1993, EPA revoked the section 18 exemption based on a ruling by the United States Court of Appeals for the Ninth Circuit interpreting section 409 (the Deleney Clause) of the Federal Food, Drug, and Cosmetic Act (FFDCA or Act). The court held that the Delaney Clause is an absolute bar to the use of food additives, such as pesticides, that meet the "induce cancer" standard, set out in 21 USC §348(c)(3)(A)(1988),[2] no matter how small the risk. *Les v. Reilly*, 968 F2d 985, 988 (9th Cir 1992). EPA then adopted a policy stating that it would deny and revoke emergency exemptions if the pesticide would likely meet the induce cancer standard and the specific use of the pesticide might need a food additive regulation. Letter from Douglas D. Campt, *supra*.

In the revocation letter, EPA concluded that Aliette meets the "induce cancer" standard, that the use of Aliette of hops would require a food additive regulation, and that there were no extraordinary circumstances to justify continuing the exemption. Based on these conclusions, EPA revoked the exemption that allowed the use of Aliette on hops. Letter from Douglas D. Campt, *supra*. The ODA and the Commission submit that the revocation was improper because the dried hops is a raw agricultural commodity (RAC) and not a processed commodity, as currently classified by the EPA, and thus does not require a food additive regulation.

DISCUSSION

Currently, EPA classifies fresh hops as a RAC and dried hops as a processed commodity.[3] That is incorrect. Fresh hops is neither a food nor a commodity. Fresh hops exists only as a transitory condition in the harvesting of dried hops, which is a food and a commodity. Hops in a dried state is the natural result of harvesting, and therefore it is a RAC. Any other classification is arbitrary and ignores the realities of the hops industry and market.

Fresh hops is not a "food" for purposes of the FFDCA. The Act defines "food" as:

(1) articles used for food or drink for man or other animals,

(2) chewing gum, and

(3) articles used for components of any such articles.

21 USC § 321(f) (1988). Fresh hops is not "used for food or drink for man or other animals." It is not chewing gum, nor is it "used for components" of food, drink or chewing gum. Fresh hops lasts only a few hours, at most, as it proceeds immediately from vine to kiln. Fresh hops has no use as food or drink or as a component of food or drink. Fresh hops is useless, because it does not retain the oils that are extracted in beer brewing that give beer its bitter flavor and distinct aromas. (See enclosed letters from breweries.) Unless dried immediately, those oils dissipate and are lost long before the hops can be delivered to the brewery.

Because fresh hops is not a food within the meaning of the Act, it cannot be a raw agricultural commodity. The FFDCA defines "raw agricultural commodity" as "any *food* in its raw or natural state." 21 USC § 321(r) (1988) (Emphasis added.) In addition to not fitting the statutory definition of a RAC,

fresh hops does not pass the judicial requirement of being introduced into interstate commerce before the Act applies. In interpreting the precursor to the FFDCA, the U.S. Supreme Court said that "[t]he statute upon its face shows that Congress intended to prevent injury to the public health *by the sale and transportation in interstate commerce* of misbranded and adulterated foods." *United States* v. *Lexington Mill & E. Co.*, 232 US 399, 409, 34 S Ct 337, 58 L Ed 658 (1914) (emphasis supplied). In *Monsanto* v. *Miller*, the court said that the FFDCA "applies to raw material *shipped* for use in a final product. It also controls intrastate sales made with the knowledge that the purchaser intends to introduce the product into interstate commerce." 455 NE2d 392, 396 (Ind App 1 Dist 1983) (emphasis supplied; citations omitted). In *Midwest Game Co. v. M.F.A. Milling Co.*, the court held that "there would be no violation of the Act [FFDCA] unless the particular food in question was introduced into interstate commerce." 320 SW2d 547, 552 (Mo 1959). Fresh hops is not introduced into interstate (or even intrastate) commerce and consequently, is not subject to the FFDCA.[4]

Although fresh hops is not a food and therefore not a RAC, dried hops is both. First, dried hops is a food because it is "used for components" of beer, a food. 21 USC §321(f)(3)(1988). Second, dried hops is a RAC because it is a "food" in its "raw or natural state." 21 USC §321(r). Although dried, it is otherwise unchanged. It has not been mixed, cooked or diluted. The water has simply been evaporated from it, leaving the hops dry, but intact. Kiln-drying of hops, an integral part of harvesting, does not alter hops from its raw or natural state.

EPA focused on the concentration of residues in dried hops as the basis for classifying it as a processed commodity and as a primary justification for revoking the Section 18 exemption for Aliette. See, e.g., Letter from Douglas D. Campt, supra; Letter from Richard D. Schmidt, Ph.D., Chief, Dietary Exposure Branch, Health Effects Division, EPA, to Anne George, Administrator, US Hop Industry Plant Protection Committee (May 18, 1990). Concentration of residues, however, is irrelevant because, as the following discussion demonstrates, dried hops is the RAC and there is no previous RAC from which residues may concentrate; there is no commodity to commodity concentration of residues.

In 1954, Congress amended the FFDCA by adding the terms, and definitions for, "raw agricultural commodity" and "pesticide chemical" and a provision to control tolerances for pesticide chemicals in or on RACs. Act of July 22, 1954, Pub. L. No. 83-518 ch 559, 68 Stat 511 ch 559 §3. (The section providing for tolerances of pesticide chemicals on RACs was added to the FFDCA as section 408, and is codified at 21 USC §346a. Hereinafter, it will be referred to as section 408.) The Legislative history of the 1954 amendments (hereinafter "the 1954 amendments") indicates that dried hops is a RAC. That history reflects that the terms "raw agricultural commodity" and pesticide chemical" and their definitions were added to the FFDCA "to draw a sharp line of distinction between the subjects covered by this bill [raw agricultural commodities] and the subjects which are unaffected by it [processed commodities]." 1954 US Code Cong & Admin News 2626, 2631. The 1954 amendments "cover the regulations [sis] of the residue from pesticide chemicals which may remain in or on food in its raw or natural state *as usually purchased by the consumer or the food processor*." Id. (Emphasis added.) The history further shows the RACs would "include those foods which have been subjected to certain customary postharvest treatment prior to marketing, such as the washing or coloring of fruits in their unpeeled natural form, the stripping of the outer leaves of lettuce, and the preparation of fresh green salads." *Id.* (Emphasis added.) It also provided that "[f]ood *processed* by operations such as cooking, freezing, dehydration, or milling" would not be regulated by the amendments. *Id.* (Emphasis added.) However, many RACs (*e.g.*, nuts, rice, corn, beans, alfalfa hay, etc.) are dehydrated, but not "processed," because prior to drying, they are neither foods nor commodities.[5] They are of no use or value until they are dried. Moreover, "as usually purchased by the consumer or the food processor," hops is in the dried form and the drying of hops is not postharvest treatment, but is part of the harvest itself.[6] Thus, the legislative history indicates that dried hops is a RAC.

As with many other RACs, drying is an essential step in the harvesting of hops. EPA classifies dehydrated foods such as peanuts, hazelnuts, alfalfa hay, dried field corn, dry bulb onions, rice, dried beans and dried peas as RACs.[7] The classification of those commodities as RACs reflects the understanding that where there is no "food" or commodity prior to drying, dehydration does not constitute "processing" and the resulting product does not constitute a "processed commodity." EPA's classification of dried hops as anything other than a RAC is inconsistent with that understanding and the classification of similarly situated crops as RACs.

EPA has further distinguished hops based on the method of drying. EPA says that hops is dried artificially, and thus is not a RAC. This distinction is faulty for two reasons. First, hazelnuts, peanuts, alfalfa hay and rice also are artificially dried.[8] Second, hops can be dried either by air-drying (the "natural" method) or kiln-drying (the "artificial" method). Regardless of the method used, the result is the same: the dried hops, the RAC. No conceivable factual, legal or policy basis would support a distinction between air-dried and kiln-dried hops. The form in which the crop is first marketed should be emphasized, not the method of drying.

CONCLUSION

Fresh hops is neither a food nor a commodity and dried hops is not a processed commodity. Rather, dried hops is the natural result of the hops harvest, is in its "raw or natural state as usually purchased by the consumer or the food processor" and consequently is the RAC. The Oregon Department of Agriculture and the Oregon Hop Commission acknowledge that the VA-HUD Subcommittee of the Senate Appropriations Committee has approved language in the VA-HUD Appropriations Bill for fiscal year 1994 that, if enacted, would constitute a Congressional directive to EPA to reclassify dried hops from processed commodity to raw agriculture commodity. The ODA and the Commission encourage EPA to accept that directive. The ODA and Commission also respectfully request that, in light of these comments and separate from that proposed legislation, EPA reconsider its rationale for revoking the Section 18 exemption for the use of Aliette on hops and respond to this office with its conclusions.

Sincerely,

THEODORE R. KULONGOSKI,
Attorney General.

[1] ODA and the Commission submit that such a denial would be improper and illegal in spite of EPA's regulation classifying fresh hops as a raw agricultural commodity (RAC). 40 CFR §180.436. See also footnote 3 for additional (and confusing) classifications relating to hops. 40 CFR section 180.436 is inconsistent with and in violation of the statutory and regulatory definitions of "raw agricultural commodity." See discussion, *infra*.

[2] The relevant part of 21 USC §348(c)(3)(A) provides that: "No such regulation shall issue if a fair evaluation of the data before the Secretary fails to establish that the proposed use of the food additive, under the conditions of use to be specified in the regulation, will be safe: *Provided*, That no additive shall be deemed to be safe if it is found to *induce cancer* when ingested by man or animal, or if it is found, after tests which are appropriate for the evaluation of the safety of food additives, to *induce cancer* in man or animal * * *." (Emphasis added.)

[3] EPA's various classifications of hops are confusing and inconsistent: 40 CFR section 180.408 classifies "hops, green" as a RAC; section 180.436 classifies "hops, fresh" as a RAC; section 186.4000 classifies "hops, dry" as a feed commodity; section 180.205 classifies "hops, vine" as a RAC; section 185.5000 classifies "hops, dried" as a processed food; section 186.5950 classifies "hops, spent" as processed feed; and section 180.163 classifies "hops" as a RAC.

[4] Moreover, fresh hops is not a commodity at all. A commodity is defined as:

1: an economic good: as

a: a product of agriculture or mining

b: an article of commerce esp. when delivered for shipment.

2a: something useful or valuable

Webster's Ninth New Collegiate Dictionary 265 (1984). Fresh hops is not an economic good: First, it is not a "product" of anything, but rather, it exists only briefly in between steps in the harvest of hops. Second, it is not an article of commerce. Fresh hops is never bought, sold or transported in commerce. It never leaves the farm. Nor does fresh hops have any use or value, except as a precursor to dried hops. Thus, fresh hops is not a commodity.

[5] Showing yet another anomaly in the regulations, some of the examples mentioned are classified as RACs in both the wet and dry forms.

[6] Even if drying were considered a postharvest treatment, that would not require regulation of dried hops as a processed commodity. Drying of hops, if considered a postharvest treatment, must be recognized as a "customary postharvest treatment prior to marketing."

[7] See footnote 5, *supra*.

[8] Peanuts, alfalfa hay and rice sometimes are "naturally" dried.

THE STROH BREWERY CO.,
Detroit, MI, February 27, 1987.

Mr. HOYT L. JAMERSON,
Minor Uses Officer, Emergency Response and Minor Use Section, Registration Support and Emergency Response Branch, Registration Division, OPP, EPA, Washington, DC.

DEAR MR. JAMERSON: Definition and Interpretation of the crop "Hops"; IR-4's Petition to Amend 40 CFR 180.1(j).

I am writing to support the above petition to define, for purposes of examination for pesticide residues, the "raw agricultural commodity" as the dried hop.

Brewers never purchase green or undried hops, as these are stable for only a few hours before they wilt and decay. A pesticide analysis, based on green hops, would be of no value to a brewer. The analysis, and the allowed residue, to be of value to us must be based on the stable agricultural commodity, the dried hop.

Dried hops are never consumed as such not even by cattle, and never by humans. The processing step, if the regulation is to make sense, is the brewing process. Here, the dried hops are boiled in wort, and then separated as "spent hops". Of any pesticide residue contained in the dried hops, a part or all may be destroyed in the boiling process. Of the remainder, the large majority will be separated on the spent hops, on the "trub" or protein/tannin precipitate, or on other precipitates formed in the brewing process, or again, on the yeast or on the filter media

used to clarify the beer. Only a small fraction of the original pesticide residues will be found in the consumable commodity, the beer.

If you have any questions regarding the above, please advise, and thank you in advance for considering these lines when making your decision.

Sincerely,

HORTEN MEILGAARD.

COORS BREWING CO.,
Golden, CO, May 17, 1993.

ANN GEORGE,
Manager, Washington Hop Commission

DEAR ANN: In answer to your question, Coors Brewing Company cannot use fresh (undried) hops to manufacture beer.

AL BABB,
Executive Vice President, Operations.

OREGON DEPARTMENT OF AGRICULTURE,
OFFICE OF THE DIRECTOR,
July 1, 1993.

Hon. MARK HATFIELD,
Senate Office Building, Washington, DC

DEAR SENATOR HATFIELD: Northwest hop growers need your assistance in dealing with a continuing problem related to the EPA designation of hops as a processed commodity. The problem goes beyond a name or simple classification. It causes costly limitations on the use of essential fungicides required to prevent serious crop losses in Oregon and Washington.

The propriety of classifying dry hops as a "processed" commodity is certainly questionable. Other commodities used directly as food or feed are dried, and yet retain the "raw" commodity designation. Hops, which have no commercial or practical use prior to drying, are classified as a "raw" commodity only in the green vegetative state. Further, the dried hop is not used directly as food or feed, but is used only as a flavor additive to large volumes of constituents further processed by cooking or fermentation. It is argued by EPA that the drying process concentrates pesticide residues and, as a consequence, tolerances are set lower for residues on the "processed" commodity. Yet, any use of dried hops always involves further processing and dilution far in excess of any concentration caused by the drying process.

Certainly the "processed" commodity designation merits additional study by EPA. Serious consideration should be given to classifying dried hops as a "raw" commodity. Certainly residue levels on dried hops should receive the benefit of the same consideration allowed imported hops.

Your assistance in obtaining further review and an equitable resolution of these matters would be greatly appreciated.

Sincerely,

BRUCE ANDREWS,
Director.

U.S. SENATE,
Washington, DC, May 14, 1993.

Hon. CAROL BROWNER,
Administrator,
U.S. Environmental Protection Agency, Washington, DC.

DEAR MADAM ADMINISTRATOR: We write to bring to your attention an inequitable situation which adversely impacts the northwest hops industry and to urge EPA's immediate resolution of this matter. It involves EPA's classification of hops as a processed rather than a raw agricultural commodity.

On May 7, 1993, EPA announced that it will no longer issue exemptions under Section 18 for chemicals that cannot meet the zero tolerance standard imposed by Section 409 of the Federal Food, Drug, and Cosmetic Act, the Delaney Clause. Existing Section 18 exemptions for chemicals used on processed commodities that do not satisfy the zero tolerance standard will be revoked, including a Section 18 exemption to spray Fosetyl-Al (Aliette) on hops in Oregon.

This announcement presents a serious problem for Oregon hop growers and highlights the longstanding unfairness of the miscategorization of hops as a processed agricultural commodity. Although the Federal Food, Drug and Cosmetic Act (FFDCA) classifies unmarketable commodities as "raw agricultural commodities", hops, because of a brief on-farm drying period following harvesting, is classified as a "processed agricultural commodity." This is in contrast to the classification of similar commodities, such as rice and filberts, which are classified as "raw agricultural commodities."

For the past several years, many of us have communicated with EPA about the misclassification of hops as a "processed agricultural commodity" under FFDCA. The current interpretation limits not only the availability of appropriate pesticides for use, but also the use of pesticides that may be safer than those currently in use. No other hop producing or importing country classifies hops in this manner.

Last year, the Office of Pesticides undertook an internal review of dried hops with a view toward administratively reclassifying hops as a "raw agricultural commodity". At that time, a number of members of Congress wrote the Agency in support of that reclassification. It is our understanding that OPP staff has recently set forth several options for defining the scope and interpretation for a reclassification of hops as a "raw agricultural commodity."

The reclassification of hops is in reality an equitable treatment issue, and is not related to the food safety debate. Without jeopardizing safety, such a reclassification would provide significant relief to the hop industry, provide for a higher quality product and help promote integrated pest-management.

EPA's revocation of the Section 18 exemption for Aliette already in use in Oregon for the current growing season presents a high level of urgency. Oregon growers estimate a loss of up to $8 million this year if the emergency use permit is not reinstated.

We are now considering the various options open to us to redress this longstanding inequity, which has now reached crisis proportions in light of recent decisions. In the short term, we request that EPA reinstate the Section 18 exemption for the current growing season. Moreover, we renew the longstanding request that hops be classified as a raw agricultural commodity.

We are anxious to learn from you what administrative options are available. Given the urgency of this situation, we would appreciate hearing from you as soon as possible.

Sincerely,

MARK O. HATFIELD,
U.S. Senator.
RON WYDEN,
U.S. Representative
ROBERT F. SMITH,
U.S. Representative
ELIZABETH FURSE,
U.S. Representative
BOB PACKWOOD,
U.S. Senator
PETER DEFAZIO,
U.S. Representative
MIKE KOPETSKI,
U.S. Representative.

Mr. HATFIELD. Again, let me express my thanks to the distinguished chair of the VA-HUD Appropriations Subcommittee, Senator MIKULSKI, for her assistance and leadership in resolving this problem that has lingered unaddressed for so many years. I urge EPA to move with deliberate speed in addressing this issue and look forward to announcing its implementation of this language.

I yield the floor.

Mr. GRAMM. Mr. President, I ask for the yeas and nays on final passage.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Ms. MIKULSKI. Mr. President, I would like to thank the U.S. Senate for its cooperation in moving one of the most difficult bills that we have to address in our 13 subcommittees. This subcommittee funds 29 agencies. Some of them are either at Cabinet or Cabinet-level agencies. They range from Arlington Cemetery to the Veterans Administration, from the President's science advisor to the space agency and the National Science Foundation.

I thank my colleagues for their cooperation in moving this bill, for the way they have tried to move the amendments in a quick way. Though it has been indeed long, and though it has been indeed arduous, I think all have noted there have been very few quorum calls on this bill in which there have been huge vacant spaces waiting for Senate action.

I believe that my colleagues have offered their amendments in the spirit of good public policy. The debate has been crisp, with the exception of a few of them, but, by and large, has been crisp and that in all amendments, there has been an atmosphere of civility and a sincere desire to reach good decisions on good public and fiscal policy.

Mr. President, I would like to thank my ranking minority member for his cooperation and his very able staff.

I would also like to thank all of my staff, Kevin Kelly and Carolyn Apostolou and the clerical staff who have backed us up.

Mr. President, on the eve of President Clinton's health insurance reform, I am glad that we have concluded this and concluded it in a way that I think will truly act in the national interest, and I look forward to representing this bill in conference.

Mr. MITCHELL addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the majority leader.

UNANIMOUS-CONSENT AGREEMENT

Mr. MITCHELL. Mr. President, I ask unanimous consent that upon disposition of the VA-HUD appropriations bill, the Senate proceed to the consideration of H.R. 2295, the foreign operations appropriations bill.

The PRESIDING OFFICER (Mr. KOHL). Without objection, it is so ordered.

The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment of the amendments and the third reading of the bill.

The bill was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass? On this question, the yeas and nays have been ordered. The clerk will call the roll.

The bill clerk called the roll.

The result was announced—yeas 91, nays 9, as follows:

[Rollcall Vote No. 281 Leg.]

YEAS—91

Akaka	Exon	McConnell
Baucus	Feinstein	Metzenbaum
Bennett	Ford	Mikulski
Biden	Glenn	Mitchell
Bingaman	Gorton	Moseley-Braun
Bond	Graham	Moynihan
Boxer	Gramm	Murkowski
Bradley	Grassley	Murray
Breaux	Harkin	Nickles
Brown	Hatch	Nunn
Bryan	Hatfield	Packwood
Bumpers	Heflin	Pell
Burns	Hollings	Pressler
Byrd	Hutchison	Pryor
Campbell	Inouye	Reid
Chafee	Jeffords	Riegle
Coats	Johnston	Robb
Cochran	Kassebaum	Rockefeller
Cohen	Kempthorne	Sarbanes
Conrad	Kennedy	Sasser
Coverdell	Kerrey	Shelby
Craig	Kerry	Simon
D'Amato	Lautenberg	Simpson
Danforth	Leahy	Specter
Daschle	Levin	Stevens
DeConcini	Lieberman	Thurmond
Dodd	Lott	Warner
Dole	Lugar	Wellstone
Domenici	Mack	Wofford
Dorgan	Mathews	
Durenberger	McCain	

NAYS—9

Boren	Gregg	Roth
Faircloth	Helms	Smith
Feingold	Kohl	Wallop

So the bill (H.R. 2491), as amended, was passed.

Ms. MIKULSKI. Mr. President, I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

Ms. MIKULSKI. Mr. President, I now move that the Senate insist upon its amendments to H.R. 2491 and request a conference with the House on the disagreeing votes of the two Houses, and that the Chair be authorized to appoint conferees on the part of the Senate.

The motion was agreed to, and the Presiding Officer appointed Ms. MIKULSKI, Mr. LEAHY, Mr. JOHNSTON, Mr. LAUTENBERG, Mr. KERREY, Mrs. FEINSTEIN, Mr. BYRD, Mr. GRAMM, Mr. D'AMATO, Mr. NICKLES, Mr. BOND, Mr. BURNS, and Mr. HATFIELD conferees on the part of the Senate.

COMMENDATION OF THE FLOOR MANAGERS AND STAFF

Mr. BYRD. Mr. President, the Veterans Affairs, HUD, independent agencies appropriations bill is one of the most complex of the 13 appropriations bills covering activities as diverse as consumer information, environmental cleanup, and veterans' pensions and medical care, the National Science Foundation, NASA, and public housing. I commend the chair of the subcommittee, the distinguished Senator from Maryland [Ms. MIKULSKI], for the outstanding work that was done again this year. The chair has an especially tough job of mastering the issues and of balancing the competing priorities of the must be done to produce a successful bill.

Under the tight budgetary constraints facing the committee in its 602(a) allocation, the committee has been unable to provide adequate resources to fully fund the President's requests. Again this year Senator MIKULSKI has found a way to husband the scarce resources provided to the VA/HUD Subcommittee in a manner that has enabled the Senate to pass this very important bill in an expeditious manner, with very little controversy and with the priorities of the administration and Congress relatively intact.

So, again, I want to compliment the subcommittee chair for her exceptional leadership throughout the many months of effort that she put into this bill. I thank the distinguished ranking member of the subcommittee, Senator GRAMM from Texas, as well for his efforts, and the committee staff: Kevin Kelly, Carrie Apostolou, Juanita Griffin, Stephen Kohashi, and Dona Pate.

Ms. MIKULSKI. Well, Mr. President, that is it. That concludes everything for VA/HUD. The bill has been passed, conferees have been appointed, and we now go to conference with the House.

Mr. LEAHY. Mr. President, what is the parliamentary situation?

FOREIGN OPERATIONS APPROPRIATIONS ACT OF 1994

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to the consideration of H.R. 2295.

The clerk will report the bill.

The bill clerk read as follows:

A bill (H.R. 2295) to make appropriations for foreign operations export financing and related programs for the fiscal year ending September 30, 1994, and making supplemental appropriations for such programs for the fiscal year ending September 30, 1993 and for other purposes.

The Senate proceeded to consider the bill, which had been reported from the Committee on Appropriations with amendments; as follows:

(The parts of the bill intended to be stricken are shown in bold face brackets, and the parts of the bill intended to be inserted are shown in italic.)

H.R. 2295

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for foreign operations, export financing, and related programs for the fiscal year ending September 30, 1994, and for other purposes, namely:

TITLE I—MULTILATERAL ECONOMIC ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

INTERNATIONAL FINANCIAL INSTITUTIONS

CONTRIBUTION TO THE INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT

For payment to the International Bank for Reconstruction and Development by the Secretary of the Treasury, for the United States share of the paid-in share portion of the increases in capital stock for the General Capital Increase, **[$55,821,000]** *$27,910,500*, to remain available until expended: *Provided, That one-half of the funds appropriated by this paragraph may be obligated only after April 1, 1994: Provided further, That the remaining one-half of such funds may be obligated only after September 1, 1994: Provided further, That not more than twenty-one days prior to the obligation of each half of such funds, the Secretary submits a certification to the Committees on Appropriations that the Bank has approved no loans to Iran since October 1, 1993, or the President of the United States certifies that the obligation of these funds is in the national interest of the United States.*

For payment to the International Bank for Reconstruction and Development by the Secretary of the Treasury, for the United States contribution to the Global Environment Facility (GEF), $30,000,000, to remain available until expended: *Provided, That such funds shall be made available to the Facility by the Secretary of the Treasury if the Secretary determines (and so reports to the Committees on Appropriations) that the Facility has: (1) established clear procedures ensuring public availability of documentary information on all Facility projects and associated projects of the Facility implementing agencies; (2) established clear procedures ensuring that affected peoples in recipient countries are consulted on all aspects of identification, preparation, and implementation of Facility projects; and (3) the Facility governance process will provide for contributor country oversight of individual projects in the work program, and specific provisions will be established for the participation of nongovernmental organizations in all phases of the project cycle, including identification, appraisal, implementation, and evaluation: Provided further, That in the event the Secretary of the Treasury has not made such determinations by September 30, 1994, funds appropriated under this heading for the GEF shall be transferred to the Agency for International Development and used for activities associated with the GEF and the Global Warming Initiative.*

LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

The United States Governor of the International Bank for Reconstruction and Development may subscribe without fiscal year limitation to the callable capital portion of the United States share of increases in capital stock in an amount not to exceed **[$1,804,879,000]** *$902,439,500*.

CONTRIBUTION TO THE INTERNATIONAL DEVELOPMENT ASSOCIATION

For payment to the International Development Association by the Secretary of the Treasury, [$1,024,332,000] *$957,142,857*, for the United States contribution to the replenishment, to remain available until expended[: *Provided*, That funds appropriated under this heading are available subject to authorization].

CONTRIBUTION TO THE INTERNATIONAL FINANCE CORPORATION

For payment to the International Finance Corporation by the Secretary of the Treasury, [$35,761,500] *$17,880,750*, for the United States share of the increase in subscriptions to capital stock, to remain available until expended: *Provided*, That of the amount appropriated under this heading not more than $5,364,000 may be expended for the purchase of such stock in fiscal year 1994.

CONTRIBUTION TO THE INTER-AMERICAN DEVELOPMENT BANK

For payment to the Inter-American Development Bank by the Secretary of the Treasury for the United States share of the paid-in share portion of the increase in capital stock, $56,166,000, and for the United States share of the increases in the resources of the Fund for Special Operations, $20,164,000, to remain available until expended.

LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

The United States Governor of the Inter-American Development Bank may subscribe without fiscal year limitation to the callable capital portion of the United States share of such capital stock in an amount not to exceed $2,190,283,457.

CONTRIBUTION TO THE ENTERPRISE FOR THE AMERICAS MULTILATERAL INVESTMENT FUND

For payment to the Enterprise for the Americas Multilateral Investment Fund by the Secretary of the Treasury, for the United States contribution to the Fund to be administered by the Inter-American Development Bank, [$75,000,000] *$50,000,000* to remain available until expended.

CONTRIBUTION TO THE ASIAN DEVELOPMENT BANK

For payment to the Asian Development Bank by the Secretary of the Treasury, for the paid-in share portion of the United States share of the increase in capital stock, [$13,026,366] *$2,000,000*, to remain available until expended: *Provided*, That funds appropriated under this heading are available subject to receipt by the Congress of the President's budget request for such funds.

CONTRIBUTION TO THE ASIAN DEVELOPMENT FUND

For the United States contribution by the Secretary of the Treasury to the increases in resources of the Asian Development Fund, as authorized by the Asian Development Bank Act, as amended (Public Law 89-369), $62,500,000, to remain available until expended[: *Provided*, That funds appropriated under this heading are available subject to authorization].

LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

The United States Governor of the Asian Development Bank may subscribe without fiscal year limitation to the callable capital portion of the United States share of increases in the capital stock in an amount not to exceed $95,438,437: *Provided*, That the authority provided under this heading is available subject to receipt by the Congress of the President's budget request for such authority.

CONTRIBUTION TO THE AFRICAN DEVELOPMENT FUND

For payment to the African Development Fund by the Secretary of the Treasury, [$132,300,000] *$135,000,000*, for the United States contribution to the sixth replenishment of the African Development Fund, to remain available until expended.

INTERNATIONAL ORGANIZATIONS AND PROGRAMS

For necessary expenses to carry out the provisions of section 301 of the Foreign Assistance Act of 1961, and of section 2 of the United Nations Environment Program Participation Act of 1973, [$339,500,000] *$360,628,000*: *Provided*, That none of the funds appropriated under this heading shall be made available for the following: the United Nations Fund for Science and Technology, the G-7 Nuclear Safety Fund, the OECD Center for Cooperation with European Economies in Transition, and United Nations Electoral Assistance activities: *Provided further*, That funds appropriated under this heading may be made available for the International Atomic Energy Agency only if the Secretary of State determines (and so reports to the Congress) that Israel is not being denied its right to participate in the activities of that Agency: *Provided further, That of the funds appropriated under the heading not less than $100,000,000 shall be made available for the United Nations Children's Fund:* [*Provided further*, That unless the President certifies to the Congress that the United Nations Population Fund (UNFPA) has terminated all activities in the People's Republic of China, not more than $36,215,500 of the funds appropriated under this heading may be made available for UNFPA: *Provided further*, That none of the funds appropriated under this heading may be made available for UNFPA until March 1, 1994, unless the President has made the certification referred to in the previous proviso:] *Provided further, That none of the funds appropriated under this heading that are made available to the United Nations Population Fund (UNFPA) shall be made available for activities in the People's Republic of China: Provided further, That if any funds appropriated under this heading are made available to UNFPA, UNFPA shall be required (1) to maintain such funds in a separate account and not commingle them with any other funds, and (2) to refund to the United States an amount equal to any amount that UNFPA contributes to the People's Republic of China in 1994 that is in excess of the amount that UNFPA had planned to contribute to the People's Republic of China in that year.*

TITLE II—BILATERAL ECONOMIC ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

For expenses necessary to enable the President to carry out the provisions of the Foreign Assistance Act of 1961, and for other purposes, to remain available until September 30, 1994, unless otherwise specified herein, as follows:

AGENCY FOR INTERNATIONAL DEVELOPMENT

DEVELOPMENT ASSISTANCE FUND

For necessary expenses to carry out the provisions of sections 103 through 106 of the Foreign Assistance Act of 1961, $811,900,000, *to remain available until September 30, 1995: Provided, That of this amount not less than $10,000,000 shall be made available for cooperative projects among the United States, Israel, and developing countries, of which not less than $5,000,000 shall be made available for the Cooperative Development Program, not less than $2,500,000 shall be made available for cooperative development research projects, and not less than $2,500,000 shall be made available for cooperative projects among the United States and Israel and the countries of Eastern Europe, the Baltic states, and the independent states of the former Soviet Union.*

POPULATION, DEVELOPMENT ASSISTANCE

For necessary expenses to carry out the provisions of section 104(b), $392,000,000, *to remain available until September 30, 1995: Provided*, That none of the funds made available in this Act nor any unobligated balances from prior appropriations may be made available to any organization or program which, as determined by the President of the United States, supports or participates in the management of a program of coercive abortion or involuntary sterilization: *Provided further*, That none of the funds made available under this heading may be used to pay for the performance of abortion as a method of family planning or to motivate or coerce any person to practice abortions; and that in order to reduce reliance on abortion in developing nations, funds shall be available only to voluntary family planning projects which offer, either directly or through referral to, or information about access to, a broad range of family planning methods and services: *Provided further*, That in awarding grants for natural family planning under section 104 of the Foreign Assistance Act of 1961 no applicant shall be discriminated against because of such applicant's religious or conscientious commitment to offer only natural family planning; and, additionally, all such applicants shall comply with the requirements of the previous proviso: *Provided further*, That nothing in this subsection shall be construed to alter any existing statutory prohibitions against abortion under section 104 of the Foreign Assistance Act of 1961.

DEVELOPMENT FUND FOR AFRICA

For necessary expenses to carry out the provisions of chapter 10 of part I of the Foreign Assistance Act of 1961, $784,000,000, to remain available until September 30, 1995: *Provided*, That none of the funds appropriated by this Act to carry out chapters 1 and 10 of part I of the Foreign Assistance Act of 1961 shall be transferred to the Government of Zaire: *Provided further, That funds appropriated under this heading which are made available for activities supported by the Southern Africa Development Community shall be made available notwithstanding section 512 of this Act and section 620(q) of the Foreign Assistance Act of 1961.*

PRIVATE AND VOLUNTARY ORGANIZATIONS

None of the funds appropriated or otherwise made available by this Act for development assistance may be made available to any United States private and voluntary organization, except any cooperative development organization, which obtains less than 20 per centum of its total annual funding for international activities from sources other than the United States Government: *Provided*, That the requirements of the provisions of section 123(g) of the Foreign Assistance Act of 1961 and the provisions on private and voluntary organizations in title II of the "Foreign Assistance and Related Programs Appropriations Act, 1985" (as enacted in Public Law 98-473) shall be superseded by the provisions of this section.

WOMEN IN DEVELOPMENT

In recognition that the full participation of women in, and the full contribution of women to, the development process are essential to achieving economic growth, a higher quality of life, and sustainable development in developing countries, not less than $11,000,000 of the funds

appropriated by this Act to carry out part I of the Foreign Assistance Act of 1961, in addition to funds otherwise available for such purposes, shall be used to encourage and promote the participation and integration of women as equal partners in the development process in developing countries, of which not less than $6,000,000 shall be made available as matching funds to support the activities of the Agency for International Development's field missions to integrate women into their programs: Provided, That the Agency for International Development shall seek to ensure that country strategies, projects, and programs are designed so that the percentage of women participants will be demonstrably increased.

INTERNATIONAL DISASTER ASSISTANCE

For necessary expenses for international disaster relief, rehabilitation, and reconstruction assistance pursuant to section 491 of the Foreign Assistance Act of 1961, as amended, [$145,985,000] *$48,965,000* to remain available until expended.

MICRO AND SMALL ENTERPRISE DEVELOPMENT PROGRAM ACCOUNT

For the cost of direct loans and loan guarantees, $2,000,000, as authorized by section 108 of the Foreign Assistance Act of 1961, as amended: Provided, That such costs shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That these funds are available to subsidize gross obligations for the principal amount of direct loans and total loan principal, any part of which is to be guaranteed, not to exceed $50,000,000.

PAYMENT TO THE FOREIGN SERVICE RETIREMENT AND DISABILITY FUND

For payment to the "Foreign Service Retirement and Disability Fund", as authorized by the Foreign Service Act of 1980, $44,151,000.

OPERATING EXPENSES OF THE AGENCY FOR INTERNATIONAL DEVELOPMENT

For necessary expenses to carry out the provisions of section 667, [$501,760,000] *$494,080,000.*

OPERATING EXPENSES OF THE AGENCY FOR INTERNATIONAL DEVELOPMENT OFFICE OF INSPECTOR GENERAL

For necessary expenses to carry out the provisions of section 667, [$39,118,000] *$38,518,940*, which sum shall be available for the Office of the Inspector General of the Agency for International Development: *Provided, That except as may be required by an emergency evacuation affecting the United States diplomatic missions of which they are a component element, none of the funds in this Act, or any other Act, may be used to relocate the overseas Regional Offices of the Inspector General to a location within the United States without the express approval of the Inspector General: Provided further, That the total number of positions authorized for the Office of Inspector General in Washington and overseas shall be not less than two hundred and fifty-one at September 30, 1994.*

HOUSING GUARANTY PROGRAM ACCOUNT

For the subsidy cost, as defined in section 13201 of the Budget Enforcement Act of 1990, of guaranteed loans authorized by sections 221 and 222 of the Foreign Assistance Act of 1961, $16,078,000: *Provided*, That these funds are available to subsidize total loan principal *and interest*, any part of which is to be guaranteed, not to exceed $110,000,000: *Provided further*, That these funds are available to subsidize loan principal, 100 percent of which shall be guaranteed, pursuant to the authority of such sections: *Provided further*, That the President shall enter into commitments to guarantee such loans in the full amount provided under this heading, subject to the availability of qualified applicants for such guarantees. In addition, for administrative expenses to carry out guaranteed loan programs, $8,239,000, all of which may be transferred to and merged with the appropriation for Operating Expenses of the Agency for International Development: *Provided further, That commitments to guarantee loans under this heading may be entered into notwithstanding the second and third sentences of section 222(a) and, with regard to programs for Eastern Europe, section 223(j) of the Foreign Assistance Act of 1961: Provided further*, That none of the funds appropriated under this heading shall be obligated except through the regular notification procedures of the Committees on Appropriations.

DEBT RESTRUCTURING

For the cost, as defined in section 13201 of the Budget Enforcement Act of 1990, of modifying direct loans and loan guarantees, as the President may determine, for which funds have been appropriated or otherwise made available for programs within the International Affairs Budget Function 150, $7,000,000, to remain available until expended.

ECONOMIC SUPPORT FUND

For necessary expenses to carry out the provisions of chapter 4 of part II, [$2,364,562,000] *$2,280,500,000*, to remain available until September 30, 1995: [*Provided*, That funds appropriated under this heading that are made available for Israel shall be available on a grant basis as a cash transfer and shall be disbursed within thirty days of enactment of this Act or by October 31, 1993, whichever is later: *Provided further*, That funds appropriated under this heading that are made available for Egypt shall be provided on a grant basis, and of which sum cash transfer assistance may be provided with the understanding that Egypt will undertake significant economic reforms which are additional to those which were undertaken in previous fiscal years:] *Provided, That of the funds appropriated under this heading, not less than $1,200,000,000 shall be available only for Israel, which sum shall be available on a grant basis as a cash transfer and shall be disbursed within thirty days of enactment of this Act or by October 31, 1993, whichever is later: Provided further, That not less than $815,000,000 shall be available only for Egypt, which sum shall be provided on a grant basis, and of which sum cash transfer assistance may be provided, with the understanding that Egypt will undertake significant economic reforms which are additional to those which were undertaken in previous fiscal years, and of which not less than $200,000,000 shall be provided as Commodity Import Program assistance: Provided further*, That in exercising the authority to provide cash transfer assistance for Israel and Egypt, the President shall ensure that the level of such assistance does not cause an adverse impact on the total level of nonmilitary exports from the United States to each such country: *Provided further*, That it is the sense of the Congress that the recommended levels of assistance for Egypt and Israel are based in great measure upon their continued participation in the Camp David Accords and upon the Egyptian-Israeli peace treaty: *Provided further, That not less than $15,000,000 of the funds appropriated under this heading shall be made available for Cyprus to be used only for scholarships, bicommunal projects, and measures aimed at the reunification of the island and designed to reduce tensions, and promote peace and cooperation between the two communities on Cyprus: Provided further, That not less than $7,000,000 of the funds appropriated under this heading shall be made available for the Middle East Regional Cooperation program: Provided further*, That none of the funds appropriated under this heading shall be made available for Zaire: *Provided further*, That not more than $50,000,000 of the funds appropriated under this heading may be made available to finance tied-aid credits, unless the President determines it is in the national interest to provide in excess of $50,000,000 and so notifies the Committees on Appropriations through the regular notification procedures of the Committees on Appropriations: *Provided further*, That none of the funds made available or limited by this Act may be used for tied-aid credits or tied-aid grants except through the regular notification procedures of the Committees on Appropriations: *Provided further*, That none of the funds appropriated by this Act to carry out the provisions of chapters 1 and 10 of part I of the Foreign Assistance Act of 1961 may be used for tied-aid credits: *Provided further*, That as used in this heading the term "tied-aid credits" means any credit, within the meaning of section 15(h)(1) of the Export-Import Bank Act of 1945, which is used for blended or parallel financing, as those terms are defined by sections 15(h) (4) and (5), respectively, of such Act: *Provided further*, That funds appropriated under this heading shall remain available until September 30, 1995.

[INTERNATIONAL FUND FOR IRELAND

[For necessary expenses to carry out the provisions of part I of the Foreign Assistance Act of 1961, $19,600,000, which shall be available for the United States contribution to the International Fund for Ireland and shall be made available in accordance with the provisions of the Anglo-Irish Agreement Support Act of 1986 (Public Law 99-415): *Provided*, That such amount shall be expended at the minimum rate necessary to make timely payment for projects and activities: *Provided further*, That funds made available under this heading shall remain available until expended.]

ASSISTANCE FOR EASTERN EUROPE AND THE BALTIC STATES

(a) For necessary expenses to carry out the provisions of the Foreign Assistance Act of 1961 and the Support for East European Democracy (SEED) Act of 1989, [$400,000,000] *$380,000,000*, to remain available until expended, which shall be available, notwithstanding any other provision of law, for economic assistance *and for related programs* for Eastern Europe and the Baltic States.

(b) Funds appropriated under this heading or in prior appropriations Acts that are or have been made available for an Enterprise Fund may be deposited by such Fund in interest-bearing accounts prior to the Fund's disbursement of such funds for program purposes. The Fund may retain for such program purposes any interest earned on such deposits without returning such interest to the Treasury of the United States and without further appropriation by the Congress. Funds made available for Enterprise Funds shall be expended at the minimum rate necessary to make timely payment for projects and activities.

(c) Funds appropriated under this heading shall be considered to be economic assistance under the Foreign Assistance Act of 1961 for purposes of making available the administrative authorities contained in that Act for the use of economic assistance.

ASSISTANCE FOR THE NEW INDEPENDENT STATES OF THE FORMER SOVIET UNION

For necessary expenses to carry out the provisions of chapter 11 of part I of the Foreign Assistance Act of 1961 and the FREEDOM Support Act, for assistance for the new independent states of the former Soviet Union and for related programs, [$903,820,000] *$603,820,000*, to remain available until expended: *Provided*, That the provisions of 498B(j) of the Foreign Assistance Act of 1961 shall apply to funds appropriated by this paragraph.

INDEPENDENT AGENCIES

AFRICAN DEVELOPMENT FOUNDATION

For necessary expenses to carry out the provisions of title V of the International Security and Development Cooperation Act of 1980, Public Law 96-533, and to make such contracts and commitments without regard to fiscal year limitations, as provided by section 9104, title 31, United States Code, $16,905,000: *Provided*, That, when, with the permission of the President of the Foundation, funds made available to a grantee under this heading are invested pending disbursement, the resulting interest is not required to be deposited in the United States Treasury if the grantee uses the resulting interest for the purpose for which the grant was made: *Provided further*, That this provision applies with respect to both interest earned before and interest earned after the enactment of this provision: *Provided further, That notwithstanding section 505(a)(2) of the African Development Foundation Act, in exceptional circumstances the board of directors of the Foundation may waive the dollar limitation contained in that section with respect to a project: Provided further, That the Foundation shall provide a report to the Committees on Appropriations after each time such waiver authority is exercised.*

INTER-AMERICAN FOUNDATION

For expenses necessary to carry out the functions of the Inter-American Foundation in accordance with the provisions of section 401 of the Foreign Assistance Act of 1969, and to make such contracts and commitments without regard to fiscal year limitations, as provided by section 9104, title 31, United States Code, [$30,340,000] *$30,960,000*.

OVERSEAS PRIVATE INVESTMENT CORPORATION

PROGRAM ACCOUNT

For the subsidy cost as defined in section 13201 of the Budget Enforcement Act of 1990, of direct and guaranteed loans authorized by section 234 of the Foreign Assistance Act of 1961, as follows: cost of direct and guaranteed loans, $9,065,000. In addition, for administrative expenses to carry out the direct and guaranteed loan programs, $7,518,000: *Provided*, That the funds provided in this paragraph shall be available for and apply to costs, direct loan obligations and loan guaranty commitments incurred or made during the period from October 1, 1993 through September 30, 1995: *Provided further*, That such sums are to remain available through fiscal year 2002 for the disbursement of direct and guaranteed loans obligated in fiscal year 1994, and through 2003 for the disbursement of direct and guaranteed loans obligated in fiscal year 1995.

The Overseas Private Investment Corporation is authorized to make, without regard to fiscal year limitations, as provided by 31 U.S.C. 9104, such noncredit expenditures and commitments within the limits of funds available to it and in accordance with law (including an amount for official reception and representation expenses which shall not exceed $35,000) as may be necessary.

PEACE CORPS

For expenses necessary to carry out the provisions of the Peace Corps Act (75 Stat. 612), $219,745,000, including the purchase of not to exceed five passenger motor vehicles for administrative purposes for use outside of the United States: *Provided*, That none of the funds appropriated under this heading shall be used to pay for abortions: *Provided further*, That funds appropriated under this heading shall remain available until September 30, 1995: *Provided further*, That not to exceed $3,000,000 from amounts appropriated under this heading may be transferred to the "Foreign Currency Fluctuations, Peace Corps, Account", as authorized by section 16 of the Peace Corps Act, as amended.

DEPARTMENT OF STATE

INTERNATIONAL NARCOTICS CONTROL

For necessary expenses to carry out the provisions of section 481 of the Foreign Assistance Act of 1961, $100,000,000: *Provided, That during fiscal year 1994, the Bureau of International Narcotics Matters of the Department of State may also use the authority of section 608 of the Foreign Assistance Act of 1961, without regard to its restrictions, to receive nonlethal excess property from an agency of the United States Government for the purpose of providing it to a foreign country under chapter 8 of part I of that Act subject to the regular notification procedures of the Committees on Appropriations.*

MIGRATION AND REFUGEE ASSISTANCE

For expenses, not otherwise provided for, necessary to enable the Secretary of State to provide, as authorized by law, a contribution to the International Committee of the Red Cross and assistance to refugees, including contributions to the Intergovernmental Committee for Migration and the United Nations High Commissioner for Refugees; salaries and expenses of personnel and dependents as authorized by the Foreign Service Act of 1980; allowances as authorized by sections 5921 through 5925 of title 5, United States Code; hire of passenger motor vehicles; and services as authorized by section 3109 of title 5, United States Code; $670,688,000: *Provided, That not less than $80,000,000 shall be available for Soviet, Eastern European and other refugees resettling in Israel: Provided further*, That not more than $11,500,000 of the funds appropriated under this heading shall be available for the administrative expenses of the Office of Refugee Programs of the Department of State.

UNITED STATES EMERGENCY REFUGEE AND MIGRATION ASSISTANCE FUND

For necessary expenses to carry out the provisions of section 2(c) of the Migration and Refugee Assistance Act of 1962, as amended (22 U.S.C. 260(c)), [$19,261,000] *$49,261,000*, to remain available until expended: *Provided*, That the funds made available under this heading are appropriated notwithstanding the provisions contained in section 2(c)(2) of the Migration and Refugee Assistance Act of 1962 which would limit the amount of funds which could be appropriated for this purpose.

ANTI-TERRORISM ASSISTANCE

For necessary expenses to carry out the provisions of chapter 8 of part II of the Foreign Assistance Act of 1961, $15,244,000.

TITLE III—MILITARY ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

INTERNATIONAL MILITARY EDUCATION AND TRAINING

For necessary expenses to carry out the provisions of section 541 of the Foreign Assistance Act of 1961, $21,250,000: *Provided*, That up to $300,000 of the funds appropriated under this heading may be made available for grant financed military education and training for any country whose annual per capita GNP exceeds $2,349 on the condition that that country agrees to fund from its own resources the transportation cost and living allowances of its students: *Provided further*, That the civilian personnel for whom military education and training may be provided under this heading may also include members of national legislatures who are responsible for the oversight and management of the military: *Provided further*, That none of the funds appropriated under this heading shall be available for Indonesia and Zaire.

FOREIGN MILITARY FINANCING PROGRAM

For expenses necessary for grants to enable the President to carry out the provisions of section 23 of the Arms Export Control Act, [$3,175,000,000] *$3,123,558,000:* [*Provided*, That funds appropriated by this paragraph that are made available for Israel shall be available as grants and shall be disbursed within thirty days of enactment of this Act or by October 31, 1993, whichever is later: *Provided further*, That funds appropriated by this paragraph that are made available for Egypt shall be available as grants:] *Provided, That of the funds appropriated by this paragraph not less than $1,800,000,000 shall be available for grants only for Israel, and not less than $1,300,000,000 shall be available for grants only for Egypt: Provided further, That the funds appropriated by this paragraph for Israel shall be disbursed within thirty days of enactment of this Act or by October 31, 1993, whichever is later: Provided further, That to the extent that the Government of Israel requests that funds be used for such purposes, grants made available for Israel by this paragraph shall, as agreed by Israel and the United States, be available for advanced fighter aircraft programs or for other advanced weapons systems, as follows: (1) up to $150,000,000 shall be available for research and development in the United States; and (2) not less than $475,000,000 shall be available for the procurement in Israel of defense articles and defense services, including research and development: Provided further*, That funds made available under this paragraph shall be nonrepayable notwithstanding any requirement in section 23 of the Arms Export Control Act.

For the cost, as defined in section 13201 of the Budget Enforcement Act of 1990, of direct loans authorized by section 23 of the Arms Export Control Act as follows: cost of direct loans, $46,530,000: *Provided*, That these funds are available to subsidize gross obligations for the principal amount of direct loans of not to exceed $769,500,000: *Provided further*, That the rate of interest charged on such loans shall be not less than the current average market yield on outstanding marketable obligations of the United States of comparable maturities: [*Provided further*, That funds appropriated under this heading shall be made available for Portugal, Greece and Turkey only on a loan basis: *Provided further*, That the principal amount of loans made available for Greece and Turkey shall be made available according to a 7 to 10 ratio] *Provided further, That funds appropriated under this heading shall be made available for Greece, Portugal, and Turkey only on a loan basis, and the principal amount of direct loans for each country shall not exceed the following: $283,500,000 only for Greece, $81,000,000 only for Portugal, and $405,000,000 only for Turkey.*

None of the funds made available under this heading shall be available to finance the procurement of defense articles, defense services, or design and construction services

that are not sold by the United States Government under the Arms Export Control Act unless the foreign country proposing to make such procurements has first signed an agreement with the United States Government specifying the conditions under which such procurements may be financed with such funds: *Provided*, That all country and funding level increases in allocations shall be submitted through the regular notification procedures of section 515 of this Act: *Provided further*, That funds made available under this heading shall be obligated upon apportionment in accordance with paragraph (5)(C) of title 31, United States Code, section 1501(a): *Provided further*, That none of the funds appropriated under this heading shall be available for Zaire, Sudan, Liberia, Guatemala, Peru, and Malawi: *Provided further*, That not more than $100,000,000 of the funds made available under this heading shall be available for use in financing the procurement of defense articles, defense services, or design and construction services that are not sold by the United States Government under the Arms Export Control Act to countries other than Israel and Egypt: *Provided further*, That only those countries for which assistance was justified for the "Foreign Military Sales Financing Program" in the fiscal year 1989 congressional presentation for security assistance programs may utilize funds made available under this heading for procurement of defense articles, defense services or design and construction services that are not sold by the United States Government under the Arms Export Control Act: *Provided further, That, subject to the regular notification procedures of the Committees on Appropriations, funds made available under this heading for the cost of direct loans may also be used to supplement the funds available under this heading for necessary expenses for grants if countries specified under this heading as eligible for such direct loans decline to utilize such loans*: *Provided further*, That funds appropriated under this heading shall be expended at the minimum rate necessary to make timely payment for defense articles and services: *Provided further*, That the Department of Defense shall conduct during the current fiscal year nonreimbursable audits of private firms whose contracts are made directly with foreign governments and are financed with funds made available under this heading (as well as subcontractors thereunder) as requested by the Defense Security Assistance Agency: *Provided further*, That not more than $23,558,000 of the funds appropriated under this heading may be obligated for necessary expenses, including the purchase of passenger motor vehicles for replacement only for use outside of the United States, for the general costs of administering military assistance and sales: *Provided further*, That not more than $290,000,000 of funds realized pursuant to section 21(e)(1)(A) of the Arms Export Control Act may be obligated for expenses incurred by the Department of Defense during the fiscal year 1994 pursuant to section 43(b) of the Arms Export Control Act, except that this limitation may be exceeded only through the regular notification procedures of the Committees on Appropriations: *Provided further*, That none of the funds appropriated under this heading, and no employee of the Defense Security Assistance Agency, may be used to facilitate the transport of aircraft to commercial arms sales shows.

SPECIAL DEFENSE ACQUISITION FUND

Notwithstanding section 51 of the Arms Export Control Act, collections in excess of obligational authority provided in prior appropriations Acts shall be deposited in the Treasury as miscellaneous receipts: *Provided, That notwithstanding any provision of Public Law 102-391, not to exceed $160,000,000 of the obligational authority provided in that Act under the heading "Special Defense Acquisition Fund" may be obligated pursuant to section 51(c)(2) of the Arms Export Control Act.*

PEACEKEEPING OPERATIONS

For necessary expenses to carry out the provisions of section 551 of the Foreign Assistance Act of 1961, **[**$75,623,000**]** *$62,500,000.*

NONPROLIFERATION AND DISARMAMENT FUND

For necessary expenses for a "Nonproliferation and Disarmament Fund", $10,000,000, to remain available until expended, to promote bilateral and multilateral activities: *Provided*, That such funds may be used pursuant to the authorities contained in section 504 of the FREEDOM Support Act: *Provided further*, That such funds may also be used for such countries other than the new independent states of the former Soviet Union and international organizations when it is in the national security interest of the United States to do so: *Provided further*, That funds appropriated under this heading may be made available notwithstanding any other provision of law: *Provided further*, That funds appropriated under this heading shall be subject to the regular notification procedures of the Committees on Appropriations.

TITLE IV—EXPORT ASSISTANCE

EXPORT-IMPORT BANK OF THE UNITED STATES

The Export-Import Bank of the United States is authorized to make such expenditures within the limits of funds and borrowing authority available to such corporation, and in accordance with 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 may be necessary in carrying out the program for the current fiscal year for such corporation: *Provided*, That none of the funds available during the current fiscal year may be used to make expenditures, contracts, or commitments for the export of nuclear equipment, fuel, or technology to any country other than a nuclear-weapon State as defined in article IX of the Treaty on the Non-Proliferation of Nuclear Weapons eligible to receive economic or military assistance under this Act that has detonated a nuclear explosive after the date of enactment of this Act.

SUBSIDY APPROPRIATION

For the cost of direct loans, loan guarantees, insurance, and tied-aid grants as authorized by section 10 of the Export-Import Bank Act of 1945, as amended, **[**$700,000,000**]** *$1,000,000,000 to remain available until September 30, 1995*: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That such sums shall remain available until 2009 for the disbursement of direct loans, loan guarantees, insurance and tied-aid grants obligated in **[**fiscal year 1994**]** *fiscal years 1994 and 1995*: *Provided further*, That up to $50,000,000 of funds appropriated by this paragraph shall remain available until expended and may be used for tied-aid grant purposes: *Provided further*, That none of the funds appropriated by this paragraph may be used for tied-aid credits or grants except through the regular notification procedures of the Committees on Appropriations: *Provided further*, That funds appropriated by this paragraph are made available notwithstanding section 2(b)(2) of the Export-Import Bank Act of 1945, in connection with the purchase or lease of any product by any East European country, any Baltic State, or any agency or national thereof.

ADMINISTRATIVE EXPENSES

For administrative expenses to carry out the direct and guaranteed loan and insurance programs (to be computed on an accrual basis), including hire of passenger motor vehicles and services as authorized by 5 U.S.C. 3109, and not to exceed $20,000 for official reception and representation expenses for members of the Board of Directors, $45,369,000: *Provided*, That necessary expenses (including special services performed on a contract or fee basis, but not including other personal services) in connection with the collection of moneys owed the Export-Import Bank, repossession or sale of pledged collateral or other assets acquired by the Export-Import Bank in satisfaction of moneys owed the Export-Import Bank, or the investigation or appraisal of any property, or the evaluation of the legal or technical aspects of any transaction for which an application for a loan, guarantee or insurance commitment has been made, shall be considered nonadministrative expenses for the purposes of this heading.

FUNDS APPROPRIATED TO THE PRESIDENT

TRADE AND DEVELOPMENT AGENCY

For necessary expenses to carry out the provisions of section 661 of the Foreign Assistance Act of 1961, $40,000,000.

TITLE V—GENERAL PROVISIONS

OBLIGATIONS DURING LAST MONTH OF AVAILABILITY

SEC. 501. Except for the appropriations entitled "International Disaster Assistance", and "United States Emergency Refugee and Migration Assistance Fund", not more than 15 per centum of any appropriation item made available by this Act shall be obligated during the last month of availability.

PROHIBITION OF BILATERAL FUNDING FOR INTERNATIONAL FINANCIAL INSTITUTIONS

SEC. 502. None of the funds contained in title II of this Act may be used to carry out the provisions of section 209(d) of the Foreign Assistance Act of 1961.

LIMITATION ON RESIDENCE EXPENSES

SEC. 503. Of the funds appropriated or made available pursuant to this Act, not to exceed $126,500 shall be for official residence expenses of the Agency for International Development during the current fiscal year: *Provided*, That appropriate steps shall be taken to assure that, to the maximum extent possible, United States-owned foreign currencies are utilized in lieu of dollars.

LIMITATION ON EXPENSES

SEC. 504. Of the funds appropriated or made available pursuant to this Act, not to exceed $5,000 shall be for entertainment expenses of the Agency for International Development during the current fiscal year.

LIMITATION ON REPRESENTATIONAL ALLOWANCES

SEC. 505. Of the funds appropriated or made available pursuant to this Act, not to exceed $95,000 shall be available for representation allowances for the Agency for International Development during the current fiscal year: *Provided*, That appropriate steps shall be taken to assure that, to the maximum extent possible, United States-owned foreign currencies are utilized in lieu of dollars: *Provided further*, That of the funds made available by this Act for general costs of administering military assistance and sales under

the heading "Foreign Military Financing Program", not to exceed $2,000 shall be available for entertainment expenses and not to exceed $50,000 shall be available for representation allowances: *Provided further*, That of the funds made available by this Act under the heading "International Military Education and Training", not to exceed $50,000 shall be available for entertainment allowances: *Provided further*, That of the funds made available by this Act for the Inter-American Foundation, not to exceed $2,000 shall be available for entertainment and representation allowances: *Provided further*, That of the funds made available by this Act for the Peace Corps, not to exceed a total of $4,000 shall be available for entertainment expenses: *Provided further*, That of the funds made available by this Act under the heading "Trade and Development Agency", not to exceed $2,000 shall be available for representation and entertainment allowances.

PROHIBITION ON FINANCING NUCLEAR GOODS

SEC. 506. None of the funds appropriated or made available (other than funds for "International Organizations and Programs") pursuant to this Act, for carrying out the Foreign Assistance Act of 1961, may be used, except for purposes of nuclear safety, to finance the export of nuclear equipment, fuel, or technology.

PROHIBITION AGAINST DIRECT FUNDING FOR CERTAIN COUNTRIES

SEC. 507. None of the funds appropriated or otherwise made available pursuant to this Act shall be obligated or expended to finance directly any assistance or reparations to Cuba, Iraq, Libya, the Socialist Republic of Vietnam, Iran, Serbia, Sudan, or Syria: *Provided*, That for purposes of this section, the prohibition on obligations or expenditures shall include direct loans, credits, insurance and guarantees of the Export-Import Bank or its agents.

MILITARY COUPS

SEC. 508. None of the funds appropriated or otherwise made available pursuant to this Act shall be obligated or expended to finance directly any assistance to any country whose duly elected Head of Government is deposed by military coup or decree: *Provided*, That assistance may be resumed to such country if the President determines and reports to the Committees on Appropriations that subsequent to the termination of assistance a democratically elected government has taken office.

TRANSFERS BETWEEN ACCOUNTS

SEC. 509. None of the funds made available by this Act may be obligated under an appropriation account to which they were not appropriated, unless the President, prior to the exercise of any authority contained in the Foreign Assistance Act of 1961 to transfer funds, consults with and provides a written policy justification to the Committees on Appropriations of the House of Representatives and the Senate: *Provided*, That the exercise of such authority shall be subject to the regular notification procedures of the Committees on Appropriations.

DEOBLIGATION/REOBLIGATION AUTHORITY

SEC. 510. (a) Amounts certified pursuant to section 1311 of the Supplemental Appropriations Act, 1955, as having been obligated against appropriations heretofore made under the authority of the Foreign Assistance Act of 1961 for the same general purpose as any of the headings under the "Agency for International Development" are, if deobligated, hereby continued available for the same period as the respective appropriations under such headings or until September 30, 1994, whichever is later, and for the same general purpose, and for countries within the same region as originally obligated: *Provided*, That the Appropriations Committees, of both Houses of the Congress are notified fifteen days in advance of the deobligation and reobligation of such funds in accordance with regular notification procedures of the Committees on Appropriations.

(b) Obligated balances of funds appropriated to carry out section 23 of the Arms Export Control Act as of the end of the fiscal year immediately preceding the current fiscal year are, if deobligated, hereby continued available during the current fiscal year for the same purpose under any authority applicable to such appropriations under this Act.

AVAILABILITY OF FUNDS

SEC. 511. No part of any appropriation contained in this Act shall remain available for obligation after the expiration of the current fiscal year unless expressly so provided in this Act: *Provided*, That funds appropriated for the purposes of [chapter 1] *chapters 1 and 8* of part I, section 667, and chapter 4 of part II of the Foreign Assistance Act of 1961, as amended, shall remain available until expended if such funds are initially obligated before the expiration of their respective periods of availability contained in this Act: *Provided further*, That, notwithstanding any other provision of this Act, any funds made available for the purposes of chapter 1 of part I and chapter 4 of part II of the Foreign Assistance Act of 1961 which are allocated or obligated for cash disbursements in order to address balance of payments or economic policy reform objectives, shall remain available until expended: *Provided further*, That the report required by section 653(a) of the Foreign Assistance Act of 1961 shall designate for each country, to the extent known at the time of submission of such report, those funds allocated for cash disbursement for balance of payment and economic policy reform purposes.

LIMITATION ON ASSISTANCE TO COUNTRIES IN DEFAULT

SEC. 512. No part of any appropriation contained in this Act shall be used to furnish assistance to any country which is in default during a period in excess of one calendar year in payment to the United States of principal or interest on any loan made to such country by the United States pursuant to a program for which funds are appropriated under this Act: *Provided*, That this section and section 620(q) of the Foreign Assistance Act of 1961 shall not apply to funds made available in this Act or during the current fiscal year for Nicaragua, and for any narcotics-related assistance for Colombia, Bolivia, and Peru authorized by the Foreign Assistance Act of 1961 or the Arms Export Control Act.

COMMERCE AND TRADE

SEC. 513. (a) None of the funds appropriated or made available pursuant to this Act for direct assistance and none of the funds otherwise made available pursuant to this Act to the Export-Import Bank and the Overseas Private Investment Corporation shall be obligated or expended to finance any loan, any assistance or any other financial commitments for establishing or expanding production of any commodity for export by any country other than the United States, if the commodity is likely to be in surplus on world markets at the time the resulting productive capacity is expected to become operative and if the assistance will cause substantial injury to United States producers of the same, similar, or competing commodity: *Provided*, That such prohibition shall not apply to the Export-Import Bank if in the judgment of its Board of Directors the benefits to industry and employment in the United States are likely to outweigh the injury to United States producers of the same, similar, or competing commodity.

(b) None of the funds appropriated by this or any other Act to carry out chapter 1 of part I of the Foreign Assistance Act of 1961 shall be available for any testing or breeding feasibility study, variety improvement or introduction, consultancy, publication, conference, or training in connection with the growth or production in a foreign country of an agricultural commodity for export which would compete with a similar commodity grown or produced in the United States: *Provided*, That this subsection shall not prohibit—

(1) activities designed to increase food security in developing countries where such activities will not have a significant impact in the export of agricultural commodities of the United States; or

(2) research activities intended primarily to benefit American producers.

(c) None of the funds provided in this Act to the Agency for International Development, other than funds made available to carry out Caribbean Basin Initiative programs under the Tariff Schedules of the United States, section 1202 of title 19, United States Code, schedule 8, part I, subpart B, item 807.00, shall be obligated or expended—

(1) to procure directly feasibility studies or prefeasibility studies for, or project profiles of potential investment in, the manufacture, for export to the United States or to third country markets in direct competition with United States exports, of import-sensitive articles as defined by section 503(c)(1) (A) and (E) of the Tariff Act of 1930 (19 U.S.C. 2463(c)(1) (A) and (E)); or

(2) to assist directly in the establishment of facilities specifically designed for the manufacture, for export to the United States or to third country markets in direct competition with United States exports, of import-sensitive articles as defined in section 503(c)(1) (A) and (E) of the Tariff Act of 1930 (19 U.S.C. 2463(c)(1) (A) and (E)).

SURPLUS COMMODITIES

SEC. 514. The Secretary of the Treasury shall instruct the United States Executive Directors of the International Bank for Reconstruction and Development, the International Development Association, the International Finance Corporation, the Inter-American Development Bank, the International Monetary Fund, the Asian Development Bank, the Inter-American Investment Corporation, the African Development Bank, and the African Development Fund to use the voice and vote of the United States to oppose any assistance by these institutions, using funds appropriated or made available pursuant to this Act, for the production or extraction of any commodity or mineral for export, if it is in surplus on world markets and if the assistance will cause substantial injury to United States producers of the same, similar, or competing commodity.

NOTIFICATION REQUIREMENTS

SEC. 515. For the purposes of providing the Executive Branch with the necessary administrative flexibility, none of the funds made available under this Act for "Development Assistance Fund", "Population, Development Assistance", "Development Fund for

Africa", "International organizations and programs", [("American schools and hospitals abroad",] "Trade and development agency", "International narcotics control", *"Assistance for Eastern Europe and the Baltic States", "Assistance for the New Independent States of the Former Soviet Union"*, "Economic support fund", "Peacekeeping operations", "Operating expenses of the Agency for International Development", "Operating expenses of the Agency for International Development Office of Inspector General", "Anti-terrorism assistance", "Foreign Military Financing Program", "International military education and training", "Inter-American Foundation", "African Development Foundation", "Peace Corps", or "Migration and refugee assistance", shall be available for obligation for activities, programs, projects, type of materiel assistance, countries, or other operation not justified or in excess of the amount justified to the Appropriations Committees for obligation under any of these specific headings unless the Appropriations Committees of both Houses of Congress are previously notified fifteen days in advance: *Provided*, That the President shall not enter into any commitment of funds appropriated for the purposes of section 23 of the Arms Export Control Act for the provision of major defense equipment, other than conventional ammunition, or other major defense items defined to be aircraft, ships, missiles, or combat vehicles, not previously justified to Congress or 20 per centum in excess of the quantities justified to Congress unless the Committees on Appropriations are notified fifteen days in advance of such commitment: *Provided further*, That this section shall not apply to any reprogramming for an activity, program, or project under chapter 1 of part I of the Foreign Assistance Act of 1961 of less than 20 per centum of the amount previously justified to the Congress for obligation for such activity, program, or project for the current fiscal year: *Provided further*, That the requirements of this section or any similar provision of this Act requiring notification in accordance with the regular notification procedures of the Committees on Appropriations may be waived if failure to do so would pose a substantial risk to human health or welfare: *Provided further*, That in case of any such waiver, notification to the Congress, or the appropriate congressional committees, shall be provided as early as practicable, but in no event later than three days after taking the action to which such notification requirement was applicable, in the context of the circumstances necessitating such waiver: *Provided further*, That any notification provided pursuant to such a waiver shall contain an explanation of the emergency circumstances.

Drawdowns made pursuant to section 506(a)(2) of the Foreign Assistance Act of 1961 shall be subject to the regular notification procedures of the Committees on Appropriations.

LIMITATION ON AVAILABILITY OF FUNDS FOR INTERNATIONAL ORGANIZATIONS AND PROGRAMS

SEC. 516. (a) Notwithstanding any other provision of law or of this Act, none of the funds provided for "International Organizations and Programs" shall be available for the United States proportionate share for any programs for the Palestine Liberation Organization (or for projects whose purpose is to provide benefits to the Palestine Liberation Organization or entities associated with it), Libya, Iran, or, at the discretion of the President, Communist countries listed in section 620(f) of the Foreign Assistance Act of 1961, as amended: *Provided*, That, subject to the regular notification procedures of the Committees on Appropriations, funds appropriated under this Act or any previously enacted Act making appropriations for foreign operations, export financing, and related programs, which are returned or not made available for organizations and programs because of the implementation of this section or any similar provision of law, shall remain available for obligation through September 30, 1995.

(b) The United States shall not make any voluntary or assessed contribution—

(1) to any affiliated organization of the United Nations which grants full membership as a state to any organization or group that does not have the internationally recognized attributes of statehood, or

(2) to the United Nations, if the United Nations grants full membership as a state in the United Nations to any organization or group that does not have the internationally recognized attributes of statehood,

during any period in which such membership is effective.

ECONOMIC SUPPORT FUND ASSISTANCE FOR ISRAEL

SEC. 517. The Congress finds that progress on the peace process in the Middle East is vitally important to United States security interests in the region. The Congress recognizes that, in fulfilling its obligations under the Treaty of Peace Between the Arab Republic of Egypt and the State of Israel, done at Washington on March 26, 1979, Israel incurred severe economic burdens. Furthermore, the Congress recognizes that an economically and militarily secure Israel serves the security interests of the United States, for a secure Israel is an Israel which has the incentive and confidence to continue pursuing the peace process. Therefore, the Congress declares that it is the policy and the intention of the United States that the funds provided in annual appropriations for the Economic Support Fund which are allocated to Israel shall not be less than the annual debt repayment (interest and principal) from Israel to the United States Government in recognition that such a principle serves United States interests in the region.

PROHIBITION CONCERNING ABORTIONS AND INVOLUNTARY STERILIZATION

SEC. 518. None of the funds made available to carry out part I of the Foreign Assistance Act of 1961, as amended, may be used to pay for the performance of abortions as a method of family planning or to motivate or coerce any person to practice abortions. None of the funds made available to carry out part I of the Foreign Assistance Act of 1961, as amended, may be used to pay for the performance of involuntary sterilization as a method of family planning or to coerce or provide any financial incentive to any person to undergo sterilizations. None of the funds made available to carry out part I of the Foreign Assistance Act of 1961, as amended, may be used to pay for any biomedical research which relates in whole or in part, to methods of, or the performance of, abortions or involuntary sterilization as a means of family planning. None of the funds made available to carry out part I of the Foreign Assistance Act of 1961, as amended, may be obligated or expended for any country or organization if the President certifies that the use of these funds by any such country or organization would violate any of the above provisions related to abortions and involuntary sterilizations. The Congress reaffirms its commitments to Population, Development Assistance and to the need for informed voluntary family planning.

REPORTING REQUIREMENT

SEC. 519. The President shall submit to the Committees on Appropriations the reports required by section 25(a)(1) of the Arms Export Control Act.

SPECIAL NOTIFICATION REQUIREMENTS

SEC. 520. None of the funds appropriated in this Act shall be obligated or expended for Afghanistan, Cambodia, *Colombia*, El Salvador, Guatemala, Haiti, Indonesia, Jordan, Liberia, Malawi, Peru, Sudan, Togo, or Zaire except as provided through the regular notification procedures of the Committees on Appropriations: *Provided, That this section shall not apply to funds appropriated by this Act to carry out the provisions of chapter 1 of part I of the Foreign Assistance Act of 1961 that are made available for El Salvador.*

DEFINITION OF PROGRAM, PROJECT, AND ACTIVITY

SEC. 521. For the purpose of this Act, "program, project, and activity" shall be defined at the Appropriations Act account level and shall include all Appropriations and Authorizations Acts earmarks, ceilings, and limitations with the exception that for the following accounts: Economic Support Fund and Foreign Military Financing Program, "program, project, and activity" shall also be considered to include country, regional, and central program level funding within each such account; for the development assistance accounts of the Agency for International Development "program, project, and activity" shall also be considered to include central program level funding, either as (1) justified to the Congress, or (2) allocated by the executive branch in accordance with a report, to be provided to the Committees on Appropriations within thirty days of enactment of this Act, as required by section 653(a) of the Foreign Assistance Act of 1961.

FAMILY PLANNING, CHILD SURVIVAL AND AIDS ACTIVITIES

SEC. 522. Up to $8,000,000 of the funds made available by this Act for assistance for family planning, health, child survival, and AIDS, may be used to reimburse United States Government agencies, agencies of State governments, institutions of higher learning, and private and voluntary organizations for the full cost of individuals (including for the personal services of such individuals) detailed or assigned to, or contracted by, as the case may be, the Agency for International Development for the purpose of carrying out family planning activities, child survival activities and activities relating to research on, and the treatment and control of, acquired immune deficiency syndrome in developing countries: *Provided*, That such individuals shall not be included within any personnel ceiling applicable to any United States Government agency during the period of detail or assignment: *Provided further*, That funds appropriated by this Act that are made available for child survival activities or activities relating to research on, and the treatment and control of, acquired immune deficiency syndrome may be made available notwithstanding any provision of law that restricts assistance to foreign countries: *Provided further*, That funds appropriated by this Act that are made available for family planning activities may be made available notwithstanding section 512 of this Act and section 620(q) of the Foreign Assistance Act of 1961.

PROHIBITION AGAINST INDIRECT FUNDING TO CERTAIN COUNTRIES

SEC. 523. None of the funds appropriated or otherwise made available pursuant to th

Act shall be obligated to finance indirectly any assistance or reparations to Cuba, Iraq, Libya, the Socialist Republic of Vietnam, Iran, Syria, North Korea, People's Republic of China, or Laos unless the President of the United States certifies that the withholding of these funds is contrary to the national interest of the United States.

RECIPROCAL LEASING

SEC. 524. Section 61(a) of the Arms Export Control Act is amended by striking out "1993" and inserting in lieu thereof "1994".

NOTIFICATION ON EXCESS DEFENSE EQUIPMENT

SEC. 525. Prior to providing excess Department of Defense articles in accordance with section 516(a) of the Foreign Assistance Act of 1961, the Department of Defense shall notify the Committees on Appropriations to the same extent and under the same conditions as are other committees pursuant to subsection (c) of that section: *Provided*, That before issuing a letter of offer to sell excess defense articles under the Arms Export Control Act, the Department of Defense shall notify the Committees on Appropriations in accordance with the regular notification procedures of such Committees: *Provided further*, That such Committees shall also be informed of the original acquisition cost of such defense articles.

AUTHORIZATION REQUIREMENT

SEC. 526. Funds appropriated by [title I through V] *titles I through IV* of this Act may be obligated and expended [subject to] *notwithstanding* section 10 of Public Law 91-672 and section 15 of the State Department Basic Authorities Act of 1956: *Provided*, That the Secretary of the Treasury is authorized to agree on behalf of the United States to participate in the tenth replenishment of the resources of the International Development Association, the fifth replenishment of the Asian Development Fund, and the replenishment of the permanent Global Environment Facility, subject to obtaining the necessary appropriations.

DEPLETED URANIUM

SEC. 527. None of the funds provided in this or any other Act may be made available to facilitate in any way the sale of M-833 antitank shells or any comparable antitank shells containing a depleted uranium penetrating component to any country other than (1) countries which are members of NATO, (2) countries which have been designated as a major non-NATO ally for purposes of section 1105 of the National Defense Authorization Act for Fiscal Year 1987, or (3) Taiwan: *Provided*, That funds may be made available to facilitate the sale of such shells notwithstanding the limitations of this section if the President determines that to do so is in the national security interest of the United States.

OPPOSITION TO ASSISTANCE TO TERRORIST COUNTRIES BY INTERNATIONAL FINANCIAL INSTITUTIONS

SEC. 528. (a) INSTRUCTIONS FOR UNITED STATES EXECUTIVE DIRECTORS.—The Secretary of the Treasury shall instruct the United States Executive Director of each international financial institution [to vote against] *designated in subsection (b), and the Administrator of the Agency for International Development shall instruct the United States Executive Director of the International Fund for Agriculture Development, to use the voice and vote of the United States to oppose* any loan or other use of the funds of the respective institution to or for a country for which the Secretary of State has made a determination under section 6(j) of the Export Administration Act of 1979.

(b) DEFINITION.—For purposes of this section, the term "international financial institution" includes—

(1) the International Bank for Reconstruction and Development, the International Development Association, and the International Monetary Fund; and

(2) wherever applicable, the Inter-American Development Bank, the Asian Development Bank, the African Development Bank, the African Development Fund, and the European Bank for Reconstruction and Development.

PROHIBITION ON BILATERAL ASSISTANCE TO TERRORIST COUNTRIES

SEC. 529. (a) Notwithstanding any other provision of law, funds appropriated for bilateral assistance under any heading of this Act and funds appropriated under any such heading in a provision of law enacted prior to enactment of this Act, shall not be made available to any country which the President determines—

(1) grants sanctuary from prosecution to any individual or group which has committed an act of international terrorism, or

(2) otherwise supports international terrorism.

(b) The President may waive the application of subsection (a) to a country if the President determines that national security or humanitarian reasons justify such waiver. The President shall publish each waiver in the Federal Register and, at least fifteen days before the waiver takes effect, shall notify the Committees on Appropriations of the waiver (including the justification for the waiver) in accordance with the regular notification procedures of the Committees on Appropriations.

COMMERCIAL LEASING OF DEFENSE ARTICLES

SEC. 530. Notwithstanding any other provision of law, and subject to the regular notification requirements of the Committees on Appropriations, the authority of section 23(a) of the Arms Export Control Act may be used to provide financing to Israel and Egypt and NATO and major non-NATO allies for the procurement by leasing (including leasing with an option to purchase) of defense articles from United States commercial suppliers, not including Major Defense Equipment (other than helicopters and other types of aircraft having possible civilian application), if the President determines that there are compelling foreign policy or national security reasons for those defense articles being provided by commercial lease rather than by government-to-government sale under such Act.

COMPETITIVE INSURANCE

SEC. 531. All Agency for International Development contracts and solicitations, and subcontracts entered into under such contracts, shall include a clause requiring that United States marine insurance companies have a fair opportunity to bid for marine insurance when such insurance is necessary or appropriate.

STINGERS IN THE PERSIAN GULF REGION

SEC. 532. Except as provided in section 581 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1990, the United States may not sell or otherwise make available any Stingers to any country bordering the Persian Gulf under the Arms Export Control Act or chapter 2 of part II of the Foreign Assistance Act of 1961.

PROHIBITION ON LEVERAGING AND DIVERSION OF UNITED STATES ASSISTANCE

SEC. 533. (a) None of the funds appropriated by this Act may be provided to any foreign government (including any instrumentality or agency thereof), foreign person, or United States person in exchange for that foreign government or person undertaking any action which is, if carried out by the United States Government, a United States official or employee, expressly prohibited by a provision of United States law.

(b) For the purposes of this section the term "funds appropriated by this Act" includes only (1) assistance of any kind under the Foreign Assistance Act of 1961; and (2) credits, and guaranties under the Arms Export Control Act.

(c) Nothing in this section shall be construed to limit—

(1) the ability of the President, the Vice President, or any official or employee of the United States to make statements or otherwise express their views to any party on any subject;

(2) the ability of an official or employee of the United States to express the policies of the President; or

(3) the ability of an official or employee of the United States to communicate with any foreign country government, group or individual, either directly or through a third party, with respect to the prohibitions of this section including the reasons for such prohibitions, and the actions, terms, or conditions which might lead to the removal of the prohibitions of this section.

DEBT-FOR-DEVELOPMENT

SEC. 534. In order to enhance the continued participation of nongovernmental organizations in economic assistance activities under the Foreign Assistance Act of 1961, including endowments, debt-for-development and debt-for-nature exchanges, a nongovernmental organization which is a grantee or contractor of the Agency for International Development may place in interest bearing accounts funds made available under this Act or prior *or subsequent* Acts or local currencies which accrue to that organization as a result of economic assistance provided under the heading "Agency for International Development" and any interest earned on such investment may be for the purpose for which the assistance was provided to that organization.

LOCATION OF STOCKPILES

SEC. 535. Section 514(b)(2) of the Foreign Assistance Act of 1961 is amended by striking out "$389,000,000 for fiscal year 1993, of which amount not less than $200,000,000 shall be available for stockpiles in Israel, and up to $189,000,000 may be available for stockpiles in the Republic of Korea" and inserting in lieu thereof "$200,000,000 for stockpiles in Israel for fiscal year 1994, *and up to $72,000,000 may be made available for stockpiles in the Republic of Korea*".

ASSISTANCE FOR PAKISTAN

SEC. 536. (a) The date specified in section 620E(d) of the Foreign Assistance Act of 1961 is amended to read as follows: "September 30, 1994".

(b) None of the funds appropriated in this Act shall be obligated or expended for Pakistan except as provided through the regular notification procedures of the Committees on Appropriations.

SEPARATE ACCOUNTS

SEC. 537. (a) SEPARATE ACCOUNTS FOR LOCAL CURRENCIES.—(1) If assistance is furnished to the government of a foreign country under chapters 1 and 10 of part I (including the Philippines Multilateral Assistance Initiative) or chapter 4 of part II of the Foreign Assistance Act of 1961 under agreements which result in the generation of local currencies of that country, the Administrator of

the Agency for International Development shall—

(A) require that local currencies be deposited in a separate account established by that government;

(B) enter into an agreement with that government which sets forth—

(i) the amount of the local currencies to be generated, and

(ii) the terms and conditions under which the currencies so deposited may be utilized, consistent with this section; and

(C) establish by agreement with that government the responsibilities of the Agency for International Development and that government to monitor and account for deposits into and disbursements from the separate account.

(2) USES OF LOCAL CURRENCIES.—As may be agreed upon with the foreign government, local currencies deposited in a separate account pursuant to subsection (a), or an equivalent amount of local currencies, shall be used only—

(A) to carry out chapters 1 or 10 of part I or chapter 4 of part II (as the case may be), for such purposes as—

(i) project and sector assistance activities, or

(ii) debt and deficit financing; or

(B) for the administrative requirements of the United States Government.

(3) PROGRAMMING ACCOUNTABILITY.—The Agency for International Development shall take all appropriate steps to ensure that the equivalent of the local currencies disbursed pursuant to subsection (a)(2)(A) from the separate account established pursuant to subsection (a)(1) are used for the purposes agreed upon pursuant to subsection (a)(2).

(4) TERMINATION OF ASSISTANCE PROGRAMS.—Upon termination of assistance to a country under chapters 1 or 10 of part I or chapter 4 of part II (as the case may be), any unencumbered balances of funds which remain in a separate account established pursuant to subsection (a) shall be disposed of for such purposes as may be agreed to by the government of that country and the United States Government.

(5) CONFORMING AMENDMENTS.—The provisions of this subsection shall supersede the tenth and eleventh provisos contained under the heading "Sub-Saharan Africa, Development Assistance" as included in the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1989 and sections 531(d) and 609 of the Foreign Assistance Act of 1961.

(b) SEPARATE ACCOUNTS FOR CASH TRANSFERS.—(1) If assistance is made available to the government of a foreign country, under chapters 1 or 10 of part I (including the Philippines Multilateral Assistance Initiative) or chapter 4 of part II of the Foreign Assistance Act of 1961, as cash transfer assistance or as nonproject sector assistance, that country shall be required to maintain such funds in a separate account and not commingle them with any other funds.

(2) APPLICABILITY OF OTHER PROVISIONS OF LAW.—Such funds may be obligated and expended notwithstanding provisions of law which are inconsistent with the nature of this assistance including provisions which are referenced in the Joint Explanatory Statement of the Committee of Conference accompanying House Joint Resolution 648 (H. Report No. 98–1159).

(3) NOTIFICATION.—At least fifteen days prior to obligating any such cash transfer or nonproject sector assistance, the President shall submit a notification through the regular notification procedures of the Committees on Appropriations, which shall include a detailed description of how the funds proposed to be made available will be used, with a discussion of the United States interests that will be served by the assistance (including, as appropriate, a description of the economic policy reforms that will be promoted by such assistance).

(4) EXEMPTION.—Nonproject sector assistance funds may be exempt from the requirements of subsection (b)(1) only through the notification procedures of the Committees on Appropriations.

COMPENSATION FOR UNITED STATES EXECUTIVE DIRECTORS TO INTERNATIONAL FINANCIAL INSTITUTIONS

SEC. 538. (a) No funds appropriated by this Act may be made as payment to any international financial institution while the United States Executive Director to such institution is compensated by the institution at a rate which, together with whatever compensation such Director receives from the United States, is in excess of the rate provided for an individual occupying a position at level IV of the Executive Schedule under section 5315 of title 5, United States Code, or while any alternate United States Director to such institution is compensated by the institution at a rate in excess of the rate provided for an individual occupying a position at level V of the Executive Schedule under section 5316 of title 5, United States Code.

(b) For purposes of this section, "international financial institutions" are: the International Bank for Reconstruction and Development, the Inter-American Development Bank, the Asian Development Bank, the Asian Development Fund, the African Development Bank, the African Development Fund, the International Monetary Fund, and the European Bank for Reconstruction and Development.

COMPLIANCE WITH UNITED NATIONS SANCTIONS AGAINST IRAQ

SEC. 539. (a) DENIAL OF ASSISTANCE.—None of the funds appropriated or otherwise made available pursuant to this Act to carry out the Foreign Assistance Act of 1961 (including title IV of chapter 2 of part I, relating to the Overseas Private Investment Corporation) or the Arms Export Control Act may be used to provide assistance to any country that is not in compliance with the United Nations Security Council sanctions against Iraq unless the President determines and so certifies to the Congress that—

(1) such assistance is in the national interest of the United States;

(2) such assistance will directly benefit the needy people in that country; or

(3) the assistance to be provided will be humanitarian assistance for foreign nationals who have fled Iraq and Kuwait.

(b) IMPORT SANCTIONS.—If the President considers that the taking of such action would promote the effectiveness of the economic sanctions of the United Nations and the United States imposed with respect to Iraq, and is consistent with the national interest, the President may prohibit, for such a period of time as he considers appropriate, the importation into the United States of any or all products of any foreign country that has not prohibited—

(1) the importation of products of Iraq into its customs territory, and

(2) the export of its products to Iraq.

POW/MIA MILITARY DRAWDOWN

SEC. 540. (a) Notwithstanding any other provision of law, the President may direct the drawdown, without reimbursement by the recipient, of defense articles from the stocks of the Department of Defense, defense services of the Department of Defense, and military education and training, of an aggregate value not to exceed $15,000,000 in fiscal year 1994, as may be necessary to carry out subsection (b).

(b) Such defense articles, services and training may be provided to Cambodia and Laos, under subsection (a) as the President determines are necessary to support efforts to locate and repatriate members of the United States Armed Forces and civilians employed directly or indirectly by the United States Government who remain unaccounted for from the Vietnam War, and to ensure the safety of United States Government personnel engaged in such cooperative efforts and to support United States Department of Defense-sponsored humanitarian projects associated with the POW/MIA efforts. Any aircraft shall be provided under this section only to Laos and only on a lease or loan basis, but may be provided at no cost notwithstanding section 61 of the Arms Export Control Act and may be maintained with defense articles, services and training provided under this section.

(c) The President shall, within sixty days of the end of any fiscal year in which the authority of subsection (a) is exercised, submit a report to the Congress which identifies the articles, services, and training drawn down under this section.

(d) There are authorized to be appropriated to the President such sums as may be necessary to reimburse the applicable appropriation, fund, or account for defense articles, defense services, and military education and training provided under this section.

MEDITERRANEAN EXCESS DEFENSE ARTICLES

SEC. 541. During fiscal year 1994, the provisions of section 573(e) of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1990, shall be applicable, for the period specified therein, to excess defense articles made available under sections 516 and 519 of the Foreign Assistance Act of 1961.

PRIORITY DELIVERY OF EQUIPMENT

SEC. 542. Notwithstanding any other provision of law, the delivery of excess defense articles that are to be transferred on a grant basis under section 516 of the Foreign Assistance Act to NATO allies and to major non-NATO allies on the southern and southeastern flank of NATO shall be given priority to the maximum extent feasible over the delivery of such excess defense articles to other countries.

ISRAEL DRAWDOWN

SEC. 543. Section 599B(a) of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1991 (as amended by Public Law 102–145, as amended, and Public Law 102–391), is further amended—

(a) by striking out "fiscal year 1993" and inserting in lieu thereof "fiscal year 1994"; and

(b) by striking out "Appropriations Act, 1993" and inserting in lieu thereof "Appropriations Act, 1994".

CASH FLOW FINANCING

SEC. 544. For each country that has been approved for cash flow financing (as defined in section 25(d) of the Arms Export Control Act, as added by section 112(b) of Public Law 99–83) under the Foreign Military Financing Program, any Letter of Offer and Acceptance or other purchase agreement, or any amendment thereto, for a procurement in excess of $100,000,000 that is to be financed in whole or in part with funds made available under this

Act shall be submitted through the regular notification procedures to the Committees on Appropriations.

[RESCISSION

[SEC. 545. Of the unexpended balances of funds (including earmarked funds) made available for fiscal years 1987 through 1993 to carry out the provisions of chapter 4 of part II of the Foreign Assistance Act of 1961, $185,000,000 are rescinded.]

RESCISSIONS

SEC. 545. (a) Of the unexpended balances of funds (including earmarked funds) made available for fiscal years 1987 through 1993 to carry out the provisions of chapter 4 of part II of the Foreign Assistance Act of 1961, $250,000,000 are rescinded.

(b) Of the unexpended balances of funds (including earmarked funds) appropriated for fiscal year 1993 and prior fiscal years to carry out the provisions of sections 103 through 106 of the Foreign Assistance Act of 1961, $5,100,000 are rescinded.

AUTHORITIES FOR THE PEACE CORPS, THE INTER-AMERICAN FOUNDATION AND THE AFRICAN DEVELOPMENT FOUNDATION

SEC. 546. Unless expressly provided to the contrary, provisions of this or any other Act, including provisions contained in prior Acts authorizing or making appropriations for foreign operations, export financing, and related programs, shall not be construed to prohibit activities authorized by or conducted under the Peace Corps Act, the Inter-American Foundation Act, or the African Development Foundation Act. The appropriate agency shall promptly report to the Committees on Appropriations whenever it is conducting activities or is proposing to conduct activities in a country for which assistance is prohibited.

IMPACT ON JOBS IN THE UNITED STATES

SEC. 547. None of the funds appropriated by this Act may be obligated or expended to provide—

(a) any financial incentive to a business enterprise currently located in the United States for the purpose of inducing such an enterprise to relocate outside the United States if such incentive or inducement is likely to reduce the number of employees of such business enterprise in the United States because United States production is being replaced by such enterprise outside the United States;

(b) assistance for the purpose of establishing or developing in a foreign country any export processing zone or designated area in which the tax, tariff, labor, environment, and safety laws of that country do not apply, in part or in whole, to activities carried out within that zone or area, unless the President determines and certifies that such assistance is not likely to cause a loss of jobs within the United States; or

(c) assistance for any project or activity that contributes to the violation of internationally recognized workers rights, as defined in section 502(a)(4) of the Trade Act of 1974, of workers in the recipient country, including any designated zone or area in that country: *Provided*, That in recognition that the application of this subsection should be commensurate with the level of development of the recipient country and sector, the provisions of this subsection shall not preclude assistance for the informal sector in such country, micro and small-scale enterprise, and smallholder agriculture.

AUTHORITY TO ASSIST BOSNIA-HERCEGOVINA

SEC. 548. (a) Congress finds as follows:

(1) The United Nations has imposed an embargo on the transfer of arms to any country on the territory of the former Yugoslavia.

(2) The federated states of Serbia and Montenegro have a large supply of military equipment and ammunition and the Serbian forces fighting the government of Bosnia-Hercegovina have more than one thousand battle tanks, armored vehicles, and artillery pieces.

(3) Because the United Nations arms embargo is serving to sustain the military advantage of the aggressor, the United Nations should exempt the government of Bosnia-Hercegovina from its embargo.

(b) Pursuant to a lifting of the United Nations arms embargo against Bosnia-Hercegovina, the President is authorized to transfer to the government of that nation, without reimbursement, defense articles from the stocks of the Department of Defense of an aggregate value not to exceed $50,000,000 in fiscal year 1994: *Provided*, That the President certifies in a timely fashion to the Congress that—

(1) the transfer of such articles would assist that nation in self-defense and thereby promote the security and stability of the region; and

(2) United States allies are prepared to join in such a military assistance effort.

(c) Within 60 days of any transfer under the authority provided in subsection (b), and every 60 days thereafter, the President shall report in writing to the Speaker of the House of Representatives and the President pro tempore of the Senate concerning the articles transferred and the disposition thereof.

(d) There are authorized to be appropriated to the President such sums as may be necessary to reimburse the applicable appropriation, fund, or account for defense articles provided under this section.

(e) If the President determines that doing so will contribute to a just resolution of charges regarding genocide or other violations of international law in the former Yugoslavia, the authority of section 552(c) of the Foreign Assistance Act of 1961, as amended, may be used to provide up to $25,000,000 of commodities and services to the United Nations War Crimes Tribunal, without regard to the ceiling limitation contained in paragraph (2) thereof: Provided, That the determination required under this subsection shall be in lieu of any determinations otherwise required under section 552(c).

(f) Of the funds appropriated by this Act (including title VI of this Act), not less than $3,000,000 shall be made available for the United Nations War Crimes Tribunal, notwithstanding any other provision of law.

SPECIAL AUTHORITIES

SEC. 549. (a) Funds appropriated in title II of this Act that are made available for Haiti, Afghanistan, Lebanon, and Cambodia, and for victims of war, displaced children, displaced Burmese, humanitarian assistance for Romania, and humanitarian assistance for the peoples of Bosnia-Hercegovina, Croatia, and Kosova, may be made available notwithstanding any other provision of law: *Provided*, That any such funds that are made available for Cambodia shall be subject to the provisions of section 531(e) of the Foreign Assistance Act of 1961 and section 906 of the International Security and Development Cooperation Act of 1985: *Provided further*, That the President shall terminate assistance to any Cambodian organization that he determines is cooperating, tactically or strategically, with the Khmer Rouge in their military operations.

(b) Funds appropriated by this Act to carry out the provisions of sections 103 through 106 of the Foreign Assistance Act of 1961 may be used, notwithstanding any other provision of law, for the purpose of supporting tropical forestry and energy programs aimed at reducing emissions of greenhouse gases with regard to the key countries in which deforestation and energy policy would make a significant contribution to global warming: *Provided*, That such assistance shall be subject to sections 116, 502B, and 620A of the Foreign Assistance Act of 1961.

(c) During fiscal year 1994, the President may use up to $50,000,000 under the authority of section 451 of the Foreign Assistance Act of 1961, notwithstanding the funding ceiling contained in subsection (a) of that section.

(d) Of the funds appropriated by this Act to carry out chapter 1 of part I and chapter 4 of part II of the Foreign Assistance Act of 1961 that are made available for assistance for Afghanistan and Lebanon, no more than 50 percent of the assistance provided to each country may be from funds appropriated by this Act to carry out chapter 1 of part I of the Foreign Assistance Act of 1961.

POLICY ON TERMINATING THE ARAB LEAGUE BOYCOTT OF ISRAEL

SEC. 550. (a) FINDINGS.—The Congress finds that—

(1) since 1948 the Arab countries have maintained a primary boycott against Israel, refusing to do business with Israel;

(2) since the early 1950s the Arab League has maintained a secondary and tertiary boycott against American and other companies that have commercial ties with Israel;

(3) the boycott seeks to coerce American firms by blacklisting those that do business with Israel and harm America's competitiveness;

(4) the United States has a longstanding policy opposing the Arab League boycott and United States law prohibits American firms from providing information to Arab countries to demonstrate compliance with the boycott;

(5) with real progress being made in the Middle East peace process and the serious confidence-building measures taken by the State of Israel, and end to the Arab boycott of Israel and of American companies that have commercial ties with Israel is long overdue and would represent a significant confidence-building measure; and

(6) in the interest of Middle East peace and free commerce, the President must take more concrete steps to press the Arab states to end their practice of blacklisting and boycotting American companies that have trade ties with Israel.

(b) POLICY.—It is the sense of the Congress that—

(1) the Arab League countries should immediately and publicly renounce the primary boycott of Israel and the secondary and tertiary boycott of American firms that have commercial ties with Israel; and

(2) the President should—

(A) take more concrete steps to encourage vigorously Arab League countries to renounce publicly the primary boycotts of Israel and the secondary and tertiary boycotts of American firms that have commercial relations with Israel as a confidence-building measure;

(B) take into consideration the participation of any recipient country in the primary boycott of Israel and the secondary and tertiary boycotts of American firms that have commercial relations with Israel when determining whether to sell weapons to said country;

(C) report to Congress on the specific steps being taken by the President to bring about a public renunciation of the Arab primary boycott of Israel and the secondary and tertiary boycotts of American firms that have commercial relations with Israel; and

(D) encourage the allies and trading partners of the United States to enact laws prohibiting businesses from complying with the boycott and penalizing businesses that do comply.

ANTI-NARCOTICS ACTIVITIES

SEC. 551. (a) Of the funds appropriated by this Act under the heading "Economic Support Fund", assistance may be provided as follows:

(1) To strengthen the administration of justice in countries in Latin America and the Caribbean in accordance with the provisions of section 534 of the Foreign Assistance Act of 1961, except that programs to enhance protection of participants in judicial cases may be conducted notwithstanding section 660 of that Act.

(2) Notwithstanding section 660 of the Foreign Assistance Act of 1961, up to $10,000,000 may be made available for technical assistance, training, and commodities with the objective of creating a professional civilian police force for Panama, and for programs to improve penal institutions and the rehabilitation of offenders in Panama (which programs may be conducted other than through multilateral or regional institutions), except that such technical assistance shall not include more than $5,000,000 for the procurement of equipment for law enforcement purposes, and shall not include lethal equipment.

(b) Funds made available pursuant to this section may be made available notwithstanding the third sentence of section 534(e) of the Foreign Assistance Act of 1961. Funds made available pursuant to subsection (a)(1) for Bolivia, Colombia and Peru and subsection (a)(2) may be made available notwithstanding section 534(c) and the second sentence of section 534(e) of the Foreign Assistance Act of 1961.

ELIGIBILITY FOR ASSISTANCE

SEC. 552. (a) ASSISTANCE THROUGH NON-GOVERNMENTAL ORGANIZATIONS.—Restrictions contained in this or any other Act with respect to assistance for a country shall not be construed to restrict assistance in support of programs of nongovernmental organizations from funds appropriated by this Act to carry out the provisions of chapters 1 and 10 of part I of the Foreign Assistance Act of 1961: Provided, That the President shall take into consideration, in any case in which a restriction on assistance would be applicable but for this subsection, whether assistance in support of programs of nongovernmental organizations is in the national interest of the United States: Provided further, That before using the authority of this subsection to furnish assistance in support of programs of nongovernmental organizations, the President shall notify the Committees on Appropriations under the regular notification procedures of those committees, including a description of the program to be assisted, the assistance to be provided, and the reasons for furnishing such assistance: Provided further, That nothing in this subsection shall be construed to alter any existing statutory prohibitions against abortion or involuntary sterilizations contained in this or any other Act.

(b) PUBLIC LAW 480.—During fiscal year 1994, restrictions contained in this or any other Act with respect to assistance for a country shall not be construed to restrict assistance under titles I and II of the Agricultural Trade Development and Assistance Act of 1954: Provided, That none of the funds appropriated to carry out title I of such Act and made available pursuant to this subsection may be obligated or expended except as provided through the regular notification procedures of the Committees on Appropriations.

(c) EXCEPTION.—This section shall not apply—

(1) with respect to section 529 of this Act or any comparable provision of law prohibiting assistance to countries that support international terrorism; or

(2) with respect to section 116 of the Foreign Assistance Act of 1961 or any comparable provision of law prohibiting assistance to countries that violate internationally recognized human rights.

EARMARKS

SEC. 553. (a) Funds appropriated by this Act which are earmarked may be reprogrammed for other programs within the same account notwithstanding the earmark if compliance with the earmark is made impossible by operation of any provision of this or any other Act or, with respect to a country with which the United States has an agreement providing the United States with base rights or base access in that country, if the President determines that the recipient for which funds are earmarked has significantly reduced its military or economic cooperation with the United States since enactment of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1991; however, before exercising the authority of this subsection with regard to a base rights or base access country which has significantly reduced its military or economic cooperation with the United States, the President shall consult with, and shall provide a written policy justification to the Committees on Appropriations: Provided, That any such reprogramming shall be subject to the regular notification procedures of the Committees on Appropriations: Provided further, That assistance that is reprogrammed pursuant to this subsection shall be made available under the same terms and conditions as originally provided.

(b) In addition to the authority contained in subsection (a), the original period of availability of funds appropriated by this Act and administered by the Agency for International Development that are earmarked for particular programs or activities by this or any other Act shall be extended for an additional fiscal year if the Administrator of such agency determines and reports promptly to the Committees on Appropriations that the termination of assistance to a country or a significant change in circumstances makes it unlikely that such earmarked funds can be obligated during the original period of availability: Provided, That such earmarked funds that are continued available for an additional fiscal year shall be obligated only for the purpose of such earmark.

CEILINGS AND EARMARKS

SEC. 554. Ceilings and earmarks contained in this Act shall not be applicable to funds or authorities appropriated or otherwise made available by any subsequent Act unless such Act specifically so directs.

EXCESS DEFENSE ARTICLES

SEC. 555. The authority of section 519 of the Foreign Assistance Act of 1961, as amended, may be used in fiscal year 1994 to provide nonlethal excess defense articles to countries for which receipt of such articles was separately justified for the fiscal year, without regard to the restrictions in subsection (a) of that section.

TERMINATION

SEC. 556. For the purpose of making an equitable settlement of termination claims under extraordinary contractual relief standards, the President may adopt as a contract or other obligation of the United States Government, and assume (in whole or in part) any liabilities arising thereunder, any contract with a United States or third-country contractor that had been funded with assistance under this Act prior to the termination of assistance.

REAL PROPERTY MANAGEMENT

SEC. 557. Any funds remaining in the Acquisition of Property Revolving Fund administered by the Agency for International Development may be transferred to, and consolidated and merged with, funds in the Property Management Fund established pursuant to section 585 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1991 (Public Law 101-513).

ASSISTANCE FOR DISADVANTAGED SOUTH AFRICANS

SEC. 558. (a) Assistance may be provided pursuant to the authority contained in section 116(e)(2) of the Foreign Assistance Act of 1961, notwithstanding subsection (e)(2)(C) of that section.

(b) Assistance may be provided pursuant to the authority contained in section 116(f) of the Foreign Assistance Act of 1961, notwithstanding paragraph (2) of that subsection.

(c) In making grants under the authority of section 116(e)(2), the fourth sentence of subsection 116(e)(2)(B) shall not apply to a nongovernmental organization financed or controlled by the Government of South Africa if (1) such organization meets the criteria specified in the first three sentences of subparagraph (B), and (2) the President determines that (A) the activities of that organization further the purposes of the establishment of a non-racial democratic state in South Africa, (B) the provision of assistance to that organization will further the objective of assisting disadvantaged South Africans, and (C) the Government of South Africa is continuing to make progress toward dismantling apartheid and establishing a nonracial democracy. Before making such determinations, the President shall consult with the appropriate congressional committees and with South African organizations that are representative of the majority population of South Africa and should seek a commitment from the Government of South Africa that it will provide additional resources to meet the needs of disadvantaged South Africans. As used in the preceding sentence, the term "appropriate congressional committees" means the Committee on Appropriations and the Committee on Foreign Affairs of the House of Representatives and the Committee on Appropriations and the Committee on Foreign Relations of the Senate. The provisions of this subsection shall also be applicable to assistance provided pursuant to section 117 of the Foreign Assistance Act of 1961, relating to assistance for disadvantaged South Africans.

PROHIBITION AGAINST PAY TO FOREIGN ARMED SERVICE MEMBER

SEC. 559. None of the funds appropriated in this Act nor any of the counterpart funds generated as a result of assistance hereunder or any prior Act shall be used to pay pensions, annuities, or retirement pay for any person heretofore or hereafter serving in the armed forces of any recipient country.

PROHIBITION ON PUBLICITY OR PROPAGANDA

SEC. 560. No part of any appropriation contained in this Act shall be used for publicity or propaganda purposes within the United States not authorized before the date of enactment of this Act by the Congress.

DISADVANTAGED ENTERPRISES

SEC. 561. (a) Except to the extent that the Administrator of the Agency for International Development of the Foreign Assistance Act of 1961 determines otherwise, not less than 10 percent of the aggregate amount made available for the current fiscal year for the "Development Assistance Fund", "Population, Development Assistance", and the "Development Fund for Africa" shall be made available only for activities of United States organizations and individuals that are—

(1) business concerns owned and controlled by socially and economically disadvantaged individuals,

(2) historically black colleges and universities,

(3) colleges and universities having a student body in which more than 40 per centum of the students are Hispanic American, and

(4) private voluntary organizations which are controlled by individuals who are socially and economically disadvantaged.

(b)(1) In addition to other actions taken to carry out this section, the actions described in paragraphs (2) through (5) shall be taken with respect to development assistance and assistance for sub-Saharan Africa for the current fiscal year.

(2) Notwithstanding any other provision of law, in order to achieve the goals of this section, the Administrator—

(A) to the maximum extent practicable, shall utilize the authority of section 8(a) of the Small Business Act (15 U.S.C. 637(a));

(B) to the maximum extent practicable, shall enter into contracts with small business concerns owned and controlled by socially and economically disadvantaged individuals, and organizations contained in paragraphs (2) through (4) of subsection (a)—

(i) using less than full and open competitive procedures under such terms and conditions as the Administrator deems appropriate, and

(ii) using an administrative system for justifications and approvals that, in the Administrator's discretion, may best achieve the purpose of this section; and

(C) shall issue regulations to require that any contract in excess of $500,000 contain a provision requiring that no less than 10 per centum of the dollar value of the contract be subcontracted to entities described in subsection (a), except—

(i) to the extent the Administrator determines otherwise on a case-by-case or category-of-contract basis; and

(ii) this subparagraph does not apply to any prime contractor that is an entity described in subsection (a).

(3) Each person with contracting authority who is attached to the Agency's headquarters in Washington, as well as all Agency missions and regional offices, shall notify the Agency's Office of Small and Disadvantaged Business Utilization at least seven business days before advertising a contract in excess of $100,000, except to the extent that the Administrator determines otherwise on a case-by-case or category-of-contract basis.

(4) The Administrator shall include, as part of the performance evaluation of any mission director of the agency, the mission director's efforts to carry out this section.

(5) The Administrator shall submit to the Congress annual reports on the implementation of this section. Each such report shall specify the number and dollar value or amount (as the case may be) of prime contracts, subcontracts, grants, and cooperative agreements awarded to entities described in subsection (a) during the preceding fiscal year.

(c) As used in this section, the term "socially and economically disadvantaged individuals" has the same meaning that term is given for purposes of section 8(d) of the Small Business Act, except that the term includes women.

HUMAN RIGHTS REPORT

SEC. 562. (a) Section 511(b) of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1993 (Public Law 102–391) is amended to read as follows:

"(b) HUMAN RIGHTS REPORT.—The Secretary of State shall also transmit the report required by section 116(d) of the Foreign Assistance Act of 1961 to the Committees on Appropriations each year by the date specified in that section: Provided, That each such report submitted pursuant to such section shall include (1) a review of each country's commitment to children's rights and welfare; (2) a description of the extent to which indigenous people are able to participate in decisions affecting their lands, cultures, traditions and the allocation of natural resources, and assess the extent of protection of their civil and political rights; and (3) an examination of discrimination toward people with disabilities: Provided further, That a separate report, which shall be entitled 'Annual Report on Military Expenditures', shall be submitted (at the same time as the report required by section 116(d)) which shall contain a description of the military expenditures of each country and the efforts it is making to reduce those expenditures, and should include for each country—

"(1) an updated estimate of current military spending and a description of trends in spending in real terms, using methodology such as that developed by the Arms Control and Disarmament Agency;

"(2) an updated estimate of current spending on health care and education;

"(3) a description of the size and political role of the armed forces, including an assessment of the ability of civilian authorities to appoint and remove military officers;

"(4) an assessment of the feasibility of substantially reducing military spending;

"(5) a description of efforts by each country and the United States to encourage such reductions, including collaborative efforts with other donors and arms suppliers; and

"(6) a description of the country's efforts to make such reductions, including its willingness to provide accurate military spending data to relevant international organizations and accurate data to the United Nations Register of Conventional Arms, and to participate in regional talks aimed at reducing military spending.".

(b) The United States shall, in accordance with its international obligations as set forth in the Charter of the United Nations and in keeping with the constitutional heritage and traditions of the United States, promote and encourage increased respect for human rights and fundamental freedoms throughout the world without distinction as to race, sex, language, disability, or religion.

USE OF AMERICAN RESOURCES

SEC. 563. To the maximum extent possible, assistance provided under this Act and title VI should make full use of American resources, including commodities, products, and services.

INTERNATIONAL FUND FOR IRELAND

SEC. 564. Of the funds appropriated under the heading "Development Assistance Fund," up to $19,600,000 may be made available until expended for the United States contribution to the International Fund for Ireland, in accordance with the Anglo-Irish Agreement Support Act of 1986 (Public Law 99–415), and such amount shall be expended at the minimum rate necessary to make timely payment for projects and activities.

ASSISTANCE FOR THE NEW INDEPENDENT STATES OF THE FORMER SOVIET UNION

SEC. 565. (a) Funds appropriated by this Act under the heading "Assistance for the New Independent States of the Former Soviet Union", and funds appropriated by the Supplemental Appropriations for the New Independent States of the Former Soviet Union Act, 1993, shall be available for economic assistance and for related programs as follows:

(1) $895,000,000 shall be provided for the purpose of private sector development including through the support of bilateral and multilateral enterprise funds, technical assistance and training, agribusiness programs and agricultural credit, financing and technical assistance for small and medium private enterprises, and privatization efforts.

(2) $125,000,000 shall be provided for the purpose of a special privatization and restructuring fund: Provided, That the United States contribution for such fund shall not exceed one-quarter of the aggregate amount being made available for such fund by all countries.

(3) $185,000,000 shall be provided for the purpose of enhancing trade with and investment in the new independent states of the former Soviet Union, including through energy and environment commodity import assistance, costs of loans and loan guarantees and the provision of trade and investment technical assistance.

(4) $295,000,000 shall be provided for the purpose of enhancing democratic initiatives, including through the support of a comprehensive program of exchanges and training, assistance designed to foster the rule of law, and encouragement of independent media.

(5) $190,000,000 shall be provided for the purpose of supporting troop withdrawal, including through the support of an officer resettlement program, and technical assistance for the housing sector.

(6) $285,000,000 shall be provided for the purpose of supporting the energy and environment sectors, including such programs as nuclear reactor safety, and technical assistance to foster the efficiency and privatization of the energy sector and making that sector more environmentally responsible.

(7) $239,000,000 shall be provided for humanitarian assistance purposes, including to provide vaccines and medicines for vulnerable populations, to assist in the establishment of a sustainable pharmaceutical industry, to provide food assistance, and to meet other urgent humanitarian needs.

(b) Funds allocated for any of the paragraphs under subsection (a) of this section may be reallocated for the purposes of any other such paragraph, or may be reallocated for other economic assistance and related programs in furtherance of the objectives of the FREEDOM Support Act, if at least 15 days prior to such reallocation, the Committees on Appropriations are notified in accordance with regular notification procedures.

(c) Funds made available in this Act for assistance to the New Independent States of the former Soviet Union shall be provided to the maximum extent feasible through the private sector, including private voluntary organizations and nongovernmental organizations functioning in the New Independent States.

(d) Of the funds appropriated by titles II and VI of this Act under the headings "Assistance for the New Independent States of the Former Soviet Union" and "Operations and Maintenance, Defense Agencies", and title IV, not less than $300,000,000 shall be made available for Ukraine.

(e) None of the funds appropriated by this or any other Act, shall be transferred to the Government of Russia—

(1) unless that Government is making substantial progress in implementing comprehensive economic reforms based on market principles, private ownership, respect for commercial contracts, and elimination of arbitrary or discriminatory taxes adverse to foreign private investment; and

(2) if that Government applies or transfers United States assistance to any entity for the purpose of expropriating or seizing ownership or control of assets, investments, or ventures in violation of an existing contract with a United States private enterprise.

ANDEAN NARCOTICS INITIATIVE

SEC. 566. None of the funds appropriated by this Act under the headings "Economic Support Fund" and "Foreign Military Financing Program" may be made available for the Andean Narcotics Initiative until the Secretary of State consults with, and provides a new Andean counter-narcotics strategy (including budget estimates) to, the Committees on Appropriations.

LIMITATIONS ON ASSISTANCE FOR NICARAGUA

SEC. 567. (a) None of the funds appropriated by this Act under the heading "Economic Support Fund" may be made available to the Government of Nicaragua until the Secretary of

State determines and reports in writing to the appropriate committees that—

(1) there has been a full and independent investigation conducted relating to issues raised by the discovery, after the May 23 explosion in Managua, of weapons caches, false passports, identity papers and other documents, suggesting the existence of a terrorist/kidnapping ring; and

(2) any individuals identified by the investigation cited in paragraph (1) as being part of such ring, including all government officials (including any members of the armed forces or security forces) are being prosecuted.

(b) In addition to subsection (a), funds appropriated by this Act under the heading "Economic Support Fund" may only be made available to the Government of Nicaragua upon the notification, in writing, by the Secretary of State to the appropriate committees that he has determined that significant and tangible progress is being made by the Government of Nicaragua toward—

(1) the resolution of expropriation claims and the effective compensation of legitimate claims;

(2) the timely implementation of recommendations made by the Tripartite Commission as it undertakes to review and identify those responsible for gross human rights violations, including the expeditious prosecution of individuals identified by the commission in connection with such violations;

(3) the enactment into law of legislation to reform the Nicaraguan military and security forces in order to guarantee civilian control over the armed forces;

(4) the establishment of civilian control over the police, and the independence of the police from the military; and

(5) the effective reform of the Nicaraguan judicial system.

(c) The notification pursuant to subsection (b) shall include a detailed listing of the tangible evidence that forms the basis for such determination.

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

LIMITATIONS ON ASSISTANCE FOR HAITI

SEC. 568. (a) Notwithstanding any provision of this or any other Act, none of the funds appropriated by this Act may be obligated or expended for the purpose of military-related civic action programs, police training, or military training for Haiti—

(1) prior to October 30, 1993, unless such programs or training constitutes an integral part of a United Nations-sponsored, multilateral initiative in furtherance of the implementation of the Governor's Island Accords, signed on July 3, 1993; and

(2) on or after October 30, 1993, in order to strengthen civilian control over the military and to establish an independent civilian police force, without the concurrence of the duly-elected President of Haiti.

(b) Notwithstanding any provision of this or any other Act, none of the funds appropriated by this Act may be used to provide military assistance or military training in which a member of the Haitian Armed Forces participates if the Secretary of State knows or has reason to believe, based on all credible information available to him, that such member—

(1) is or has been an illicit trafficker in any narcotic or psychotropic drug or other controlled substance, or is or has been a knowing assistor, abettor, conspirator, or colluder with others in the illicit trafficking in any such substance; or

(2) is or has participated in gross violations of internationally recognized human rights.

AGRICULTURAL AID TO THE NEW INDEPENDENT STATES OF THE FORMER SOVIET UNION

SEC. 569. Of the funds appropriated by titles II and VI of this Act under the headings "Assistance for the New Independent States of the Former Soviet Union" and "Operations and Maintenance, Defense Agencies", $50,000,000 shall be made available only for provision of United States agricultural commodities to address the food and nutrition needs of the people of the new independent states of the former Soviet Union: Provided, That in providing assistance under this section, primary emphasis shall be given to meeting the food and nutrition needs of children and pregnant and post-partum women: Provided further, That funds made available for the purposes of this section may be used for transportation of United States agricultural commodities provided under this section: Provided further, That the President may enter into agreements with the governments of the new independent states and nongovernmental organizations to provide for the sale of any part of the United States agricultural commodities in the new independent states for local currencies: Provided further, That any such local currencies shall be used in the new independent states to process, transport, store, distribute or otherwise enhance the effectiveness of the use of United States agricultural commodities provided under this section, and to support agricultural and rural development activities.

HUMANITARIAN ASSISTANCE FOR ARMENIA

SEC. 570. Of the funds appropriated by titles II and VI of this Act (1) to carry out the provisions of chapter 1 of part I and chapter 4 of part II of the Foreign Assistance Act of 1961, and (2) under the headings "Assistance for the New Independent States of the Former Soviet Union" and "Operations and Maintenance, Defense Agencies", not less than $18,000,000 shall be made available, notwithstanding any other provision of law, for urgent humanitarian assistance for Armenia.

HUMANITARIAN AND REFUGEE ASSISTANCE IN CROATIA, SLOVENIA, BOSNIA, AND KOSOVA

SEC. 571. (a) Of the funds appropriated by this Act under the heading "Migration and Refugee Assistance", not less than $35,000,000 shall be made available to assist refugees in Croatia, Slovenia, and Bosnia.

(b) Of the funds appropriated by title II of this Act, not less than $30,000,000 shall be made available, notwithstanding any provision of law, for humanitarian assistance for Bosnia, Croatia, and Kosova, of which not less than $10,000,000 should be for Kosova: Provided, That such assistance shall be provided through private and voluntary organizations and shall include health care assistance (with emphasis on maternal health care), and assistance for displaced children and victims of war, including victims of rape and torture.

PROHIBITION OF PAYMENTS TO UNITED NATIONS MEMBERS

SEC. 572. None of the funds appropriated or made available pursuant to this Act for carrying out the Foreign Assistance Act of 1961, may be used to pay in whole or in part any assessments, arrearages, or dues of any member of the United Nations.

CONSULTING SERVICES

SEC. 573. The expenditure of any appropriation under this Act for any consulting service through procurement contract, pursuant to section 3109 of title 5, United States Code, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order pursuant to existing law.

PRIVATE VOLUNTARY ORGANIZATIONS—DOCUMENTATION

SEC. 574. None of the funds appropriated or made available pursuant to this Act shall be available to a private voluntary organization which fails to provide upon timely request any document, file, or record necessary to the auditing requirements of the Agency for International Development, nor shall any of the funds appropriated by this Act be made available to any private voluntary organization which is not registered with the Agency for International Development.

CHEMICAL WEAPONS PROLIFERATION

SEC. 575. None of the funds appropriated by this Act may be used to finance the procurement of chemicals, dual use chemicals, or chemical agents that may be used for chemical weapons production: Provided, That the provisions of this section shall not apply to any such procurement if the President determines that such chemicals, dual use chemicals, or chemical agents are not intended to be used by the recipient for chemical weapons production.

SPECIAL DEBT RELIEF FOR THE POOREST

SEC. 576. The Foreign Assistance Act of 1961 is amended by inserting at the end of part I the following new chapter:

"CHAPTER 12—SPECIAL DEBT REDUCTION AUTHORITY

"SEC. 499. SPECIAL DEBT REDUCTION AUTHORITY.

"(a) AUTHORITY TO REDUCE DEBT.—The President may reduce amounts owed to the United States (or any agency of the United States) by an eligible country as a result of—

"(1) guarantees issued under sections 221 and 222 of the Foreign Assistance Act of 1961;

"(2) credits extended or guarantees issued under the Arms Export Control Act; or

"(3) loans or guarantees made pursuant to the Export-Import Bank of 1945.

"(b) LIMITATIONS.—

"(1) The authority provided by this section may be exercised only to implement multilateral official debt relief and referendum agreements commonly referred to as 'Paris Club Agreed Minutes'.

"(2) The authority provided by this section may be exercised only in such amounts or to such extent as is provided in advance by appropriations Acts.

"(3) The authority provided by this section may be exercised only with respect to countries with heavy debt burdens that are eligible to borrow from the International Development Association, but not from the International Bank for Reconstruction and Development, commonly referred to as 'IDA-only' countries.

"(c) ELIGIBILITY.—The authority provided by this section may be exercised only with respect to a country—

"(1) whose government is making reasonable progress toward democracy;

"(2) whose government has not repeatedly provided support for acts of international terrorism;

"(3) whose government is not failing to cooperate on international narcotics control matters; and

"(4) whose government (including its military or other security forces) does not engage in a consistent pattern of gross violations of internationally recognized human rights.

"(d) CERTAIN PROHIBITIONS INAPPLICABLE.—A reduction of debt pursuant to this section shall not be considered assistance for purposes of any provision of law limiting assistance to a country.".

GUARANTEES

SEC. 577. Section 251(b) of the Balanced Budget and Emergency Deficit Control Act of 1985 is amended by inserting after subparagraph (2)(F) the following new subparagraph:

"(G) NET GUARANTEE COSTS.—The net costs for fiscal year 1994 of the appropriation made under section 601 of Public Law 102-391 are not subject to the discretionary spending limits or the Appropriations Committee's Foreign Operations Subcommittee's 602(b) allocation in fiscal year 1994.".

FOREIGN MILITARY FINANCING DIRECT COMMERCIAL SALES POLICY

SEC. 578. (a) PROHIBITION ON POLICY CHANGES.—The Secretary of Defense shall not restrict the use of Foreign Military Financing for direct commercial sales unless and until—

(1) the Secretary of Defense submits to the congressional appropriations, foreign relations and defense committees the report under subsection (b); and

(2) the Secretary of Defense consults with and secures the approval of the Congress regarding any proposed changes in Foreign Military Financing direct commercial sales policy.

(b) REPORT ON IMPACT OF POLICY CHANGES REGARDING FOREIGN MILITARY FINANCING DIRECT COMMERCIAL SALES.—The Secretary of Defense shall submit a report to Congress on or before December 31, 1994, regarding the implementation of the Foreign Military Financing program through both the Government-to-Government and direct commercial sales methods.

(1) CONTENT OF REPORT.—The report shall include—

(A) reasons for selecting the Government-to-Government or direct commercial sales methods in Foreign Military Financing transactions;

(B) benefits and difficulties resulting from usage of the Government-to-Government or direct commercial sales methods in Foreign Military Financing transactions, including, but not limited to, a discussion and statistical breakdown of administrative and other difficulties arising from both Government-to-Government and direct commercial sales methods; and

(C) the time necessary to ensure an effective and non-disruptive transition to implement any changes regarding Foreign Military Financing sales methods which the Congress may approve.

(2) FORM OF REPORT.—The report shall be submitted in classified and unclassified forms.

(3) SOLICITATION OF ADDITIONAL VIEWS.—The Secretary of Defense shall solicit the views of the Department of State and the National Security Council and of foreign countries and United States defense contractors which participate in the Foreign Military Financing program regarding those issues covered by subsection (b)(1). All views solicited under direction of this subsection shall be included in the final report submitted to Congress.

Titles I through V of this Act may be cited as the "Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1994".

TITLE VI—FISCAL YEAR 1993 SUPPLEMENTAL APPROPRIATIONS

The following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 1993, and for other purposes, namely:

FUNDS APPROPRIATED TO THE PRESIDENT

ASSISTANCE FOR THE NEW INDEPENDENT STATES OF THE FORMER SOVIET UNION

For an additional amount for the "Assistance for the new independent states of the former Soviet Union" and for related programs, $630,000,000, to be available upon enactment and to remain available until expended[, of which not to exceed $500,000,000 may be made available for a special privatization and restructuring fund: *Provided*, That the United States contribution for such fund shall not exceed one-quarter of the aggregate amount being made available for such fund by all countries: *Provided further*, That]: *Provided, That* the provisions of section 498B(j) of the Foreign Assistance Act of 1961 shall apply to funds appropriated by this paragraph.

DEPARTMENT OF DEFENSE

OPERATION AND MAINTENANCE

OPERATION AND MAINTENANCE, DEFENSE AGENCIES

For an additional amount for "Operation and maintenance, Defense Agencies", $979,000,000, to be available upon enactment and to remain available until September 30, 1994: *Provided*, That the Secretary of Defense may transfer such funds to other appropriations available to the Department of Defense for the purposes of providing assistance to the new independent states of the former Soviet Union: *Provided further*, That the Secretary of Defense may transfer such funds to appropriations available to the Department of State and other agencies of the United States Government for the purposes of providing assistance and related programs for the new independent states of the former Soviet Union for programs that the President determines will increase the national security of the United States: *Provided further*, That the amounts transferred shall be available subject to the same terms and conditions as the appropriations to which transferred: *Provided further*, That the authority to make transfers pursuant to this provision is in addition to any other transfer authority of the Department of Defense.

This title may be cited as the "Supplemental Appropriations for the New Independent States of the Former Soviet Union Act, 1993".

Mr. LEAHY. Mr. President, so that my colleagues will know where we are, we now have before the Senate the Foreign Operations bill. I do want to thank the distinguished Senator from Maryland [Ms. MIKULSKI] and the distinguished Senator from Texas [Mr. GRAMM]. The chair of the VA/HUD subcommittee, Senator MIKULSKI, has moved a very complex and very difficult bill through the Senate in a record amount of time. I compliment her for her sterling achievement. But I also want to express a personal sense of gratitude because it made it possible to bring up the Foreign Operations bill today. To finish it today. I say it helps because the Senator from Maryland knows, as we all do, the situation that is occurring in Russia right now.

I want to make it very clear to the U.S. Senate that this bill contains aid for Russian the other independent states of the former Soviet Union. We intend fully to go forward with it. I discussed it with the President of the United States. He has expressed his support of the leadership of Russia, represented by President Yeltsin, as do have. And what we do here will be reflected in international opinion, as well as here at home. What we do here will be watched very closely in Moscow, as it will in the capitals of most of our allies. The United States is the superpower of the world, and we will lead in what will be the world's response to the changes in the newly independent states.

Let me be very clear about this. The United States' position is not to tie its fortunes just to one individual person.

The United States position is to reflect a desire to bring about stability, democracy, and a market economy, in the former Soviet Union. That is in our interests, certainly in our economic interest. Of course, it is in our security interest. But it also reflects the basic goals and ideals of the American people to see democracy flourish wherever it can in the world.

So it would make no sense whatsoever for us as a nation to hold back on Russian aid while we wait for the pieces to all fit into place in Moscow.

So we will pass a Russian aid package here in the U.S. Senate this week. I hope we will have a successful conference with the other body. I know there is strong support in the other body for this aid. Then we will have a bill signed into law before the end of the fiscal year by the end of next week.

Mr. President, I am pleased to present to the Senate H.R. 2295, the Foreign Operations, Export Financing and Related Programs Act for fiscal 1994, as reported by a unanimous vote of the Appropriations Committee on Tuesday, September 14.

I thank the ranking Republican, Senator MCCONNELL, for his cooperation throughout the year. In his first year as ranking member he has played a major role in shaping this bill.

The bill before the Senate totals $12.5 billion in fiscal year 1994 budget authority. This is approximately $1.2 billion below our allocation, and $2 billion below the President's request.

I express my appreciation to the chairman of the full committee, Senator BYRD, for his help in working out the immense problems which faced us. Senator BYRD's leadership made it possible for this bill to reach the floor today. We all owe him our thanks.

In this year's deficit reduction, no one can say the Foreign Operations Subcommittee has not done its share. This foreign aid bill cuts over $2 billion from CBO's estimate of the President's request of $14.5 billion. That is a 13-percent reduction. It is a cut of $1.7 billion from last year's Foreign Operations Act. It is $500 million in budget authority below the bill as passed by the House.

AID TO THE NEW INDEPENDENT STATES OF THE FORMER SOVIET UNION

This bill provides full funding of President Clinton's pledge of extraordinary assistance to Russia and the other New Independent States of the former Soviet Union. It places the United States behind the forces for democratic reform and for free enterprise and open societies in our former adversaries.

The committee bill seeks to provide maximum flexibility to the President in assisting the NIS. We seek to arm the President with the resources and

the tools to help build democracy. This is an investment in our long-term national security.

Funding the special NIS aid program was not easy. The President's special NIS aid request came after the budget resolution was adopted. The Tokyo $1.8 billion request is over and above the $704 million the President requested for the New Independent States in his original budget submission.

President Clinton has made clear that full funding of his NIS aid program is his No. 1 priority in the foreign aid program. Although the President made a commitment to Israel of full funding for the Camp David countries, the administration has been unequivocal in accepting that all other foreign aid programs are candidates for reductions if necessary to fully fund the NIS aid package.

The committee has reported a bill aimed at helping the President achieve his critical goals in foreign aid. In order to achieve full funding for Russia and the other successor Republics, it has been necessary to cut most other accounts in the foreign aid program. Many of these cuts fall on programs this Senator has fought for years to protect, such as disaster assistance. The level in the bill is extremely painful to me, and represents sheer budget necessity, the fact that our outlay allocation is $97 million below that of the House.

I want to assure the many Senators who have raised the disaster assistance funding level with me that restoring it to the request level or as close to it as possible is my top priority for conference. There is reason to think that improving the disaster assistance funding level in conference will be possible. I have been discussing with the distinguished committee chairman the difference in the outlay allocations between our subcommittee and the House subcommittee. When he determines how to resolve the $97 million difference, it is my strong hope that his understanding of our extremely difficult situation will allow us to raise substantially the disaster assistance funding level in conference.

Earlier this year I said I would not cut aid to Africa, family planning, and development assistance in order to fund assistance to Russia. This bill does not reduce those programs below the House-passed levels. It took great effort, but with the help of my friend from Kentucky we have managed to maintain the House levels for those important programs.

Other cuts are fully justified on budgetary and policy grounds, such as zeroing the European Bank for Reconstruction and Development, in view of its outrageous waste and poor record of disbursements. I believe in reconstruction and development, but I do not believe in marble lobbies and wasteful spending on those who head such a bank.

The trend of the last several years of reducing security assistance continues, although we have been able to provide more funding for voluntary peacekeeping contributions than in the past. In this bill, the only countries to receive grant military aid will be Egypt and Israel, the Camp David countries. This is in recognition of their special security concerns and the importance of doing nothing which would disrupt the climate for the historic Israel-PLO peace opening.

The administration, Congress, and the American people owe an enormous debt of gratitude to my good friend and colleague, the distinguished Senator from Hawaii for the fact that this committee was able to fund the President's full assistance request for Russia, Ukraine, and the other new Independent States of the former Soviet Union. His cooperation in agreeing to allow nearly $1 billion of his Defense Subcommittee allocation to be reallocated to foreign operations to cover NIS aid funding is an act of statesmanship.

Senator INOUYE deserves the thanks of all who believe that timely United States help can play a vital role in the chances for democracy in Russia. Truly, this special NIS aid program would not be possible were it not for his cooperation and sense of vision.

I also thank Senator MCCONNELL for his leadership on assistance to the Ukraine. Senator MCCONNELL visited the Ukraine this summer. Since Senator MCCONNELL had looked most closely at the situation there, he worked on that part of our overall NIS provision, while I developed the legislation on broad policy guidance and the funding framework.

Senator MCCONNELL also helped prepare the bill provision which is aimed at preventing our aid from being used to disadvantage American companies seeking to invest and operate in the NIS. We heard a great deal from U.S. business people about adverse legal and financial conditions while we were there last July.

Let me also call the Members' attention to a major difference in the committee bill and the President's Russia aid request. Of the President's special $1.8 billion Tokyo package, $1.5 billion was exclusively for Russia. Instead of that, we have made the whole $2.5 billion in assistance available to the entire NIS. Of course, the President intends to provide the bulk of that aid to Russia, and properly so. Our national security interest is in helping President Yeltsin and the reformers to build democracy and free enterprise.

But the committee bill seeks maximum flexibility in the overall NIS program, with the broad programmatic priorities defined in the bill. The committee agreed that so large a portion should not be exclusively devoted to Russia, with no ability to move money to other areas if opportunities arise.

Another major difference is that the bill shifts $300 million out of the NIS program and into Eximbank. Directive report language makes clear this $300 million is to cover the subsidy costs of Eximbank operations in Russia, so there is no actual reduction in the overall amount of funds available for the NIS program. In July, the Senator from Kentucky and I visited Russia. After our talks with American business men and women in Russia, we wanted to make absolutely sure there is adequate funding for Exim activities there. I have been assured by Eximbank President Brody that the Bank will aggressively pursue opportunities for U.S. business in the NIS with the special funds made available to it.

Report language also makes clear the Appropriations Committee's intent that at least $40 million of the NIS Program will be transferred to OPIC to help finance investments by U.S. business in the NIS. The committee provisions are carefully designed to assist American business to participate fully in the NIS markets, which I believe have enormous potential for trade with us in the future.

MIDDLE EAST PEACE

In recognition of the great risks taken by Israel in the historic opening for peace with the Palestinians, aid for Israel and Egypt are earmarked at the request levels. I hope this renewed demonstration of the U.S. commitment to peace and stability in the Middle East will encourage all parties to continue to pursue the dramatic possibilities for a settlement.

There have been many questions about aid to the Palestinians. Secretary Christopher has announced the calling of a special international conference on the Middle East, at which the United States will take the lead in developing a long-term economic development plan. The bulk of the resources will have to come from the World Bank, other international financial institutions, the European Community, Japan, and the Arab nations themselves. However, the administration will pledge $250 million over 2 years. The Secretary has assured me the entire U.S. contribution will come from existing resources and from requests the administration will make in the fiscal 1995 foreign aid program. It is my understanding that the administration believes no special supplemental will be necessary.

I would note for Senators that, as it has for several years, the bill contains sufficient funding in the ESF account to provide for a small economic aid program in the West Bank and Gaza. Even will all the pressures on the account, there is enough in the ESF program to cover the West Bank/Gaza program. Our report directs that this program be funded at $25 million. This will be part of the 2-year $250 million program described by Secretary Christopher.

REFUGEES

The one program the committee bill has increased, at the cost of painful cuts elsewhere, is refugee assistance. The world's refugee population has reached a level of around 17 million. The funding level is still far too low to meet even minimal needs of these millions of desperate refugees.

PROCEDURAL SITUATION

The fact that the bill is carrying a fiscal 1993 supplemental as title VI means that it must be passed by Congress and signed into law by the President before midnight of September 30. We have barely a week to get through the rest of the process. I ask the cooperation of all Senators in getting this bill off the floor and into conference so that we can send it to the President in time.

Mr. President, I would expect the two areas to be watched most closely in this bill will be aid to the former Soviet Union and aid to the Middle East, as they should be. We have strong interests in both places.

No American should question that it is in our best security interests and our best economic interests to see a democratic Russia, an economically viable Russia, and the same for the other Republics of the former Soviet Union. And we as the oldest democracy should help that come about.

We also watched—so many of us, in fact almost every Senator on this floor was on the south lawn of the White House just a week or so ago—we watched the historic signing of the peace agreement between Israel and the Palestinians. And I cannot imagine anybody who was there no matter how they feel about any of the parties in the Middle East who was not moved by that signing and who did not recognize the historic significance of it.

In many ways it ranks with the fall of the Berlin Wall. And Secretary of State Warren Christopher announced that the United States will lead in developing a long-term economic plan for the Middle East. The bulk of the resources are going to have to come from the World Bank and the other international financial institutions, the European Community, Japan, and the Arab nations themselves. After all, it is time for Europe, the Arab world, and Japan to realize they have a major stake in the Middle East and they cannot expect the American taxpayers to carry the whole load. They are going to have to help by coming up with a great deal of the money. They are going to have to do their part as the American taxpayers have done our part for decades.

The administration has pledged $250 million over 2 years, which I support. The Secretary assured me the entire U.S. contribution will come from existing resources from a request the administration will make in the fiscal 1995 foreign aid program. They believe no special supplement is necessary. The administration can go to these other countries and say: Join with us in this historic opportunity for peace in the Middle East. Join with us so the Israelis and the Arabs can live together peacefully.

When I sat there and watched Prime Minister Rabin and Chairman Arafat shake hands, I could only begin to imagine how difficult it was for each of them to do that.

Their distrust and animosities are not going to disappear overnight. People who have lived in fear of each other for decades, that does not go away overnight.

But I looked at the young children who were there, young Arab and Israeli children playing together on the same lawn of the White House, and I thought, here is an opportunity for them, for the next generation.

For the generation of people of my age, the fear and distrust will not go away. It can be diminished, it can be lessened—and I hope it will—but it will not totally disappear.

But we can bring up a new generation of Israeli children and Arab children who can live and work together in a land that could become one of the most prosperous parts of the world.

Mr. President, again, I must say that throughout all of this—the work on Russian aid, Middle East aid, and everywhere else—has been marked by the kind of bipartisanship, which I believe Senator Vandenberg envisioned decades ago, in meetings at the State Department, with the administration, and within the Senate leadership itself. And what has helped very, very much has been the strong help of the distinguished Senator from Kentucky, the ranking member of this subcommittee.

I yield to Senator MCCONNELL.

Mr. MCCONNELL addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from Kentucky [Mr. MCCONNELL].

Mr. MCCONNELL. Mr. President, I thank my good friend from Vermont, the chairman of the Foreign Operations Subcommittee, and say to him how much I have enjoyed working with him and establishing our relationship, as I have become ranking member on this subcommittee. I think we have clearly provided for the Senate as good a bill as we could possibly construct in these times of great austerity.

Mr. President, as I said, I would certainly start out by congratulating the Senator from Vermont for moving this bill forward with such skill. Given the enormity of the task and the complexity of the issues, he has done a remarkable job.

And as the chairman indicated, we also, both of us, appreciate very much the cooperation of Senator BYRD, Senator INOUYE, and Senator STEVENS without whose heavy involvement in this we simply could not have provided the funding needed for the newly Independent States.

I wonder how many people really understand and fully realize how important and historic the bill we have before us truly is. While the bill includes a number of provisions supporting programs vital to U.S. interests, the dramatic departure from the past is the scope and substance of our assistance package for the new independent states of the former Soviet Union. Who would have believed, 5 years ago, we would be appropriating $2.5 billion to assist the transition to democracy and free markets in the former Soviet Union? No one would have predicted that, Mr. President, no one in the country.

As the events in the past few days have indicated, our support for democracy and economic reform is now more important than ever. It is so clearly in our interests to see the New Independent States through this difficult transition. There is no doubt in my mind that our assistance is making a direct contribution to stabilizing the region, reducing the nuclear threat we face, and building huge, new markets some place down the road.

We are at a crossroads—we can assist the forces of political and economic freedom or we can stand by and allow reactionary, repressive elements to carry the day.

The sum of this bill is remarkable because of its parts. As Senator LEAHY has pointed out, we have worked hard to assure the administration maximum flexibility in meeting emerging needs and opportunities, by avoiding an overload of earmarks. For all NIS countries, we have provided broad program discretion within overall categories of activities. The funding levels we have appropriated for each category reflect a consensus opinion, reflecting both congressional and administration input on our highest priorities.

In addition to the broad categories of aid for the NIS, the chairman has agreed to my request that $300 million of the $2.5 billion be directed for use in Ukraine. I am convinced that Ukraine will play a central role in assuring the region's transition to democracy and free markets.

Until May, United States-Ukraine relations were somewhat strained by the single-minded focus on nuclear issues. This is a crucial priority and everyone, including the leadership in Ukraine, agrees that Ukraine should ratify and fulfill all obligations under the Nuclear Nonproliferation Treaty and START I. However, it should not be the only issue addressed in the bilateral and multilateral agenda.

With 52 million educated people, ports, a strong agricultural and industrial base, Ukraine is well-positioned to play a major role as a global economic and political power. But promising prospects are complicated by serious problems. Chernobyl's radiation

has contaminated water, land, and the health of a whole generation. Troops returning from the Baltics need housing. Privatization, currency stabilization, defense conversion, and nuclear dismantling—the list of urgent needs is endless. I believe it is in our interests, the interests of long-term regional stability to help.

In addition to funds for Ukraine, I want to thank the chairman for including several other provisions and report language on issues of concern to me. The bill itself now includes language addressing a serious problem that we repeatedly heard about in July. Aid is linked to progress in market reforms, respect for commercial contracts, and achieving a consistent, rational tax structure conducive to private investment. The bill also protects American enterprises from having assets seized or expropriated by Russian entities suddenly flush with United States assistance. It simply does not make sense to help the Russian private sector by hurting American commercial interests.

We also learned that a number of companies have delivered goods and services over the past few years without being paid. While the Russian Government acknowledges the debt, and the American companies have offered any number of alternatives for compensation, there has been no progress. I am greatly concerned that failure to achieve progress will discourage further private investment, so key to economic reform and growth. The report encourages the administration to renew their efforts to resolve this pressing problem.

Finally, on the NIS section of the bill, the chairman agreed to a new approach for a pilot project linking U.S. assistance to American corporate investments. I have recommended that two sites be selected outside major urban areas where American companies have major equity investments. I believe our aid can play an important transition role supporting development and infrastructure needs until private sector initiatives can generate sufficient income and revenue to fulfill a community's needs. I think we should establish two islands of success, outside Moscow, that can serve as models for development and growth elsewhere.

While U.S. Government assistance can ease some of the socioeconomic transition pains, long-term growth, jobs, income, and revenue generation depend on expansion of the private sector. Producing real and visible benefits, a strong private sector will, in turn, strengthen grass roots support for political and economic reform. Linking U.S. aid with private sector initiatives will mutually reinforce our twin goals of democratic and economic reforms.

The NIS holds out hope for the future success of American foreign assistance programs. We offer this assistance with a clear view of how it will serve our—our—national interests. I can only hope it will make the same contribution toward peace and stability that U.S. aid appears to have made in the Middle East. As Prime Minister Rabin and Yasir Arafat stood side-by-side in peace and hope, signing away years of violence and ending decades of bloodshed, I believe our consistent and strong support in Congress for our democratic friend and ally, Israel, played a small role in moving the process forward. As negotiations intensified, I was persuaded that it was more important than ever to sustain earmarks for Camp David countries.

Fortunately, every member of the subcommittee held the same view. This unanimous support for Israel and Egypt is nothing less than an earmark for peace, security, and stability.

The bill also highlights the role we expect the United States to play in the West Bank and Gaza. In the past, the committee has earmarked $25 million in support of AID development projects and economic growth. We have left open the funding level in order to meet urgent needs and emerging opportunities. However, I think everyone agrees, we expect an expanded commitment to support—in Prime Minister Rabin's words, "the revolution of peace."

Like the NIS, I think economic growth in the West Bank and Gaza will be driven by the private sector's trade and investment. There is a large expatriate Palestinian community inclined to invest in the area. In addition, the Gulf States have an obvious interest in assuring a successful, peaceful transition to autonomy.

In the very short term, I believe U.S. aid should support private sector efforts by meeting basic physical and social infrastructure needs. Every assessment of the conditions in Gaza, Jericho, and the West Bank suggest our initial assistance should target rebuilding transportation and power grids, developing a clean, safe water supply, and expanding health care services. This basic foundation is crucial to the private sector's ability to invest and grow.

Although poor as measured by GDP or industrial and agricultural output, this area has tremendous potential. We should work closely with Israel and other nations in the region to secure peace through economic opportunity and growth.

Having addressed some of the components of the bill, let me turn to a broader concern that was raised this year. While we were able to address a number of crucial priorities in fully funding the NIS package and assuring responsible treatment of the Camp David countries, other countries and programs which represent important priorities have suffered because of our budgetary constraints.

In account after account, we had to cut more drastically than the House and far below the President's request. The contrast between needs and means is sharp. In a world of emerging crises and tensions, we have been forced through budget pressures to reduce our peacekeeping and international disaster assistance. Friends who in the past have enjoyed the support of earmarks should understand budget pressure prevented the same kind of treatment this year. I think a review of the bill will indicate even where there are earmarks, we were forced to reduce the funding from last year's levels. I make this point, because in a few cases, most notably Turkey, I do not want a reduction to be considered a measure of our commitment. It is a measure of our meager resources.

In spite of these pressures, we have a bill which represents a strong commitment to private-sector-led growth. We have funded the Asian Development Bank, offered strong support for the Export-Import Bank, the Trade Development Agency and OPIC—all of which will significantly expand U.S. commercial opportunities and global trade. Ultimately, trade not aid will lift countries from poverty to prosperity.

Having been accommodated by the chairman on matters of concern to me I do not want to dwell on our differences—but there are a few which I feel obliged to note, in case there are amendments on these matters. In the bill itself, I am concerned about two provisions. First, there is language broadening the mandate of the UNFPA without sufficient guidance on the question of abortion. We are all well aware of the controversy surrounding UNFPA activities in China. From my perspective, I think we should have been more clear in our restrictions on this program.

Second, I do not think we should have completely banned Andean counternarcotics activities until the administration provides a new strategy. While I agree with the chairman that the time has come to assess the quality of our interdiction efforts, I think a broad program ban sends a dangerous signal. Like it or not, we appear to have undermined the valiant counternarcotices efforts of the Andean governments while letting the cartels know, our policy and programs are on hold. It seems to me we have invited a surge of trafficking as we wait for a new administration strategy. I think the issue should have been dealt with in policy language included in the report.

In the report accompanying the bill, let me add a few other observations. As it is written, I do not completely share the chairman's view on Indonesia, Colombia, Peru, and Turkey. Each of these nations is struggling with significant internal crises leading to inevitable problems with security forces. However, I believe good faith efforts are being made to protect human

rights and assure the rule of law. I have always taken the approach in foreign policy we should encourage progress where we can, rather than punish emerging democracies for failing to reach unrealistic standards.

To end on a more positive note. This is my first year managing this legislation, and I find myself wondering why I waited so long to join my colleagues on the Appropriations Committee. It has been a real pleasure to work with the chairman of both the subcommittee and the full committee, and Senator HATFIELD, our ranking member.

Presented with difficult challenges, Senator LEAHY rose to the challenge and we have drafted a strong bill.

I congratulate him and his staff and am pleased to join him in offering it to our colleagues for consideration.

UNANIMOUS-CONSENT AGREEMENT

Mr. LEAHY. Mr. President, I ask unanimous consent that the committee amendments be agreed to en bloc; that the bill, as thus amended, be regarded for purposes of amendment as original text, provided no point of order shall have been considered to have been waived if the amendment is agreed to.

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

Mr. LEAHY. Mr. President, I would like to point out three printing errors in the bill and report for the information of Senators and staff.

In the bill, H.R. 2995, the proviso on page 51, line 20 through line 2 on page 52 is printed in Roman type. It should be italicized, indicating a Senate amendment.

In the committee report, 103–142, on page 125, the first heading and the text following should read "Economic Community of West African States." On page 128, under Title V, General Provisions, there should not be any listing for section 518. The committee made no changes to the text of section 518 as passed by the House.

Mr. President, I urge Senators who have amendments on this to be prepared—we want to move quickly for the same reasons as I stated before, the obvious foreign policy concerns and because of the time limitation. With that and knowing, however, the full force of the seniority system around here, no matter how important a subcommittee chairman may feel they are—they are called subcommittee chairman—in some way there is a full committee chairman. I see him on the floor, and I yield to the distinguished senior Senator from West Virginia.

Mr. BYRD. Mr. President, I thank the distinguished Senator from Vermont [Mr. LEAHY] and I compliment him on his good work on a difficult bill and one that is not nearly as popular a measure as some of the appropriations bills we pass here.

He has been at this post of duty for a good many years working on this particular appropriations bill. I doubt that it gets him votes back home, and perhaps it is a labor of love and a dedication to duty that he brings to this post, and I am sure it is. I compliment him and congratulate him and thank him on my behalf personally as chairman of the full committee and also on behalf of the Senate.

I also thank the ranking member, Mr. MCCONNELL, who, although he is somewhat new as a member on the Appropriations Committee, has attacked his responsibilities with verve and vigor and a high sense of dedication. I thank them both.

Mr. President, over the last week there have been increasing indications that the warring parties in the conflict in Bosnia are moving toward a signed agreement. Given the fragility of any such agreement, and the deep hatreds among the competing ethnic factions which have been fanned over the many months of this savage conflict, it is generally assumed that such an accord, to last, must be enforced by an international armed force. The emerging consensus seems to be, as was validated by the comments by General Shalikashvili, the man nominated by the President to be the new Chairman of the Joint Chiefs of Staff, that that force should be a NATO force of some 50,000 troops. Fully half of such troops are reported to be planned by NATO organizers to be American troops. I point out to my colleagues that General Shalikashvili, in response to my question this morning, stated that the cost of such a force for the first year would be some $4 billion. That is a lot of money, Mr. President. That is $4 for every minute since Jesus Christ was born. That is for the first year, with no idea of how long such an operation would have to be to bring lasting stability and peace to that sad region.

Mr. President, the American people know little of the rationale for any American commitment to lead a major NATO force in a difficult peacekeeping operation, especially if it becomes a peace-enforcing operation, in a region of the world renowned for a century, for a millennia, for a thousand years, 2,000 years, for its brutality and historic ethnic animosities. The President has so far made no public presentation of his views on this matter, although it is reported in the New York Times of September 19, 1993, that according to an unnamed State Department official, Mr. Clinton is committed, "absolutely, firmly committed" to send a force of about 25,000 soldiers and marines, the equivalent of a reinforced division, to help keep what could be a very uneasy peace between the country's three warring ethnic factions. Another White House aide is quoted that the President's present level of commitment is a "theoretical level of commitment." But the President has not attempted to do the difficult task of building a consensus in the country and in the Congress to support such a major military operation of unknown duration in a region where the question of our national interest has yet to be defined.

To his credit, the President has made it clear over the last few days that any deployment would be contingent on two vital standards: First, the signing of an agreement among the parties to which the parties have given indication they will try to keep, and second, the affirmative approval of the Congress prior to deployment. Certainly, these are two basic standards which are essential for any such deployment.

Nevertheless, before the country and the Congress give their assent, many specific questions need to first be addressed, and it is my hope that the administration will thoroughly examine and explore these questions and fully develop its case if it does choose to seek congressional approval for this deployment.

Mr. President, the policy of the United States toward the conflict in Bosnia to date has been unclear, and it has not been subject to thorough debate in the Senate. The administration has agreed to a number of initiatives with our allies, including the creation of "safe havens" for Moslems in Bosnia, and the beefing up of the United Nations military forces to protect such safe havens. Other initiatives appear to be designed to contain the conflict from spreading to the province of Kosovo and to Macedonia, Albania, and other countries in the Balkans. Thus, the United States has deployed a company of 300 armed soldiers to monitor ethnic tensions in Macedonia and deter an invasion of that country by the Serbs.

In July, the French Government requested that "the United Nations and NATO activate plans to provide air cover for U.N. ground forces 'as rapidly as possible.'" In response, the United States deployed 35 United States combat and support aircraft to Italy for possible combat operations in Bosnia. Reports all during last week indicated the administration was conducting a review of our options in the Bosnia theater. It now appears that various courses of action, all including the use of American aircraft in combat operations, are under serious consideration. At a minimum, U.S. planners contemplated the use of our warplanes for close air support of U.N. troops.

General Shalikashvili indicated in this morning's hearing before the Senate Armed Services Committee that a NATO peacekeeping operation in the Balkans may be needed to forestall what he called a greater Balkan war, dragging in many outside powers. The General also indicated that failure of NATO to act would do irreparable damage to the alliance and to walk away from the challenge would adversely affect America's security interests in Europe. These are serious arguments and they need thorough debate in this

Chamber. Where is the West going in the Balkans? What are the contemplated new U.S. roles?

The President has rightly acted prudently and conservatively in resisting new commitments of United States forces, particularly ground forces, in Bosnia. He has been under increasing pressure from our allies, particularly the French, to defend U.N. forces, to contribute United States forces to enforce U.N.-sponsored "safe havens" or other specific or partial solutions in various parts of Bosnia. Neither the President, nor the Congress, nor the American people want to be dragged into this conflict. Yet, the unwillingness or inability of our European allies to act decisively has pressed the President to exert leadership in an area which rightly should be policed by the European powers. It is very disheartening, even somewhat alarming, to witness the utter failure of the European powers to act decisively to deter and defeat this ugly communal violence and territorial aggression.

I believe that a full debate in Congress should occur before we settle on any new actions. I do not believe that the underlying assumptions, realities, and questions have yet been thoroughly examined on this matter. No systematic exposition of the situation, of the options available to us, and of the consequences of different courses of action has yet been made.

The United States has already provided very constructive assistance in Bosnia through several actions—the airlift of supplies to keep Sarajevo from being starved, the airdrops of supplies for humanitarian relief in eastern Bosnian towns encircled by Serb forces, the imposition of sanctions on Serbia and a no-fly zone over Bosnia—all have been geared to stopping the fighting and stabilizing the situation. The question is, what specific goals or objectives, beyond these actions, would justify commitments further risking our prestige, resources, and lives in military action in Bosnia?

Specific questions about possible American involvement occur immediately, and, of course, there are others. Thus, there are a number of specific questions which need to be addressed, early and very thoroughly, in contemplating any new military commitments in the Balkans.

First, is there a compelling basic strategic rationale for United States involvement in Bosnia? That is, what are the long-term security interests of the United States, from either a military or an economic perspective, that would require the United States to engage combat forces in the Bosnia conflict? Specifically, what are the dangers of a wider war beyond Bosnia; that is, of the possibility of what is called "spillover"? Is our strategic interest defined as preventing a war which plunges a wide region of the Balkans into chaos? Is that our strategic interest?

Second, what would be the specific duration of any such operation that is contemplated? The Somalia operation was an effort which began last November and has now lasted nearly a year. We are now involved in a U.N. operation pursuing political objectives not agreed to by the Congress in the original humanitarian operation last winter. And it is wearing pretty thin, Mr. President. These operations nearly always drag out far beyond the initial, often overoptimistic expectations of completion.

Third, what would be the overall size, force composition, specific command and control arrangements, rules of engagement, and plan of action for U.S. forces? What would be the relative proportion of U.S. to European forces? The Europeans apparently feel that U.S. ground forces are necessary. Is this really the case?

Fourth, what are the standards which measure success for whatever military and other actions a possible U.S. and allied coalition might take? That is, what are the endpoints of the policy?

Fifth, what are the estimates of nonfinancial costs, in lives, collateral damage, and casualties for both the United States and other combatants in the event that any peacekeeping arrangement breaks down and the force must then enforce the peace?

Sixth, who will pay for any Balkan military effort? Can the United States limit its participation to a certain percentage of the costs and demand that either the United Nations or NATO reimburse us for any outlays that exceed that percentage? This Congress has already balked at expanded U.N. peacekeeping operations and increasing U.N. peacekeeping assessments. Who will raise the additional funds from, for example, Germany and Japan, and the Moslem nations of the Middle East who have an interest in preventing a wider religious war in the Balkans? What kind of burden-sharing regime should be put into place, before we embark on any commitment?

Seventh, have we thought through the important question of whether a follow-on security system should be created in the Balkans, enforced by NATO, the United Nations, or other institutions, in order to preclude a rapid disintegration of any coalition military success and to foreclose the need to repeatedly reinsert forces?

Lastly, I am sure there are many other questions. But for now, we must ask ourselves what the effects of failure are. It would be better not to do anything than to engage in a halfhearted or poorly conceived operation which proves unmanageable or unsustainable. If we fail to deter aggression, or to stop the killing, we, in the West, may pay a heavy price in that the credibility of NATO may well be seriously undermined and the question of an international order based on the viability of national borders and the rule of some semblance of law and order may be affected.

I look forward to an exploration of the concepts and questions that immediately appear and which I have raised, inasmuch as the ultimate success or failure of whatever policy we decide upon in the Balkans will be heavily dependent on our vision, planning, forethought, and careful execution.

This body and the other body have an obligation to stand up and explain to our constituents where we stand on this matter, to ask questions and to debate them, and to make the right decisions and to take responsibility for the decisions that we make.

Mr. President, I ask unanimous consent that the article from the New York Times to which I referred, by R.W. Apple, Jr., and the dateline story of September 18, be printed in the RECORD.

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

[From the New York Times, Sept. 19, 1993]

THE MOMENT OF TRUTH

(By R.W. Apple, Jr.)

WASHINGTON, September 18.—With a settlement of the war in Bosnia apparently one step closer, President Clinton may be forced in coming weeks to confront the prospect of sending a large contingent of American troops to the Balkans as part of an international peacekeeping force.

Despite reports this week from Geneva that an agreement was near between the Muslim-led Bosnian Government and its Serbian foes, almost all the details remain to be worked out if talks resume on Tuesday in Sarajevo as planned. Lord Owen, the European Community mediator, cautioned today that the date was not firm, but said an accord seemed "tantalizingly close."

The promise of peace at last could well prove illusory, as it has on so many occasions over the last two years. But if it does not, Mr. Clinton is committed—"absolutely, firmly committed," in the words of a top State Department official—to send a force of about 25,000 soldiers and Marines, the equivalent of a reinforced division, to help keep what could be a very uneasy peace between the country's three warring ethnic factions. It would be a grave and perilous step.

DOUBTS ABOUT COMMITMENT

Or is he? In the light of Mr. Clinton's past record on the issue, which has been marked by many starts and stops some remain dubious about his commitment. Among them is one of the closest students of Bosnian policy outside the Government, a former State Department official who said on Friday, "I'm skeptical he'll actually do it."

Political aides to the President, as opposed to foreign-policy advisers, also question whether Mr. Clinton has entirely settled the matter.

"It's one thing to say, as he has, that if there is a peace settlement, we will send troops under certain conditions," one aide declared. "It's another to be faced with an actual settlement and to sign the orders."

Another, higher-ranking White House aide put the matter this way: "My sense is that

this issue may be facing us square in the face as early as Tuesday. There's no doubt that there is a theoretical level of commitment around here. But to do this on the eve of the health-care debate, while we are trying to push Nafta through—with the Middle East a major new priority, when we're so short of money—you can be sure lots of people are going to say, 'Wait a minute.'"

QUESTION OF CREDIBILITY

United States diplomats and their foreign colleagues argue that a failure by Mr. Clinton to follow through on his pledges would not only constitute a violation of a moral obligation but badly damage American credibility abroad. For that reason if no other, they say, Mr. Clinton will summon the will to send American troops, however risky he and others may consider such a step.

The President has not even begun to develop a national consensus behind American involvement in Bosnia and Herzegovina. Indeed, he has never clearly told the American people what national interest he believes is at stake. Partially as a result, opinion polls show a striking lack of public engagement with the issue of Bosnia.

Arguing the case will not be easy. This is no proxy war, with a Soviet Union backing one side and the United States the other. No major ally is threatened. No precious resource is at stake, like the oil in the Persian Gulf war. What is at stake is something less tangible, a moral issue, the right of national survival and self-determination.

A considerable amount of maneuvering, probably at least a month's worth, would be required after the signing of an agreement and before the actual dispatch of troops, and that would give Mr. Clinton further time to rally public support.

EXTREMELY FULL PLATE

Any tendency toward caution is likely to be intensified by several other elements, in addition to the Administration's extremely full plate. The Administration is already under fire, in Congress and elsewhere, for its commitment of American troops to Somalia, where their role has never been clearly defined and where no exit date is in sight. Mr. Clinton is also eager to keep Washington's and the country's attention focused on domestic issues.

Moreover, Gen. John Shalikashvili, the incoming Chairman of the Joint Chiefs of Staff, has expressed doubts in the past about American military involvement in the Balkans.

In recent weeks, Mr. Clinton has publicly stated a number of conditions for American participation in the proposed 50,000-man peacekeeping force, conditions that those around him insist he had always privately harbored.

The United States would take part, he has said, only in a fair, workable and enforceable settlement, although he has never spelled out precisely what that rather vague formula might mean. He has said command of the force would have to rest with the NATO, in which the United States has a decisive influence, and not with the United Nations, in which it does not. He has said Congress would have to give its formal approval.

NEW NOTE OF CAUTION

Most recently, in an interview with The Washington Post last Sunday, he sounded a new note of caution. Suggesting that he would make only a closed-end commitment, he said, "I think there ought to be a limit as to how long we or anyone else would be there before someone else comes forward."

Current plans, military officers said, would rely heavily on the 1st Airborne Division based in Bad Kreuznach, Germany. It has a large number of lightly armored Bradley Fighting Vehicles and relatively few tanks and heavy artillery pieces. The goal would be to establish security early, the officers said, so that a smaller, more lightly armed international force could then maintain it.

If the Bosnian Muslims, the Croatians and the Serbs all sign an agreement, the State Department official said, the United States will first look at developments in Bosnia for signs that they are serious before proceeding further. "Does the shelling stop?" he asked. "Are there significant troop withdrawals? Can the convoys get through easily? Are there signs of good faith?"

Meanwhile, said the official, who spoke on condition of anonymity, the United States and France would have to complete conversations that they have been holding for several months about the structure of the peacekeeping force. France is not a part of the NATO military structure, but its forces would take part.

The United Nations Secretary General, Boutros Boutros-Ghali, would then formally ask the North Atlantic Treaty Organization to form a peacekeeping team. NATO would respond with terms and conditions, and, the official said, the United Nations Security Council would have to pass a resolution accepting these.

Of Mr. Clinton's conditions, Congressional approval may be the most difficult to meet. One group of influential Senators, including Senator Joseph R. Biden, Jr., of Delaware, has been arguing that the prospective settlement is shameful because it obliges the Muslims to give up too much and codifies illicit Serbian gains. Another group argues that the Balkans are not sufficiently important to the United States to justify the risk and the billion-dollar cost of peacekeeping.

The Administration believes it can defeat the second group, but that it must win over at least some of the first if it is to gain approval.

Representative Robert G. Torricelli of New Jersey, a senior Democrat on the Foreign Affairs Committee, who has been critical of some earlier proposals for American involvement, said this week: "The United States has no choice but to at least salvage this last chance to be helpful by sending peacekeeping troops. Other forces would have no credibility without U.S. troops."

Senator Richard G. Lugar of Indiana, a ranking Republican on the Foreign Relations Committee, agreed, provided that "all sides are reasonably enthusiastic about an agreement." But he said he was not certain even then that Congress would support the President.

Mr. BYRD. Mr. President, again I thank my colleague and friend.

Mr. LEAHY. Mr. President, I yield to the Senator from Kentucky.

Mr. McCONNELL addressed the Chair.

The PRESIDING OFFICER (Mr. WELLSTONE). The Senator from Kentucky is recognized.

ORDER OF PROCEDURE

Mr. McCONNELL. Mr. President, I ask unanimous consent to revise the earlier unanimous-consent agreement regarding committee amendments. I ask unanimous consent that the following be excepted out of the en bloc committee amendments: On page 88, lines 11 through 14 and on page 18, lines 5 through 16.

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

(The committee amendments were agreed to en bloc, except the committee amendments on page 88, lines 11 through 14, and on page 18, lines 5 through 16.)

MR. LEAHY. Mr. President I ask unanimous consent that the excepted committee amendments be temporarily laid aside.

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

AMENDMENT NO. 925

Mr. LEAHY. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Vermont [Mr. LEAHY] for himself and Mr. McCONNELL, proposes an amendment numbered 925.

Mr. LEAHY. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

Section 516 is amended by adding a new subsection (c), as follows:

"(c) Subsection (a) shall cease to have effect during fiscal year 1994 with respect to the Palestine Liberation Organization (PLO), programs for the PLO, and programs for the benefit of entities associated with it which accept the commitments made by the PLO on September 9, 1993, if the President determines and notifies Congress that to do so is in the national interest; *Provided:* That subsection (a) shall resume full force and effect if at any time during fiscal 1994 the President determines and so notifies Congress that the PLO has ceased to comply with the commitments it made on September 9, 1993, or the Congress, by joint resolution, determines that the PLO has ceased to comply with the commitments it made on September 9, 1993.

The PRESIDING OFFICER. Is there further debate? If not, the question is on agreeing to the amendment.

The amendment (No. 925) was agreed to.

Mr. LEAHY. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

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

The motion to lay on the table was agreed to.

Mr. LEAHY. Mr. President, I might note we are going to go for a joint session, an address by the President of the United States. I have been advised by the distinguished majority leader that he would like us to finish up around 7, a little under 2 hours, this evening. I would hope by that time we might dispose of several amendments. Our list of amendments is short. We are prepared to accept nearly all of them if the sponsors come to the floor and offer them.

We have few amendments, two or three that might require a rollcall vote.

I mention this because I know that behind us comes another appropriations bill, the Labor-HHS. All of us want to avoid as many late evenings as we can. The more appropriations bills we get done, the less late evenings we have. As soon as we finish this, we can go to that.

Mr. President, I ask unanimous consent that the excepted amendments be temporarily set aside in order to consider an amendment.

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

AMENDMENT NO. 926

Mr. LEAHY. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Vermont [Mr. LEAHY] proposes an amendment numbered 926.

Mr. LEAHY. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

One page 95, line 12, strike out "in" and all that follows through "member" on line 16, and insert in lieu thereof the following: "to any member of the Haitian Armed Forces who the Secretary of State knows or has reason to believe, based on all credible information available to him,".

Mr. LEAHY. Mr. President, this is a technical amendment. It corrects some drafting deficiencies on the committee provision on Haiti. I believe that it is acceptable to my distinguished colleague from Kentucky.

Mr. MCCONNELL. No objection, Mr. President.

The PRESIDING OFFICER. Is there further debate? If not, the question is on agreeing to the amendment.

The amendment (No. 926) was agreed to.

Mr. LEAHY. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

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

The motion to lay on the table was agreed to.

Mr. LEAHY. Mr. President, I do not have any further technical amendments. I see the distinguished Senator from North Carolina on the floor. I understand he has an amendment. I yield the floor.

Mr. HELMS. Mr. President, I thank the able Senator.

Mr. HELMS addressed the Chair.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. HELMS. Mr. President, I thank the Chair.

Mr. President, I think we have an agreement on at least three amendments. I am having copies made for the managers of the bill. We submitted them yesterday. But just to make sure that they know what I am talking about, I am having copies made and presented to the managers at this moment.

The PRESIDING OFFICER. Without objection, the committee amendments are temporarily laid aside.

AMENDMENT NO. 927

(Purpose: To restrict assistance to Peru until certain conditions are met)

Mr. HELMS. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from North Carolina [Mr. HELMS] proposes an amendment numbered 927.

Mr. HELMS. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

On page 103, between lines 17 and 18, insert the following new section:

RESTRICTION ON ASSISTANCE TO PERU

SEC. 579. (A) IN GENERAL.—None of the funds appropriated by this Act to carry out the Foreign Assistance Act of 1961 may be available for the Government of Peru until the President determines and so certifies to Congress that the Government of Peru has paid fair and equitable compensation to the survivors of Master Sergeant Joseph Beard, Jr., United States Air Force, who was killed during the attack by aircraft of the military forces of Peru on April 24, 1992, against a United States Air Force C–130 aircraft operating off the coast of Peru in international airspace.

(b) OPPOSITION TO FINANCING BY MULTILATERAL DEVELOPMENT BANKS.—The Secretary of the Treasury shall instruct the United States executive directors of the appropriate multilateral development banks to vote against any loan or other financial assistance for Peru until the condition described in subsection (a) is met.

(c) DEFINITION.—For purposes of this section, the term "appropriate multilateral development banks" means the International Bank for Reconstruction and Development, the International Development Association, and the Inter-American Development Bank.

Mr. LEAHY. Mr. President, we are perfectly willing to accept this amendment.

Mr. HELMS. Let me have about 2 minutes to explain the amendment for the RECORD.

Mr. LEAHY. The Senator can have all of the time he wants. I just did not want his speech to go in a different direction if he did not know I accepted it.

Mr. HELMS. As is already apparent, Mr. President, there is no controversy over this amendment.

The facts are simple: On April 24, 1992, Peruvian military aircraft attacked a United States Air Force C–130 after it had completed a counter-narcotics mission. M.S. Joseph Beard was killed and other crewmen were injured.

The U.S. Air Force plane was in international airspace over the Pacific Ocean. Because visibility was unlimited and the plane had clear marking, a Department of Defense investigation concluded that the Peruvians had to know they were attacking a United States military aircraft.

In such cases, it is customary to seek compensation for the victims and their survivors. But, in the case of Peru, the Department of State did not seek compensation because it was afraid doing so would destabilize the Peruvian Government.

The Peruvian Government's feelings were clear when, in July 1992, the Peruvian pilots who attacked the United States plane were awarded medals for their actions.

There is ample precedent for compensation—even Saddam Hussein's Iraq paid compensation after the attack on the U.S.S. *Stark*.

This amendment would simply withhold all economic and military aid to the Government of Peru, and require the United States to vote against financing for Peru at the multilateral banks, until fair and equitable compensation is paid to the widow of the United States serviceman killed. Assistance provided through nongovernmental organizations would not be affected.

According to AID's estimate, there is currently $67 million obligated for Peru which, under my amendment, could not be disbursed until compensation is paid.

The Foreign Relations Committee agreed with me that no more United States foreign aid should be given to Peru until fair compensation has been paid. This same amendment was approved unanimously during the markup of the foreign aid bill on September 8, and we are still waiting for fair and equitable compensation. I am sure my colleagues will agree with the Foreign Relations Committee that not another dime should be sent to Peru until compensation has been paid.

Mr. MCCONNELL. Mr. President, the amendment of the Senator from North Carolina is a reasonable response to the attack on a United States Air Force plane operating in international air space off the coast of Peru, which resulted in the death of Air Force M.S. Joseph Beard.

I think the amendment is well taken, and I am happy to support the Senator from North Carolina.

Mr. LEAHY. Mr. President, as the Chair may know, I expressed very strong feelings at the time of the incident and my own outrage, which is also reflected in it statement of the Senator from North Carolina.

For that reason I, too, accept the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 927) was agreed to.

Mr. HELMS. Mr. President, I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

AMENDMENT NO. 928

(Purpose: To prohibit assistance to foreign governments that export lethal military equipment to countries supporting international terrorism)

Mr. HELMS. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from North Carolina [Mr. HELMS] proposes an amendment numbered 928.

Mr. HELMS. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

On page 103, between lines 17 and 18, insert the following:

PROHIBITION ON ASSISTANCE TO FOREIGN GOVERNMENTS THAT EXPORT LETHAL MILITARY EQUIPMENT TO COUNTRIES SUPPORTING INTERNATIONAL TERRORISM

SEC. 579. (a) None of the funds appropriated or otherwise made available by this Act may be available to any foreign government which provides lethal military equipment to a country the government of which the Secretary of State has determined is a terrorist government for purposes of section 40(d) of the Arms Export Control Act. The prohibition under this section with respect to a foreign government shall terminate 12 months after that government ceases to provide such military equipment. This section applies with respect to lethal military equipment provided under a contract entered into after the date of enactment of this Act.

(b) Assistance restricted by subsection (a) or any other similar provision of law, may be furnished if the President determines that furnishing such assistance is important to the national interests of the United States.

(c) Whenever the waiver of subsection (b) is exercised, the President shall submit to the appropriate congressional committees a report with respect to the furnishing of such assistance. Any such report shall include a detailed explanation of the assistance to be provided, including the estimated dollar amount of such assistance, and an explanation of how the assistance furthers United States national interests. Any such report shall be submitted, in accordance with the procedures applicable to reprogramming notifications under section 634A, at least 15 days before any funds are obligated for such assistance.

Mr. HELMS. Mr. President, this amendment is just plain common sense. The bombing of the World Trade Center in New York several months ago reminds us that the United States remains a favorite target of international terrorists.

The U.S. Government should do everything in its power to isolate terrorist governments. The State Department should be equally tough on countries which aid and abet terrorist governments.

Terrorist governments are not eligible to receive U.S. foreign aid. The Secretary of State determines whether a government is classified as terrorist in accordance with section 40(d) of the Arms Export Control Act. This official list of pariah states includes North Korea, Libya, Iran, Iraq, Syria, Cuba, and Sudan.

In my judgment, countries which provide lethal military equipment to these terrorist governments likewise should not be eligible to receive U.S. taxpayers' dollars.

Simply put, that is what this amendment does. Virtually the same provision—without a waiver—was included in the foreign aid bill that passed both Houses of Congress 2 years ago.

Now, Mr. President, at the Foreign Relations Committee markup of the foreign aid bill, a few AID and State Department bureaucrats expressed concern that several high priority aid recipients might be affected by this amendment. My view—and the view of most Americans—is that if the countries in question want to receive United States taxpayer aid, these countries should simply stop providing weapons to North Korea, Libya, Iran, Iraq, Syria, Cuba, and Sudan that could potentially kill Americans.

Nevertheless, to overcome any and all objections, I agreed to include a waiver so that if the President feels he must furnish assistance to countries supplying lethal military equipment to terrorist governments, he must first determine that it is important to the national interests of the United States.

And, whenever this waiver is exercised, the President will be required to report to Congress. The report is the standard procedure which is applicable to reprogramming notifications under section 634A of the Foreign Assistance Act.

At least 15 days before any funds are obligated for such assistance, the President must give Congress a detailed explanation of the assistance to be provided, including the estimated dollar amount, and an explanation of how the assistance furthers U.S. national interests.

I reiterate: This amendment was acceptable to the State Department during the markup of the foreign aid bill on September 8, and the Senate Foreign Relations Committee accepted it unanimously. I urge my colleagues to support this amendment.

Mr. LEAHY. Mr. President, I, too, looked at this amendment and I have no objection to it.

Mr. MCCONNELL. Mr. President, the senior Senator from North Carolina underscores U.S. policy which opposes the transfer of lethal military equipment to countries which support international terrorism. I think the amendment puts some teeth in that policy by prohibiting U.S. aid to any country which transfers such lethal equipment. Because the amendment is prospective and looking forward, it gives countries a warning that we are serious about curbing the weapons flow.

It includes a waiver and flexibility, should the amendment pose any serious problems in the administration of U.S. foreign assistance.

I commend the senior Senator from North Carolina. I am happy to support it.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 928) was agreed to.

Mr. HELMS. Mr. President, I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

AMENDMENT NO. 929

(Purpose: To withhold assistance for parking fines owed by foreign countries)

Mr. HELMS. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from North Carolina [Mr. HELMS] proposes an amendment numbered 929.

On page 103, between lines 17 and 18, insert the following:

WITHHOLDING OF ASSISTANCE FOR PARKING FINES OWED BY FOREIGN COUNTRIES

SEC. 579. (a) IN GENERAL.—Of the funds made available for a foreign country under part I of the Foreign Assistance Act of 1961, an amount equivalent to the total unpaid parking fines and penalties owed to the District of Columbia by such country as of the date of enactment of this Act shall be withheld from obligation for such country until the Secretary of State certifies and reports in writing to the appropriate congressional committees that such fines and penalties are fully paid.

(b) DEFINITION.—For purposes of this section, the term "appropriate congressional committees" has the same meaning given to such term by section 644(q) of the Foreign Assistance Act of 1961.

The PRESIDING OFFICER. Without objection, the committee amendment is laid aside.

The Senator from North Carolina.

Mr. HELMS. Mr. President, there is no disagreement with respect to the notion that citizens should obey the law, right down to paying their parking tickets. So should visitors from abroad, including diplomats.

It has come to light, however, that diplomats living and working in the District of Columbia owe the District government more than $6 million in unpaid parking fines. Since these folks have diplomatic immunity, they refuse to pay their fines and nothing can be done about it.

Even more galling is the fact that some of the worst abusers have their hands outstretched to the U.S. Government for foreign aid. The top 10 abusers owe the District government more than $4.4 million in unpaid parking fines while, at the same time receiving more than $5.6 billion in U.S. foreign aid.

The State Department has promised to address this problem by not reissuing diplomatic license plates to the worst abusers. That's like flogging them with a wet noodle. If diplomats can get away with refusing to pay their parking fines, what is going to stop them from refusing to pay tickets for driving without a license plate?

My amendment simply withholds foreign aid proportional to the amount a country owes in parking fines to the District government. When the fines are paid, the aid will be released.

Foreign aid allegedly is used to leverage economic and democratic reforms. That is laudable, but first things first. Congress should insist that diplomats, particularly those diplomats representing aid recipients, obey the laws of our Capital City. This amendment will certainly bolster the State Department's efforts to help the District government collect these much needed funds.

Congress recently voted to subsidize the government of the District of Columbia to the tune of $603 million. I voted against that measure. It borders on insanity for the Federal Government to give taxpayers' dollars to the District and, at the same time, to give taxpayers' dollars to foreign governments whose diplomats arrogantly refuse to pay their parking fines to the District.

This amendment is a win-win proposition for the District of Columbia and the American taxpayers: the District should receive approximately $4 million additional revenue because foreign diplomats will have paid their fines. But, if the amendment doesn't force diplomats to pay, the General Treasury will benefit from the savings in foreign aid and the District will still receive every penny of its subsidy.

Despite the lamentations of the State Department, the Foreign Relations Committee had the good sense, by a vote of 12 to 4, to approve this amendment on September 8. I urge my colleagues to have similar good sense and support this reasonable amendment.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, I ask the Senator from North Carolina if he would be willing to modify his amendment on page 2 line 4, so there will be no question about where these fines are fully paid, to say such fines and penalties are fully paid to the government of the District of Columbia?

AMENDMENT NO. 929, AS MODIFIED

Mr. HELMS. Mr. President, I certainly accept the modification suggested by the able Senator from Vermont. And I ask that it be so modified.

The PRESIDING OFFICER. The Senator has the right to modify his amendment.

The amendment (No. 929), as modified, is as follows:

On page 103, between lines 17 and 18, insert the following:

WITHHOLDING OF ASSISTANCE FOR PARKING FINES OWED BY FOREIGN COUNTRIES

SEC. 579. (a) IN GENERAL.—Of the funds made available for a foreign country under part I of the Foreign Assistance Act of 1961, an amount equivalent to the total unpaid parking fines and penalties owed to the District of Columbia by such country as of the date of enactment of this Act shall be withheld from obligation for such country until the Secretary of State certifies and reports in writing to the appropriate congressional committees that such fines and penalties are fully paid to the government of the District of Columbia.

(b) DEFINITIONS.—For purposes of this section, the term "appropriate congressional committees" has the same meaning given to such term by section 644(q) of the Foreign Assistance Act of 1961.

Mr. LEAHY. Mr. President, with that modification I have no objection to the amendment.

The PRESIDING OFFICER. Is there further debate?

Mr. DASCHLE. Mr. President, as the Senate begins debate on H.R. 2295, the foreign operations appropriation bill, I would like to take a moment to briefly comment on the budget cuts recommended by the House of Representatives and the Senate Foreign Relations Committee. Let me start off by saying that I understand the need for the overall level of cuts, and I support the committee's actions in this regard.

If we all agree that there need to be cuts, and I think we do, the question then becomes where to direct these cuts. What programs should receive less funding, and what programs, if any, should be maintained at current levels or increased? That, of course, is the essence of the art of budgeting: Where is it going to be most productive to focus our limited resources?

I do not think anyone in this room would argue with me in stating that there is no shortage of worthy causes competing for our assistance. Within the current context of overall budget cuts, it becomes especially important that we focus our limited resources on those areas in which our assistance can help those most deserving of it and make the most positive and cost-effective contribution.

Within the foreign aid budget, sustainable development, food relief, children's health, and education should be the areas on which we focus more of our efforts. Someone once said, "Don't feed me for a week; give me a seed and teach me to plant, so that I can feed myself." No other statement more aptly describes the goals of sustainable development. One program that immediately comes to mind as one that exemplifies these goals is the microenterprise program within the Agency for International Development [AID]. As many of you know, this program promotes sustainable assistance, both financial and technical, for the self-employed poor in developing nations. The committee has recommended that AID restructure its microenterprise program to develop a more centralized management, as well as to more specifically direct the bulk of its assistance to help the poorest of the poor, with a special focus on the increased participation of women. I wholeheartedly support these recommendations, and believe microenterprise is a prime example of the kind of program we should be focusing our resources on. It truly aids the poorest of the poor, and does so with an eye toward a future when such assistance will no longer be necessary, thus proving to be cost effective in the long run.

So, as the Senate debates various provisions of this bill within the context of overall budget cuts, it is my hope that we can direct our support to those programs that utilize our limited resources in the most cost-effective way, while at the same time giving priority to those who need our assistance the most.

Mr. MCCONNELL. Mr. President, let me say I think the Senator from North Carolina makes an excellent point. I have no objection to it, and I hope it will be adopted by the Senate.

The PRESIDING OFFICER. Is there any further debate on the amendment? If not, the question occurs on the amendment of the Senator from North Carolina.

So the amendment (No. 929), as modified, was agreed to.

Mr. HELMS. Mr. President, I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

Mr. HELMS. Mr. President, I have one more amendment and I ask the manager of the bill to bear with me for a couple minutes. I will suggest the absence of a quorum.

Mr. LEAHY. Could the Senator withhold?

Mr. HELMS. Absolutely. I withhold.

The PRESIDING OFFICER. The Senator from Vermont is recognized.

Mr. LEAHY. Mr. President, I tell my friend from North Carolina I will yield the floor to him as soon as he is ready to go on his amendment.

Mr. HELMS. Sure.

Mr. LEAHY. Mr. President, I again make the urgent plea to Senators who do have amendments to be prepared to go forth this evening in the time remaining. When I finish making the statement, I will have a quorum call, and I will be yielding to the Senator from North Carolina for his amendment.

Upon disposition of whatever the amendment is that he is about to bring up, it would be my hope that if there are no further amendments we will complete the bill.

Again, I stress the urgency for two major areas that affect the national security the interests of the United States.

One is in the former Soviet Union, and there are major aspects of this legislation involved in the former Soviet Union.

The other is in the Middle East where we have an historic opportunity for peace, something I frankly questioned I would ever see in my lifetime. We have within this legislation and with the amendment adopted earlier this afternoon the ability to move forward on that peace.

I think all of us Republicans and Democrats want to see the opportunities in both these areas utilized to the fullest.

Because the clock runs out on this fiscal year, I urge everybody to move forward. I say that noting that everyone who has had amendments here today so far has moved very, very quickly.

Mr. President, I yield the floor.

Mr. MCCONNELL. Mr. President, will the Senator yield?

Mr. LEAHY. I yield.

Mr. MCCONNELL. I understand Senator STEVENS is on the way to offer some amendments, so I believe we will process a few more.

Mr. LEAHY. I thank the Senator.

I note the senior Senator from Alaska usually is most cooperative and helpful in moving the appropriations bills through. He has served longer than the Senator from Kentucky and myself, and he knows the joys and sometimes the nonjoys of passing appropriations bills.

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

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

AMENDMENT NO. 930

(Purpose: To Stabilize Engineering and Scientific Institutes in Ukraine and Russia)

Mr. MCCONNELL. Mr. President, I have an amendment of the Senator from New Mexico [Mr. DOMENICI], which has been cleared on both sides.

Is there a pending amendment?

The PRESIDING OFFICER. The first excepted committee amendment is pending.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the pending amendment be laid aside.

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

Mr. MCCONNELL. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL] for Mr. DOMENICI proposes an amendment numbered 930.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

At the appropriate place in the bill, add the following new section:

"SECTION .

UKRAINE/RUSSIA STABILIZATION PARTNERSHIPS

"Of the funds appropriated by this Act under the headings 'Assistance for the New Independent States of the Former Soviet Union' and 'Operations and Maintenance, Defense Agencies', and allocated under section 565(a) paragraphs (1) and (6), not less than $50,000,000 shall be made available to the Secretary of Energy in consultation with the Secretary of State for a program of cooperation between scientific and engineering institutes in the new independent States and national laboratories in the United States designed to stabilize the technology base in the cooperating States as each strives to convert defense industries to civilian applications: *Provided*, That priority be assigned to programs in support of international agreements that prevent and reduce proliferation of weapons of mass destruction: *Provided further*, That the Secretary may enter into agreements involving private United States industry that include cost share arrangements where feasible: *Provided further*, That the Secretary may participate in programs that enhance the safety of power reactors: *Provided further*, That the intellectual property rights of all parties to a program of cooperation be protected: *Provided further*, That funds made available by this Section may be reallocated in accordance with the authority of section 565(b) of this Act."

Mr. DOMENICI. Mr. President, it has been almost 3 years since the Soviet Union collapsed—December 1991. We are watching history unfold and with it one of the greatest opportunities in modern history. That is still true, even after yesterday's events.

If the United States acts, we have within our reach the opportunity to foster world peace and prosperity for generations to come.

If we do not act we face the very real danger of strife and human tragedy. The safe disposal of nuclear weapons, preventing nuclear proliferation, creating new markets for U.S. industry goods and services all depend on our resolve to act.

The truth of the matter, however, is that our track record has been mixed. The International Science and Technology Centers, which were to have been the very centerpiece of America's plan of action for dealing with the threat of nuclear proliferation, are not yet in place. These centers were to be used to employ nuclear scientists and engineers in productive peaceful work.

There has been difficulty expending millions of dollars appropriated by the Congress to deal with the threat posed by nuclear weapons and nuclear nonproliferation, that is, Nunn-Lugar.

The situation at some institutes in the former Soviet Union is critical. Paychecks for scientists and engineers are sporadic; to many personnel, their jobs at the institutes are taking second place to the basics of survival; many are forced to spend their time growing potatoes for food.

At one Russian nuclear weapons institute the situation is so bad that a senior director there has stated that United States inaction and the severe economic situation are "driving us into the hands of the Chinese."

In many cases, United States industry is reluctant to make long-term investments in the former Soviet Union. These investments are essential not only for the development of free market economies but also for American industry to gain a foothold in the future emerging markets of the former Soviet Union.

I have asked United States industry why they are so reluctant to invest in the former Soviet Union. They have told me that immature political systems, lack of effective court systems, and little working knowledge of Western business practices in the former Soviet Union simply make the risk of doing business there too high.

Today, it seems we are the victims of a huge bureaucratic logjam where it has been difficult to identify alternatives. The amendment I offer would be an initial step in breaking this logjam. It is a plan that can make a real difference and show immediate results. It is a plan that I have discussed with Ambassador Talbott, and he indicated some interest.

For many years the DOE national laboratories have been working with their counterparts at science and engineering institutes in places like Ukraine and Russia. In a recent survey conducted by the DOE national laboratories, over 300 small cooperative projects were identified—the type of cooperative projects that could be immediately expanded to provide immediate civilian employment for nuclear weapons scientists and engineers.

The DOE national laboratories also have real experience working with United States industry in the former Soviet Union. There already exist partnerships involving United States industry consortia like the Specialty Metals Processing Consortium and the National Center for Manufacturing Sciences, the DOE labs, and Russian and Ukrainian institutes.

These programs are designed to promote the competitiveness of United States industry and create American

jobs, while at the same time stabilizing the dangerous situation in the former Soviet Union by giving weapons scientists and engineers productive nonmilitary employment.

Mr. President, the amendment would immediately expand these small programs. It would also set the stage for new U.S. industry, DOE national laboratory, and FSU science and engineering institute programs of cooperation. It is discussed in the committee's report on page 106. It has been modified at the suggestion of the administration.

The amendment is based on the very pragmatic belief that we must act. We must show results. Without real results we lose credibility. We must start exploring new alternatives.

Mr. MCCONNELL. Mr. President, this amendment, as I indicated earlier by the Senator from New Mexico, has been cleared on both sides. It is my understanding there is no additional debate.

Mr. LEAHY. The Senator from Kentucky is absolutely right. We are prepared to accept it.

The PRESIDING OFFICER. Is there any other debate on the amendment?

If there is no further debate on the amendment, the question is on agreeing to the amendment.

The amendment (No. 930) was agreed to.

Mr. MCCONNELL. Mr. President, I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

Mr. HELMS addressed the Chair.

The PRESIDING OFFICER. The Senator from North Carolina is recognized.

Mr. HELMS. I thank the Chair.

CONDITIONS ON AID TO NICARAGUA

Mr. HELMS. Mr. President, on July 28, the Senate overwhelmingly approved, by a vote of 77–23, an amendment to the Commerce, Justice, and State Department appropriations bill to withhold foreign aid to the Government of Nicaragua because of acute congressional concern about Nicaraguan Government involvement in international terrorism.

Today, I report to the long-suffering people of Nicaragua, and to the American taxpayers, that they have won another victory. Included in the original text of this bill is a section prohibiting foreign aid to the Government of Nicaragua. I commend Chairman LEAHY and ranking member MCCONNELL for including this very important provision in their bill.

The Government of Nicaragua and the Clinton administration should have no doubt about the intent of Congress regarding foreign aid to Nicaragua. This provision requires that significant and tangible progress be made in six areas before aid can be provided to the Government of Nicaragua.

Conditions on assistance to Nicaragua in this bill relate to the same concerns I have raised again and again for more than 3 years. These issues are: First, terrorism; second, property rights; third, human rights; fourth, civilian control of the military; fifth, civilian control of the police; and, sixth, judicial reform. The State Department has informed me that it is currently impossible to certify that the Government of Nicaragua has or is making progress in any of these areas.

Congress expects the investigation into the numerous terrorist arms caches to be comprehensive and airtight. The intention of this provision is not to prosecute some poor low-level Nicaraguan clerk or Sandinista corporal. It is a fact that the military authorities knew of the existence of these arms caches—and the intention of this provision is to bring to justice all those at the highest levels of Nicaraguan Government who knew of its existence.

Significant and tangible progress in the resolution of property claims does not mean that the Nicaraguan Government can satisfy the claims of only the most wealthy or most well-known individuals. Significant and tangible progress means the total resolution of every claim of at least 75 or 80 percent of the more than 740 United States citizens, and thousands of Nicaraguans, who have had their property stolen by both the Sandinista and Chamorro governments.

Significant and tangible progress in the timely implementation of the recommendations of the Tripartite Commission does not mean that Nicaragua put in jail only two human rights abusers, which is currently the case. Almost 300 demobilized and disarmed former resistance members have been murdered by the Sandinistas since Mrs. Chamorro assumed office. Merely putting two people in jail is an insult to the U.S. Congress, the administration, and most importantly, to the families who have suffered.

Establishing civilian control over the military and police does not mean simply removing General Ortega and replacing him with another Sandinista thug. They tried that last year when the Sandinista police chief, Rene Vivas, was replaced with another notorious Sandinista. The State Department must not be so easily fooled again. The entire military high command should be replaced.

Finally, significant and tangible reform of the Nicaraguan judicial system means that corruption and bribery must end. The only way of accomplishing this is for Mrs. Chamorro to expand the Nicaraguan Supreme Court by appointing non-Sandinista judges so that the Sandinistas will no longer hold the majority. She already has the authority under the Nicaraguan Constitution to take this action, and anything short of this should be considered a failure.

Mr. President, the days of broken promises are over. Secretary Christopher and Mrs. Chamorro should be forewarned that Congress no longer accepts empty promises from her son-in-law, Minister of the Presidency Antonio Lacayo. In the past, foreign aid was released when the promises were made. But the Nicaraguan Government has broken every single one of those promises. I have a hope that this provision will end this cycle.

It is clear by the language in this bill that Congress wants no further aid to go to the Government of Nicaragua until after it complies with each condition. I am persuaded that withholding aid until after real progress is made is the only way to restore freedom and democracy to the Nicaraguan people.

AMENDMENT NO. 931

(Purpose: To prohibit assistance to countries whose governments expropriate United States property)

Mr. HELMS. Mr. President, I send an amendment to the desk and ask that it be stated.

The PRESIDING OFFICER. Without objection, the committee amendment will be set aside.

The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from North Carolina [Mr. HELMS] proposes an amendment numbered 931.

Mr. HELMS. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

On page 103, between lines 17 and 18, insert the following:

PROHIBITION ON ASSISTANCE TO COUNTRIES EXPROPRIATING UNITED STATES PROPERTY

SEC. 579. (a) PROHIBITION.—None of the funds appropriated or otherwise made available by this Act may be provided to a country (other than a country described in subsection (c)) whose government (or any agency or instrumentality thereof)—

(1) has before, on, or after the date of enactment of this Act—

(A) nationalized or expropriated the property of any United States person,

(B) repudiated or nullified any contract or agreement with any United States person, or

(C) taken any other action (such as the imposition of discriminatory taxes or other exactions) which has the effect of seizing ownership or control of the property of any United States person, and

(2) has not, within a period of 3 years (or where applicable, the period described in subsection (b)), returned the property or provided adequate and effective compensation for such property in convertible foreign exchange equivalent to the full value thereof, as required by international law.

(b) EXTENDED PERIOD FOR COMPENSATION IN THE CASE OF NEWLY DEMOCRATIC GOVERNMENT.—In the case of a democratically elected foreign government that had been a totalitarian or authoritarian government at the time of the action described in subsection (a)(2) shall be deemed to have begun as of the date of the installation of the democratically elected government.

(c) EXCEPTED COUNTRIES AND TERRITORIES.—This section shall not apply to any

country established by international mandate through the United Nations or to any territory recognized by United States Government to be in dispute.

(d) DEFINITION.—For purposes of this section, the term "United States person" means a United States citizen or corporation, partnership, or association at least 50 percent beneficially owned by United States citizens.

Mr. LEAHY. Mr. President, I wonder if the Senator can tell me which one this is. Is this on the prohibition on assistance to countries where there are expropriation claims?

Mr. HELMS. Yes.

Mr. LEAHY. I thank the Senator

Mr. HELMS. Mr. President, this amendment, as simple as it is, would cut off sending money of the U.S. taxpayers to countries whose Governments have confiscated the properties of U.S. citizens and have not either returned the property or fairly compensated the legitimate owner within 3 years.

I have included language allowing for the transition of a new democratically elected Government in a country which was previously ruled by a totalitarian dictatorship. These newly elected Governments will have 3 years to settle the property claims of American citizens, as would be the case in the former Soviet Union or Cuba. So, President Yeltsin, who was elected in June 1991, still has time to resolve any claims against the Russian Government if, indeed, any claims remain.

For years, I have received letters from literally hundreds of American citizens from all over the country who have had homes or businesses, or both, confiscated in various countries around the world. Just about every one of those letters tells me the same thing: They find deaf ears and closed doors at the U.S. Embassy in the country involved. Many American citizens have told me that U.S. Embassies play the role of a host Government's Foreign Minister.

I am tempted to insert in the RECORD—but I will not, unless it is desired that I do so—some of the letters which describe the most flagrant abuses of property rights.

Early this year, Secretary Christopher stated, during his confirmation hearing before the Foreign Relations Committee, that he intended to have what he called an American desk at the U.S. State Department. I was gratified to hear that.

I remember the late distinguished Senator from Georgia, Herman Talmadge, said that frequently. I can hear him in speech after speech, saying:

Mr. President, they have an African desk down at the State Department; they have an Indian desk; they have a Chinese desk. And what I want us to have is an American desk at the State Department.

That is what Secretary Christopher promised when he was up for confirmation before the Senate Foreign Relations Committee.

Well, I have to say to Secretary Christopher—and I like the gentleman—I see absolutely no evidence of any American desk being occupied down at Foggy Bottom.

So what this amendment says and means is that it is high time for the State Department to start putting American interests first around the world.

I imagine some Senators are going to ask, when they hear about this amendment: "Which countries will be affected by this amendment? Will it hurt a country we like?"

Well, my answer to that is, we ought to put an end to this business of rising above principle. It does not matter whether we like a country or not. If they are abusing the rights and the properties of American citizens, there is not any question in my mind that this Government, the U.S. Government, ought to move in to protect the interests of the American people. It is just as simple as that. We should not fret about which countries will be affected. The overriding principle is that Congress should give top priority to protecting the rights of American citizens abroad.

Let me give you one example that has bothered me considerably. I have been trying to lend a hand to two citizens from North Carolina to recover their properties which were confiscated more than 15 years ago—but to no avail.

I happen to like the two governments involved. But my obligation, as I see it, is that whether I like the countries or not, and whether I like the Presidents or the Prime Ministers of the countries is not a matter to be considered over and above the rights of the American citizens in those countries.

I have a duty, I think, to help American citizens first. And I have practiced that every day since I have been in the Senate, and certainly since I have been a member of the Foreign Relations Committee, and certainly since I became the ranking member of the Foreign Relations Committee.

This issue first came to light a long time ago, back in 1962, with the Hickenlooper amendment to the Foreign Assistance Act of that year. That law, while highlighting the problem of expropriated properties of American citizens, has been ignored—ignored—by the executive branch—Democrat and Republican—due to its overly broad language. There have been amendments that have weakened the original intent of the Hickenlooper amendment. In spite of the fact that there have been literally thousands of American properties confiscated—confiscated, Mr. President—in many, many countries, the Hickenlooper amendment has been invoked precisely two times in the 30 years it has been in existence. Those two cases involved Ceylon and Ethiopia.

So with the language of the pending amendment, it will hereafter be perfectly clear that foreign governments will, first, have to return expropriated properties; second, compensate the owners; or, third, lose their foreign aid from the United States, meaning the taxpayers of this country.

Mr. President, I asked the State Department months ago for a list of all the confiscation claims by American citizens in this hemisphere.

I personally know of property claims in 10 different countries. I was told at a hearing at the Foreign Relations Committee that a review of this issue is underway, and that all U.S. Embassies would be reporting on outstanding claims in each country.

Mr. President, do not take that to the bank. To this day, I have not received a report on this matter.

Now, I am not being critical, or any more critical of this administration than I have been of the previous Republican administrations. I got the same treatment—or the American people got the same treatment in the past.

I have gotten to a point where I resent it. And that is the reason this amendment is now pending in the U.S. Senate.

Now, I am not going to say or indicate or hint that the State Department simply does not care; that they do not want to risk hurting the feelings of a foreign government. But it is hard to reach any other conclusion. What other conclusion is possible under the circumstances?

My office is currently working on the expropriation claims of literally hundreds of American citizens in many countries.

Only very few of these are in North Carolina. The rest are scattered throughout the country, and I have done everything I can to resolve these cases, but the State Department has a little habit of jumping to the defense of the foreign governments. Remember what Herman Talmadge said about having an American desk down at the State Department. That is what I am talking about with this amendment.

There cannot be any progress on these cases unless and until pressure is brought to bear on the offending governments by the U.S. State Department, and the most direct pressure we possess, Mr. President, is U.S. foreign aid; that is to say, money taken forcibly from the American taxpayers and sent to foreign governments around the world.

The American people do not like foreign aid to start with, and they sure do not like money being taken from them when they need it for their families and sent to these countries which just absolutely abuse willy-nilly American citizens overseas.

Some of my colleagues may remember that Congress voted in 1985 to withhold aid to Honduras in order to pressure that Government to resolve the

property claim of just one American citizen.

Well, guess what? When the State Department, in that one isolated instance, did put the heat on, that American citizen was fairly compensated. And if this amendment is adopted, you better believe that hundreds of American citizens will be compensated.

Furthermore, those who are worried about the implications of cutting off aid to a certain country should consider what happens when these countries have no respect for private property rights. Governments which do not respect property rights do not gain foreign investment. Therefore, no amount of money from the U.S. Treasury is going to buy for these countries economic stability. It just will not happen. It just does not happen. It just cannot happen.

I think Andrew Carnegie was just about right when he said: "Upon the sacredness of property, civilization itself depends."

So, Mr. President, I believe that each of us was elected to the Senate to defend and protect, first of all—top priority—the interests of American citizens. Like Herman Talmadge used to say, we need an American desk down at the State Department.

Many who are serving at our Embassies around this world are suffering severe cases of what I might call clientitis. If this amendment is passed into law, the State Department will no longer be able to make excuses for foreign governments as to why those governments have not settled thousands of property claims by U.S. citizens. It will be perfectly clear to all of those countries receiving foreign aid that there will be no more foreign aid for that country, or those countries, until all American claims are settled. They can give the property back or they can fairly compensate for it, or the alternative is that they will get no more foreign aid from the U.S. taxpayers.

That is simple and it is certainly fair, I think, to the citizens of the United States of America.

Mr. President, if the distinguished managers of the bill are willing to accept this amendment, I will not ask for a rollcall vote. But if they feel that they cannot accept this amendment, I am going to ask for the yeas and nays, but I will withhold until they make a judgment on that.

The PRESIDING OFFICER. The Senator from Vermont is recognized.

Mr. LEAHY. Mr. President, there are some ramifications of this that I am not quite sure I am prepared to respond on at the moment. It goes far more into the area of the legislative aspects than the appropriations aspect. I understand there are those from the authorizing committee who may wish to speak on it.

I would also note that the distinguished Senator from Alaska was on the floor just a moment ago and has a number of amendments which I believe will be accepted. I wonder whether it may be convenient for the distinguished Senator from North Carolina—and I can assure him he would not lose his right to immediately gain the floor—if he might be willing, if the Senator from Alaska is prepared to go forward, to set aside at least temporarily his amendment. That would give the Senator from North Carolina and I a chance to chat a little bit about it but to allow the Senator from Alaska to go forward with his amendments.

Mr. HELMS. I will be delighted to have the amendment set aside. But let us go ahead and let me request the yeas and nays on the amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. HELMS. Mr. President, while I am at it, it is in order for me to ask for the yeas and nays on the bill; is that correct?

The PRESIDING OFFICER. That is correct.

Mr. HELMS. I so request.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. LEAHY. Mr. President, I ask unanimous consent that the amendment of the distinguished Senator from North Carolina be temporarily set aside and that the Senator from Alaska be recognized.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. STEVENS. Mr. President, my thanks to the managers of the bill and to my good friend from North Carolina.

Mr. President, last year, during debate of the Freedom Support Act, I expressed my concern that the United States was ignoring the enormous potential of the Russian far east. Over the last 12 months, we have made substantial progress in recognizing the importance of this region.

The United States has recently opened a new consulate in Vladivostok, a satellite office in Khabarovsk, and two new foreign commercial service offices in the Russian far east. These new offices will be of great benefit to the American business community. But this is only a beginning.

The Russian far east has enormous potential. Russia contains over one-half of the world's supply of coal, oil, and natural gas. It also has one-fifth of the world's timber, and nearly all of those resources are in Siberia and the Russian far east.

Alaskans have long understood the importance of this region, and have developed extensive business and cultural links with the entire Russian far east. While the rest of America is only now beginning to pay attention to this critical region, the Europeans, the Koreans, and the Japanese have long since established a substantial presence in eastern Russia. We have a lot of catching up to do, but I believe that the bill before us is an important step in the right direction in doing just that.

This legislation includes a number of provisions important to America, and also very important to my State of Alaska. One such provision would establish a Russian enterprise fund to provide technical assistance, promote business development, and support economic reform in Russia. The creation of such a fund is critical to the development of small businesses in Russia.

In an effort to assure that the fund addresses the needs of not only western Russia, but the Russian far east as well, I have an amendment to offer which will create a Russian far east fund to provide for the unique needs of eastern Russia.

An equally important provision of this legislation addresses the Agency for International Development's Commodity Import Program. This program meets the needs of Russian businesses looking for critical technology, but also for American businesses looking for markets for their products.

I also have an amendment to assure that all American businesses are treated equally in this important program. This amendment clarifies that used Arctic oil equipment is eligible for financing under the Commodity Import Program. There has been a question raised concerning that.

Finally, there are provisions of this legislation dealing with the environment and natural resources. It is critical that this foreign aid bill assure the continued protection of our own natural resources.

In this regard, I have two additional amendments which address issues of concern, I think, to all States with fishery interests.

The first amendment deals with the retrieval of environmental data collected by over 25,000 Soviet scientists over the last 50 years. This data includes research on Pacific salmon populations which would be invaluable to our own domestic fishing industry.

In addition, the Russians have substantial data on nuclear contamination in the entire former Soviet Union, and particularly in the Arctic. Unfortunately, that valuable data is in immediate jeopardy of being destroyed. My last amendment will ensure that some of the funds going towards environmental programs in the bill will be used to retrieve, store, and analyze this important Russian data.

I also have an amendment to address the issue of foreign nationals fishing in the central Bering Sea, in an area known as the doughnut between the former Soviet Union, Eastern Russia, and my State. It is an area that is not within the 200 mile limit of either nation. We call that the doughnut. It is

really the hole in the doughnut, Mr. President.

The language of this amendment affirms that it is the sense of the Congress that nations receiving American aid should cooperate with the United States toward reaching an international fisheries agreement to conserve the marine resources in the Bering Sea doughnut hole.

It is my understanding the managers of the bill and their staffs have reviewed these amendments, and I hope we can count on bipartisan support for their adoption.

I ask unanimous consent that Senator MURKOWSKI be a cosponsor of the enterprise fund and the old equipment amendments.

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

AMENDMENT NO. 932

(Purpose: To establish a Russian Far East Enterprise fund)

AMENDMENT NO. 933

(Purpose: To clarify that used oil equipment is eligible for funding under the Commodity Import Program of the Agency for International Development)

AMENDMENT NO. 934

(Purpose: To establish a cooperative data retrieval, storage, and electronic networking system between Russia and the United States; for the location, retrieval, preservation and analysis of historical scientific environmental data from the former Soviet Union)

AMENDMENT NO. 935

(Purpose: To facilitate an international fishery agreement in the Central Bering Sea)

The PRESIDING OFFICER. Is the Senator seeking consent to set aside the committee amendments?

Mr. STEVENS. I thank the Chair for the courtesy. I ask unanimous consent that the pending amendment be set aside in order that the Senate might consider the four amendments I send to the desk at this time.

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

Mr. LEAHY. It is my understanding the amendments are being sent en bloc?

Mr. STEVENS. I ask unanimous consent that after initial presentation, reading of the amendments be dispensed with and available for adoption by the Senate en bloc.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

The clerk will report the amendments by number.

The bill clerk read as follows:

The Senator from Alaska [Mr. STEVENS] proposes amendments en bloc numbered 932 through 935.

The amendments are as follows:

AMENDMENT NO. 932

On page 91, between lines 5 and 6, insert the following new subsection:

(f) Notwithstanding subsection (b), of the funds made available under subsection (a), not less than $40,000,000 shall remain available until expended to establish and operate a Russian Far East enterprise fund. The fund shall be administered through the Agency for International Development to provide technical assistance, promote business development, and support economic reform in the Russian Far East.

AMENDMENT NO. 933

At the appropriate place in the bill insert the following new section:

SEC. . USED OIL EQUIPMENT.

Section 106(b)(1) of the Foreign Assistance Act of 1961 (22 U.S.C. 2151d(b)(1)), as amended, is further amended in the last sentence of the paragraph by striking the word "and" the second place it appears and inserting ", and the purchase of used oil equipment (including equipment used in the Arctic)" immediately before the period.

AMENDMENT NO. 934

On page 90, line 20, before the period, insert the following: ", of which amount not less than $4,000,000 shall be provided for the purpose of establishing, through an international academic consortium of research universities, a cooperative data retrieval, computer based storage, and electronic networking system between Russia, the United States, and Canada. The consortium will be formed for the identification, retrieval, preservation, and analysis of existing scientific environmental data stored in Russia, including data on northern region contamination, key environmental parameters related to contaminant transport processes (ice, wind, water, and biota), North Pacific and Bering Sea fisheries, marine mammals and sea birds, and northern human ecology".

AMENDMENT NO. 935

At the appropriate place in the bill insert the following new section:

SEC. . FISHING IN THE CENTRAL BERING SEA.

(a) FINDINGS.—The Congress finds that—

(1) the Central Bering Sea Fisheries Enforcement Act of 1992 (title III of P.L. 102-582) prohibits U.S. nationals and vessels from conducting fishing operations in the Central Bering Sea, in an area known as "the Doughnut", except when such fishing operations are in accordance with an international fishery agreement to which the United States and the Russian Federation are parties;

(2) the Central Bering Sea Fishery Enforcement Act also prohibits the entry into U.S. ports of any fishing vessel from a nation whose vessels or nationals conduct fishing operations in the Doughnut in the absence of such an international fishery agreement;

(3) the United States and the Russian Federation have participated in seven multilateral meetings among nations whose vessels or nationals fish in the Doughnut to discuss an international fishery agreement;

(4) a moratorium on fishing in the Doughnut for 1993 and 1994 was agreed to by the United States, the Russian Federation, Japan, Korea, Poland and the People's Republic of China as part of these discussions, in order to facilitate negotiations on an international fishery agreement;

(5) at the Vancouver Summit on April 4, 1993, Presidents Clinton and Yelsin committed to developing further bilateral cooperation on fishery matters in the Bering Sea;

(6) an international fishery agreement has not yet been reached despite the best efforts of the United States and the Russian Federation; and

(7) the cooperation of nations which receive aid through monies provided by this Act is needed in order for an international fishery agreement to be reached.

(b) REVIEW.—In light of the findings in subsection (a), it is the sense of the Congress that the cooperation of nations whose vessels and nationals conduct fishing operations in the Central Bering Sea should be carefully considered in making appropriations for programs from which those nations will receive aid monies in fiscal year 1995, and that Congress should seriously consider withholding any such monies until such time as an acceptable international fishery agreement is reached.

AMENDMENT NO. 932

Mr. MURKOWSKI. Mr. President, I rise today to cosponsor Senator STEVENS' amendment to the foreign operations appropriations bill regarding the establishment of a Far East Russia and a Pacific Russian Enterprise Fund as part of the economic assistance slated for Russia and the Newly Independent States.

Private sector development programs such as enterprise funds play an essential and integral role in the economic reform effort underway in Russia. These programs are aimed at developing a private enterprise infrastructure which would enhance U.S. investment and technical assistance. The enterprise fund would support the creation of local small- and medium-size companies in Russia and increase opportunities for trade and investment by United States companies.

I have seen first-hand the growth in business activity between the States on the west coast and the Russian Far East. Alaska Airlines is now flying from Anchorage to Vladivostok. Indian Valley Meats, headed by Dough Drum, has been working to teach Russians more efficient ways to process meat. The Alaska Russia Co., run by Dave Heatwole and Tom Austin are working on a hotel project in Magadan. The University of Alaska has opened the American-Russian Center, directed by Charles Neff, to train Russians to do business. In response to this growing interest and activity in the Russian Far East, the State Department established a consulate in Vladivostok last year. And more recently, progress is being made toward efforts by the Russian Government to open a trade office in Anchorage, AK.

Establishing a separate Russian Far East Enterprise Fund, in addition to a Russian-American Enterprise Fund, does not discount or take away from the privatization efforts taking place in Western Russia. Russian cities such as Moscow and St. Petersburg are obviously in need of private sector development assistance and are deserving of the attention they receive.

However, establishing a Russian Far East Fund helps highlight the importance of the economic reform efforts taking place in the Russian Far East, in such cities as Vladivostok and Khabarovsk. Vladivostok, for example, recently opened a stock exchange. The Far East has Russia's largest oil and gas reserves, as well as gold, diamonds,

timber, and fisheries. If these resources are tapped, they could provide export revenues to support the economic restructuring in all of Russia.

Alaska's motto is "the Last Frontier." The way things are going, we may have to change it to "the second to the Last Frontier" since the Russian Far East is becoming the land of privitization pioneers.

AMENDMENT NO. 933

Mr. MURKOWSKI. Mr. President, I rise today to cosponsor Senator STEVENS' amendment to the foreign operations appropriations bill which clarifies that assistance provided under this legislation to help developing countries alleviate their energy problems can be used to purchase used oil equipment, including equipment used in the Arctic.

Clarifying that funds can be used for the purchase of used oil equipment serves an important purpose: Ensuring that foreign aid assistance is spent prudently and in a cost-effective manner. This should always be a goal of our aid programs, but it is particularly important at a time when we are calling on Americans to tighten their belts while the Congress tries to get its fiscal house in order.

Today, we are considering giving aid to the former states of the Soviet Union to the tune of $2.5 billion. I think my colleagues would agree that we want to make sure that this money is spent well. This amendment would help ensure that this happens.

Much of this massive block of aid aimed at Russia and the NIS is likely to go to revive Russia's oil and gas industry. A large percentage of Russian oil fields lie within the Arctic Circle. Oil equipment that has been used to open Arctic oil fields in the United States has been specifically produced for operations under severe Arctic conditions. Thus, this equipment offers operational and maintenance advantages to the Russians. As the production in these U.S. fields decreases, much of this equipment will be dormant and available for purchase at lower costs. It is my understanding that a new Arctic oil rig costs approximately $15 to 18 million. A fully reconditioned Arctic oil rig can be purchased for $7 to 10 million. Thus, this would be a good deal for the Russians, as well as for the American companies who will have surplus equipment on hand.

For these reasons, I urge my colleagues to support this amendment.

The PRESIDING OFFICER. Is there any further debate on the amendments? If not, the question is on agreeing to the amendments.

The amendments (Nos. 932, 933, 934, and 935) were agreed to.

Mr. STEVENS. Mr. President, I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

Mr. STEVENS. Mr. President, I thank again the distinguished Senator from North Carolina and the managers of the bill. I appreciate their courtesy at this time.

Mr. LEAHY. Am I correct the Senator from Alaska has completed all his amendments?

Mr. STEVENS. I have, I say to the Senator, Mr. President.

AMENDMENT NO. 936

(Purpose: To restrict further assistance to Syria)

Mr. LEAHY. Mr. President, I send an amendment to the desk on behalf of Senator FEINGOLD and Senator GRASSLEY.

The PRESIDING OFFICER. For the information of the Senate, the pending amendment is the Helms amendment.

Mr. LEAHY. Mr. President, Senator HELMS is not present at the moment. I believe he would not have objection to setting it aside.

Without checking with him, I instead suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. LEAHY. 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. LEAHY. Mr. President, I ask unanimous consent that the pending amendment by the distinguished senior Senator from North Carolina be set aside; that further, it be brought back before the Senate at such time as we go back on this bill in the morning; and further, that 15 minutes after going back on the bill, there will be a vote on or in relation to the amendment, and the 15 minutes be equally divided under the control of the distinguished Senator from North Carolina and myself.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. LEAHY. Mr. President, I ask unanimous consent that the pending committee amendment be set aside and that the Senate consider an amendment by Senator FEINGOLD for himself and Senator GRASSLEY.

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

The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Vermont [Mr. LEAHY], for Mr. FEINGOLD, for himself and Mr. GRASSLEY, proposes an amendment numbered 936.

Mr. LEAHY. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

On page 50, line 21, insert the following before the period: "and that with respect to Syria, the President certifies to Congress that Syria does not deny its citizens or any segment of its citizens the right or opportunity to emigrate.".

The PRESIDING OFFICER. Is there further debate on the amendment? If not, the question is on agreeing to the amendment.

The amendment (No. 936) was agreed to.

Mr. LEAHY. Mr. President, I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

AMENDMENT NO. 937

Mr. MCCONNELL. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. If the Senator will suspend, does the Senator seek unanimous consent to set aside the pending committee amendments?

Mr. MCCONNELL. I ask unanimous consent that the pending amendments be set aside.

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

The clerk will report.

The legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL], for himself and Mr. ROBB, proposes an amendment numbered 937.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

On page 92, line 4, after the word "ownership," insert the following: "repayment of commercial debt,".

Mr. MCCONNELL. Mr. President, quite simply, this amendment establishes repayment of commercial debt as one of the conditions of release of U.S. aid.

This amendment is cosponsored by Senator ROBB of Virginia and is agreeable to the chairman of the subcommittee.

In the past few years, at the request of the Russian Government, a number of American companies have delivered goods and services for which they have not been paid. I understand all of the companies have tried to arrange barter, extended payment schedules, or alternatives to being paid in cash, but have met with a fair amount of resistance from the Russian Government.

While the Russian Government acknowledges the debt is owed, they have been unwilling or unable to come to terms with the companies. I am concerned that failure to achieve progress on this issue may affect future investment and trade initiatives by the private sector crucial to a successful transition to free markets. I view this amendment as an effort to encourage some progress, particularly since the committee took note of the problem last year in its report.

Mr. President, it is my understanding that the amendment of myself, cosponsored by Senator ROBB, is acceptable certainly on this side, and I believe by the chairman, as well.

Mr. LEAHY. I understand there is no problem on this side of the aisle.

The PRESIDING OFFICER. If there is no further debate on the amendment, the question is on agreeing to the amendment.

The amendment (No. 937) was agreed to.

Mr. McCONNELL. Mr. President, I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

Mr. LEAHY. Mr. President, I would note that we have just about wrapped up almost all the amendments on this bill. I hope, before we finish up the bill, if anybody else has anything, they may want to bring it forward.

I would note the generally good-natured managers of this bill, the fact of how helpful we are trying to be to our colleagues. I suggest this is not always the case. The good nature might not always be there, but the helpfulness is. And those who want to take advantage of such sunny dispositions should consider that this is a good time to do so.

This bill is, as a practical matter, within a couple of hours of completion. We have resolved some of the more contentious issues in it already. So far there is only one amendment that I know of that is going to require a rollcall vote. The issues of everything from the Ukraine amendment to the PLO have been accepted.

I would kind of like to wrap it up so that my distinguished colleagues on the Appropriations Committee could move forward with their appropriations bills and for other business.

So I urge Senators, if they do have amendments, it would be nice to come forth because I would hate to have to commiserate with their disappointment as we walked off to conference with the bill completed and no room to take care of their needs, of which I am sure always their needs are justifiable.

Mr. McCONNELL. Mr. President, we have approved, according to my count, 11 amendments. There are a few others of which we are aware that are acceptable. It seems to me we are making good progress toward finishing this bill in good order sometime, hopefully, early tomorrow.

Mr. LEAHY. Mr. President, I always hate to say something like this after 19 years here, but I feel almost like it tempts the gods in some way through this beautiful ceiling and that we are going to see lightning bolts coming. I think it demonstrates, certainly in the 19 years I have been here, that I have never seen a foreign aid bill move as rapidly as this.

I say that to commend my colleagues in both parties because I think it reflects the Senate's understanding of the two really significant foreign policy situations facing the United States today; the situation in the former Soviet Union and the situation in the Middle East. This foreign operations bill addresses both the situation in the Middle East and the situation in the former Soviet Union in a way no foreign aid bill has ever addressed those two areas.

I think it is a mark of the concern felt by most Senators in this body, of both parties, of all ideological stripes, that the United States has a historic role to play both in the Middle East and in the former Soviet Union, and the tools, to the extent that the resources of this great country are available, those tools are in here and people want it to go forward.

I thank my colleagues for that. I thank them for their cooperation in doing it. If we have this bill completed no later than noon tomorrow, I think, then we are well on our way to making the deadlines that we obviously need to make in our conference and so forth and move forward.

Again, I want to take this moment to compliment my good friend from Kentucky for the help that he has shown on his side of the aisle in making that possible.

Mr. McCONNELL. Mr. President, there is one other amendment that I believe we can dispose of.

Mr. President, I ask unanimous consent that the pending amendments be laid aside.

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

AMENDMENT NO. 938

(Purpose: To earmark $3 million for the World Food Program)

Mr. McCONNELL. Mr. President, in behalf of Senator COCHRAN, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Kentucky [Mr. McCONNELL] for Mr. COCHRAN, proposes an amendment numbered 938.

Mr. McCONNELL. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

On page 7, line 21, after the colon (:) add the following new proviso; "*Provided further*, That of the funds appropriated under this heading, not less than $3,000,000 shall be made available for the World Food Program:".

Mr. McCONNELL. Mr. President, on behalf of the Senator from Mississippi, Senator COCHRAN, I offer the amendment at the desk, which is not controversial. It has been approved by both sides. Simply put, the World Food Program is the largest provider of multilateral food aid for the United Nations. Earlier this year, the House Foreign Affairs Committee included report language in support of contributions to the World Food Program.

Founded 30 years ago, the WFP has become one of the United Nations' key channels in emergency relief operations for victims of natural disasters and is a major supplier of food aid in support of development activities. WFP's food-work project uses food as an incentive for beneficiaries to participate in various development projects. For instance, the villager would receive food rations in exchange for planting trees to reforest the eroded mountainside. Food aid is also distributed in school feeding programs to improve learning and school attendance.

This is a very useful amendment on behalf of the senior Senator from Mississippi and has generated no objection.

Mr. LEAHY. Mr. President, the Senator from Mississippi discussed this amendment with me earlier. I commend him for it. I am well aware of the work of the food organization. It is one that the Senator from Mississippi and I have watched both from this committee, the Appropriations Committee, and also from the Agriculture Committee, along with the Senator from Kentucky. We serve on both of those committees. I have no objection to it. In fact, I commend him for bringing it forward. It is acceptable to this side.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 938) was agreed to.

Mr. McCONNELL. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

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

The motion to lay on the table was agreed to.

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

The PRESIDING OFFICER (Mr. REID). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LEAHY. 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. LEAHY. Mr. President, I ask unanimous consent that the pending committee amendment be temporarily set aside.

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

AMENDMENT NO. 939

Mr. LEAHY. Mr. President, I send an amendment to the desk on behalf of Mr. DECONCINI and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Vermont [Mr. LEAHY], for Mr. DECONCINI, proposes an amendment numbered 939.

Mr. LEAHY. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

At the appropriate place, insert the following:

(a) STATEMENT OF THE CONGRESS.—The Congress—

(1) notes the long friendship between Kenya and the United States and the constructive role played by Kenya during the humanitarian relief operation in Somalia;

(2) recognizes the steps taken by the Kenyan government toward establishing a more open and democratic political system, including the legalization of opposition political parties and the holding of multi-party elections in December 1992; and

(3) remains concerned about the continuing human rights abuses, government corruption, and economic mismanagement which threaten the political and economic future of Kenya.

(b) ASSISTANCE.—In providing future economic and development assistance to the Government of Kenya, the President shall take into account the extent of the Kenyan government's progress toward increasing respect for human rights, permitting freedom of expression, expanding cooperation and dialogue with the democratic opposition parties, improving the management of the economy, and reducing economic corruption, especially at the state-run Kenya Central Bank.

(c) PROHIBITION.—No funds appropriated by this Act under section 23 of the Arms Export Control Act may be provided to the Government of Kenya unless the President determines that providing such assistance is in the national interests of the United States and consults with Congress prior to making such a determination.

Mr. DECONCINI. Mr. President, I rise today to offer an amendment which accomplishes two goals. It recognizes the significant steps which the Kenyan Government has taken to respond to the will of the Kenyan people and open its previously one-party political system. It also modifies existing law by placing reasonable and justified conditions on any new aid to Kenya which the Clinton administration may wish to extend. In so doing, it also maintains the prohibition on any foreign military financing funds unless the administration determines and consults with Congress that extending these funds is in our national interest.

Kenya has long been a valuable United States ally in Africa. It is a significant trading partner and played a key strategic role for the West during the cold war. More recently, the Kenyan Government has cooperated, under often difficult circumstances, with the U.N. humanitarian effort in its neighbor to the north—Somalia.

At the same time, however, the United States and other friends of Kenya have had considerable concerns about developments within Kenya itself. These concerns about human rights abuses, a lack of a multiparty democratic system, extended detentions without trial, significant restrictions on travel outside Kenya, and widespread economic corruption within the Government and the ruling party, KANU, resulted in the international community suspending economic assistance to the Government in late 1991 until specific steps were taken to address these many problems.

For our part, the United States, through legislation offered by this Senator with the bipartisan support of this body, suspended military and economic aid to Kenya until it made certain changes in its system such as opening its political system to other political parties, permitting Kenyan citizens the freedom of travel, and ending detention without trial.

Fortunately, the situation on the ground in Kenya has changed dramatically since that period less than 2 years ago. That is why I am offering this amendment today. The restrictions on our aid programs with Kenya are outdated, they do not reflect the changes which have occurred since that time, and they need to be updated. This amendment does just that.

Since the restrictions were placed on aid to Kenya, President Moi—a man very averse to change—modified the constitution and allowed the legal formation of opposition political parties. Additionally, detentions generally have ended, the right of travel has been restored, and the judiciary—while still not as independent as it could be—has taken major steps forward. Most importantly, multiparty election were conducted in December 1992.

These elections marked a major milestone in Kenya's development into a functioning, multiparty democracy. While they were flawed, especially the registration process leading up to the elections, and suffered from valid charges from all sides of intimidation of candidates and voters, thus making them not up to acceptable international standards, the results were generally viewed to be ultimately representative of the will of the Kenyan people. Even if the elections were flawless, the results would basically have been the same. To its credit, Kenya has the most vibrant parliament in any government in Africa. These changes should be recognized and encouraged by the international community.

At the same time, I believe that Kenya still has a significant way to go before the United States resumes any unrestricted aid program. The election did not meet international standards for free and fair elections. The press, while critical of the Government, is not able to function totally without restrictions. During my visit to Nairobi last spring, members of the opposition related to me their concerns that while they are part of the Parliament, they continue to be routinely ignored by the President and the ruling party when it comes to the actual governing of the country.

Most importantly, however, is the continued widespread corruption within the Government and the State-run Kenya Central Bank. We in this body have a responsibility to our constituents at all times—but especially in these times of bloated budget deficits—to ensure that Taxpayer dollars are not blithely provided to other countries if those scarce resources run a significant risk of being misused.

Mr. President, I urge my colleagues to support this modest amendment. In so doing, we recognize the steps already taken by the Kenyan Government to open its political system while at the same reminding it that it still has a ways to go if it truly wants to be a functioning and responsible democracy. Passage of this amendment also ensures that our tax dollars will be distributed thoughtfully.

Mr. LEAHY. Mr. President, I understand that this amendment regarding Kenya has been approved on both sides.

Mr. MCCONNELL. Mr. President, I am not aware of any objection on this side.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 939) was agreed to.

Mr. LEAHY. Mr. President, I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

Mr. LEAHY. Mr. President, I ask unanimous consent that the pending committee amendment be set aside.

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

AMENDMENT NO. 940

Mr. LEAHY. Mr. President, I send an amendment to the desk on behalf of Mr. SIMON for himself, and Mrs. KASSEBAUM and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Vermont [Mr. LEAHY], for Mr. SIMON for himself, and Mrs. KASSEBAUM, proposes an amendment numbered 940.

Mr. LEAHY. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

On page 81, strike Section 558, and insert in lieu thereof the following:

SEC. 558. UNITED STATES ASSISTANCE FOR THE TRANSITION TO A NON-RACIAL DEMOCRACY IN SOUTH AFRICA.

(a) REPEAL.—Section 116(e)(2), 116(f), and 116(g), section 117 (as added by the Comprehensive Anti-Apartheid Act of 1986), and section 535 of the Foreign Assistance Act of 1961 are repealed. Section 116(e)(1) of that Act is amended by striking "(1)".

(b) IN GENERAL.—The President is authorized and encouraged to provide assistance under chapter 10 of part 1 of the Foreign Assistance Act of 1961 (relating to the Development Fund for Africa) or chapter 4 of part II of that Act (relating to the Economic Support Fund) to support the transition to nonracial democracy in South Africa. Such assistance shall—

(1) focus on building the capacity of disadvantaged South Africans to take their rightful place in the political, social, and economic systems of their country;

(2) give priority to working with and through South African nongovernmental organizations whose leadership and staff represent the majority population and which have the support of the disadvantaged communities being served by such organizations;

(3) in the case of education programs—

(A) be used to increase the capacity of South African institutions to better serve the needs of individuals disadvantaged by apartheid;

(B) emphasize education within South Africa to the extent that assistance takes the form of scholarships for disadvantaged South African students; and

(C) fund nontraditional training activities;

(4) support activities to prepare South Africa for elections, including voter and civic education programs, political party building, and technical electoral assistance;

(5) support activities and entities, such as the Peace Accord structures; and

(6) support activities to promote human rights, democratization, and a civil society.

(c) GOVERNMENT OF SOUTH AFRICA.—

(1) Limitation and Assistance.—Except as provided in paragraph (2), assistance provided in accordance with this section may not be made available to the Government of South Africa, or organizations financed and substantially controlled by the government, unless the President certifies to the Congress that an interim government that was elected on a nonracial basis through free and fair elections has taken office in South Africa.

(2) Exceptions.—Paragraph (1) does not apply to assistance for—

(A) higher education institutions, particularly those traditionally disadvantaged by apartheid policies, or

(B) any other organization, entity, or activity if the President determines that the assistance would promote the transition to nonracial democracy in South Africa.

Any determination under subparagraph (B) shall be based on consultations with South African individuals and organizations representative of the majority population in South Africa (particularly consultations through the Transitional Executive Council) and consultations with the appropriate congressional committees.

Mr. LEAHY. Mr. President, I understand there is no objection to this amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 940) was agreed to.

Mr. LEAHY. Mr. President, I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

Mr. LEAHY. Again, Mr. President, I am reminding everybody of what is the self-evident, good nature of the managers of this bill, and to come forward.

We are calling for the amendments, and I hope they will come. If not, we will wrap up the bill after the next vote.

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. LEAHY. 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 Kentucky.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the pending amendments be set aside.

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

AMENDMENT NO. 941

(Purpose: To require regular notification of the Appropriations Committees with respect to any obligation or expenditure of assistance for Nicaragua)

Mr. MCCONNELL. Mr. President, I send to the desk an amendment on behalf of Senator COVERDELL and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL], for Mr. COVERDELL, proposes an amendment numbered 941.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

On page 48, line 11, insert "Nicaragua," after "Malawi,".

On page 48, line 17 add before the period "and Nicaragua.".

Mr. MCCONNELL. Mr. President, this is an amendment that has been cleared on both sides. As far as I am aware, there is no need for debate on it.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, we have no objection over here.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 941) was agreed to.

Mr. MCCONNELL. Mr. President, I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

Mr. LEAHY. Mr. President, we have made great progress so far and, in fact, I would note for the Senate, we have moved further faster than any foreign aid bill that I have seen in my 19 years here.

I say this as a compliment to Senators on both sides of the aisle who have worked hard to cooperate to help move forward the two main pillars of this bill, the aid we have to help the Middle East peace process and the aid we have to bring out and support democracy in the former Soviet Union.

We will have a vote on or in relation to the Helms amendment 15 minutes after we go on to the bill following our recess.

I ask my friend from Kentucky if he has any amendments on his side that he is prepared to go forward with.

Mr. MCCONNELL. I would say to the chairman I think we have gone about as far as we could tonight. We have processed a number of amendments. I would hope that we might be able to wrap up here shortly.

Mr. LEAHY. Mr. President, then 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. LEAHY. 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. LEAHY. Mr. President, as I have told the distinguished Senator from North Carolina I expect in the morning I will oppose or even move to table his amendment.

I note that while I understand his concern about U.S. citizens having their property expropriated in other countries, a concern I happen to share, this is not the way to go about addressing it. I have worked with other countries on behalf of citizens from my State who have had their property expropriated.

I share frustration when our own Government takes more of the interest of the other country than the interest of its own citizens. But I also note that many of these claims are extremely complicated.

I have had people come in with great tales of woe, until the other side is looked into and you find what every lawyer finds, that there are often two sides to a case.

You know, some of us, as lawyers, have been involved in eminent domain cases that involve the taking of property. You can have teeth being gnashed on one side and the State moving on the other side, until you start looking at some of the issues involved and find that they are extraordinarily complex.

We sometimes take a great deal of time to resolve these cases. In my own State, which has a court system that moves very rapidly, I have seen eminent domain cases go on for several years.

We cannot, in an amendment by legislative language to an appropriations bill, suddenly tell other countries to move their courts a lot faster than we move our own. These are issues that involve matters of national sovereignty. They often go to international arbitration.

Some of the same problems that people come to us in the Congress about and ask us to bring pressure to resolve in their favor, we find have already been submitted to international arbitration.

I think this amendment could potentially affect Russia, the Baltics, Albania, and others, without the national

interest waiver that the President now has under current law, the Hickenlooper law.

I think this is a matter that does not belong on an appropriations bill. This is a matter that should require some discussion and debate in the regular authorizing fashion. It is a matter that can be done on an authorizing bill when one comes before the Senate. It should not be on an appropriations bill.

I mention that, Mr. President, so that Senators will know the feelings I will express in the morning. I hope that the amendment would not be passed. I think that it will end up creating more difficulties than it will solve.

I do feel very strongly that we can continue, as we have in the past, on individual cases of merit involving U.S. citizens, and that the United States can bring the kind of pressure it has and we can seek the kind of solutions that some of us, as individual Senators, have.

But putting this in is far too broad a provision in our foreign aid bill and will end up hampering the interests of the citizens of the United States, rather than helping them. It will end up putting the United States in a position of arbitrariness, when flexibility is needed. It will mean that we will not have the ability of everything from arbitration to argument, from carrot and stick to negotiation that we now have.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

MORNING BUSINESS

Mr. LEAHY. Mr. President, I ask unanimous consent that there now be a period for morning business, with Senators permitted to speak therein for up to 10 minutes.

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

RADAR STRIKE FORCE

Mr. PRESSLER. Mr. President, I rise at this time to announce my intention to introduce legislation creating the Rural Area Disaster Assistance Readiness [RADAR] Strike Force.

This year, throughout the Midwest, we have seen tremendous teamwork and cooperation among all Americans to help business owners, families, and individuals pick up the pieces lost during a long spring and summer of brutal rain and flooding. Mr. President, this was widespread devastation and the response was swift and effective. Unfortunately, small cities and towns devastated by isolated disasters do not always receive such responsiveness.

Federal assistance to rural areas often is unavailable or slow in coming. Put bluntly, the Federal Government's responsiveness could be expedited in most cases. For example, fire recently destroyed four small businesses in downtown Onida, SD—nearly one-third of this town of 900 businesses. Many might consider this an extremely small-scale problem. It is not, and that is my point. In some cases, when a disaster like this hits a small city, such as Onida, the community's entire economic base suffers immediately and dramatically. Yet, 65 days passed before the citizens of Onida were notified that SBA disaster assistance would be available. Compare that to the lightning quick attention given to Los Angeles when a segment of that city was plagued not by Mother Nature, but by man-made riots.

The critical problem my legislation is designed to address is that isolated, small town disasters often are overlooked, or, at the very least, given diminished priority. For many towns across America, the loss of one or two businesses can result in the loss of more than half of that community's job base. The fact is, timeliness should not be based on perceived need, population size, or even the extent of national network coverage. Federal responsiveness should be as uniform as possible once any localized disaster hits.

The purpose of the RADAR Strike Force is simple: It would examine the responsiveness of Federal, State, and local governments—as well as the private sector—in isolated disasters in small cities and towns. The strike force would review the unique needs faced by rural America in the aftermath of natural disasters. Further, the strike force would recommend how Federal disaster programs can best meet the unique needs of small cities and towns. The RADAR Strike Force would ensure that disaster assistance is available expeditiously long after cameras and TV reporters pack up and leave.

Mr. President, it was my initial intention to offer an amendment creating the RADAR Strike Force to the legislation now pending. However, I now see the distinguished Senator from Maryland on the floor and I wonder if she might respond to several questions I have on this issue.

Ms. MIKULSKI. I would be happy to do so.

Mr. PRESSLER. I thank my colleague. Do I understand correctly that the Senator would prefer I not offer this amendment to the pending measure, but rather wait until legislation to restructure the Federal Emergency and Management Agency is considered?

Ms. MIKULSKI. The Senator is correct. As stated earlier, I have agreed with my House counterpart not to include any authorization legislation in the VA-HUD bill. However, legislation I introduced earlier this year, which is before the Governmental Affairs Committee, is an appropriate bill through which to pursue this amendment. I believe that bill would provide a more appropriate vehicle for his amendment. However, let me also say that I understand the Senator from South Dakota's concern in this matter and agree fully that timely response to isolated, rural disasters is very important. I commend him for his concern for smaller communities. He is absolutely correct—the size of a community should not dictate the level of responsiveness in disaster assistance.

Mr. PRESSLER. I thank my distinguished colleague. Let me then ask, is it not correct that S. 995, the Federal Disaster Preparedness and Response Act of 1993, was introduced by the Senator from Maryland?

Ms. MIKULSKI. That is also correct. I have a very strong interest in the workings of FEMA and its ability to respond efficiently and appropriately to disasters across the Nation—whether they involve numerous States, major cities, or small towns in rural America.

Mr. PRESSLER. I thank the Senator. I wonder, would my colleague be willing to give me assurances that she will carefully consider and possibly support my proposal in the form of an amendment to S. 995 when it reaches the Senate floor?

Ms. MIKULSKI. I would be happy to assure the Senator that I will closely study his proposal.

Mr. PRESSLER. Thank you very much. Now, can the Senator tell me what the timetable is for consideration of S. 995? With her assurance to consider this proposal and to work with me, I am inclined not to offer this as an amendment to the pending measure. However, I also do not want to find myself in the position of being foreclosed from doing so in what I hope is the very near future.

Ms. MIKULSKI. I certainly understand the Senator's concern. As he can imagine, it is also my hope that S. 995 will come before the Senate in the not too distant future. I too would like to see improvements made in the way the Federal government responds to disasters in this Nation, and as the Senator knows, my bill seeks to achieve this goal through certain restructuring efforts. So, I hope that this legislation will come before the Senate soon.

However, as my colleague knows, that bill is pending before the Committee on Governmental Affairs, and I have no control over the schedule of that committee. Perhaps the Senator from South Dakota should direct his question to the Senator from Ohio.

Mr. PRESSLER. I thank the Senator from Maryland for her answers to my questions. I look forward to working

with her on this important issue. If I could, I would like to ask several questions of my good friend from Ohio, the chairman of the Committee on Governmental Affairs.

Mr. GLENN. I would be pleased to respond to my colleague from South Dakota.

Mr. PRESSLER. Thank you. Let me begin by asking whether the chairman could give me an indication of when S. 995 will come before his committee?

Mr. GLENN. Well, let me just say that I have heard what my friend, the Senator from South Dakota, has said here today and believe his concerns dealing with the responsiveness to rural disasters certainly are relevant. I also would tell my colleague that it is my intention to hold a hearing on S. 995 next month.

Mr. PRESSLER. I thank the Senator for that information. Could the Senator from Ohio tell us when he expects the bill to reach the Senate floor?

Mr. GLENN. As the Senator knows, I do not control the floor schedule. I will say to the Senator from South Dakota I would hope to have the bill reported out of committee before this session ends. However, I should point out to my colleague that there may well be other committees with jurisdiction over this measure which may desire a sequential referral.

Mr. PRESSLER. I understand the Senator's position and thank him for the information he has provided. If I may ask just one additional question. I wonder if the Senator from Ohio, like the Senator from Maryland, would be willing to give me assurances that he will carefully consider and possibly support my proposal in the form of an amendment to S. 995 when it reaches the Senate floor?

Mr. GLENN. I would assure the Senator from South Dakota that I will closely study his proposal and work with him as the Federal Disaster Preparedness and Response Act of 1993 comes through committee and on to the Senate floor.

I would add that, as the Senator knows, in recent months we have had three major studies on Federal disaster assistance—by the General Accounting Office [GAO], the National Academy of Public Administration [NAPA], and the FEMA Inspector General. I'm not quite sure of the merits of creating another task force to examine Federal disaster response and recovery efforts overall. I am interested, however, in knowing whether there are real problems with respect to the delivery and receipt of that aid in small towns and rural areas, particularly those far away from large metropolitan centers. If there are impediments, we certainly need to address them in a proper fashion. Toward that end, I will be happy to work with my friends from South Dakota and Maryland in further action on S. 995.

Mr. PRESSLER. I thank my friend. Mr. President, given the assurances I have received from the Senator from Maryland, author of S. 995, and the Senator from Ohio, chairman of the Committee on Governmental Affairs, I will not offer my RADAR Strike Force proposal as an amendment to the pending measure. I am gratified that they understand the importance of what I am trying to accomplish.

I look forward to working with my colleagues from Maryland and Ohio. I would say that at this point, it also is my intention to offer an amendment creating the RADAR Strike Force during floor consideration of S. 995. I hope the strike force will be adopted as part of that bill so that it may offer valuable input on the responsiveness of public and private assistance to disasters in America's small cities and towns.

DEDICATION OF CATHERINE FILENE SHOUSE CAREER CENTER, HOOD COLLEGE, FREDERICK, MD

Mr. SARBANES. Mr. President, on September 10, 1993, Hood College in Frederick, MD, dedicated the Catherine Filene Shouse Career Center, an innovative new facility designed to give students a head start on their job search throughout their college career and beyond.

With generous gifts from Mrs. Shouse, Hood was able to add computers and software to its career center, enabling students and alumnae to use the most innovative technologies for career planning and placement.

Mrs. Shouse is known throughout the world for her significant contributions to the art world. Less known is her lifelong interest in women's careers.

In 1917, while still in college, Mrs. Shouse organized the Nation's first conference on women's careers. Three years later Mrs. Shouse prepared the pioneering inventory of "Careers for Women." In 1923 Mrs. Shouse was the first woman to receive a degree (M.Ed.) from Harvard University and has been appointed to Presidential commissions and boards by every U.S. President from Calvin Coolidge.

Mrs. Shouse founded and chaired the Institute of Women's Professional Relations which organized national conferences on opportunities for women with more than a high school eduction.

Her contribution to Hood College of the most modern technological equipment for worldwide career information is Mrs. Shouse's latest gift to women and has made a significant and positive impact on all of its students, building on a strong program of career planning and placement to create a model career center for the 21st century.

The career center is designed to help students at all levels of their education. Freshmen use the center to match their interests and aptitudes with college majors. As sophomores and juniors, they can tap into computerized listings of Hood graduates in a variety of careers, as well as more than 1,000 Hood internship placement sites.

As graduation approaches, students use the Catherine Filene House Career Center computers to identify graduate schools, to fill out Federal Government employment applications, to search up-to-the-minute job listings from hundreds of businesses and organizations, and to place their resumes on a data base available to employers nationwide.

With Mrs. Shouse's generous support Hood College has added another gem to its already impressive list of improvements in recent years.

Founded a century ago, Hood College is in the forefront of America's small residential liberal arts colleges for women and has earned a well-deserved national reputation for academic excellence. It has been consistently ranked by the annual U.S. News & World Report survey as one of America's best colleges. Hood also plays a central role in the educational and economic life of the Frederick region. The graduate school offers master's degrees in afternoon and evening programs designed for those who work and live in the region. In addition, Hood contributes more than $40 million to the area economy annually, as well as serving as a cultural center for the community, offering drama, concerts, lectures, workshops, and seminars.

Hood's undergraduates may choose from among 31 majors in the traditional liberal arts and sciences and other career—oriented study areas. Although most classes are offered on its 50-acre campus in Frederick, Hood also has an academic center in Montgomery County. Hood's program for adult learners, based on streamlined admissions, pre-enrollment advising, credit for life experience, and special support services, is now recognized as a national model. Classes are small—averaging 15–18 students—and are taught by outstanding faculty. Hood has one of the most advanced intern placement programs in the country and encourages students to take internships at one of many sites throughout the United States and abroad.

The contributions made by Mrs. Catherine Filene Shouse help fulfill the college's 100-year-old commitment to the education of an informed population.

IRRESPONSIBLE CONGRESS? HERE IS TODAY'S BOXSCORE

Mr. HELMS. Mr. President, as of the close of business on Monday, September 20, the Federal debt stood at $4,390,873,657,386.08, meaning that on a per capita basis, every man, woman, and child in America owes $17,094.49 as his or her share of that debt.

SUPPORT FOR DEMOCRATIC REFORM IN RUSSIA

Mr. PELL. Mr. President, yesterday's events in Moscow have broad national security implication for the United States, and I welcome the swift, unequivocal show of support that the Clinton administration has shown for President Yeltsin's move to consolidate democratic reform in Russia. Responding to the developments in Moscow is a delicate high wire act for the United States, and the Clinton administration is performing this very difficult balancing act with precision and skill.

On the one hand, we do not want to interfere directly in the domestic affairs of Russia. On the other hand, we must signal our support for the reformers in Russia to ensure that the reform effort does not come crashing down. I would note that in striking the balance, it is important to remember that it is not Yeltsin the individual, no matter how much we may like and respect him, that we are endorsing, but rather, we are embracing what he is trying to achieve, namely the building of democratic and free market institutions.

The stakes are high, not only for Russia, but for its neighbors, and indeed, for us. Russia is undergoing a seachange, and without democrats at the helm in Russia, we run the risk of slipping back to the stormy days of the cold war.

Yesterday's events are the latest chapter in an ongoing political struggle between President Yeltsin who was elected in a free and fair election, and the parliament, which is a vestige of Russia's Communist past whose members who have not faced the ballot box in the post-Soviet era. The impasse between the reformers and the hard-liners could not last indefinately, and President Yeltsin took a bold move yesterday to break the stalemate and advance the democratic process.

It is important for us to remember that the referendum that was held in Russia last spring gave President Yeltsin a clear mandate to hold new parliamentary elections. In fact, some would argue that given the lengths to which the parliament has gone to frustrate reform, and given the people's unequivocal vote for new parliamentary elections, President Yeltsin has shown restraint in waiting this long to call for those elections.

These next few days will be crucial for President Yeltsin and the reform process, and it appears that cool heads are prevailing and that the crucial players in Russia are backing President Yeltsin's call for for elections. Although Vice President Rutskoi, whom the Parliament has named acting President has named his own hard-line cabinet, Defense Minister Grachev as well as the Minister of Internal Affairs are supporting Yeltsin. The military is showing respect for the people's will, and is not trying to capitalize on the situation. Prime Minister Chernomyrdin has told the press that his Government was giving President Yeltsin its unconditional support. Those are hopeful signs.

Mr. President, we will have to continue to watch events as they break. I would, however, join with the administration and other Members in calling for swift congressional consideration of our assistance package for Russia and the other Newly Independent States. In the coming days, we will be asked to vote for $2.5 billion in assistance to the Newly Independent States, including Russia. Now, more than ever, I believe we need to show the reformers in the NIS that we are in their corner. If we fail to act quickly, we will be pulling the rug out from under the reformers and sending the antireformers the message that we do not believe political and economic reform are priorities. We cannot afford to send that message.

TRIBUTE TO COL. WILLIAM J. FRIEL, USAF

Mr. GLENN. Mr. President, I rise today to pay tribute to one of our outstanding citizens and respected military leaders, Col. William J. Friel, who retired from the U.S. Air Force on August 31, 1993, with 30 years of honorable service. Throughout his career, Colonel Friel has served with distinction in many capacities, but his final assignment as assistant to the commander for total quality in the Air Force Material Command is indicative of his character and professionalism. His commitment to achieving the goals of the mission are distinguished; this Nation can be proud of his achievements and we will miss his invaluable leadership. We owe Colonel Friel our appreciation for his long and meritorious service to our Nation.

THE RUSSIAN CONSTITUTIONAL CRISIS

Mr. THURMOND. Mr. President, the alarming constitutional crisis in Russia contains a powerful message for Americans. As I have said many, many times on the Senate floor and in other forums, the final chapter on the Soviet Union has not been written. I have urged the administration not to base the rapid draw-down of our defense capabilities on the belief that Russia's peaceful course is settled. Even if this confrontation between Yeltsin and the Parliament is resolved peacefully, the seeds of conflict and instability will remain for some time to come. There may be more such confrontations in the future, which could lead to growing instability and violence, even civil war. We cannot afford to delude ourselves and assume that future violence will be contained within the borders of any one nation. It could spread throughout the former Soviet Union and beyond. Such anarchy in nations which retain thousands of nuclear weapons is an awesome prospect. No one can predict what the consequences might be.

I commend President Clinton and Secretary Christopher for their strong statements of support for President Yeltsin and the force of democracy. I agree that aid and support for Russian reform is an investment in the national security of the United States. But that kind of investment, important as it may be, is indirect. There is no guarantee that it will have any beneficial result. Indeed, the problems of the former Soviet States' transition to democracy may be so severe that no outside aid can positively influence the outcome. This requires the United States and Western democracies to make an adequate direct investment in their own security, and that means strong military and deterrent forces. We must hope for the best, and do our best to help Russia, but we must keep our powder dry.

This is a critical moment for Russia. The choices Russian leaders make in the next few days—especially leaders of the military and security services—may be the most fateful decisions they have ever made. Their choices will determine whether democracy will finally prevail or whether communism will continue under another name. They will also determine whether the world will be able to live in peace with Russia. I am encouraged that Defense Minister Grachev has so far succeeded in keeping Russia's armed forces out of the conflict. I earnestly hope that the military and internal security troops will support the duly elected President of the Russian Federation; or at a minimum, remain neutral, and allow this impasse to be resolved short of violence. All Americans should pray that Russians will not buy short-term stability at the price of freedom and prosperity, and that peaceful relations with the rest of the world will prevail.

WINTER-RELATED AID TO BOSNIA

Mr. PELL. Mr. President, I would like to speak about the desperate need for winter-related assistance to the people of Bosnia and Herzegovina. I am pleased to see that the foreign operations appropriations bill targets $20 million in humanitarian aid to Bosnia and Croatia. However, none of this money is specifically for winter-related assistance. Accordingly, I would like to express my hope that a significant portion of this $20 million will be allocated to the people of Bosnia for winter-related needs.

I understand that winter aid is among the administration's current priorities with regard to humanitarian assistance to Bosnia, and I encourage the State Department to pursue this objective to the maximum extent possible.

As the bloody war in the former Yugoslavia rages on, the humanitarian needs of the people of Bosnia and Herzegovina are as dire now as they have ever been. Whether or not a peace agreement is reached in the coming days, these war-plagued people face another long, life-threatening winter without sufficient food, fuel, or shelter.

Earlier this month, I introduced an amendment to the Committee mark of the fiscal year 1994 Foreign Assistance Authorization Act that $20 million be used for the provision and transportation of winter-related and other emergency assistance to Bosnia, including fuel, food, medicines, building materials, portable heating units, clothing, blankets, and other commodities.

That amendment paralleled a Pell-Dole amendment to last year's foreign operations appropriations bill, which required that at least $15 million be provided to Bosnia for winter-related relief. The Agency for International Development has been able to use those funds to provide winter-related assistance that it otherwise would not have been able to offer to the people of Bosnia.

At the time that last year's Pell-Dole amendment was passed, we had hoped that such a measure would not be needed again. Unfortunately, however, conditions in Bosnia continue to deteriorate, and the people of that country need our help in overcoming yet another brutal winter. Regrettably, that is not the case, and I would hope that we will do what we can to help alleviate the terrible suffering in Bosnia.

TRIBUTE TO MARK HATFIELD

Mr. PACKWOOD. Mr. President, I want to take you back to the school year 1949–50 when I was a senior in high school. I went to a young Republican meeting to hear a young teacher at Willamette University speak, a teacher named MARK HATFIELD who had recently become dean of men, as we then called the deans of women and deans of men in those days. He had become dean of men at a very young age, having received his masters at Stanford University but graduated undergraduate from Willamette.

I was very impressed, very moved by listening to him and meeting him that night. He was a principal factor in my choosing to go to Willamette University where I was a freshman in 1950.

MARK HATFIELD ran for the legislature in 1950. I worked on his first campaign. He ran for the State House of Representatives while he was still the dean of students. I worked on his first campaign that November. I subsequently pledged the fraternity Beta Theta Pi. MARK HATFIELD had been a Beta Theta Pi and was at the time unmarried. He would come to the house once or twice a week for dinner. We both played bridge, and we would engage in bridge games afterward and philosophical discussions.

At the time, the house was a very philosophical house. It had 51 members, of whom 17 were preministerial students. There was a heavy tenor of theology, morality, and philosophy in the house, and MARK HATFIELD was one of the best of the leaders of that group.

I worked again on his campaign for reelection in 1952 when he was reelected to the House of Representatives. I was subsequently elected fraternity president and he, of course, was dean of men.

From time to time, we inevitably had some problems with the brothers. I would have to go and plead with him for fraternal leniency for some errant brother that may have strayed from the correct path.

MARK and I, on a number of occasions, went to funerals together. One student was drowned in the surf in the ocean, and that was one of his obligations, I suppose, as dean of men and one of mine as president of the fraternity, to go to funerals.

I knew him very, very well. There were only two campaigns I did not get to work on. One was the general election in 1954, when I was in law school. He was then elected to the State Senate in 1954. He was elected in 1956 as Secretary of State, the youngest person ever to hold that office. Again, I was in law school and could not work on the campaign.

But I came back in 1958 to practice law in Oregon and worked on his campaign for Governor. He was elected Governor in 1958 and was the first Governor in Oregon to serve two full terms in this century. He was elected in 1958 and elected again in 1962.

Then I was elected to the legislature in 1963, and worked with him in his last term as Governor. We were close, close friends. I regarded him as a mentor, as a leader, not quite as a father figure because we were not that far apart in age, but more like an older brother.

He was elected to the Senate in 1966, and I was elected in 1968. We have served here as comrades and friends ever since. I can say this in all honesty, there is an axiom here that there is usually bad blood between two Senators from the same party from the same State who are forever getting into arguments about appointments. That has never, never been a factor with MARK HATFIELD and me. We have remained close to this day.

The reason I make this speech tonight, however, is not just to point out that there has been a wonderful, wonderful career with an extraordinary man, but to note just last month he passed the record as the longest serving Senator in the history of Oregon. Previously, that record had been held by Charles McNary. Charles McNary was a legendary Republican. He served as minority leader of the Republicans in the Senate in the thirties; he was Wendell Willkie's Vice Presidential candidate in 1940. He held the record of having served longer than any person in the Senate. MARK HATFIELD has now eclipsed that record.

I congratulate him. I hope it is not premature to wish him good luck in his next election in 1996, which I fervently hope he chooses to run. But in the meantime, I can with pride and privilege look back upon having known a man for 44 years with whom I have never had a cross argument, a man who I have learned from, a man who I respect, and a man who I hope I have at least another 15 or 20 or 25 years of association with personally, privately, and fraternally. He is an extraordinary man, an extraordinary leader, and an extraordinary friend.

I thank the Chair.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant 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.

MESSAGES FROM THE PRESIDENT

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

EXECUTIVE MESSAGES REFERRED

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

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

MESSAGES FROM THE HOUSE

At 11:58 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, without amendment:

S. 464. An act to redesignate the Pulaski Post Office located at 111 West College Street in Pulaski, Tennessee, as the "Ross Bass Post Office".

S. 779. An act to continue the authorization of appropriations for the East Court of the National Museum of Natural History, and for other purposes.

The message also announced that the House has passed the following bill, with amendment, in which it requests the concurrence of the Senate:

S. 1130. An act to provide for continuing authorization of Federal employee leave transfer and leave bank programs, and for other purposes.

The message further announced the House agrees to the amendment of the Senate to the bill (H.R. 20) to restore to Federal civilian employees their right to participate voluntarily, as private citizens, in the political processes of the Nation, to protect such employees from improper political solicitations, and for other purposes.

The message also announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 808. An act for the relief of James B. Stanley.

H.R. 949. An act to amend title 38, United States Code, to improve the veterans' home loan guaranty program and the State cemetery grants program, and for other purposes.

H.R. 1152. An act to direct the United States Sentencing Commission to make sentencing guidelines for Federal criminal cases that provide sentencing enhancements for hate crimes.

H.R. 1385. An act to amend the Omnibus Crime Control and Safe Streets Act of 1968 to allow formula grants to be used to prosecute persons driving while intoxicated.

H.R. 2056. An act to redesignate the Post Office Building located at 600 Princess Anne Street in Fredericksburg, Virginia, as the "Samuel E. Perry Post Office Building."

H.R. 2074. An act to authorize appropriations for the American Folklife Center for fiscal years 1994, 1995, 1996, and 1997.

H.R. 2294. An act to designate the Post Office building located at 1000 Lamar Street in Wichita Falls, Texas, as the "Graham B. Purcell, Jr. Post Office Building."

H.R. 2604. An act to establish a Wetlands Center at the Port of Brownsville, Texas, and for other purposes.

H.R. 2685. An act to amend title 5, United States Code, to extend the Federal Physicians Comparability Allowance Act of 1978, and for other purposes.

H.R. 2751. An act to amend title 5, United States Code, to provide for the granting of leave to Federal employees wishing to serve as bone-marrow or organ donors, and to allow Federal employees to use sick leave for purposes relating to the adoption of a child.

H.R. 2961. An act to authorize the Secretary of the Interior to construct and operate the Walter B. Jones Center for the Sounds at the Pocosin Lakes National Wildlife Refuge.

H.R. 3019. An act to amend title 5, United States Code, to provide for a temporary extension and the orderly termination of the performance management and recognition system, and for other purposes.

H.R. 3049. An act to extend the current interim exemption under the Marine Mammal Protection Act for commercial fisheries until April 1, 1994.

H.R. 3051. An act to provide that certain property located in the State of Oklahoma owned by an Indian housing authority for the purposes of providing low-income housing shall be treated as Federal property under the Act of September 30, 1950 (Public Law 874, 81st Congress).

At 2:08 p.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

H.R. 168. An act to designate the Federal building to be constructed between Gay and Market Streets and Cumberland and Church Avenues in Knoxville Tennessee, as the "Howard H. Baker, Jr. United States Courthouses."

MEASURES REFERRED

The following bills were read the first and second times by unanimous consent, and referred as indicated:

H.R. 808. An act for the relief of James B. Stanley; to the Committee on the Judiciary.

H.R. 949. An act to amend title 38, United States Code, to improve the veterans' home loan guaranty program and the State cemetery grants program, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 1152. An act to direct the United States Sentencing Commission to make sentencing guidelines for Federal criminal cases that provide sentencing enhancements for hate crimes; to the Committee on the Judiciary.

H.R. 1385. An act to amend the Omnibus Crime Control and Safe Streets Act of 1968 to allow formula grants to be used to prosecute persons driving while intoxicated; to the Committee on the Judiciary.

H.R. 2056. An act to redesignate the Post Office Building located at 600 Princess Anne Street in Fredericksburg, Virginia, as the "Samuel E. Perry Post Office Building"; to the Committee on Governmental Affairs.

H.R. 2294. An act to designate the Post Office building located at 1000 Lamar Street in Wichita Falls, Texas, as the "Graham B. Purcell, Jr. Post Office Building"; to the Committee on Governmental Affairs.

H.R. 2604. An act to establish a Wetlands Center at the Port of Brownsville, Texas, and for other purposes; to the Committee on the Environment and Public Works.

H.R. 2685. An act to amend title 5, United States Code, to extend the Federal Physicians Comparability Allowance Act of 1978, and for other purposes; to the Committee on Governmental Affairs.

H.R. 2751. An act to amend title 5, United States Code, to provide for the granting of leave to Federal employees wishing to serve as bone-marrow or organ donors, and to allow Federal employees to use sick leave for purposes relating to the adoption of a child; to the Committee on Governmental Affairs.

H.R. 2961. An act to authorize the Secretary of the Interior to construct and operate the Walter B. Jones Center for the Sounds at the Pocosin Lakes National Wildlife Refuge; to the Committee on Environment and Public Works.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-279. A joint resolution adopted by the Legislature of the State of Washington; to the Committee on Agriculture, Nutrition, and Forestry.

"SENATE JOINT MEMORIAL 8016

"Whereas, a great public health alarm has been caused in Washington state with over four hundred fifty people confirmed as having contracted Escherichia coli 0157:H7 since early December of 1992; and

"Whereas, E. coli 0157:H7 has caused the death of three children, over one hundred fifty people have been hospitalized as of February 20, 1993, and thirty children have suffered hemolytic uremic syndrome, a serious side effect that causes kidney dysfunction and affects the blood clotting system; and

"Whereas, people have contracted the infection by eating insufficiently cooked hamburger that had this particular strain of E. coli bacteria which contaminated the meat during or after the time of slaughter; and

"Whereas, the extent that this newly detected strain of highly toxic bacteria is causing infections elsewhere in the United States is not accurately known because most other states have not designated E. coli 0157:H7 as a reportable disease; and

"Whereas, though citizens of the United States have enjoyed the safest food supply in the world, this outbreak has eroded confidence in food safety in general and meat inspection in particular, and unless the problem is fully addressed, additional outbreaks are likely to occur; Now, therefore,

"Your memorialists respectfully pray that the appropriate federal agencies, including, but not limited to, the Food Safety and Inspection Service of the United States Department of Agriculture, the Centers for Disease Control and Prevention, and the Food and Drug Administration form a task force to: (1) Promptly and fully investigate and monitor outbreaks of E. coli 0157:H7 throughout the United States in cooperation with state and local governments; (2) examine the full food chain process from farm to table to determine how improvements may be made to better guarantee the safety of our food supply; (3) examine whether meat and meat products imported into this country comply with comparable inspection and health standards as does domestically processed meat; (4) designate E. coli 0157:H7 as a reportable disease throughout the nation; and (5) start the process needed to update the Food and Drug Administration Model Food Code to reflect the new knowledge and technology that impact food safety: Be it

"*Resolved*, That the federal Food Safety and Inspection Service is requested to provide a written report to the Washington state legislature in January 1994 of the changes and improvements that have been accomplished to address this public health issue; and Be it

"*Resolved*, That copies of this Memorial be immediately transmitted to the Honorable Bill Clinton, President of the United States, Mike Espy, Secretary of the United States Department of Agriculture, the federal Food Safety and Inspection Service, the Centers for Disease Control and Prevention, the Food and Drug Administration, the President of the United States Senate, the Speaker of the House of Representatives, and each member of Congress from the State of Washington."

POM-280. A joint resolution adopted by the General Assembly of the State of Illinois; to the Committee on Armed Services.

"HOUSE JOINT RESOLUTION NO. 22

"Whereas, the Fitzsimmons Army Medical Center is an important facility to the 583,000 active duty military personnel, veterans, and their dependents in the 12-state Fitzsimmons Health Services Region, which includes Colorado, Illinois, Iowa, Kansas, Minnesota, Missouri, Nebraska, North Dakota, South Dakota, Utah, Wisconsin, and Wyoming; and

"Whereas, Fitzsimmons is the only major medical training center located in the heartland of America, employing over two thousand military and 1,800 civilian employees with an average payroll of over 157 million dollars; and

"Whereas, the Fitzsimmons Initiative is focusing on several objectives: to obtain

funding to complete the final phase of the Fitzsimmons project, to work with the Department of Defense to fast track the remaining 65 percent of design work for the Fitzsimmons project, and to move forward construction appropriations for the new Fitzsimmons Army Medical Center replacement hospital; and

"Whereas, without an accredited Fitzsimmons, no military medical training facility will exist in this region of the country: therefore, be it

"*Resolved, by the House of Representatives of the Eighty-Eighth General Assembly of the State of Illinois, the Senate concurring herein,* That we support the Fitzsimmons Initiative in its effort to accelerate the construction of a replacement hospital at the Fitzsimmons Army Medical Center and urge the Illinois Congressional Delegation to lend its support to this end: and be it further

"*Resolved,* That suitable copies of this preamble and resolution be presented to the Fitzsimmons Initiative and to the members of the Illinois Congressional Delegation."

POM-281. A concurrent resolution adopted by the Legislature of the State of Oklahoma; to the Committee on Armed Services.

"HOUSE CONCURRENT RESOLUTION NO. 1036

"Whereas, America's military forces have supported democratic ideals throughout the world community since the early 20th Century; and

"Whereas, in giving such support, America has readily offered its valiant men and women who sacrified their own lives and freedom to protect the lives of those persons caught in the crossfire of political warfare; and

"Whereas, in the heroic military efforts during World War I, World War II and the Korean War, many Americans lost their lives, were captured or have been deemed missing in action; and

"Whereas, veterans of these military conflicts prior to 1962 have not been duly recognized for their patriotism; and

"Whereas, the time has come for Americans to rally around their fallen defenders by supporting federal legislation that declares pre-1962 prisoners of war (POWs) to be eligible to receive the distinguished Purple Heart: Now, therefore, be it

"*Resolved by the House of Representatives of the 1st Session of the 44th Oklahoma Legislature, the Senate concurring therein:*

"That the Oklahoma Legislature respectfully memorializes the President of the United States and the Congress of the United States to pass legislation so that the deserving pre-1962 POWs can receive recognition for their honor, courage and dedicated service to this country.

"That copies of this resolution be distributed to the President of the United States, the Speaker of the United States House of Representatives, the President of the United States Senate and all members of the Oklahoma Congressional Delegation."

POM-282. A resolution adopted by the Chamber of Key West, FL, relative to water quality in Florida Bay; to the Committee on Commerce, Science and Transportation.

POM-283. A resolution adopted by the County Council of Hilo, HI, relative to a natural disaster insurance and reinsurance program; to the Committee on Commerce, Science and Transportation.

POM-284. A resolution adopted by the City Commission of the City of Key Colony Beach, FL, relative to water quality in Florida Bay; to the Committee on Environment and Public Works.

POM-285. A resolution adopted by the Board of Supervisors of the County of Los Angeles, CA, relative to a tax credit; to the Committee on Finance.

POM-286. A resolution adopted by the City Council of the city of Clinton, NC, relative to a cigarette tax; to the Committee on Finance.

POM-287. A resolution adopted by the Chamber of Commerce of Kinston-Lenoir County, NC, relative to a cigarette tax; to the Committee on Finance.

POM-288. A resolution adopted by the Board of Commissioners of Person County, NC, relative to a cigarette tax; to the Committee on Finance.

POM-289. A resolution adopted by the City Council of the City of Lake Forest, CA, relative to governing language; to the Committee on Governmental Affairs.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committees were submitted:

By Mr. JOHNSTON, from the Committee on Energy and Natural Resources:

Tara Jeanne O'Toole, of Maryland, to be an Assistant Secretary of Energy (Environment, Safety and Health).

Jay E. Hakes, of Florida, to be Administrator of the Energy Information Administration, Department of Energy.

By Mr. KENNEDY, from the Committee on Labor and Human Resources:

Jane Alexander, of New York, to be Chairperson of the National Endowment for the Arts for a term of 4 years.

(The above nominations were reported with the recommendation that they be confirmed, subject to the nominees' commitment to respond to requests 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. SIMON:

S. 1479. A bill to amend the provisions of title 39, United States Code, to provide that certain periodical publications shall not be bound publications for mail classification purposes, and for other purposes; to the Committee on Governmental Affairs.

By Ms. MIKULSKI:

S. 1480. A bill to amend the provisions of the Public Health Service Act regarding grants to States for projects relating to Alzheimer's disease, and for other purposes; to the Committee on Labor and Human Resources.

By Mr. LAUTENBERG (for himself and Mr. BRADLEY):

S. 1481. A bill to extend the temporary suspension of duty on 1-ethyl-6- fluoro-1,4-dihydro-4-oxo-7-(1-piperazinyl)-3-quinolinecarboxcylic acid (norfloxin); to the Committee on Finance.

S. 1482. A bill to suspend temporarily the duty on Levodopa; to the Committee on Finance.

S. 1483. A bill to extend the temporary suspension of duty on N-Amidino- 3,5-diamino-6-chlorpyrazinecarboxamide monohydro-chloride dihydrate; to the Committee on Finance.

S. 1484. A bill to extend the temporary suspension of duty on 2,2- dimethylcyclopropylcarboxamide. ; to the Committee on Finance.

By Mr. DECONCINI:

S. 1485. A bill to extend certain satellite carrier compulsory licenses, and for other purposes; to the Committee on the Judiciary.

By Mr. HARKIN (for himself, Mr. DASCHLE, and Mr. GRASSLEY):

S. 1486. A bill to provide relocation assistance in connection with flooding in the Midwest, and for other purposes; to the Committee on Environment and Public Works.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Ms. MIKULSKI:

S. 1480. A bill to amend the provisions of the Public Health Service Act regarding grants to States for projects relating to Alzheimer's disease, and for other purposes; to the Committee on Labor and Human Resources.

THE ALZHEIMER'S HOME AND COMMUNITY CARE PROJECT ACT

Ms. MIKULSKI. Mr. President, I rise today to introduce a bill which provides hope to millions of Americans who are valiantly struggling to provide care for loved ones, the Alzheimer's Home and Community Care Project Act.

This legislation, first funded just last year, has begun to blaze the trail toward providing the victims of Alzheimer's and other related conditions with less costly and more preferred options for care than full-time residence in nursing homes.

This is an objective which both sides of the aisle should embrace—it saves money for those with that priority, but more importantly it helps to keep families together while better meeting the needs of people afflicted with these disorders.

The families who decide to care for afflicted loved ones at home or in some other supervised residential setting, deserve our high regard and need our support. This bill does several things but none more important than helping provide families supporting an Alzheimer's patient with a program of temporary relief from the constant care required for such a person.

The heart of this program is to provide home health care, personal care, day care, companion care and so forth to individuals with these afflictions. But it also goes further and helps support the building of the infrastructure of public and private organizations needed to provide home-based and community-based long-term care.

This kind of service delivery system will be critical to the health care reform agenda, and also deserves our support.

Make no mistake, this program is very small, less than $5 million was appropriated for fiscal year 1994, and the

need for these services is much larger than we address with this bill.

Our hope here is not so much to serve everyone in need, but to improve access to existing services for the underserved, and to better coordinate the services provided to people with these special needs from both public sources and private voluntary agencies.

My own State of Maryland can be used to illustrate what can be done with this program. With only $490,000 to work with, this program has made an enormous difference in four parts of my State where access to services has been a problem for families dealing with Alzheimer's disease.

In three rural communities—on the Eastern Shore, in western Maryland, and in southern Maryland—and in one inner-city location—the African-American community of Baltimore City, these funds have supported outreach workers, education for family caregivers and respite care—a lifeline for families who are providing for the round-the-clock needs of people with that need.

Mr. President, I would like to spend a few minutes telling some true life stories about people who are being helped by just the respite program in my State. These stories make clear that this program is not providing any frills. This is a critical need, an absolute necessity.

Most caregivers who benefit from this program are over 60, and the people they are caring for are over 80. And they have been providing care for over 3 years with virtually no time off.

Here are a few examples:

A 55-year-old woman who has been caring for her 94-year-old mother for the last 8 years. The program paid for the mother to stay in a nursing home for a few days so the daughter could take her first vacation with her family in all that time.

A 74-year-old man who has taken care of his wife for the last 4 years, until he got sick himself. The program is paying for a respite worker to give him time to recuperate.

A 60-year-old woman who has been caring for her 84-year-old mother for 11 years. Now the daughter has cancer. The program pays for a respite worker to care for the mother while the daughter recovers from chemotherapy.

A 42-year-old woman who is caring for her 81-year-old grandmother and her own autistic child. The program pays for adult day care so that the woman can work outside the home to pay for her child's special needs.

The program I have been talking about is a demonstration program. It is set up as a 3-year project to train families and move underserved populations into the service system. This is very important. The President is about to send us a health care reform plan that will include a home and community-based long-term care program. To make that work we need the kind of community-building that this Alzheimer's bill is supporting in my State.

All States need to do that kind of groundwork, which is why the bill I am introducing today provides for an expanded program. We need to make sure that all of the people afflicted with these heartbreaking illnesses will be able to benefit from health care reform when it is enacted.

Beyond changes in the funding and authorization period, the bill I introduce today makes only four modifications to current law:

The first is to eliminate the limitation on the number of States that can participate in the program. This responds to the enthusiasm the States have shown, with 40 States competing for the 15 slots provided in the first request for applications.

The second is to improve access to these services for minority and rural populations. These people have proven to be the most underserved relative to these afflictions and exploring ways to overcome barriers to access for them is badly needed.

The third change will allow grants to the States for periods longer than 3 years. This will provide States with the stability needed for them to transition to their role in long-term care under health care reform.

The last change expands the services provided under the bill beyond single family settings and into group homes and assisted living and other congregate living arrangements. These are promising and less costly alternatives to nursing homes for frail older persons, and also deserve the support provided by this bill.

Mr. President, I ask for the reauthorization of this important bill. This program is critical to the lives of some of America's most tragically afflicted citizens. The changes proposed here will help people who are already helping themselves but who need and deserve our assistance. I urge the support of the full Senate in preserving and expanding this critically needed program.

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. 1480

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 "Alzheimer's Home and Community Care Project Act".

SEC. 2. GRANTS FOR DEMONSTRATION PROJECTS.

Section 398(a) of the Public Health Service Act (42 U.S.C. 280c-3(a)) is amended—

(1) in the matter preceding paragraph (1), by striking "not less than 5, and not more than 15,";

(2) in paragraph (2)—

(A) by inserting after "disorders" the following: "who are living in single family homes or in congregate settings"; and

(B) by striking "and" at the end;

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

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

"(3) to improve access for individuals with Alzheimer's disease or related disorders, particularly such individuals from ethnic, cultural, or language minorities and such individuals who are living in isolated rural areas, to services that—

"(A) are home-based or community-based long-term care services; and

"(B) exist on the date of enactment of this paragraph; and".

SEC. 3. DURATION.

Section 398A of the Public Health Service Act (42 U.S.C. 280c-4) is amended—

(1) in the title, by striking "LIMITATION ON";

(2) in subsection (a)—

(A) in the heading, by striking "LIMITATION ON"; and

(B) by striking "may not exceed" and inserting "may exceed"; and

(3) in subsection (b), in paragraphs (1)(C) and (2)(C), by inserting ", and any subsequent year," after "third year".

SEC. 4. AUTHORIZATION OF APPROPRIATIONS.

Section 398B(e) of the Public Health Service Act (42 U.S.C. 280c-5(e)) is amended by striking "and 1993" and inserting "through 1998".

By Mr. LAUTENBERG (for himself and Mr. BRADLEY):

S. 1481. A bill to extend the temporary suspension of duty on 1-ethyl-6-fluoro-1,4-dihydro-4-oxo-7-(1-piperazinyl)-3-quinolinecarboxcylic acid (norfloxin); to the Committee on Finance.

S. 1482. A bill to suspend temporarily the duty on Levodopa.

S. 1483. A bill to extend the temporary suspension of duty on N-Amidino-3,5-diamino-6-chlorpyrazinecarboxamide monohydrochloride dihydrate; to the Committee on Finance.

S. 1484. A bill to extend the temporary suspension of duty on 2,2-dimethylcyclopropylcarboxamide; to the Committee on Finance.

DUTY SUSPENSION LEGISLATION

Mr. LAUTENBERG. Mr. President, I introduce legislation on behalf of myself and Senator BRADLEY to suspend the duties on norfloxacin, amiloride HCl, D-carboxamide, and Levodopa.

This legislation would assist Merck & Co., Inc., U.S.A., headquartered in my State. There is no domestic production of norfloxacin, amiloride HCl, and D-carboxamide, and Merck & Co., must purchase these drugs from international markets.

NORFLOXACIN

The first bill would extend for 3 years the suspension of the duty on norfloxacin, a synthetic broad-spectrum antibacterial agent for oral administration used for the treatment of adults with urinary tract infections. Marketed by Merck & Co. as noroxin, this drug is not manufactured domestically and must be imported from Japan to meet United States demand.

AMILORIDE HYDROCHLORIDE

The next bill I am introducing would suspend for three years the duty on N-amidino -3,5 -diamino-6-chloropyrazinecarboxamide monohydro-chloride dihydrate, also known as amiloride hydrochloride. This compound is used in the processing of midamor, a potassium-sparing diuretic used with other agents in congestive heart failure and hypertension to help restore normal serum potassium levels in patients who develop hypokalemia.

D-CARBOXAMIDE

Mr. President, today I am also introducing a bill to suspend duties on dimethylcyclopropylcarboxamide, also known as D-carboxamide. D-carboxamide is combined with other ingredients to produce two drugs, primakin and tienam, which are supplied to domestic and foreign markets. Both pharmaceutical products have a remarkably broad spectrum of activity against gram-positive and gram-negative aerobic and anaerobic bacteria including strains resistant to penicillin. D-carboxamide is not produced in this country, and must be imported from Japan by Merck & Co.

LEVODOPA

Mr. President, the last bill I am introducing would suspend the duties on Levodopa. This drug is prescribed for the symptomatic treatment of idiopathic Parkinson's disease (paralysis agitans), post-encephalitic Parkinsonism, and symptomatic Parkinsonism which may follow injury to the nervous system by carbon monoxide intoxication and manganese intoxication.

Mr. President, the duty-free status on these products expired at the end of 1992. In addition, in the case of each and every one of these bills, I have been informed by the International Trade Commission staff that no domestic manufacturer exists for the products or objects to the product's duty suspension. Yet these imports are critical to the U.S. manufacture of important pharmaceutical and industrial end use products. The tariff merely adds additional costs to the manufacturing process without protecting U.S. industry.

Mr. President, early in our history, the government relied on tariffs as a major source of income. In this century, with the introduction of the income tax, tariffs were replaced by other revenues as the main source of Government revenues. Some tariffs have remained in place to protect domestic markets from international competition. However, many tariffs have outlived their original purpose. Now, as a routine matter, after investigation by the International Trade Commission and the Finance and Ways and Means Committees, they are periodically suspended to avoid imposing burdens on U.S. companies trying to compete internationally.

To my knowledge, the products affected by these bills are not produced domestically, and tariffs on these drugs affected would serve only to make the U.S. company that imports them less competitive and perhaps cost its employees their jobs.

As our Nation continues to face a trade deficit, passage of this legislation would assist Merck & Co., Inc. and its employees in New Jersey by easing the way for its expansion and job creation.

Mr. President, I urge my colleagues to support this measure. I ask unanimous consent that the text of the bills be printed in the RECORD.

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

S. 1481

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. NORFLOXACIN.

(a) IN GENERAL.—Heading 9902.30.85 of the Harmonized Tariff Schedule of the United States (relating to norfloxacin) is amended by striking "12/31/92" and inserting "12/31/95".

(b) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendment made by this Act applies with respect to articles entered, or withdrawn from warehouse for consumption, on or after the 15th day after the date of the enactment of this Act.

(2) RELIQUIDATION.—Notwithstanding section 514 of the Tariff Act of 1930 or any other provision of law, upon proper request filed with the appropriate customs officer on or before the 90th day after the date of the enactment of this Act, any entry, or withdrawal from warehouse for consumption, of an article described in subheading 9902.30.85 of the Harmonized Tariff Schedule of the United States that was made—

(A) after December 31, 1992, and

(B) before the date which is 15 days after the date of the enactment of this Act,

shall be liquidated or reliquidated as though such entry occurred on or after the date that is 15 days after the date of the enactment of this Act.

S. 1482

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. LEVODOPA.

(a) SUSPENSION OF DUTY.—Subchapter II of chapter 99 of the Harmonized Tariff Schedule of the United States is amended by inserting in numerical sequence the following new subheading:

"9902.31.12	3-hydroxy-L-tyrosine (Levodopa) (provided for in subheading 2922.50.25)	Free	No change	No change	On or before 12/31/96".

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to goods entered, or withdrawn from warehouse for consumption, on or after the 15th day after the date of the enactment of this Act.

S. 1483

Be it enacted by the Senate and House of Representatives of the United States of America In Congress assembled,

SECTION 1. AMILORIDE HYDROCHLORIDE.

(a) IN GENERAL.—Heading 9902.30.88 of the Harmonized Tariff Schedule of the United States (relating to amiloride hydrochloride) is amended by striking "12/31/92" and inserting "12/31/95".

(b) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendment made by this Act applies with respect to articles entered, or withdrawn from warehouse for consumption, on or after the 15th day after the date of the enactment of this Act.

(2) RELIQUIDATION.—Notwithstanding sections 514 of the Tariff Act of 1930 or any other provisions of law, upon proper request filed with the appropriate customs officer on or before the 90th day after the date of the enactment of this Act, any entry, or withdrawal from warehouse for consumption, of an article described in subheading 9902.30.88 of the Harmonized Tariff Schedule of the United States that was made—

(A) after December 31, 1992, and

(B) before the date which is 15 days after the date of the enactment of this Act,

shall be liquidated or reliquidated as though such entry occurred on or after the date that is 15 days after the date of the enactment of this Act.

S. 1484

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. D-CARBOXAMIDE.

(a) IN GENERAL.—Heading 9902.30.68 of the Harmonized Tariff Schedule of the United States is amended by striking "12/31/92" and inserting "12/31/95".

(b) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendment made by this Act applies with respect to articles entered, or withdrawn from warehouse for consumption, on or after the 15th day after the date of the enactment of this Act.

(2) RELIQUIDATION.—Not withstanding section 514 of the Tariff Act of 1930 or any other provision of law, upon proper request filed with the appropriate customs officer on or before the 90th day after the date of the enactment of this Act, any entry, or withdrawal from warehouse for consumption, of an article described in subheading 9902.30.68 for the Harmonized Tariff Schedule of the United States that was made—

(A) after December 31, 1992, and

(B) before the date which is 15 days after the date of the enactment of this Act,

shall be liquidated or reliquidated as though such entry occurred on or after the date that is 15 days after the date of the enactment of this Act.

By Mr. DECONCINI:

S. 1485. A bill to extend certain satellite carrier compulsory licenses, and for other purposes; to the Committee on the Judiciary.

SATELLITE CARRIER COMPULSORY LICENSE EXTENSION ACT OF 1993

• Mr. DECONCINI. Mr. President, I introduce legislation to amend the copyright law with respect to the compulsory licenses for satellite and wireless cable television retransmissions.

The Satellite Carrier Compulsory License Extension Act of 1993 has two principal objectives: First, permanent extension of the section 119 compulsory license for satellite carrier retransmissions of broadcast signals to home satellite dish owners; and, second, amend the section 111 cable license to clarify that it includes wireless video retransmissions.

The compulsory license was designed to provide a fledgling cable industry with the legal authority to retransmit copyrighted television broadcast programming in exchange for a statutorily determined fee. In 1976, at the time of its enactment, it was an appropriate means to ensure that cable operators would have access to programming by facilitating the clearance of copyrights to hundreds of television programs.

Since the enactment of the cable compulsory license in 1976, the cable industry has changed dramatically while the cable compulsory license has remained the same. In the 102d Congress, while the Senate was considering the Cable Act of 1992, S. 12, questions arose concerning the compatibility between the Cable Act and the cable compulsory license.

In 1991, I commissioned a study from the Copyright Office to examine the cable and satellite compulsory licenses. The outcome of the study produced several recommendations for reforming the existing statutory licenses. Last year, I conducted 2 days of hearings that examined the benefits and limitations of the licenses.

Through these hearings, I became convinced that the licenses were in need of considerable reform to promote compatibility with the Cable Act of 1992 and to remedy some inequities and anachronisms. However, while I believe that short-term reform is essential, I also am committed to the ultimate repeal of the licenses. I attempted to achieve these goals during the conference between the House and the Senate on the Cable Act of 1992 but was unsuccessful.

I remain committed to compulsory license reform and repeal. However, I am equally committed to achieving a level of parity within this industry. While the cable industry has enjoyed this compulsory license on an uninterrupted basis since 1976, cable's competitors have not been so fortunate.

As the backyard satellite dish market grew through the 1980's, questions arose as to whether the cable compulsory license applied to the satellite carriers. The Copyright Office determined that satellite carriers were not eligible to use the cable compulsory license. Consequently, Congress passed the Satellite Home Viewers Act of 1988, which added another compulsory license, section 119, to the Copyright Act. This satellite license, like the cable license, permits the retransmission of copyrighted broadcast programming in return for a statutorily determined fee. Although the cable license is permanent, the satellite license is scheduled to expire next year.

The wireless cable industry also has emerged to retransmit television broadcast programming through microwave—wireless—transmissions. On July 11, 1991, the Copyright Office determined that a wireless retransmission of copyrighted programming is not eligible to use the cable compulsory license. The Copyright Office delayed the effective date of this determination until January 1995 which, in effect, means that the wireless industry's compulsory license will expire next year.

I am firmly committed to the reform and the ultimate repeal of this compulsory license system. However, I believe that cable's competitors should enjoy the same statutory authority with respect to access to such programming as cable. I think we must abandon our practice of allowing discriminatory practices against the cable industry's competitors with respect to the access of copyrighted programming. Every technological video retransmission medium should be treated on an equal footing. Therefore, while I will continue to work on phasing out the compulsory license system, in the meantime, the bill I introduce today is designed to ensure that every technological medium of retransmission video programming will receive a permanent compulsory license to copyrighted broadcast programming.

SATELLITE

This bill amends section 119 to establish fairness in the compulsory license arena by permanently extending the satellite carrier compulsory license beyond its December 31, 1994, expiration date. Satellite carriers will continue to have their own permanent license to make secondary transmissions of broadcast television stations to satellite home dish owners for their private home viewing.

Several technical amendments are also made to section 119 with respect to satellite carriers. First, the definition of a satellite carrier is amended to clarify that direct broadcast satellite, as defined by the FCC, is eligible for compulsory licensing if it is retransmitting broadcast signals for private home viewing. Thus, the DBS service, which is scheduled to go into operation next year, will be eligible for the section 119 license.

Second, the new royalty rates for satellite carriers which were arbitrated last year are included in the bill, replacing the original statutory rates.

Finally, two slight modifications are made to the arbitration process. The time period in which the arbitration panel has to hear evidence and issue a decision is raised from 60 to 180 days in order to allow the parties more time to assemble their cases. The arbitration process is slated to occur, if necessary, at regular 5-year intervals beginning in 1997.

WIRELESS

The bill also amends section 111, the cable license, of the Copyright Act to clarify the definition of a cable system which has been the source of continual controversy. This provision is designed to finally ensure that the section 111 license is technology neutral. Hence, new categories of retransmission services such as multichannel multipoint distribution service [MMDS] and local multipoint distribution service [LDMS], also known as wireless cable systems, are specifically covered by the cable license.

Mr. President, it is for these reasons that I urge my colleagues to support this legislation. I would like to thank the Copyright Office for their continued assistance in sorting through this complicated issue and for their counsel regarding the drafting of this legislation. I would like to express my sincere appreciation for the ceaseless efforts of Bill Roberts who has represented the Copyright Office in countless sessions of deliberation regarding the cable and satellite compulsory licenses.

I ask unanimous consent that the full text of my bill be printed in the RECORD.

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

S. 1485

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 "Satellite Carrier Compulsory License Extension Act of 1993".

SEC. 2 STATUTORY LICENSE FOR SATELLITE CARRIERS.

Section 119 of title 17, United States Code, is amended—

(1) in subsection (a)(2)—

(A) in subparagraph (C)—

(i) by striking out "90 days after the effective date of the Satellite Home Viewer Act of 1988, or";

(ii) by striking out "whichever is later,";

(iii) by inserting "name and" after "identifying (by" each place it appears; and

(iv) by striking out "; on or after the effective date of the Satellite Home Viewer Act of 1988,"; and

(B) by adding at the end thereof the following new subparagraph:

"(D) SAMPLE SITE MEASUREMENTS.—On or before January 1, 1995, and thereafter on or before each January 1, upon the request of a network each satellite carrier referred to under subparagraph (C) shall, jointly with that network, conduct measurements of the reception of over-the-air television broadcast signals of network stations affiliated with that network. The foregoing measurements shall be conducted within the predicted Grade B contours of up to 5 network affiliated stations selected by the network and taken at up to 20 subscriber house-holds per affiliated station that are selected by the network.";

(2) in subsection (a)(5)(C) by striking out "the Satellite Home Viewer Act of 1988" and inserting in lieu thereof "this section";

(3) in subsection (b)(1)(B)—

(A) in clause (i) by striking out "12 cents" and inserting in lieu thereof "17.5 cents per subscriber in the case of superstations not subject to syndicated exclusively under the regulations of the Federal Communications Commission, and 14 cents per subscriber in the case of superstations subject to such syndicated exclusivity"; and

(B) in clause (ii) by striking out "3" and inserting in lieu thereof "6";

(4) in subsection (c)—

(A) in the heading by striking out "DETERMINATION" and inserting in lieu thereof "ADJUSTMENT";

(B) in paragraph (1)—

(i) by striking out "December 31, 1992, unless"; and

(ii) by striking out "After that date," and inserting in lieu thereof "All adjustments of";

(C) in paragraph (2)—

(i) in subparagraph (A) by striking out "July 1, 1991," and inserting in lieu thereof "January 1, 1996, and every 5 years thereafter,"; and

(ii) in subparagraph (D) by striking out "until December 31, 1994" and inserting in lieu thereof "in accordance with the terms of the agreement"; and

(D) in paragraph (3)—

(i) in subparagraph (A) by striking out "December 31, 1991," and inserting in lieu thereof "July 1, 1996, and every 5 years thereafter,";

(ii) in subparagraph (E) by striking out "60" and inserting in lieu thereof "180"; and

(iii) in subparagraph (G) by striking out ", or until December 31, 1994"; and

(5) in subsection (d)—

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

"(2) NETWORK STATION.—The term 'network station' means a television broadcast station, including any translator station or terrestrial satellite station that rebroadcasts all or substantially all of the programming broadcast by a network station, that is owned or operated by, or affiliated with, one or more of the television networks in the United States which offer an interconnected program service on a regular basis for 15 or more hours per week to at least 25 of its affiliated television licensees in 10 or more States."; and

(B) in paragraph (6) by inserting ", and operates in the Fixed Satellite Service under part 25 of title 47 of the Code of Federal Regulations or the Direct Broadcast Satellite Service under part 100 of title 47 of the Code of Federal Regulations," after "Commission".

SEC. 3. CABLE COMPULSORY LICENSE.

Section 111(f) of title 17, United States Code, is amended in the paragraph relating to the definition of "cable system" by striking out "wires, cables" and inserting in lieu thereof "wires, microwave cables, terrestrially based transmission paths,".●

By Mr. HARKIN (for himself, Mr. DASCHLE, and Mr. GRASSLEY):

S. 1486. A bill to provide relocation assistance in connection with flooding in the Midwest, and for other purposes; to the Committee on Environment and Public Works.

THE COMPETITIVE COST EFFECTIVE RELOCATION ACT OF 1993

● Mr. HARKIN. Mr. President: I am introducing the Competitive Cost Effective Relocation Act of 1993. The legislation has been cosponsored by Senators DASCHLE and GRASSLEY. Similar legislation has been introduced by Congressman VOLKMER in the House.

This legislation will provide additional resources to allow State and local governments with Federal support to help low and moderate income families whose homes are damaged in natural disasters acquire new homes that are not in flood prone areas. Homeowners could receive preflood market value for their property allowing them to relocate.

The Federal assistance would come through an increase in the amount of FEMA hazard mitigation funds that is provided to States in Federal disasters. The amount would be increased from 10 percent of the amount of grants for public infrastructure in a State to 15 percent of the amount of those grants.

In addition, Mr. President, the amount of the local match for the hazard mitigation funds is decreased from 50 to 25 percent in the bill because of the inability of hard-hit States and local governments to make use of these funds. For housing relocation, the Federal match could be increased, at the administration's discretion, to 90 percent in the case of the 1993 Midwest flood.

A relocation project would only be acceptable if the local governments involved agreed that the land acquired under the program be used in perpetuity for uses appropriate for a flood plain. That is defined as only having bathroom facilities, other buildings which are open on all sides or structures approved by the director of FEMA.

Mr. President, I am afraid without this legislation, far too many families will rebuild, be flooded, and then rebuild again. And, each time Federal funds will pay for some of those costs. It is far better in many circumstances to buy the housing and permanently use the land for parks or other useful public purposes.

This situation has been brought to my attention by many city officials and individual flood victims in Iowa. The need for these funds is very real. I believe that this measure will allow for a logical broadening of Federal disaster assistance. I urge my colleagues to join me in supporting this measure.

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. 1486

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 "Comprehensive Cost Effective Relocation Act of 1993".

SEC. 2. HAZARD MITIGATION.

(a) FEDERAL SHARE.—Section 404 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170c) is amended by striking "50 percent" and inserting "75 percent".

(b) TOTAL CONTRIBUTIONS.—Section 404 of such Act is further amended by striking "10 percent" and inserting "15 percent".

(c) APPLICABILITY.—The amendments made by this section shall apply to any major disaster declared on or after June 10, 1993.

SEC. 3. RELOCATION ASSISTANCE IN CONNECTION WITH MIDWEST FLOODING.

(a) INCREASE IN FEDERAL SHARE.—In providing hazard mitigation assistance under section 404 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act in connection with flooding in the Midwest occurring in the 1-year period beginning on April 13, 1993, the President, acting through the Director of the Federal Emergency Management Agency, may contribute 90 percent of the cost of relocation projects which meet the requirements of subsection (b).

(b) TERMS AND CONDITIONS.—A relocation project shall be eligible for funding under subsection (a) only if—

(1) the recipient of such funding is an eligible applicant under the Hazard Mitigation Grant Program established under section 404 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act;

(2) the recipient of such funding enters into an agreement with the Director of the Federal Emergency Management Agency under which the recipient provides assurances that—

(A) properties acquired under the project will be dedicated in perpetuity to uses which are compatible with accepted flood plain management practices; and

(B) new structures will not be erected on the flood plain other than (i) public facilities which are open on all sides and functionally related to a designated open space, (ii) rest rooms, and (iii) structures which are approved prior to construction in writing by the Director; and

(3) the recipient of such funding demonstrates that relocation assistance is unavailable from other sources.

(c) FUNDING.—For the purpose of funding relocation projects under subsection (a), the Director of the Federal Emergency Management Agency is authorized to waive the limitation on total contributions for hazard mitigation measures established by section 404 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, as amended by this Act, except that in no case may such contributions exceed 10 percent of the estimated total amount of Federal disaster assistance to be provided under such Act in connection with flooding described in subsection (a).●

ADDITIONAL COSPONSORS

S. 503

At the request of Mr. D'AMATO, the name of the Senator from Idaho [Mr. CRAIG] was added as a cosponsor of S. 503, a bill to amend the Immigration and Nationality Act to provide that members of Hamas (commonly known as the Islamic Resistance Movement) be considered to be engaged in a terrorist activity and ineligible to receive visas and excluded from admission into the United States.

S. 530

At the request of Mr. MITCHELL, the name of the Senator from Kentucky [Mr. FORD] was added as a cosponsor of S. 530, a bill to amend the Harmonized Tariff Schedule of the United States to clarify that certain footwear assembled in beneficiary countries is excluded from duty-free treatment.

S. 762

At the request of Mr. PRYOR, the names of the Senator from Hawaii [Mr. INOUYE], and the Senator from Utah [Mr. HATCH] were added as cosponsors of S. 762, a bill to amend the Internal

Revenue Code of 1986 to simplify the pension laws, and for other purposes.

S. 833

At the request of Mr. GRASSLEY, the name of the Senator from Minnesota [Mr. DURENBERGER] was added as a cosponsor of S. 833, a bill to amend title XVIII of the Social Security Act to provide for increased medicare reimbursement for nurse practitioners, clinical nurse specialists, and certified nurse midwives, to increase the delivery of health services in health professional shortage areas, and for other purposes.

S. 834

At the request of Mr. GRASSLEY, the name of the Senator from Minnesota [Mr. DURENBERGER] was added as a cosponsor of S. 834, a bill to amend title XVIII of the Social Security Act to provide for increased medicare reimbursement for physician assistants, to increase the delivery of health services in health professional shortage areas, and for other purposes.

S. 891

At the request of Mr. CRAIG, the names of the Senator from Montana [Mr. BURNS], the Senator from Alaska [Mr. STEVENS], the Senator from Iowa [Mr. GRASSLEY], the Senator from South Carolina [Mr. THURMOND], the Senator from Louisiana [Mr. BREAUX], the Senator from Mississippi [Mr. LOTT], the Senator from Mississippi [Mr. COCHRAN], and the Senator from North Carolina [Mr. FAIRCLOTH] were added as cosponsors of S. 891, a bill to require the establishment of a Federal system for the purpose of conducting background checks to prevent the employment of child abusers by child care providers, to establish a Federal point-of-purchase background check system for screening prohibited firearms purchasers, to provide accurate and immediately accessible records for law enforcement purposes, to assist in the identification and apprehension of violent felons, and to assist the courts in determining appropriate bail and sentencing decisions.

S. 984

At the request of Mr. SIMON, the name of the Senator from Washington [Mrs. MURRAY] was added as a cosponsor of S. 984, a bill to prevent abuses of electronic monitoring in the workplace, and for other purposes.

S. 1082

At the request of Mr. COCHRAN, the name of the Senator from Alaska [Mr. STEVENS] was added as a cosponsor of S. 1082, a bill to amend the Public Health Service Act to revise and extend the program of making grants to the States for the operation of offices of rural health, and for other purposes.

S. 1118

At the request of Mr. HATFIELD, the name of the Senator from Montana [Mr. BURNS] was added as a cosponsor of S. 1118, a bill to establish an additional National Education Goal relating to parental participation in both the formal and informal education of their children, and for other purposes.

S. 1159

At the request of Mr. MURKOWSKI, the names of the Senator from North Dakota [Mr. DORGAN] and the Senator from Mississippi [Mr. LOTT] were added as cosponsors of S. 1159, a bill to require the Secretary of the Treasury to mint coins in commemoration of women who have served in the Armed Forces of the United States.

S. 1329

At the request of Mr. D'AMATO, the names of the Senator from Massachusetts [Mr. KENNEDY] and the Senator from South Dakota [Mr. PRESSLER] were added as cosponsors of S. 1329, a bill to provide for an investigation of the whereabouts of the United States citizens and others who have been missing from Cyprus since 1974.

S. 1408

At the request of Mr. LOTT, the name of the Senator from Idaho [Mr. CRAIG] was added as a cosponsor of S. 1408, a bill to repeal the increase in tax on Social Security benefits.

S. 1425

At the request of Mr. CONRAD, the name of the Senator from Iowa [Mr. HARKIN] was added as a cosponsor of S. 1425, a bill to establish a National Appeals Division of the Department of Agriculture to hear appeals of adverse decisions made by certain agencies of the Department, and for other purposes.

S. 1458

At the request of Mrs. KASSEBAUM, the name of the Senator from Rhode Island [Mr. PELL] was added as a cosponsor of S. 1458, a bill to amend the Federal Aviation Act of 1958 to establish time limitations on certain civil actions against aircraft manufacturers, and for other purposes.

S. 1465

At the request of Mr. HARKIN, the name of the Senator from Rhode Island [Mr. PELL] was added as a cosponsor of S. 1465, a bill to amend certain education laws regarding gender equity training, dropout prevention, and gender equity research and data.

SENATE JOINT RESOLUTION 82

At the request of Mr. D'AMATO, the name of the Senator from Mississippi [Mr. COCHRAN] was added as a cosponsor of Senate Joint Resolution 82, a joint resolution to designate May 13, 1994, as "Irish Brigade-Marine Day."

SENATE JOINT RESOLUTION 135

At the request of Mr. SIMON, the names of the Senator from Minnesota [Mr. DURENBERGER], the Senator from Wisconsin [Mr. FEINGOLD], the Senator from New Mexico [Mr. BINGAMAN], the Senator from New Jersey [Mr. LAUTENBERG], the Senator from Hawaii [Mr. AKAKA], the Senator from Maine [Mr. COHEN], the Senator from Pennsylvania [Mr. WOFFORD], and the Senator from Connecticut [Mr. DODD] were added as cosponsors of Senate Joint Resolution 135, a joint resolution designating the week beginning October 25, 1993, as "World Population Awareness Day."

AMENDMENTS SUBMITTED

DEPARTMENT OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT, AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 1994.

BRYAN (AND OTHERS) AMENDMENT NO. 911

Mr. BRYAN (for himself, Mr. KERRY, Mr. WOFFORD, Mr. REID, Mr. SASSER, and Mr. BUMPERS) proposed an amendment to the bill (H.R. 2491) making appropriations for the Department of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 1994, and for other purposes; as follows:

On page 59, line 15, strike out "$7,544,400,000" and all that follows through "*Provided*, That" and insert in lieu thereof "$7,532,100,000, to remain available until September 30, 1995: *Provided*, That none of the funds made available under this Act shall be available for the Towards Other Planetary Systems/High Resolution Microwave Survey program (also known as the Search for Extraterrestrial Intelligence project): *Provided further*, That".

D'AMATO AMENDMENT NO. 912

Mr. GRAMM (for Mr. D'AMATO) proposed an amendment to the bill (H.R. 2491), supra, as follows:

On page 40, line 20, before the period, insert the following: ": *Provided further*, That funds made available by this paragraph shall not be available for employment of more than 45 full-time equivalent positions".

NICKLES (AND MCCAIN) AMENDMENT NO. 913

Mr. NICKLES (for himself and Mr. MCCAIN) proposed an amendment to the bill (H.R. 2491) supra, as follows:

On page 69, line 23, strike "$391,000,000" and insert "$370,000,000".

On page 70, line 15, strike "$211,500,000" and insert "$190,500,000".

SIMON (AND OTHERS) AMENDMENT NO. 914

Mr. SIMON (for himself, Mr. PELL, and Mr. LOTT) proposed an amendment to the bill (H.R. 2491), supra, as follows:

On page 46, between lines 11 and 12, insert the following:

ABATEMENT, CONTROL, AND COMPLIANCE LOAN PROGRAM ACCOUNT

For the cost of direct loans, including the cost of modifying loans, under the Asbestos

School Hazard Abatement Act of 1984 (20 U.S.C. 4011 et seq.), $29,000,000: *Provided*, That such funds are available to subsidize gross obligations for the principal amount of direct loans not to exceed $70,500,000.

In addition, for administrative expenses necessary to carry out the implementation of such Act, $1,000,000.

Funds for the cost of direct loans, and for administrative expenses, under this heading shall be derived from any funds available to the Environmental Protection Agency for fiscal year 1993 which remain unobligated at the end of such fiscal year.

BROWN (AND OTHERS) AMENDMENT NO. 915

Mr. BROWN (for himself, Mr. DOMENICI, and Mr. NICKLES) proposed an amendment to this bill (H.R. 2491), supra, as follows:

On page 36, line 8, strike out "$4,400,000,000" and insert in lieu thereof "$4,223,675,000".

MURKOWSKI AMENDMENT NO. 916

Mr. MURKOWSKI proposed an amendment to the bill (H.R. 2491), supra, as follows:

On page 13, line 16, strike "$369,000,000" and insert in lieu thereof "$271,900,000".

On page 14, line 5, after the colon, insert the following: "*Provided further*, That none of these funds shall be used for any project with a cost of $3,000,000 or more to construct, alter, extend, improve, replace or modernize any inpatient care facility, including any planning or architectural or engineering services in connection with any such project, unless funds have previously been made available for that purpose:".

FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS APPROPRIATIONS ACT, 1994 SUPPLEMENTAL APPROPRIATIONS FOR THE NEW INDEPENDENT STATES OF THE FORMER SOVIET UNION ACT OF 1993

DECONCINI (AND D'AMATO) AMENDMENTS NOS. 917-920

(Ordered to lie on the table.)

Mr. DECONCINI (for himself and Mr. D'AMATO) submitted four amendments intended to be proposed by them to the bill (H.R. 2295) making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 1994, and for other purposes, as follows:

AMENDMENT NO. 917

On page 92, between lines 11 and 12, insert the following:

(f) None of the funds provided under paragraphs (1), (2), or (3) of section 565. (a) shall be transferred to the Government of the Russian Federation until such time as that country has held free and fair preterm elections for the People's Deputies.

AMENDMENT NO. 918

On page 92, between lines 11 and 12, insert the following:

(f) None of the funds appropriated by this or any other Act except for humanitarian assistance shall be transferred to the Governments of Uzbekistan, Turkmenistan, or Tajikistan until such time as they have demonstrated their commitment to—

(1) respect the rights of individuals and groups to establish and operate, in full freedom, their own political parties or other political organizations; and

(2) democratic change through the holding of free and fair elections at the national level.

AMENDMENT NO. 919

On page 91, line 24, strike "Government of Russia" and insert the following: "government of any of the Newly Independent States".

AMENDMENT NO. 920

On page 90, line 14, after "sector." insert the following: "To the maximum extent possible, funds provided under this section shall be available to United States contractors and others involved in the housing industry.".

On page 91, line 14, insert "United States" after "the".

VETERANS' AFFAIRS AND HOUSING AND URBAN DEVELOPMENT APPROPRIATIONS ACT 1994

STEVENS (AND MURKOWSKI) AMENDMENT NO. 921

Mr. STEVENS (for himself and Mr. MURKOWSKI) proposed an amendment to the bill (H.R. 2491), supra, as follows:

On page 51 after line 21, insert the following new paragraph:

"No funds appropriated by this Act may be used to enforce the requirements of section 211(m) of the Clean Air Act in any nonattainment area where any State has prohibited the use of methyl tertiary butyl ether to comply with such requirements and where the State has committed to submit prior to October 1, 1994, a revision to its implementation plan or plans for carbon monoxide that would achieve carbon monoxide emissions reductions equivalent to those realized by implementation of such section.".

DECONCINI AMENDMENT NO. 922

Ms. MIKULSKI (for Mr. DECONCINI) proposed an amendment to the bill (H.R. 2491), supra, as follows:

On page 41, between lines 2 and 3, insert the following:

ADMINISTRATIVE PROVISION

None of the funds provided under this title or otherwise made available to the Department of Housing and Urban Development, which are obligated to State or local governments or to housing finance agencies or other public or quasi-public housing agencies, shall be used to indemnify contractors or subcontractors of the government or agency against costs associated with allegations or judgments of infringement of intellectual property rights or any legal proceedings related to such allegations.

RIEGLE (AND LEVIN) AMENDMENT NO. 923

Ms. MIKULSKI (for Mr. RIEGLE, for himself and Mr. LEVIN) proposed an amendment to the bill (H.R. 2491), supra, as follows:

On page 59, line 15 strike "7,532,100,000" and insert "7,544,400,000".

On page 61, insert the following prior to the proviso which begins on line 7: ": *Provided further*, That not more than $1,086,800,000 shall be for Mission to Planet Earth activities, of which $5,000,000 shall be for a socioeconomic data active archive center:

On page 61, insert the following before the period on line 12: ": *Provided further*, That not more than $289,500,000 shall be available for space research and technology activities

On page 61, delete the text on lines 13 through 16.

BUMPERS (AND OTHERS) AMENDMENT NO. 924

Ms. MIKULSKI (for Mr. BUMPERS, Mr. PELL, and Mr. DANFORTH) proposed an amendment to the bill (H.R. 2491), supra, as follows:

At the second excepted committee amendment, strike line 25 on page 70 through line 2 on page 71 and insert in lieu thereof the following: "be for activities under section 129(d)(5), (7) not more than $15,000,000 shall be for Summer of Service activities pursuant to section 122(a)(15), and (8) not more than $9,000,000 shall be made available for educational loan forgiveness authorized under section 428J of Higher Education Act: *Provided further*, That not".

FOREIGN OPERATIONS APPROPRIATIONS ACT FOR 1994

LEAHY (AND MCCONNELL) AMENDMENT NO. 925

Mr. LEAHY (for himself and Mr. MCCONNELL) proposed an amendment to the bill H.R. 2295, supra, as follows:

Section 516 is amended by adding a new subsection (c), as follows:

"(c) Subsection (a) shall cease to have effect during fiscal year 1994 with respect to the Palestine Liberation Organization (P.L.O.), programs for the P.L.O., and programs for the benefit of entities associated with it which accept the commitments made by the P.L.O. on September 9, 1993 if the President determines and notifies Congress that to do so is in the national interest; *Provided:* That subsection (a) shall resume full force and effect if at any time during fiscal 1994 the President determines and so notifies Congress that the P.L.O. has ceased to comply with the commitments it made on September 9, 1993, or the Congress, by joint resolution, determines that the P.L.O. has ceased to comply with the commitments it made on September 9, 1993."

LEAHY AMENDMENT NO. 926

Mr. LEAHY proposed an amendment to the bill H.R. 2295, supra, as follows:

On page 95, line 12, strike out "in" and all that follows through "member" on line 16, and insert in lieu thereof the following: "to any member of the Haitian Armed Forces who the Secretary of State knows or has reason to believe, based on all credible information available to him,".

HELMS AMENDMENTS NOS. 927-929

Mr. HELMS proposed three amendments to the bill H.R. 2295, supra, as follows:

AMENDMENT NO. 927

On page 103, between lines 17 and 18, insert the following new section:

RESTRICTION ON ASSISTANCE TO PERU

SEC. 579. (a) IN GENERAL.—None of the funds appropriated by this Act to carry out the Foreign Assistance Act of 1961 may be available for the Government of Peru until the President determines and so certifies to Congress that the Government of Peru has paid fair and equitable compensation to the survivors of Master Sergeant Joseph Beard, Jr., United States Air Force, who was killed during the attack by aircraft of the military forces of Peru on April 24, 1992, against a United States Air Force C-130 aircraft operating off the coast of Peru in international airspace.

(b) OPPOSITION TO FINANCING BY MULTILATERAL DEVELOPMENT BANKS.—The Secretary of the Treasury shall instruct the United States executive directors of the appropriate multilateral development banks to vote against any loan or other financial assistance for Peru until the condition described in subsection (a) is met.

(c) DEFINITION.—For purposes of this section, the term "appropriate multilateral development banks" means the International Bank for Reconstruction and Development, the International Development Association, and the Inter-American Development Bank.

AMENDMENT NO. 928

On page 103, between lines 17 and 18, insert the following:

PROHIBITION ON ASSISTANCE TO FOREIGN GOVERNMENTS THAT EXPORT LETHAL MILITARY EQUIPMENT TO COUNTRIES SUPPORTING INTERNATIONAL TERRORISM

SEC. 579. (a) None of the funds appropriated or otherwise made available by this Act may be available to any foreign government which provides lethal military equipment to a country the government of which the Secretary of State has determined is a terrorist government for purposes of section 40(d) of the Arms Export Control Act. The prohibition under this section with respect to a foreign government shall terminate 12 months after that government ceases to provide such military equipment. This section applies with respect to lethal military equipment provided under a contract entered into after the date of enactment of this Act.

(b) Assistance restricted by subsection (a) or any other similar provision of law, may be furnished if the President determines that furnishing such assistance is important to the national interests of the United States.

(c) Whenever the waiver of subsection (b) is exercised, the President shall submit to the appropriate congressional committees a report with respect to the furnishing of such assistance. Any such report shall include a detailed explanation of the assistance to be provided, including the estimated dollar amount of such assistance, and an explanation of how the assistance furthers United States national interests. Any such report shall be submitted, in accordance with the procedures applicable to reprogramming notifications under section 634A, at least 15 days before any funds are obligated for such assistance.

AMENDMENT NO. 929

On page 103, between lines 17 and 18, insert the following:

WITHHOLDING OF ASSISTANCE FOR PARKING FINES OWED BY FOREIGN COUNTRIES

SEC. 579. (a) IN GENERAL.—Of the funds made available for a foreign country under part I of the Foreign Assistance Act of 1961, an amount equivalent to the total unpaid parking fines and penalties owed to the District of Columbia by such country as of the date of enactment of this Act shall be withheld from obligation for such country until the Secretary of State certifies and reports in writing to the appropriate congressional committees that such fines and penalties are fully paid.

(b) DEFINITION.—For purposes of this section, the term "appropriate congressional committees" has the same meaning given to such term by section 644(q) of the Foreign Assistance Act of 1961.

DOMENICI AMENDMENT NO. 930

Mr. MCCONNELL (for Mr. DOMENICI) proposed an amendment to the bill H.R. 2295, supra, as follows:

At the appropriate place, insert: "Of the funds appropriated by this Act under the headings 'Assistance for the New Independent States of the Former Soviet Union' and 'Operations and Maintenance, Defense Agencies', and allocated under section 565(a) paragraphs (1) and (6), not less than $50,000,000 shall be made available to the Secretary of Energy in consultation with the Secretary of State for a program of cooperation between scientific and engineering institutes in the new independent States and national laboratories in the United States designed to stabilize the technology base in the cooperating States as each strives to convert defense industries to civilian applications: *Provided*, That priority be assigned to programs in support of international agreements that prevent and reduce proliferation of weapons of mass destruction: *Provided further*, That the Secretary may enter into agreements involving private United States industry that include cost share arrangements where feasible: *Provided further*, That the Secretary may participate in programs that enhance the safety of power reactors: *Provided further*, That the intellectual property rights of all parties to a program of cooperation be protected: *Provided further*, That funds made available by this Section may be reallocated in accordance with the authority of Section 565(b) of this Act."

HELMS AMENDMENT NO. 931

Mr. HELMS proposed an amendment to the bill, H.R. 2295, supra, as follows:

On page 103, between lines 17 and 18, insert the following:

PROHIBITION ON ASSISTANCE TO COUNTRIES EXPROPRIATING UNITED STATES PROPERTY

SEC. 579. (a) PROHIBITION.—None of the funds appropriated or otherwise made available by this Act may be provided to a country (other than a country described in subsection (c)) whose government (or any agency or instrumentality thereof)—

(1) has before, on, or after the date of enactment of this Act—

(A) nationalized or expropriated the property of any United States person,

(B) repudiated or nullified any contract or agreement with any United States person, or

(C) taken any other action (such as the imposition of discriminatory taxes or other exactions) which has the effect of seizing ownership or control of the property of any United States person, and

(2) has not, within a period of 3 years (or where applicable, the period described in subsection (b)), returned the property or provided adequate and effective compensation for such property in convertible foreign exchange equivalent to the full value thereof, as required by international law.

(b) EXTENDED PERIOD FOR COMPENSATION IN THE CASE OF NEWLY DEMOCRATIC GOVERNMENTS.—In the case of a democratically elected foreign government that had been a totalitarian or authoritarian government at the time of the action described in subsection (a)(1), the 3-year period described in subsection (a)(2) shall be deemed to have begun as of the date of the installation of the democratically elected government.

(c) EXCEPTED COUNTRIES AND TERRITORIES.—This section shall not apply to any country established by international mandate through the United Nations or to any territory recognized by the United States Government to be in dispute.

(d) DEFINITION.—For purposes of this section, the term "United States person" means a United States citizen or corporation, partnership, or association at least 50 percent beneficially owned by United States citizens.

STEVENS (AND MURKOWSKI) AMENDMENTS NOS. 932-934

Mr. STEVENS (for himself and Mr. MURKOWSKI) proposed three amendments to the bill H.R. 2295, supra, as follows:

AMENDMENT NO. 932

On page 91, between lines 5 and 6, insert the following new subsection:

(f) Notwithstanding subsection (b), of the funds made available under subsection (a), not less than $40,000,000 shall remain available until expended to establish and operate a Russian Far East enterprise fund. The fund shall be administered through the Agency for International Development to provide technical assistance, promote business development, and support economic reform in the Russian Far East.

AMENDMENT NO. 933

At the appropriate place in the bill insert the following new section:

SEC. . USED OIL EQUIPMENT.

Section 106(b)(1) of the Foreign Assistance Act of 1961 (22 U.S.C. 2151d(b)(1)), as amended, is further amended in the last sentence of the paragraph by striking the word "and" the second place it appears and inserting ", and the purchase of used oil equipment (including equipment used in the Arctic)" immediately before the period.

AMENDMENT NO. 934

On page 90, line 20, before the period, insert the following: ", of which amount not less than $4,000,000 shall be provided for the purpose of establishing, through an international academic consortium of research universities, a cooperative data retrieval, computer based storage, and electronic networking system between Russia, the United States, and Canada. The consortium will be formed for the identification, retrieval, preservation, and analysis of existing scientific environmental data stored in Russia, including data on northern region contamination, key environmental parameters related to contaminant transport processes (ice, wind, water, and biota), North Pacific and Bearing Sea fisheries, marine mammals and sea birds, and northern human ecology".

STEVENS AMENDMENT NO. 935

Mr. STEVENS proposed an amendment to the bill H.R. 2295, supra, as follows:

At the appropriate place in the bill insert the following new section:

SEC. . FISHING IN THE CENTRAL BERING SEA.

(a) FINDINGS.—The Congress finds that—

(1) the Central Bering Sea Fisheries Enforcement Act of 1992 (title III of P.L. 102-582) prohibits U.S. nationals and vessels from conducting fishing operations in the Central Bering Sea, in an area known as "the Doughnut", except when such fishing operations are in accordance with an international fishery agreement to which the United States and the Russian Federation are parties;

(2) the Central Bering Sea Fishery Enforcement Act also prohibits the entry into U.S. ports of any fishing vessel from a nation whose vessels or nationals conduct fishing operations in the Doughnut in the absence of such an international fishery agreement;

(3) the United States and the Russian Federation have participated in seven multilateral meetings among nations whose vessels or nationals fish in the Doughnut to discuss an international fishery agreement;

(4) a moratorium on fishing in the Doughnut for 1993 and 1994 was agreed to by the United States, the Russian Federation, Japan, Korea, Poland and the People's Republic of China as part of these discussions, in order to facilitate negotiations on an international fishery agreement;

(5) at the Vancouver Summit on April 4, 1993, Presidents Clinton and Yeltsin committed to developing further bilateral cooperation on fishery matters in the Bering Sea;

(6) an international fishery agreement has not yet been reached despite the best efforts of the United States and the Russian Federation; and

(7) the cooperation of nations which receive aid through monies provided by this Act is needed in order for an international fishery agreement to be reached.

(b) REVIEW.—In light of the findings in subsection (a), it is the sense of the Congress that the cooperation of nations whose vessels and nationals conduct fishing operations in the Central Bering Sea should be carefully considered in making appropriations for programs from which those nations will receive aid monies in fiscal year 1995, and that Congress should seriously consider withholding any such monies until such time as an acceptable international fishery agreement is reached.

FEINGOLD (AND GRASSLEY) AMENDMENT NO. 936

Mr. LEAHY (for Mr. FEINGOLD for himself and Mr. GRASSLEY) proposed an amendment to the bill H.R. 2295, supra, as follows:

On page 50, line 21, insert the following before the period: "and that with respect to Syria, the President certifies to Congress that Syria does not deny its citizens or any segment of its citizens the right or opportunity to emigrate."

MCCONNELL (AND ROBB) AMENDMENT NO. 937

Mr. MCCONNELL (for himself and MR. ROBB) proposed an amendment to the bill H.R. 2295, supra, as follows:

On page 92, line 4, after the word "ownership," insert the following: "repayment of commercial debt,".

COCHRAN AMENDMENT NO. 938

Mr. MCCONNELL (for Mr. COCHRAN) proposed an amendment to the bill H.R. 2295, supra, as follows:

On page 7, line 21, after the colon (:) add the following new proviso; "*Provided further*, That of the funds appropriated under this heading, not less than $3,000,000 shall be made available for the World Food Program:".

DECONCINI AMENDMENT NO. 939

Mr. LEAHY (for Mr. DECONCINI) proposed an amendment to the bill H.R. 2295, supra, as follows:

At the appropriate place insert:

(a) STATEMENT OF THE CONGRESS.—The Congress—

(1) notes the long friendship between Kenya and the United States and the constructive role played by Kenya during the humanitarian relief operation in Somalia;

(2) recognizes the steps taken by the Kenyan government toward establishing a more open and democratic political system, including the legalization of opposition political parties and the holding of multi-party elections in December 1992; and

(3) remains concerned about the continuing human rights abuses, government corruption, and economic mismanagement which threaten the political and economic future of Kenya.

(b) ASSISTANCE.—In providing future economic and development assistance to the Government of Kenya, the President shall take into account the extent of the Kenyan government's progress toward increasing respect for human rights, permitting freedom of expression, expanding cooperation and dialogue with the democratic opposition parties, improving the management of the economy, and reducing economic corruption, especially at the state-run Kenya Central Bank.

(c) PROHIBITION.—No funds appropriated by this Act under section 23 of the Arms Export Control Act may be provided to the Government of Kenya unless the President determines that providing such assistance is in the national interests of the United States and consults with Congress prior to making such a determination.

SIMON (AND KASSEBAUM) AMENDMENT NO. 940

Mr. LEAHY (for Mr. SIMON for himself and Mrs. KASSEBAUM) proposed an amendment to the bill H.R. 2295, supra, as follows:

On page 81, strike Section 558, and insert in lieu thereof the following:

SEC. 552. UNITED STATES ASSISTANCE FOR THE TRANSITION TO A NONRACIAL DEMOCRACY IN SOUTH AFRICA.

(a) REPEAL.—Section 116(e)(2), 116(f), and 116(g), section 117 (as added by the Comprehensive Anti-Apartheid Act of 1986), and section 535 of the Foreign Assistance Act of 1961 are repealed. Section 116(e)(1) of that Act is amended by striking "(1)".

(b) IN GENERAL.—The President is authorized and encouraged to provide assistance under chapter 10 of part 1 of the Foreign Assistance Act of 1961 (relating to the Development Fund for Africa) or chapter 4 of part II of that Act (relating to the Economic Support Fund) to support the transition to nonracial democracy in South Africa. Such assistance shall—

(1) focus on building the capacity of disadvantaged South Africans to take their rightful place in the political, social, and economic systems of their country;

(2) give priority to working with and through South African nongovernmental organizations whose leadership and staff represent the majority population and which have the support of the disadvantaged communities being served by such organizations;

(3) in the case of education programs—

(A) be used to increase the capacity of South African institutions to better serve the needs of individuals disadvantaged by apartheid;

(B) emphasize education within South Africa to the extent that assistance takes the form of scholarships for disadvantaged South African students; and

(C) fund nontraditional training activities;

(4) support activities to prepare South Africa for elections, including voter and civic education programs, political party building, and technical electoral assistance;

(5) support activities and entities, such as the Peace Accord structures; and

(6) support activities to promote human rights, democratization, and a civil society.

(c) GOVERNMENT OF SOUTH AFRICA.—

(1) LIMITATION ON ASSISTANCE.—Except as provided in paragraph (2), assistance provided in accordance with this section may not be made available to the Government of South Africa, or organizations financed and substantially controlled by that government, unless the President certifies to the Congress that an interim government that was elected on a nonracial basis through free and fair elections has taken office in South Africa.

(2) EXCEPTIONS.—Paragraph (1) does not apply to assistance for—

(A) higher education institutions, particularly those traditionally disadvantaged by apartheid policies, or

(B) any other organization, entity, or activity if the President determines that the assistance would promote the transition to nonracial democracy in South Africa.

Any determination under subparagraph (B) shall be based on consultations with South African individuals and organizations representative of the majority population in South Africa (particularly consultations through the Transitional Executive Council) and consultations with the appropriate congressional committees.

COVERDELL AMENDMENT NO. 941

Mr. MCCONNELL (for Mr. COVERDELL) proposed an amendment to the bill H.R. 2295, supra, as follows:

On page 48, line 11, insert "Nicaragua," after "Malawi,".

On page 48, line 17 add before the period "and Nicaragua."

SECRETARY OF COMMERCE QUARTERLY FINANCIAL REPORT PROGRAM ACT OF 1993

LIEBERMAN AMENDMENT NO. 942

Mr. MITCHELL (for Mr. LIEBERMAN) proposed an amendment to the bill (H.R. 2608) to make permanent the authority of the Secretary of Commerce to conduct the quarterly financial report program, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

SECTION 1. REAUTHORIZATION OF COLLECTION AND PUBLICATION OF QUARTERLY FINANCIAL STATISTICS BY THE SECRETARY OF COMMERCE.

(a) IN GENERAL.—Section 4(b) of the Act entitled "An Act to amend title 13, United

States Code, to transfer responsibility for the quarterly financial report from the Federal Trade Commission to the Secretary of Commerce, and for other purposes", approved January 12, 1983 (Public Law 97-454; 96 Stat. 2494; 13 U.S.C. 91 note) is amended by striking out "September 30, 1993" and inserting in lieu thereof "September 30, 1998".

(B) EFFECTIVE DATE.—The amendment made under subsection (a) shall take effect on September 30, 1993.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet on Wednesday, September 22, 1993, at 9:30 a.m., to consider the nomination of Gen. John M. Shalikashvili, USA, for reappointment in the grade of general and for assignment as Chairman of the Joint Chiefs of Staff.

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

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet on September 22, 1993, at 9:30 a.m. on the nomination of Reed Hundt of Maryland, to be a member of the Federal Communications Commission [FCC].

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

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. MITCHELL. 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., September 22, 1993, to receive testimony from Daniel Dreyfus, nominee to be Director of Civilian Radioactive Waste Management, U.S. Department of Energy.

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

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate, to begin immediately upon completion of the 9:30 a.m. nomination hearing, September 22, 1993, to consider pending calendar business.

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

SELECT COMMITTEE ON INTELLIGENCE

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on Wednesday, September 22, 1993, at 3:30 p.m. to hold a closed hearing on intelligence matters.

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

ADDITIONAL STATEMENTS

ILLINOIS RIVERS PROJECT EDUCATIONAL PROGRAM

• Mr. SIMON. Mr. President, I am proud to acknowledge the Illinois Rivers Project Educational Program which was 1 of 25 environmental achievers recently selected to receive a 1993 Chevron Conservation Award in recognition of its efforts to develop creative and practical environmental solutions.

The Illinois rivers project is an innovative, multi-State program involving thousands of high school students who conduct on-site research and use telecommunications networks to share data on river ecosystems. The students' research data is also transmitted to scientific researchers and the U.S. Fish and Wildlife Service, which uses the information to monitor the quality of midwestern rivers.

I commend the members of the Illinois Rivers Project Educational Program for their dedication to protecting rivers in the Midwest. It is important to encourage programs like the Illinois rivers project that directly involve students in conserving the environment, thereby ensuring a continuing interest in protecting our precious natural resources. The efforts of committed individuals and groups, such as the Illinois Rivers Project Educational Program, are vital to our pursuit of a better world, and I salute their commitment.•

WORLD POPULATION AWARENESS WEEK

• Mr. JEFFORDS. Mr. President, I am pleased to join Senator PAUL SIMON as the lead sponsors of Senate Joint Resolution 135, World Population Awareness Week, to be observed October 22 through 28, 1993.

The purpose of this recognition week is to educate Americans about the serious problem of overpopulation and the extreme effects unchecked global population growth would have, not only on the United States and individual communities, but also on our world and its future.

The Washington Post recently reported in a July 18 article called "Postmodern Malthus: Are There Too Many of Us To Survive?," that those of us born before 1950 have seen world population growth double. In 1950, our world population grew by 37 million. Yet, last year world population grew by 91 million. These are amazing statistics. In reality these statistics mean that we adding 250,000 people to the world every day.

Articles from papers in my home State of Vermont reported a tremendous increase in Vermont's population. In the first half of the century, Vermont's population increased by less than 10 percent, however over the last 40 years Vermont's population has increased by 50 percent. The U.S. Census Bureau statistics show that in 1900, the State of Vermont's population was 343,641 and by 1950 it was 377,747 which is only an increase of about 34,000 in 50 years. However, in 1990 Vermont's population had jumped to 567,758, increasing the population by 190,000 in only 40 years.

Not only do Vermonters need to be concerned about the increase in population in their own State, but our Nation needs to recognize the severe consequences of overpopulation abroad. Millions of people throughout the developing world and in the United States are suffering from hunger, poverty, disease, and unemployment.

Things that we take for granted are in grave danger of becoming in short supply. The Washington Post reported that world grain production, fertilizer, farmland use, fish catch, meat supply, and fossil fuel have all declined. World grain production, which is believed to be the most important economic measure of human well-being, expanded almost 3 percent per year from 1950 to 1984, while since then we have only seen about 1-percent increase per year. This shows that the economies and natural resources of our world are being jeopardized.

For the past 3 years, the Senate and the House have approved World Population Awareness Week, recognizing the need for educational programs, classes, events, and seminars all over the United States to teach U.S. citizens about overpopulation and its detrimental effect on the world's natural ecosystems, economic, health, political, and social stability.

I hope my colleagues will join me and become cosponsors of this important resolution and help to heighten awareness of this issue.•

THE POSSIBILITIES OF CHIROPRACTIC CARE

• Mr. DASCHLE. Mr. President, I recently received a copy of a report funded by the Ontario Ministry of Health entitled "The Effectiveness and Cost-Effectiveness of Chiropractic Management of Low-Back Pain." This report concludes that chiropractic care provided by qualified professionals is safe and effective. In addition, it suggests that, for certain diagnoses, chiropractors often provide high quality care at a lower cost than physicians. I am intrigued by the results of this report and commend it to my colleagues' attention as we continue our efforts to reform our health care system.

Sufferers of low back pain have faced conflicting advice concerning methods of treatment. They also face high costs that often leave them with few choices when only medical services, not chiropractic treatments, are covered by their insurance companies. This is unfortunate. I believe insurers, both public and private, should expand the

range of practitioners available to patients, not restrict them.

As you know, Mr. President, the United States has traditionally kept alternative forms of medicine on the fringes of society. As we pull nonphysician practitioners into the mainstream, we must protect patients from harmful treatment, while still allowing them to choose the method and practitioner they prefer, especially when evidence indicates that a group of practitioners provides high quality, cost-effective care.

At at time when we are looking for better and more cost-effective ways of providing health care for our Nation, I encourage my colleagues to fully examine the possibilities of chiropractic and other allied health care professionals.

The report follows:

THE EFFECTIVENESS AND COST-EFFECTIVENESS OF CHIROPRACTIC MANAGEMENT OF LOW-BACK PAIN

A STUDY TO EXAMINE THE EFFECTIVENESS AND COST-EFFECTIVENESS OF CHIROPRACTIC MANAGEMENT OF LOW-BACK PAIN

(By Pran Manga, Ph.D.[1], Douglas E. Angus, M.A.[2], Costa Papadopoulos, MHA[3], William R. Swan, B. Comm.[4])

TERMS OF REFERENCE

Preamble

The Government of Ontario is placing increasing emphasis on allocating public funds for services that are relatively more cost-effective and appropriate. Since health care services are labour intensive, the appropriate use of health human resources is of paramount significance. The appropriate numbers, distribution and mix of health professionals, and their interrelationships and roles in the provision of health services is an important part of the Government's health reform agenda.

The Government of Ontario is also keenly interested in reducing the incidence of work-related disability and injury and to improve the rehabilitation of disabled and injured workers. The Ontario Worker's Compensation Institute (OWCI) has just proposed a research agenda focusing on "soft-tissue sprains and strains, particularly low back strain". The OWCI notes that "low back pain is ubiquitous. Twelve to thirty percent of people in modern industrialized societies reported low back pain in the past year". It also notes that "if treatments of unproven worth or with major side effects are used on those with low-back pain, there is a potential for both iatrogenic disability and wasted resources".

In light of these objectives and concerns of the Government of Ontario, the proposed study will examine the effectiveness and cost-effectiveness of chiropractic management of low-back pain.

Terms of reference

The study shall include reports on six components as follows:

1. Overview of Cost of Low-Back Pain: An overview of the incidence, prevalence and economic costs of low-back pain in Ontario. The analysis will involve a review of the epidemiological and health economics literature, data from the Workers' Compensation Boards in Ontario and other jurisdictions, and Statistics Canada. Information from other countries will also be assessed. (See Chapter Two)

2. Description of Services: A general description of chiropractic, medical and other management of low-back pain in Ontario and how these services are billed for by the various professions who treat low-back pain. (See Chapter Three)

3. Evidence of Effectiveness: A critical review and assessment of the current scientific evidence of the safety, efficacy and effectiveness of chiropractic and other professional management of low-back pain. (See Chapter Four)

4. Evidence of Cost-Effectiveness: A critical review and evaluation of empirical studies reflecting on the cost-effectiveness of chiropractic and other professional management of low-back pain. The analysis will include a review of pertinent studies of the Workers' Compensation system. (See Chapter Five)

5. Evidence of Patient Satisfaction: Assessment of evidence of patient satisfaction with chiropractic and other professional management of low-back pain. (See Chapter Six)

6. Survey Design: Sample design of questionnaires for separate surveys of patients, chiropractors and medical practitioners concerning the treatment and management of low-back pain. The scope and content of these surveys should be informed by the literature review and analysis undertaken for the five preceding components of the study. (See Chapter Seven)

EXECUTIVE SUMMARY

Introduction

The serious fiscal crisis of all governments in Canada is compelling them to contain and reduce health care costs. It has brought a new and unprecedented emphasis on evidence-based allocation of resources, with an overriding objective of improving the cost-effectiveness of health care services.

The area of low-back pain (LBP) offers governments and the private sector an excellent opportunity to attain the twin goals of greater cost-effectiveness and a major reduction in health care costs. Today LBP has become one of the most costly causes of illness and disability in Canada—a phenomenon which does not appear to be generally appreciated or understood in medical and government circles in Canada. Studies on the prevalence and incidence of LBP suggest that it is ubiquitous, probably the leading cause of disability and morbidity in middle-aged persons, and by far the most expensive source of workers' compensation costs in Ontario—as indeed in most other jurisdictions.

Much of the treatment of LBP appears to be inefficient. Evidence from Canada, the USA, the UK and elsewhere shows that there are conflicting methods of treatment, many with little—if any—scientific evidence of effectiveness, and very high costs of treatment. Despite this, levels of disability from LBP are increasing.

In the Province of Ontario LBP is managed mostly by physicians and chiropractors, with physiotherapists also playing a significant role. While medical services are fully insured under Medicare, chiropractic care services are only partially covered. LBP patients incur the highest out-of-pocket expenses for chiropractic services. Virtually no out-of-pocket expenses are incurred for medical treatment, with the exception of drugs, and out-of-pocket expenses incurred for physiotherapy services fall somewhere in between the two.

Physicians, chiropractors, physiotherapists and an assortment of other professionals together offer about thirty-six therapeutic modalities for the treatment of LBP. In this study we focused principally on the effectiveness and cost-effectiveness of chiropractic and medical management of LBP.

Findings

F1. On the evidence, particularly the most scientifically valid clinical studies, spinal manipulation applied by chiropractors is shown to be more effective than alternative treatments for LBP. Many medical therapies are of questionable validity or are clearly inadequate.

F2. There is no clinical or case-control study that demonstrates or even implies that chiropractic spinal manipulation is unsafe in the treatment of low-back pain. Some medical treatments are equally safe, but others are unsafe and generate iatrogenic complications for LBP patients. Our reading of the literature suggests that chiropractic manipulation is safer than medical management of low-back pain.

F3. While it is prudent to call for even further clinical evidence of the effectiveness and efficacy of chiropractic management of LBP, what the literature revealed to us is the much greater need for clinical evidence of the validity of medical management of LBP. Indeed, several existing medical therapies of LBP are generally contraindicated on the basis of the existing clinical trials. There is also some evidence in the literature to suggest that spinal manipulations are less safe and less effective when performed by non-chiropractic professionals.

F4. There is an overwhelming body of evidence indicating that chiropractic management of low-back pain is more cost-effective than medical management. We reviewed numerous studies that range from very persuasive to convincing in support of this conclusion. The lack of any convincing argument or evidence to the contrary must be noted and is significant to us in forming our conclusions and recommendations. The evidence includes studies showing lower chiropractic costs for the same diagnosis and episodic need for care.

F5. There would be highly significant cost savings if more management of LBP was transferred from physicians to chiropractors. Evidence from Canada and other countries suggests potential savings of many hundreds of millions annually. The literature clearly and consistently shows that the major savings from chiropractic management come from fewer and lower costs of auxiliary services, much fewer hospitalizations, and a highly significant reduction in chronic problems, as well as in levels and duration of disability. Workers' compensation studies report that injured workers with the same specific diagnosis of LBP returned to work much sooner when treated by chiropractors than by physicians. This leads to very significant reductions in direct and indirect costs.

F6. There is good empirical evidence that patients are very satisfied with chiropractic management of LBP and considerably less satisfied with physician management. Patient satisfaction is an important health outcome indicator and adds further weight to the clinical and health economic results favouring chiropractic management of LBP.

F7. Despite official medical disapproval and economic disincentive to patients (higher private out-of-pocket cost), the use of chiropractic has grown steadily over the years. Chiropractors are now accepted as a legitimate healing profession by the public and an increasing number of physicians.

F8. In our view, the constellation of the evidence of: (a) the effectiveness and cost-effectiveness of chiropractic management of

Footnotes at end of article.

low-back pain, (b) the untested, questionable or harmful nature of many current medical therapies, (c) the economic efficiency of chiropractic care for low-back pain compared with medical care, (d) the safety of chiropractic care, and (e) the higher satisfaction levels expressed by patients of chiropractors, together offers an overwhelming case in favour of much greater use of chiropractic services in the management of low-back pain.

F9. The government will have to instigate and monitor the reform called for by our overall conclusions, and take appropriate steps to see that the savings are captured. The greater use of chiropractic services in the health care delivery system will not occur by itself, by accommodation between the professions, or by actions on the part of the Workers' Compensation Board and the private sector generally.

Recommendations

Our recommendations for reform include the following:

R1. Current policy discourages the utilization of chiropractic services for the management of LBP. There should be a shift in policy to encourage and prefer chiropractic services for most patients with LBP.

R2. Chiropractic services should be fully insured under the Ontario Health Insurance Plan, removing the economic disincentive for patients and referring health providers. This one step will bring a shift from medical to chiropractic management that can be expected to lead to very significant savings in health care expenditure, and even larger savings if a more comprehensive view of the economic costs of low-back pain is taken.

R3. Chiropractic services should be fully integrated into the health care system. Because of the high incidence and cost of LBP, hospitals, managed health care groups (community health centres, comprehensive health organizations, and health service organizations) and long-term care facilities should employ chiropractors on a full-time and/or part-time basis. Additionally such organizations should be encouraged to refer patients to chiropractors.

R4. Chiropractors should be employed by tertiary hospitals in Ontario. Hospitals already employ chiropractic in the United States with good effect. Similar recommendations have been made recently by government inquiries in Australia and Sweden, and following government funded research in the U.K. and other countries. Unnecessary or failed surgery is not only costly but also represents low quality care. The opportunity for consultation, second opinion and wider treatment options are significant advantages we foresee from this initiative which has been employed with success in a clinical research setting at the University Hospital, Saskatoon.

R5. Hospital privileges should be extended to all chiropractors for the purposes of treatment of their own patients who have been hospitalized for other reasons, and for access to diagnostic facilities relevant to their scope of practice and patients' needs.

R6. Chiropractors should have access to all pertinent patient records and tests from hospitals, physicians, and other health care professionals upon the consent of their patients. Access should be given upon the request of chiropractors or their patients.

R7. Since low-back pain is of such significant concern to workers' compensation, chiropractors should be engaged at a senior level by Workers' Compensation Board to assess policy, procedures and treatment of workers with back injuries. This should be on an interdisciplinary basis with other professional, technical and managerial staff so that there is early development of more constructive relationships between chiropractors, physicians, physiotherapists and Board staff and consultants. A very good case can be made for making chiropractors the gatekeepers for management of low-back pain in the workers' compensation system in Ontario.

R8. The government should make the requisite research funds and resources available for further clinical evaluation of chiropractic management of LBP, and for further socio-economic and policy research concerning the management of LBP generally. Such research should include surveys to obtain a better understanding of patients' choices, attitudes and knowledge of treatments with respect to LBP. The objective of these surveys should be better information for health policy, programme planning and consumer education purposes.

R9. Chiropractic education in Ontario should be in the multidisciplinary atmosphere of a university with appropriate public funding. Chiropractic is the only regulated health profession in Ontario without public funding for education at present, and it works against the best interests of the health care system for chiropractors to be educated in relative isolation from other health science students.

R10. Finally, the government should take all reasonable steps to actively encourage cooperation between providers, particularly the chiropractic, medical and physiotherapy professions. Lack of cooperation has been a major factor in the current inefficient management of LBP. Better cooperation is important if the government is to capture the large potential savings in question and, it should be noted, is desired by an increasing number of individuals within each of the professions.

FOOTNOTES

[1] Professor and Director, Masters in Health Administration Program, University of Ottawa; and President, Pran Manga and Associates Inc., Ottawa.

[2] Adjunct Professor, University of Ottawa and Project Director, The Cost-Effectiveness of the Canadian Health Care System, Queen's—University of Ottawa Economic Projects.

[3] Health Care Consultant and Associate of Pran Manga and Associates, Inc.

[4] Consultant in Health Care Economics.●

SENATOR MAX BAUCUS ON HIS TRIP TO ASIA

● Mr. BAUCUS. Mr. President, 2 weeks ago, Vice President GORE completed his report on reinventing Government. As he did, we heard a lot about waste and inefficiency. We heard a lot about why our Government doesn't work well. Today I'd like to remind us about some of the good news.

I recently returned from a 2-week trip to East Asia. During this trip I spent 2 days in Japan and 11 days in China and Hong Kong. In the near future I will report on my meetings with government officials, business leaders, and others, and make some recommendations on our Asia policy in general, and our China policy in particular.

Today, however, I will simply thank the American public servants who helped make the trip a success. As I prepared for the trip, and during my visits to Tokyo, Beijing, Chengdu, Lhasa, Hong Kong, Guangzhou, and Shenzhen, it was my good fortune to have the help of some extremely able people in our Foreign Service.

I have always believed that whatever the flaws and failings of our Government, public service is a noble endeavor. These people proved me right. They work very hard; they represent our country well; and America is lucky to have them.

In Washington:

Peter Tomsen, Deputy Assistant Secretary of State; Russ LaMantia of the State Department's East Asia Bureau; Lee Sands, Director of the China desk at USTR; and Deborah Lehr, Deputy Director of the USTR China desk.

In Tokyo:

Charge d'Affaires William Breer; and Howard Krawitz, economic officer and my control officer. Howard worked very hard on very short notice to arrange my schedule, and gave me some very good advice about China as well.

In Beijing:

Ambassador, J. Stapleton Roy; Robert Winship, the First Secretary in the Economic Section and my control officer. Robert did a brilliant job in arranging meetings, transportation and plane connections for me; Deputy Chief of Mission Scott Halford; Chris Szymanski, Minister-Counselor for Economic Affairs; Mel Searls, Minister-Counselor for Commercial Affairs; Neil Silver, Minister-Counselor for Political Affairs; Marco DeCapua, Counselor for Science and Technology; Jim Brown, my exceptionally gifted interpreter; Jonathan Schrier and Bill Monroe of the economic section; Pat Freeman, Carol Reynolds and Deborah Kingsland of the political section; Mary Gorjance of the Science and Technology Section; Matt Brazil of the Foreign Commercial Service; Max Kwok of the press section; and Gyorgy Vajay of the General Services department.

In Chengdu:

Consul-General Don Camp; and Political/Economic/Commercial Officer John Brennan. Mr. Brennan was my control officer in Chengdu, where he helped arrange visits to agricultural areas and a meeting with the very busy Governor of Sichuan Province. He was also crucial to the success of my visit to Lhasa.

In Kathmandu, where the Embassy staff made sure that although my flight was late, I got on the plane to Hong Kong:

Vice Consul Doug Bayley, who I am proud to say is a former legislative correspondent in my Washington, office; and Peter Gadzinski, Chief of the Political and Economic Section.

In Hong Kong:

Consul General Richard Mueller; William Brekke, Acting Chief of the Commercial Service and my control officer. Mr. Brekke did heroic work not only in

arranging meetings and local transportation, but in making sure I made the connection from Shenzhen to the Hong Kong airport on time; Jeffrey Bader, Deputy Principal Officer; and Brian Woo of the Political Section.

And in Guangzhou:

Consul General Eugene Martin; and Michael Spangler, Economic Officer and my control officer, who helped to enlighten me on doing business in China.

Finally. I want to give special thanks to the two members of my own staff who accompanied me on the trip:

Sharon Peterson, my Montana State director. Sharon made arrangements for the Montana business delegation and solved all our logistical problems; and Ed Gresser, my legislative assistant in Washington specializing in foreign affairs and trade, who put together my briefing materials and helped me set my itinerary.

My trip would not have succeeded without these people. I could not have had better advice on setting an itinerary, more efficient logistical help in scheduling it, and more informed briefings than I received from them. They have my gratitude, and once again, America is lucky to have them.•

ENVIRONMENTAL AND ENERGY STUDY CONFERENCE ELECTIONS

• Mr. DODD. Mr. President, as outgoing Senate vice chairman of the Environmental and Energy Study Conference, I want to congratulate our colleagues, Senators JOHN MCCAIN and JOE LIEBERMAN, who this morning have been elected the study conference's Senate chairman and vice chairman. They will serve throughout this Congress. This will be Senator MCCAIN's second term as the conference's Senate chairman.

For the House, Representative JAN MEYERS has been elected chair, and Representative ANTHONY C. BEILENSON has been elected vice chairman.

The officers were elected by the study conference's executive committee, which itself was elected earlier this week.

Senate members of the executive committee are Senators JOHN H. CHAFEE, PATRICK LEAHY, JOSEPH I. LIEBERMAN, JOHN MCCAIN, BOB PACKWOOD, CLAIBORNE PELL, and myself.

Those serving on the executive committee from the House are Representatives GARY L. ACKERMAN, ANTHONY C. BEILENSON, GEORGE E. BROWN, Jr., JIM COOPER, PETER A. DEFAZIO, DEAN A. GALLO, PORTER J. GOSS, STEVE GUNDERSON, LARRY LAROCCO, BOB LIVINGSTON, JAN MEYERS, FRANK PALLONE, Jr., MEL REYNOLDS, CARLOS A. ROMERO-BARCELÓ, DAN SCHAEFER, GERRY E. STUDDS, MIKE SYNAR, PETER G. TORKILDSEN, BARBARA F. VUCANOVICH, and BOB WISE.

The study conference is the largest legislative service organization, or caucus, in Congress, with a membership of more than 360 Senators and House Members. It provides objective analysis of the environmental, energy and natural resources issues before us and organizes forums and briefings for Senators and House Members to discuss these issues with administration officials and outside experts. The conference does not take political positions.

The conference makes a vital contribution to our policymaking. In fact, National Journal described the study conference's Weekly Bulletin as indispensable, and Newsday called the conference's work invaluable.

I look forward to working with the conference's new officers and the other members of the executive committee in guiding this fine organization.•

DETROIT MOUNTED POLICE: A CENTURY OF PRIDE, A CENTURY OF SERVICE

• Mr. LEVIN. Mr. President and colleagues, this year marks the 100th anniversary of the founding of the Detroit Mounted Police. This milestone was celebrated on August 27, at the opening ceremonies of the Michigan State Fair. As one who was born and raised in Detroit, I can remember clearly as a child watching these proud officers as they rode their horses in parades and other ceremonial and special events.

What is often overlooked, however, is that they serve a very pragmatic purpose, too: They are responsible for patrolling Belle Isle, Palmer Park, and some of the other key areas in my hometown. And they have served with distinction, providing security on more than one occasion for Presidents of the United States and other important dignitaries who come to Detroit.

Inspector Patrick Muscat and his mounted police have much to be proud of. Their drill team is recognized as one of the best in the Nation. What is not as well known, however, is the role these officers perform, both on and off duty, in community relations. They are indeed our premier goodwill ambassadors, to our young people in Detroit as well as to our newcomers and visitors to Detroit. I am proud of them, as are all who know them and their work.•

AMERICA TURNS INWARD

• Mr. GRAHAM. Mr. President, I ask to insert in the RECORD Mr. Adrian Karatnycky's article "America Turns Inward." Mr. Karatnycky is executive director of Freedom House, a human rights and public policy organization, who promotes democracy in Cuba and around the world.

The article follows:

[From the Washington Post, Aug. 22, 1993]

(By Adrian Karatnycky)

AMERICA TURNS INWARD

Two years after the collapse of the August coup and the unraveling of the Soviet Union confirmed America's status as the last supervisor, U.S. commitment to an engaged foreign policy is in question.

In Congress, the mood is one of retreat. This summer, the House of Representatives voted overwhelmingly to defund the National Endowment for Democracy, supported deep reductions in U.S. international broadcasting and voted to pare down funding for United Nations' blue helmets. In the House and Senate, "deficit hawks" have put in question the capacity of the United States to constructively influence international progress toward democracy and market economies. America's private foundations, too, are turning inward. The Journal of Philanthropy reports foundation support for international affairs has plummeted by 50 percent in the past year.

With the disappearance of the Soviet threat, the glue that held together the postwar foreign policy consensus is gone. Congressional leaders are deeply worried by open hostility to foreign aid, particularly among new members of Congress. Public confidence in traditional foreign policy institutions and leaders is in acute decline. A public opinion poll conducted last year showed that two-thirds of Americans believe the country cannot afford to fund foreign aid.

The public mood is given impetus by the failure of leadership. Undersecretary of State Tarnoff has suggested U.S. engagement in the world is constrained by declining economic power. At State, a mood of pessimism reigns as officials ponder a shrinking foreign aid budget that means declining U.S. influence abroad. The U.S. Agency for International Development will soon announce a consolidation of its missions, resulting in a reduced U.S. aid and development presence abroad. Increasingly, U.S. foreign aid is focused on three countries—Russia, Israel and Egypt.

While development aid, international radio broadcasting and the National Endowment for Democracy all face deep cuts, the budget of the Central Intelligence Agency has avoided the budget ax and stands at $27.5 billion, more than three times what is spent on development aid and democracy. Apparently, America's capacity to monitor political events remains intact, even as our capacity to favorably influence development falls victim to budget cutting.

Congressional hostility to foreign aid has ripened on the fertile soil of public resentment at past follies, including theft by corrupt Third World dictators. Ironically, the collapse of the 1991 coup in the Soviet Union means the United States is less beholden to such tyrants and can allocate assistance on merit and without reference to the Cold War power balance.

Yet instead of embracing opportunities offered by Soviet collapse, Congress has cut worthy, cost-effective programs that help strengthen democratic movements and groups in Asia, Africa, Latin America and the former Soviet Union.

The new mood in Congress and among the foreign policy elite cannot be characterized as isolationism. Objectionable and dangerous as isolationism was, it represented a coherent set of ideas about America and the world. In an earlier age, isolationism declared that America was strong enough, remote enough and large enough to withstand the tumult and conflict that was sweeping the world.

The new disengagement lacks even such a coherent—if flawed—framework. The proponents of reduced foreign aid and pro-democracy efforts do not say it is time for America to come home. Rather they see their assault on U.S. engagement overseas as a means to cut the deficit.

Despite the fact that U.S. peacekeepers in Somalia have cost hundreds of millions of dollars and that the raid on Baghdad cost a half-billion more, Congress believes it economically sound to cut a few tens of millions of dollars that could help democrats in their struggle against dictators like Saddam Hussein and Somalia's warlord Gen. Farah Aideed.

Ironically, U.S. retreat from the world will in the long run prove profoundly dangerous and expensive. From Sarajevo in Eastern Europe to Sukhumi in the Caucasus; from the Sudan to the Tajik-Afghan border, violence and warfare are on the ascent, while democracy and rule of law are under siege. In a number of former Soviet republics—including Azerbaijan, Lithuania, Tajikistan, Kazakhstan, and Uzbekistan—ex-Communists are once again firmly in control. And if democracy fails in Russia and Ukraine, we may once again confront a powerful military adversary.

China, Cuba, Syria, Indonesia and other dictatorships have taken notice of Western passivity to mount a cohesive and wide-ranging effort to erode international human rights standards at the recently concluded U.N. Human Rights Conference in Vienna.

Recently, one Washington foreign policy hand observed that with the collapse of the Soviet Union "we have gone from a two-superpower world to a no superpower world." In our still dangerous and conflict-ridden world, America cannot afford to surrender its status as the last superpower. It must reassume the mantle of leadership in the struggle to promote democracy and freedom. Otherwise, we and the world will pay a price that dwarfs the calculations of the accountants who now dominate our foreign policy debate.●

UNFUNDED FEDERAL MANDATES

● Mr. LUGAR. Mr. President, today in the city of Evansville, IN, community leaders from across my State have gathered to issue a call to Congress to put an end to unfunded Federal mandates. For too many years, Federal legislators in Washington, DC, have passed the cost of Federal programs on to State and local governments. Congress needs to put its money where its mouth is when it comes to imposing financially burdensome regulations on State and local governments.

I am pleased to join my colleague, Senator DIRK KEMPTHORNE, in promoting S. 993, the Community Regulatory Relief Act. This legislation would exempt State and local governments from new Federal regulations that were determined to be unfunded by the Congressional Budget Office [CBO]. Having served as the mayor of Indianapolis for eight years, I am personally familiar with the burden local officials face when scrambling to pay for Congress' new programs.

Mr. President, I would like to include in the RECORD the following resolution issued by Indiana officials today:

Whereas, unfunded mandates on State and local governments have increased significantly in recent years;

Whereas, Federal mandates require cities and towns to perform duties without consideration of local circumstances or capacity;

Whereas, local projects and needed services have been eliminated or postponed because the United States Congress has increased unfunded mandates and regulatory control while reducing financial assistance;

Whereas, executive Federal burdens on municipal governments force some combination of higher local taxes and fees and/or reduced local services;

Whereas, Indiana municipal officials do not wish to see municipalities reduced to custodial outposts for the Federal government's policies; and

Whereas, the National League of Cities, the Indiana Association of Cities and Towns as well as other State and local government organizations have begun a national public education campaign to help citizens understand the issue, beginning with a National Unfunded Mandates Day, October 27, 1993: Now, therefore, be it

Resolved, That the Indiana Association of Cities and Towns supports actions to inform the citizens and taxpayers about the devastating impact of these mandates on local discretionary spending for sorely needed improvements: Be it further

Resolved, That the Indiana Association of Cities and Towns calls upon our State and Federal representatives to heed our call and support legislation to curtail such unfunded mandates.●

COMMITTEE TO ESCORT THE PRESIDENT TO THE JOINT SESSION

Mr. MITCHELL. Mr. President, I ask unanimous consent that the President of the Senate be authorized to appoint a committee on the part of the Senate to join with a like committee on the part of the House of Representatives to escort the President of the United States into the House Chamber for the joint session this evening.

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

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider the following nominations:

Calendar Nos. 364, 365 and 366.

I further ask unanimous consent that the nominees be confirmed, en bloc; that any statements appear in the RECORD as if read; that upon confirmation, the motions to reconsider be laid upon the table, en bloc, that the President be immediately notified of the Senate's action, and that the Senate return to legislative session.

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

The nominations, considered and confirmed, en bloc, are as follows:

DEPARTMENT OF STATE

Hazel Rollins O'Leary, of Minnesota, to be the Representative of the United States of America to the 37th session of the General Conference of the International Atomic Energy Agency.

Ivan Selin, of the District of Columbia, to be an Alternate Representative of the United States of America to the 37th session of the General Conference of the International Atomic Energy Agency.

Jane E. Becker of the District of Columbia, to be an Alternate Representative of the United States of America to the 37th session of the General Conference of the International Atomic Energy Agency.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order the Senate will now return to legislative session.

FEDERAL TRADE COMMISSION ACT AMENDMENTS OF 1993

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 187, S. 1179, the Federal Trade Commission authorization bill, that the committee amendments be agreed to, and the bill advanced to third reading, and that statements by Senators BRYAN and HOLLINGS be inserted in the RECORD at the appropriate place, as if read.

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

The Senate proceeded to the consideration of the bill (S. 1179) to amend the Federal Trade Commission Act to provide authorization of appropriations, and for other purposes, which had been reported from the Committee on Commerce, Science, and Transportation with amendments; as follows:

(The parts of the bill intended to be stricken are shown in boldface brackets, and the parts of the bill intended to be inserted are shown in italic.)

S. 1179

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 Trade Commission Act Amendments of 1993".

SEC. 2. UNFAIR METHODS OF COMPETITION.

Section 5 of the Federal Trade Commission Act (15 U.S.C. 45) is amended by adding at the end the following new subsection:

"(n) The Commission shall not have any authority to find a method of competition to be an unfair method of competition under subsection (a)(1) if, in any action under the Sherman Act (15 U.S.C. 1 et seq.), such method of competition would be held to constitute State action.".

SEC. 3. AGRICULTURAL COOPERATIVES.

The Federal Trade Commission Act (15 U.S.C. 41 et seq.) is amended by redesignating sections 24 and 25 as sections 26 and 27, respectively, and by inserting immediately after section 23 the following new section:

"SEC. 24. (a) The Commission shall not have any authority to conduct any study, investigation, or prosecution of any agricultural cooperative for any conduct which, because of the provisions of the Act entitled 'An Act to authorize association of producers

of agricultural products', approved February 18, 1922 (7 U.S.C. 291 et seq., commonly known as the Capper-Volstead Act), is not a violation of any of the antitrust Acts or this Act.

"(b) The Commission shall not have any authority to conduct any study or investigation of any agricultural marketing orders.".

SEC. 4. COMPENSATION IN PROCEEDINGS.

(a) REPEAL.—Section 18(h) of the Federal Trade Commission Act (15 U.S.C. 57a(h)) is repealed, and subsections (i), (j), and (k) of section 18 are redesignated as subsections (h), (i), and (j), respectively.

(b) CONFORMING AMENDMENT.—Section 18(a)(1) of the Federal Trade Commission Act (15 U.S.C. 57a(a)(1)) is amended by striking "subsection (i)" and inserting in lieu thereof "subsection (h)".

SEC. 5. KNOWING VIOLATIONS OF ORDERS.

(a) EXCEPTION FOR CONSENT ORDERS.—Section 5(m)(1)(B) of the Federal Trade Commission Act (15 U.S.C. 45(m)(1)(B)) is amended by inserting ", other than a consent order," immediately after "order" the first time it appears.

(b) REVIEW OF DETERMINATIONS OF LAW.—Section 5(m)(2) of the Federal Trade Commission Act (15 U.S.C. 45(m)(2)) is amended by adding at the end of the following: "Upon request of any party to such an action against such defendant, the court shall also review the determination of law made by the Commission in the proceeding under subsection (b) that the act or practice which was the subject of such proceeding constituted an unfair or deceptive act or practice in violation of subsection (a).".

SEC. 6. PREVALENCE OF UNLAWFUL ACTS OR PRACTICES.

Section 18(b) of the Federal Trade Commission Act (15 U.S.C. 57a(b)) is amended by adding at the end the following new paragraph:

"(3) The Commission shall issue a notice of proposed rulemaking pursuant to paragraph (1)(A) only where it has reason to believe that the unfair or deceptive acts or practices which are the subject of the proposed rulemaking are prevalent. The Commission shall make a determination that unfair or deceptive acts or practices are prevalent under this paragraph only if it has issued cease and desist orders regarding such acts or practices, or any other information available to the Commission indicates a pattern of unfair or deceptive acts or practices.".

SEC. 7. EFFECTIVE DATE OF ORDERS.

(a) ORDERS SUBJECT TO PETITION FOR REVIEW.—Section 5(g)(2) of the Federal Trade Commission Act (15 U.S.C. 45(g)(2)) is amended to read as follows:

"(2) Except as to any order provision subject to paragraph (4), upon the sixtieth day after such order is served, if a petition for review has been duly filed; except that any such order may be stayed, in whole or in part and subject to such conditions as may be appropriate, by—

"(A) the Commission;

"(B) an appropriate court of appeals of the United States, if (i) a petition for review of such order is pending in such court, and (ii) an application for such a stay was previously submitted to the Commission and the Commission, within the thirty-day period beginning on the date the application was received by the Commission, either denied the application or did not grant or deny the application; or

"(C) the Supreme Court, if an applicable petition for certiorari is pending; or".

(b) ORDERS SUBJECT TO SECTIONS 5(m)(1)(B) AND 19(a)(2) OF FTCA.—Section 5(g)(3) of the Federal Trade Commission Act (15 U.S.C. 45(g)(3)) is amended to read as follows:

"(3) For purposes of subsection (m)(1)(B) and of section 19 (a)(2), if a petition for review of the order of the Commission has been filed—

"(A) upon the expiration of the time allowed for filing a petition for certiorari, if the order of the Commission has been affirmed or the petition for review has been dismissed by the court of appeals and no petition for certiorari has been duly filed;

"(B) upon the denial of a petition for certiorari, if the order of the Commission has been affirmed or the petition for review has been dismissed by the court of appeals; or

"(C) upon the expiration of thirty days from the date of issuance of a mandate of the Supreme Court directing that the order of the Commission be affirmed or the petition for review be dismissed; or".

(c) DIVESTITURE ORDERS.—Section 5(g)(4) of the Federal Trade Commission Act (15 U.S.C. 45(g)(4)) is amended to read as follows:

"(4) In the case of an order provision requiring a person, partnership, or corporation to divest itself of stock, other share capital, or assets, if a petition for review of such order of the Commission has been filed—

"(A) upon the expiration of the time allowed for filing a petition for certiorari, if the order of the Commission has been affirmed or the petition for review has been dismissed by the court of appeals and no petition for certiorari has been duly filed;

"(B) upon the denial of a petition for certiorari, if the order of the Commission has been affirmed or the petition for review has been dismissed by the court of appeals; or

"(C) upon the expiration of thirty days from the date of issuance of a mandate of the Supreme Court directing that the order of the Commission be affirmed or the petition for review be dismissed.".

SEC. 8. CIVIL INVESTIGATIVE DEMANDS.

(a) DEFINITIONS.—Section 20(a) of the Federal Trade Commission Act (15 U.S.C. 57b-1(a)) is amended—

(1) in paragraph (2), by inserting ", or in any antitrust violations" immediately after "section 5(a)(1))";

(2) in paragraph (3), by inserting "or any provisions relating to antitrust violations" immediately after "section 5(a)(1))";

(3) in paragraph (7), by inserting ", or any antitrust violation" immediately after "section 5(a)(1))"; and

(4) by adding at the end the following new paragraph:

"(8) The term 'antitrust violation' means any unfair method of competition (within the meaning of section 5(a)(1)); any violation of the Clayton Act; any violation of any other Federal statute that prohibits, or makes available to the Commission a civil remedy with respect to, any restraint upon or monopolization of interstate or foreign trade or commerce; or any activity in preparation for a merger, acquisition, joint venture, or similar transaction, which if consummated, may result in such an unfair method of competition or violation.".

(b) ISSUANCE OF DEMAND.—(1) Section 20 (c)(1) of the Federal Trade Commission Act (15 U.S.C. 57b-1 (c)(1)) is amended—

(A) by inserting "or tangible things" immediately after "documentary material" the first place it appears;

(B) by inserting "or to antitrust violations," immediately after "section 5 (a)(1)),"; and

(C) by inserting "to submit such tangible things," immediately after "copying or reproduction,".

(2) Section 20(c) of the Federal Trade Commission Act (15 U.S.C. 57b-1 (c)) is amended—

(A) by redesignating paragraphs (4), (5), (6), (7), (8), (9), (10), (11), and (12) as paragraphs (5), (6), (7), (8), (9), (10), (11), (13), and (14), respectively;

(B) by inserting immediately after paragraph (3) the following new paragraph:

"(4) Each civil investigative demand for the submission of tangible things shall—

"(A) describe each class of tangible things to be submitted under the demand with such definiteness and certainty as to permit such things to be fairly identified;

"(B) prescribe a return date or dates which will provide a reasonable period of time within which the things so demanded may be assembled and submitted; and

"(C) identify the custodian to whom such things shall be [submitted,",] *submitted.*"; and

(C) by inserting immediately after paragraph (11), as so redesignated, the following new paragraph:

"(12) The submission of tangible things in response to a civil investigative demand shall be made under a sworn certificate, in such form as the demand designates, by the person to whom the demand is directed or, if not a natural person, by any person having knowledge of the facts and circumstances relating to such production, to the effect that all of the physical evidence required by the demand and in the possession, custody, or control of the person to whom the demand is directed has been submitted to the custodian.".

(c) APPLICABILITY OF SECTION 20 OF FTCA.—Section 20(j)(1) of the Federal Trade Commission Act (15 U.S.C. 57b-1(j)(1)) is amended by inserting immediately before the semicolon the following: ", any proceeding under section 11(b) of the Clayton Act (15 U.S.C. 21(b)), or any adjudicative proceeding under any other provision of law".

SEC. 9. COMMISSION CUSTODY OF TANGIBLE THINGS.

Section 21 of the Federal Trade Commission Act (15 U.S.C. 57b-2) is amended—

(1) in subsection (a)(1), by inserting "tangible things," immediately after "documentary material,";

(2) in subsection (b)(1), by inserting ", tangible thing," immediately after "document";

(3) in subsection (b)(2)(A), by inserting "tangible things," immediately after "material,";

(4) in subsection (b)(3)—

(A) in subparagraph (A), by inserting "tangible things," immediately after "documentary material,";

(B) in subparagraph (B), by inserting ", and may make tangible things available," immediately after "oral testimony"; and by inserting ["things,"], *things,* immediately after "such [material,",] *material*";

(C) in subparagraph (C), by inserting "tangible things," immediately after "documentary material,"; and

(D) in subparagraph (D), by inserting ", tangible things," immediately after "documentary material";

(5) in subsection (b)(4), by inserting "tangible things," immediately after "documentary material,";

(6) in subsection (b)(5), by inserting "tangible things," immediately after "documentary material,";

(7) in subsection (b)(6)—

(A) by inserting immediately after the first sentence the following new sentence: "The custodian of any tangible things may make such things available for inspection to such persons on the same basis."; and

(B) by inserting "results of inspections of tangible things," immediately after ["such] "*Such* documentary material,"; and

(8) in subsection (b)(7), by inserting "tangible things," immediately after "documentary material,".

SEC. 10. DEFINITION OF UNFAIR ACTS OR PRACTICES.

Section 5 of the Federal Trade Commission Act (15 U.S.C. 45), as amended by section 2 of this Act, is further amended by adding at the end the following new subsection:

"(o) The Commission shall have no authority under this section or section 18 to declare unlawful an act or practice on the grounds that such act or practice is unfair unless the act or practice causes or is likely to cause substantial injury to consumers which is not reasonably avoidable by consumers themselves and not outweighed by countervailing benefits to consumers or to competition.".

SEC. 11. COMMERCIAL ADVERTISING.

Section 18(h) of the Federal Trade Commission Act (15 U.S.C. 57a(h)), as so redesignated in section 4(a) of this Act, is amended by adding at the end the following: "The Commission shall have no authority under this section to initiate any new rulemaking proceeding which is intended to or may result in the promulgation of any rule by the Commission which prohibits or otherwise regulates any commercial advertising on the basis of a determination by the Commission that such commercial advertising constitutes an unfair act or practice in or affecting commerce.".

SEC. 12. VENUE AND SERVICE OF PROCESS.

(a) AUTHORITY TO SERVE CERTAIN PERSONS.—(1) Section 13(a) of the Federal Trade Commission Act (15 U.S.C. 53(a)) is amended by striking the last sentence and inserting in lieu thereof the following: "Any suit may be brought where such person, partnership, or corporation resides or transacts business, or wherever venue is proper under section 1391 of title 28, United States Code. In such a suit, the court may, if the court determines that the interests of justice require that any other person, partnership, or corporation should be a party in such suit, cause such other person, partnership, or corporation to be summoned without regard to whether it resides or transacts business in the district in which the suit is brought. In any suit under this section, process may be served on any person, partnership, or corporation wherever it may be found.".

(2) Section 13(b) of the Federal Trade Commission Act (15 U.S.C. 53(b)) is amended by striking the last sentence and inserting in lieu thereof the following: "Any suit may be brought where such person, partnership, or corporation resides or transacts business, or wherever venue is proper under section 1391 of title 28, United States Code. In such a suit, the court may, if the court determines that the interests of justice require that any other person, partnership, or corporation should be a party in such suit, cause such other person, partnership, or corporation to be summoned without regard to whether it resides or transacts business in the district in which the suit is brought. In any suit under this section, process may be served on any person, partnership, or corporation wherever it may be found.".

(b) PROCEDURES FOR SERVING PROCESS.—Section 13 of the Federal Trade Commission Act (15 U.S.C. 53) is amended—

(1) by redesignating subsection (c) as subsection (d); and

(2) by inserting immediately after subsection (b) the following new subsection:

"(c) Any process of the Commission under this section may [by] *be* served by any person duly authorized by the Commission—

"(1) by delivering a copy of such process to the person to be served, to a member of the partnership to be served, or to the president, secretary, or other executive officer or a director of the corporation to be served;

"(2) by leaving a copy of such process at the residence or the principal office or place of business of such person, partnership, or corporation; or

"(3) by mailing a copy of such process by registered mail or certified mail addressed to such person, partnership, or corporation at his, or her, or its residence, principal office, or principal place or business.

The verified return by the person serving such process setting forth the manner of such service shall be proof of the same.".

SEC. 13. REPORT ON RESALE PRICE MAINTENANCE.

(a) REPORT TO CONGRESS.—The Federal Trade Commission shall submit to the Committee on Commerce, Science, and Transportation of the Senate and to the Committee on Energy and Commerce of the House of Representatives the information specified in subsection (b) every six months during each of the fiscal years 1994, 1995, and 1996. Each such report shall contain such information for the period since the last submission under this section.

(b) CONTENTS OF REPORT.—Each such report shall list and [described,] *describe,* with respect to instances in which resale price maintenance has been suspected or alleged—

(1) each complaint made, orally or in writing, to the offices of the Commission;

(2) each preliminary investigation opened or closed at the Commission;

(3) each formal investigation opened or closed at the Commission;

(4) each recommendation for the issuance of a [compliant] *complaint* forwarded by the staff to the Commission;

(5) each complaint issued by the Commission pursuant to section 5 of the Federal Trade Commission Act (15 U.S.C. 45);

(6) each opinion and order entered by the Commission;

(7) each consent agreement accepted provisionally or finally by the Commission;

(8) each request for modification of an outstanding Commission order filed with the Commission;

(9) each recommendation by staff pertaining to a request for modification of an outstanding Commission order; and

(10) each disposition by the Commission of a request for modification of an outstanding Commission order.

Such report shall include the sum total of matters in each category specified in paragraphs (1) through (10), and copies of all such consent agreements and complaints executed by the Commission. Where a matter has been closed or terminated, the report shall include a statement of the reasons for that disposition. The description required under this subsection shall be as complete as possible but shall not reveal the identity of persons or companies making the complaint or those complained about or those subject to investigation that have not otherwise been made public.

SEC. 14. REPORT ON PREDATORY PRICING PRACTICES.

(a) REPORT TO CONGRESS.—The Federal Trade Commission shall submit to the Committee on Commerce, Science, and Transportation of the Senate and to the Committee on Energy and Commerce of the House of Representatives the information specified in subsection (b) every six months during each of the fiscal years 1994, 1995, and 1996. Each such report shall contain such information for the period since the last submission under this section.

(b) CONTENTS OF REPORT.—Each such report shall list and describe, with respect to instances in which predatory pricing practices have been suspected or alleged—

(1) each complaint made, orally or in writing, to the offices of the Commission;

(2) each preliminary investigation opened or closed at the Commission;

(3) each formal investigation opened or closed at the Commission;

(4) each recommendation for the issuance of a complaint forwarded by the staff to the Commission;

(5) each complaint issued by the Commission;

(6) each opinion and [other] *order* entered by the Commission;

(7) each consent agreement accepted provisionally or finally by the Commission;

(8) each request for modification of an outstanding Commission order filed with the Commission;

(9) each recommendation by staff pertaining to a request for modification of an outstanding Commission order; and

(10) each disposition by the Commission of a request for modification of an outstanding Commission order.

Such report shall include copies of all such consent agreements and complaints executed by the Commission referred to in such report. Where a matter has been closed or terminated, the report shall include a statement of the reasons for that disposition. The descriptions required under this subsection shall be as complete as possible but shall not reveal the identity of persons or companies making the complaint or those complained about or those subject to investigation that have not otherwise been made public. The report shall include any evaluation by the Commission of the potential impacts of predatory pricing upon businesses (including small businesses).

SEC. 15. INTERVENTION BY COMMISSION IN CERTAIN PROCEEDINGS.

(a) LIMITATION ON USE OF AUTHORIZED FUNDS.—The Federal Trade Commission shall not have any authority to use any funds which are authorized to be appropriated to carry out the Federal Trade Commission Act (15 U.S.C. 41 et seq.) for fiscal years 1994, 1995, and 1996, for the purpose of submitting statements to, appearing before, or intervening in the proceedings of, any Federal or State agency or State legislative body concerning proposed rules or legislation that the agency or legislative body is considering unless the Commission advises the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Energy and Commerce of the House of Representatives regarding such action as soon as possible.

(b) CONTENTS OF NOTICE TO CONGRESS.—The notice required in subsection (a) shall include the name of the agency or legislator involved, the date of such action, and a concise statement regarding the nature and purpose of such action.

SEC. 16. RESOURCE ALLOCATION STUDY.

The Federal Trade Commission shall conduct an evaluation of the level of its personnel resources and the manner in which such resources are allocated. The Commission shall study—

(1) whether overall resources at the Commission are adequate to fulfill the Commission's responsibilities in the areas of competition and consumer protection;

(2) the distribution of personnel to individual offices of commissioners, departments, bureaus, and other units within the Commission, and whether the current allocation of

personnel most efficiently enables the Commission to fulfill its statutory mandate;

(3) the number of personnel in supervisory positions, contrasted with those personnel in nonsupervisory positions; and

(4) whether the amount of workyears devoted to research activities should be increased, and what results (if any) such an increase would produce.

The Commission shall transmit the results of such study, together with any recommendations that the Commission determines appropriate, to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Energy and Commerce of the House of Representatives not later than six months after the date of enactment of this Act.

SEC. 17. FEDERAL-STATE COOPERATION.

The Federal Trade Commission shall review its statutory responsibilities to identify those matters within its jurisdiction where Federal enforcement is particularly necessary or desirable, and those areas that might more effectively be enforced at the State or local level. In identifying such areas, the Commission shall—

(1) consider the resources available to the Commission and the States, as well as particular rules that have been promulgated by the Commission;

(2) consult with the attorneys general of the States, representatives of consumers and industry, and other interested parties; and

(3) consider such other issues as will result in more efficient implementation of the statutory responsibilities of the Commission.

Not later than six months after the date of enactment of this Act, the Federal Trade Commission shall transmit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Energy and Commerce of the House of Representatives the information identified in paragraphs (1) through (3), together with specific recommendations for methods of achieving greater cooperation between the Commission and the States.

SEC. 18. CREDIT REPAIR ORGANIZATIONS AND LOAN BROKERS.

(a) DEFINITIONS.—In this section, the following terms apply:

(1)(A) The term "advance fee" means any fee (including any advance payment of interest or other fees for any extension of consumer credit) which is assessed or collected by a loan broker from any person seeking the consumer credit before the extension of such credit.

(B) The term "advance fee" does not include—

(i) any amount that the loan broker can demonstrate is collected solely for the purpose of payment to unaffiliated, third party vendors for actual expenses incurred and payable before the extension of any consumer credit; or

(ii) any application fee or other charge assessed or collected—

(I) by a retail seller of property that is primarily for personal, family, or household purposes or automobiles; and

(II) in connection with a consumer credit transaction in which a purchase money security interest arising under an installment sales contract (or any equivalent consensual security interest) is created or retained against any such property or automobile being sold by the retail seller to the person seeking the extension of credit.

(2) The terms "consumer" and "credit" have the meanings given to such terms in section 103 of the Truth in Lending Act (15 U.S.C. 1602).

(3)(A) The term "credit repair organization" means any person who sells, provides, or performs, or represents that such person can or will sell, provide, or perform, in return for the payment of money or other valuable consideration, a service for the express or implied purpose of—

(i) improving a consumer's credit record, history, or rating; or

(ii) providing advice or assistance to a consumer with regard to the consumer's credit record, history, or rating.

(B) The term "credit repair organization" does not include—

(i) a depository institution whose deposits are insured by the Federal Deposit Insurance Corporation, the Federal Savings and Loan Insurance Corporation, or the National Credit Union Administration Board, or a depository institution chartered by a State;

(ii) any nonprofit organization exempt from taxation under section 501(c)(3) of the Internal Revenue Code;

(iii) a licensed real estate broker acting within the course and scope of that license;

(iv) a licensed attorney at law rendering services within the course and scope of that license;

(v) any broker-dealer registered with the Securities and Exchange Commission or the Commodity Futures Trading Commission acting within the scope of the Securities and Exchange Commission or the Commodity Futures Trading Commission regulations;

(vi) any consumer reporting agency acting within the course and scope of this title; or

(vii) any debt collector as defined in section 803 of the Fair Debt Collection Practices Act (15 U.S.C. 1692a), acting within the course and scope of that Act.

(4)(A) The term "loan broker" means any person who—

(i) for, or in expectation of, a consideration, arranges or attempts to arrange or offers to find for any individual, consumer credit;

(ii) for, or in expectation of, a consideration, assists or advises an individual on obtaining, or attempting to obtain, consumer credit; or

(iii) acts or purports to act for, or on behalf of, a loan broker for the purpose of soliciting individuals interested in obtaining consumer credit.

(B) The term "loan broker" does not include—

(i) any insured depository institution (as defined in section 3(c)(2) of the Federal Deposit Insurance Act; 12 U.S.C. 1813(c)(2)), any insured credit union (as defined in section 101(7) of the Federal Credit Union Act; 12 U.S.C. 1752(7)), or any depository institution which is eligible for deposit insurance under the Federal Deposit Insurance Act or the Federal Credit Union Act and has deposit insurance coverage provided by any State;

(ii) any lender approved by the Federal Housing Administration, Farmers Home Administration, or Department of Veterans Affairs;

(iii) any seller or servicer of mortgages approved by the Federal National Mortgage Association or the Federal Home Loan Mortgage Corporation; or

(iv) any consumer finance company, retail installment sales company, securities broker or dealer, real estate broker or real estate salesperson, attorney, credit card company, installment loan licensee, mortgage broker or lender, or insurance company if such person is—

(I) licensed by and subject to regulation or supervision by any agency of the United States or by the State in which the person seeking to utilize the services of the loan broker resides; and

(II) is acting within the scope of that license or regulation.

(b) PROHIBITED PRACTICES OF CREDIT REPAIR ORGANIZATIONS.—A credit repair organization shall not charge or receive any money or other valuable consideration prior to completion of the services that the credit repair organization has agreed to perform for the consumer and that are described in subsection (a)(1).

(c) PROHIBITED PRACTICES OF LOAN BROKERS.—(1) No loan broker may receive an advance fee in connection with—

(A) arranging or attempting to arrange consumer credit;

(B) offering to find for any individual consumer credit; or

(C) advising any individual as to how to obtain consumer credit.

(2) No loan broker may—

(A) make or use any false or misleading representations or omit any material fact in the offer or sale of the service of a loan broker; or

(B) engage, directly or indirectly, in any act that operates or would operate as fraud or deception upon any person in connection with the offer or sale of the services of a loan broker, notwithstanding the absence of reliance by the person to whom the loan broker's services are offered or sold.

(d) ENFORCEMENT BY FEDERAL TRADE COMMISSION.—Any violation of this section shall—

(1) be treated as a violation of a rule of the Federal Trade Commission issued pursuant to section 18(a)(1)(B) of the Federal Trade Commission Act (15 U.S.C. 57a(a)(1)(B)); and

(2) be subject to enforcement by the Federal Trade Commission under the enforcement and penalty provisions applicable to violations of such rules.

(e) CRIMINAL PENALTY.—(1) Whoever knowingly violates subsection (b) or (c) shall be fined under title 18, United States Code, imprisoned for not more than five years, or both.

(2) Section 981(a)(1)(C) of title 18, United States Code, is amended—

(A) by striking "title or a violation" and inserting in lieu thereof "title, a violation"; and

(B) by inserting ", or a violation of section 18 (b) or (c) of the Federal Trade Commission Act Amendments of 1993" immediately before the period.

(3) For purposes of section 3005(a) of title 39, United States Code, a violation of subsection (b) or (c) of this section by any person shall constitute prima facie evidence that such person is engaged in conducting a scheme or device for obtaining money or property through the mail by means of false representations.

SEC. 19. AUTHORIZATION OF APPROPRIATIONS.

Section 25 of the Federal Trade Commission Act, as so redesignated by section 3 of this Act, is amended—

(1) by striking "and" after "1981;"; and

(2) by inserting immediately before the period at the end the following: "; not to exceed $88,000,000 for the fiscal year ending September 30, 1994; not to exceed $92,000,000 for the fiscal year ending September 30, 1995; and not to exceed $95,000,000 for the fiscal year ending September 30, 1996, and such additional sums for the fiscal years ending September 30, 1994, and September 30, 1995, as may be necessary for increases in salary, pay, and other employee benefits as authorized by law".

SEC. 20. EFFECTIVE DATE; APPLICABILITY.

(a) IN GENERAL.—Except as provided in subsections (b), (c), (d), (e), and (f), the provisions of this Act shall take effect on the date of enactment of this Act.

(b) APPLICABILITY OF SECTION 2.—The amendment made by section 2 of this Act shall apply only with respect to proceedings under section 5 of the Federal Trade Commission Act (15 U.S.C. 45) after the date of enactment of this Act. This amendment shall not be construed to affect in any manner a cease and desist order which was issued, or a rule which was promulgated, before the date of enactment of this Act. This amendment shall not be construed to affect in any manner a cease and desist order issued after the date of enactment of this Act, if such order was issued pursuant to remand from a court of appeals or the Supreme Court of an order issued by the Federal Trade Commission before the date of enactment of this Act.

(c) APPLICABILITY OF SECTIONS 6 AND 11.—The amendments made by sections 6 and 11 of this Act shall apply only to rulemaking proceedings initiated after the date of enactment of this Act. These amendments shall not be construed to affect in any manner a rulemaking proceeding which was initiated before the date of enactment of this Act.

(d) APPLICABILITY OF SECTION 7.—The amendments made by section 7 of this Act shall apply only with respect to cease and desist orders issued under section 5 of the Federal Trade Commission Act (15 U.S.C. 45) after the date of enactment of this Act. These amendments shall not be construed to affect in any manner a cease and desist order which was issued before the date of enactment of this Act.

(e) APPLICABILITY OF SECTIONS 8 AND 9.—The amendments made by sections 8 and 9 of this Act shall apply only with respect to compulsory process issued after the date of enactment of this Act.

(f) APPLICABILITY OF SECTION 10.—The amendments made by section 10 of this Act shall apply only with respect to cease and desist orders issued under section 5 of the Federal Trade Commission Act (15 U.S.C. 45), or to rules promulgated under section 18 of the Federal Trade Commission Act (15 U.S.C. 57a), after the date of enactment of this Act. These amendments shall not be construed to affect in any manner a cease and desist order which was issued, or a rule which was promulgated, before the date of enactment of this Act. These amendments shall not be construed to affect in any manner a cease and desist order issued after the date of enactment of this Act, if such order was issued pursuant to remand from a court of appeals or the Supreme Court of an order issued by the Federal Trade Commission before the date of enactment of this Act.

So, the committee amendments were agreed to.

Mr. HOLLINGS. Mr. President, as chairman of the Commerce Committee, I heartily endorse S. 1179, legislation to reauthorize the Federal Trade Commission [FTC]. The FTC is one of the Nation's most vital consumer protection agencies. Its duties include protecting consumers from unfair and deceptive acts and practices and safeguarding the markets from anticompetitive behavior.

For over 10 years, Congress has attempted to reauthorize the FTC. The Commerce Committee has reported legislation to authorize the FTC in each Congress since the expiration of the FTC's last authorization in 1982. The legislation being considered by the Senate today is virtually identical to bills passed by the Senate in the 99th, 100th and 101st Congresses.

We all are aware that there are disagreements between Members of the House and Senate over issues relating to the agency's authorization. It is time that these matters are resolved in conference with the House on the differing versions of the authorization bills. Thus, I hope that we can act quickly to pass this bill, and move to conference expeditiously.

Mr. DANFORTH. Mr. President, I am pleased to join Senators BRYAN and GORTON in supporting S. 1179, the Federal Trade Commission Act Amendments of 1993. The Federal Trade Commission [FTC] has operated without an authorization since 1982. Since that time, efforts to resolve the differences between House and Senate FTC bills have failed in conference. As a result, many important issues regarding the FTC's mission have been addressed during the appropriations process.

The principal issue facing the Commission is how best to focus its resources. During the 1970's, the FTC initiated controversial rulemakings regarding commercial advertising. Congress responded by prohibiting these rulemakings. Under the leadership of FTC Chairman Janet Steiger, the FTC has concentrated more of its resources on individual transactions and practices in recent years. Much of this effort has been in the form of challenges to mergers and consumer fraud, and the imposition of civil penalties for violations of rules.

S. 1179 provides guidance to the Commission on how to allocate its resources. For example, the legislation restates the long-standing, bipartisan position of the Senate Commerce Committee that the Commission not be permitted to use its unfairness authority to promulgate industry-wide trade regulations on commercial advertising. Such rulemakings could ban otherwise truthful and nondeceptive advertising because the Commission objects to such ads. While the current Commission likely would not abuse this authority, that is no guarantee that this virtually unlimited authority would not be used by an FTC composed of different individuals whose objectives went far beyond the basic mandate of policing advertising to ensure that it is truthful and nondeceptive.

This bill also contains two provisions that address recent developments in consumer protection. First, the advance fee loan scam is a new method by which scam artists prey on unsuspecting consumers tempted by offers of easy credit. This scam involves the inducement of a consumer to pay a substantial fee prior to receiving a loan. According to the FTC, legitimate banks do not require such fees, which can be as high as $500. After receiving this fee, the scam artist disappears, and no loan is forthcoming.

The second issue is credit doctors, who promise to eliminate negative information in a consumer credit report, such as late payments on an account or a bankruptcy. Payment of between $200 and $1,500 is demanded up front, after which the consumer is assured that his credit record will be cleaned up so he can qualify for a loan. But these scam artists cannot deliver what they promise: The Fair Credit Reporting Act specifies procedures for maintaining information on a consumer's credit record, including how long such information may remain. According to the FTC, the result is that consumers are cheated out of tens of millions of dollars each year.

Mr. President, Congress must provide guidance to the Commission. The FTC must be a law enforcement agency for the marketplace. Under the leadership of Chairman Janet Steiger, the Commission is working to achieve this objective. This legislation will assist the Commission in fulfilling its mandate. I urge my colleagues to support this legislation.

Mr. BRYAN. Mr. President, I would like to present today for consideration by the full Senate, legislation to reauthorize the Federal Trade Commission. I, along with Senators DANFORTH and GORTON, introduced this legislation on June 29 of this year following an oversight hearing by the Consumer Subcommittee. The bill was reported overwhelmingly by the full Commerce Committee on August 3. The legislation provides authorizations for the Commission for fiscal years 1994 through 1996. This legislation is virtually identical to bills that have been passed by the Senate on numerous occasions.

As you know, Mr. President, the FTC has not been authorized in over a decade. This, in my opinion, is too long for any agency to be without an authorization, and certainly for an agency as vital as the FTC.

The Commission's authorization has been held up because of unresolved differences between Members of the Senate and House over the expansiveness of the FTC's authority in certain areas. The issue that has been of most concern is the issue regarding restrictions on the ability of the FTC to apply its unfairness rulemaking authority to commercial advertising. Several Members have expressed concern about the promulgation of potentially broad-based rules that might intrude upon or prevent legitimate commercial speech and believe restrictions are necessary. Although there have been bills considered by the Senate and House in the past, the two bodies have not met officially in three Congresses to discuss

these issues. I am sure that Members of both the House and the Senate realize that this is an issue that will have to be resolved through an understanding by both bodies.

As I stated when we introduced this legislation in June, I am optimistic about the passage of an authorization bill for the FTC this year. A bill already has been passed by the House. Therefore, Mr. President, I am hoping that we can pass this legislation unanimously and proceed as quickly as possible in convening a conference with the House in order to resolve these issues.

Mr. GORTON. Mr. President, as the ranking Republican of the Consumer Subcommittee, I am delighted to join Senator BRYAN, the chairman of the subcommittee, in supporting Senate passage of S. 1179, the Federal Trade Commission Act Amendments of 1993. Senator BRYAN and I have worked to reauthorize the agencies within the subcommittee's jurisdiction and have been successful in all instances except this one. Since we assumed the leadership of the subcommittee, the Commerce Committee has reported FTC bills in each of the past two Congresses, but there has been no action by the House during that time. This Congress, I am pleased that, under the leadership of my colleague from Washington, Representative AL SWIFT, the House passed an FTC bill on June 21. Given this prompt action by the House, I am hopeful that the FTC will be reauthorized for the first time since 1980.

This legislation, which was ordered reported by the Commerce Committee on August 3, provides specific guidance to the Commission about how to allocate its resources and will enhance Commission enforcement efforts. For example, the bill prohibits rulemakings on commercial advertising pursuant to the Commission's unfairness authority. During the 1970's, the Commission initiated several controversial rulemakings in this area. The result was that a considerable amount of time and resources were spent on these undertakings, with no rules to show for the effort. Although the current Commission likely would never attempt to promulgate such rules, the prohibition in the bill will constrain their successors from attempting to repeat the mistakes of the past. Similarly, the restriction on Commission regulation of agricultural cooperatives and marketing orders reflects the desire to avoid duplicative regulation, as the Department of Agriculture is responsible for monitoring these activities.

The bill also enhances Commission enforcement efforts in several ways, including permitting the FTC to issue civil investigative demands for physical evidence and by allowing the Commission's Bureau of Competition to issue these demands. This provision will improve substantially the Commission's capability to address consumer fraud. Similarly, the expanded venue provision, which is based in part on 28 U.S.C. §1391, the general venue provision in the U.S. Code, will permit the FTC to bring defendants scattered throughout the country to justice in a single forum. This promotes judicial economy and will help the FTC to save precious resources for law enforcement.

The bill also addresses a long-standing problem involving the Commission's cease-and-desist orders. Under current procedures, such orders become final only after all appeals are exhausted. If a case goes to the Supreme Court, this can take many years. These procedures allow the appeal process to be used simply as a dilatory tactic. The provision in this bill allows cease-and-desist orders to become final 60 days after they are issued unless a court or the Commission issues a stay. This is a reasonable solution which continues to protect the right of defendants to challenge these orders.

Mr. President, since the 101st Congress, the FTC has thrived under the leadership of Chairman Janet Steiger. I believe that she and her fellow Commissioners will carry out their responsibilities even better after this legislation is enacted. I commend Senator BRYAN for his leadership on this issue, and I urge my colleagues to support this bill.

Mr. LIEBERMAN. Mr. President, I rise today in support of the Federal Trade Commission Authorization Act of 1993, which includes the text of S. 279, the Advance Fee Loan Prevention Act.

As you know, Mr. President, I introduced this bill in the last Congress and introduced it again this year following hearings held by the Government Affairs Committee's ad hoc Subcommittee on Consumer and Environmental Affairs, which I chaired in December 1991. In those hearings, the subcommittee heard testimony which revealed a clear need for legislation which would stand in the gap between scam perpetrators and their defenseless prey—the victims of hard times desperately in need of a loan. In our investigation we learned that the loan broker—otherwise known in cases such as these as the con artist—simply places an ad in a paper advertising his ability to secure a loan for the financially-strapped. The Better Business Bureau has estimated that financially-strapped consumers and small businesses are losing a million dollars or more each month to loan broker con artists. The ads, appealing to the desperation of their targets, generate calls to boiler-rooms around the country. Callers, frustrated and anxious to seize any opportunity available to them to meet their financial obligations, are informed that for a processing or good-faith fee—ranging anywhere from $100 to $100,000—a loan will be secured for them and their worries will be over. Their worries, however, are not over, Mr. President. They have merely been compounded. Any monetary reserve the victim may have had as a line of defense against hard times is now also gone. The con artist has lulled his victim with the promise of a loan just long enough to close up shop and move to another State.

This bill complements action previously taken by some States, such as Florida, and does not preempt their power. This legislation bestows upon the Federal Trade Commission the authority needed to quickly stop interstate advance fee loan fraud. Unregulated loan brokers will be prohibited from charging advance fees before loan closings. Criminal penalties of up to 5 years imprisonment, fines and civil forfeiture of all ill-gotten gains will be imposed to unregulated loan brokers who violate the law.

Mr. President, this legislation has the support of the Better Business Bureau which has asked for a comprehensive, nation-wide strategy to effectively eradicate advance fee loan scams and their perpetrators. I thank the chairman and ranking minority member of the Commerce Committee for including the Advance Fee Loan Prevention Act as part of the Federal Trade Commission Authorization Act, and I urge its adoption.

Mr. MITCHELL. Mr. President, I ask unanimous consent that Commerce Committee be discharged from further consideration of H.R. 2243, the House companion, and that the Senate then proceed to its immediate consideration; that all after the enacting clause be stricken and the text of S. 1179, as amended, inserted in lieu thereof; that the bill be advanced to third reading, passed and the motion to reconsider laid upon the table.

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

So the bill H.R. 2243, as amended, was deemed read a third time and passed.

Mr. MITCHELL. Mr. President, I ask unanimous consent that S. 1179 be returned to the calendar.

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

JEMEZ NATIONAL RECREATION AREA

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 196, H.R. 38, establishing the Jemez National Recreation Area.

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

The Senate proceeded to consider the bill H.R. 38 to establish the Jemez National Recreation Area in the State of New Mexico, and for other purposes, which had been reported from the Committee on Energy and Natural Resources, with amendments; as follows:

(The parts of the bill intended to be stricken are shown in boldface brackets, and the parts of the bill intended to be inserted are shown in italic.)

H.R. 38

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. ESTABLISHMENT.

(a) PURPOSE AND ESTABLISHMENT.—In order to conserve, protect, and restore the recreational, ecological, cultural, religious, and wildlife resource values of the Jemez Mountains, there is hereby established the Jemez National Recreational Area (hereinafter in this Act referred to as the "recreation area"), to be administered by the Secretary of Agriculture (hereinafter in this Act referred to as the "Secretary").

(b) AREA INCLUDED.—The recreation area shall be comprised of approximately 57,000 acres of lands and interests in lands within the Santa Fe National Forest as generally depicted on the map entitled "Jemez National Recreation Area—Proposed" and dated September 1992. The map shall be on file and available for public inspection in the offices of the Chief of the Forest Service, Department of Agriculture, Washington, District of Columbia. The Secretary may from time to time, in consultation with local tribal leaders, make minor revisions in the boundary of the recreation area to promote management effectiveness and efficiency in furtherance of the purposes of this Act.

(c) MAP AND DESCRIPTION.—As soon as practicable after enactment of this Act, the Secretary shall file a map and legal description of the recreation area with the Committee on Natural Resources of the House of Representatives and with the Committee on Energy and Natural Resources and the Select Committee on Indian Affairs of the Senate. Such map and legal description shall have the same force and effect as if included in this Act, except that correction of clerical and typographical errors in such legal description and map may be made. Such map and legal description shall be on file and available for public inspection in the Office of the Chief of the Forest Service, Department of Agriculture.

(d) NO ADDITIONAL LANDS.—No lands or interests therein outside of the boundaries of the recreation area may be added to the recreation area without specific authorization by Congress.

SEC. 2. ADMINISTRATION.

(a) IN GENERAL.—The Secretary shall administer the recreation area in accordance with this Act and the laws, rules, and regulations applicable to National Forest System lands in a manner that will further the purposes of the recreation area. Management of the natural resources within the recreation area shall be permitted only to the extent that such management is compatible with and does not impair the purposes for which the recreation area is established. Recreational activities within the recreation area shall include (but not be limited to) hiking, camping, hunting, fishing, skiing, backpacking, rock climbing, and swimming.

(b) MANAGEMENT PLAN.—The Secretary shall, no later than 5 years after the enactment of this Act, develop a management plan for the recreation area, as an amendment to the Santa Fe National Forest Land and Resource Management Plan, to reflect the establishment of the recreation area and to conform to the provisions of this Act. Nothing in this Act shall require the Secretary to revise the Santa Fe Forest Land and Resource Management Plan pursuant to section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974. During development of the management plan for the recreation area, the Secretary shall study newly designated land within the recreation area, and adjacent national forest land.

(c) CULTURAL RESOURCES.—In administering the recreation area, the Secretary shall give particular emphasis to the preservation, stabilization, and protection of cultural resources located within the recreation area in furtherance of the Archaeological Resources Protection Act of 1979, the National Historic Preservation Act, and the Act of August 11, 1978 (42 U.S.C. 1991) (commonly referred to as the "American Indian Religious Freedom Act").

(d) NATIVE AMERICANS.—(1) In recognition of the historic use of portions of the recreation area by Indian peoples for traditional cultural and **[**religious purposes**]** *customary uses*, the Secretary **[**shall,**]** *shall, subject to the provisions of section 2(n)* in consultation with local tribal leaders, ensure the protection of religious and cultural sites and provide access from time to time to those sites by Indian peoples for traditional cultural and **[**religious purposes**]** *customary uses*. Such access shall be consistent with the purpose and intent of the Act of August 11, 1978 (42 U.S.C. 1991) (commonly referred to as the "American Indian Religious Freedom Act"). **[**The Secretary, in accordance with such Act, upon request of an Indian tribe or pueblo, may from time to time temporarily close to general public use one or more specific portions of the recreational area in order to protect the privacy of religious activities and cultural uses in such portion by Indian peoples. Any such closure shall be made so as to affect the smallest practicable area for the minimum period necessary for such purposes.**]** *The Secretary, in accordance with such Act, upon request of an Indian tribe or pueblo, may from time to time temporarily close to general public use one or more specific portions of the recreational area in order to protect traditional and customary uses in such portions by Indian peoples.*

(2) In preparing and implementing management plans for the recreation area, the Secretary shall request that the Governor of the Pueblo of Jemez and the chief executive officers of other appropriate Indian tribes and pueblos make recommendations on methods of—

(A) assuring access to religious and cultural sites;

(B) enhancing the privacy and continuity of traditional cultural and religious activities in the recreation area; and

(C) protecting traditional cultural and religious sites in the recreation area.

(e) WILDLIFE RESOURCES.—In administering the recreation area, the Secretary shall give particular emphasis to the conservation and protection of wildlife resources, including species listed as sensitive by the Forest Service, within the recreation area and shall comply with applicable Federal and State laws relating to wildlife, including the Endangered Species Act of 1973.

(f) HUNTING.—The Secretary shall permit hunting and fishing on lands and waters under the jurisdiction of the Secretary within the recreation area in accordance with applicable Federal and State law. **[**The Secretary may designate zones where, and establish periods when, such activities will not be permitted for reasons of public safety, administration, fish and wildlife management, or public use and enjoyment. Except in emergencies such designation by the Secretary under this subsection shall be put into effect only after consultation with the appropriate State agencies responsible for hunting and fishing activities.**]**

(g) TIMBER HARVESTING.—The Secretary may permit timber harvesting in the recreation area for commercial purposes, including (but not limited to) vigas, latillas, the gathering of fuelwood, and for purposes of public safety, recreation, wildlife, and administration, insofar as the harvesting is compatible with the purposes of the recreation area. Trees damaged or downed due to fire, disease, or insect infestation may be utilized, salvaged, or removed from the recreation area as authorized by the Secretary in furtherance of the purposes of this Act. Nothing in this Act shall be construed to affect the timber sales under contract on the date of enactment of this Act. Nothing in this Act shall be construed to effect the Los Griegos timber sale in the Los Griegos Diversity Unit number 0322 as shown on the West Half Diversity Unit map of the Santa Fe National Forest dated November 1991; except that the Secretary shall manage such sale using uneven aged management including the individual tree selection method.

(h) GRAZING.—The Secretary may permit grazing within the recreation area in accordance with regulations prescribed by the Secretary. Riparian areas shall be managed in such a manner as to protect their important resource values.

(i) TRANSPORTATION PLAN.—(1) Within 1 year after the date of enactment of this Act, the Secretary shall prepare a transportation plan that provides for the most efficient use of roads and trails to accomplish the purposes of this Act. The plan shall provide for a comprehensive trails system that provides for dispersed recreation while minimizing impact on significant archaeological and religious sites.

(2) The Secretary shall construct, maintain, and close roads within the recreation area after consultation with local tribal leaders and only in accordance with such plan.

(j) RECREATIONAL FACILITIES.—The Secretary shall provide for recreational facilities within the recreation area. Such facilities shall be constructed so as to minimize impacts on the scenic beauty, the natural character, and the archaeological and religious sites of the recreation area.

(k) VISITOR FACILITIES.—The Secretary shall establish a visitor center and interpretive facilities in or near the recreation area for the purpose of providing for education relating to the interpretation of cultural and natural resources of the recreation area.

(l) POWER TRANSMISSION LINES.—In accordance with Federal and State laws and regulations, the Secretary may permit a utility corridor for high power electric transmission lines within the recreation area only when the Secretary determines that—

(1) there is not a feasible alternative for the location of such corridor;

(2) damage to the recreational and scenic quality and to the archaeological and religious sites of the recreation area will not be significant;

(3) it is in the public interest that such corridor be located in the recreation area; and

(4) a plan to minimize harm to the resources of the recreation area has been developed.

(m) SCIENTIFIC INVESTIGATIONS.—The Secretary may permit scientific investigations

within the recreation area upon the Secretary's determination that such investigations are in the public interest and are compatible with the purposes of this Act.

(n) RESOURCE PROTECTION.—The Secretary may designate zones where, and establish periods when, any activity otherwise permitted in the recreation area will not be permitted for reasons of public safety, administration, fish and wildlife management, protection of archaeological or cultural resources, or public use and enjoyment. Except in emergencies such designations by the Secretary shall be put into effect only after consultation with the appropriate State agencies, appropriate tribal leaders, and other affected parties.

SEC. 3. MINERALS AND MINING.

(a) LIMITATION ON PATENT ISSUANCE.—(1) Notwithstanding any other provision of law, no patents shall be issued after May 30, 1991, for any location or claim made in the recreation area under the mining laws of the United States.

(2) Notwithstanding any statute of limitations or similar restriction otherwise applicable, any party claiming to have been deprived of any property right by enactment of paragraph (1) may file in the United States Claims Court a claim against the United States within 1 year after the date of enactment of this Act seeking compensation for such property right. The United States Claims Court shall have jurisdiction to render judgment upon any such claim in accordance with section 1491 of title 28, United States Code.

(b) WITHDRAWAL.—Subject to valid existing rights, after the date of enactment of this Act, lands within the recreation area withdrawn from location under the general mining laws and from the operation of the mineral leasing, geothermal leasing, and mineral material disposal laws.

(c) RECLAMATION.—No mining activity involving any surface disturbance of lands or waters within such area, including disturbance through subsidence, shall be permitted except in accordance with requirements imposed by the Secretary, including requirements for reasonable reclamation of disturbed lands to a visual and hydrological condition as close as practical to their premining condition.

(d) MINING CLAIM VALIDITY REVIEW.—The Secretary of Agriculture shall undertake and complete within 3 years after the date of enactment of this Act an expedited program to examine all unpatented mining claims, including those for which a patent application has been filed, within the recreation area. Upon determination by the Secretary of Agriculture that the elements of a contest are present, the Secretary of the Interior shall immediately determine the validity of such claims. If a claim is determined to be invalid, the Secretary shall promptly declare the claim to be null and void.

(e) PUBLIC PURPOSES.—The Secretary may utilize mineral materials from within the recreation area for public purposes such as maintenance and construction of roads, trails, and facilities as long as such use is compatible with the purposes of the recreation area.

SEC. 4. ADJOINING LANDS.

The Secretary may evaluate lands adjoining the recreation area for possible inclusion in the recreation area and make recommendations to Congress, including (but not limited to) that area authorized for study by section 5 of Public Law 101-556 (104 Stat. 2764), known as the Baca Location Number 1. The Secretary, in consultation with local tribal leaders and the National Park Service, shall, no later than 2 years after enactment of this Act, submit recommendations with respect to future boundaries for the recreation area.

SEC. 5. ACQUISITION OF LAND.

(a) STATE LAND.—Land and interests in land within the boundaries of the recreation area that are owned by the State of New Mexico, or a political subdivision of New Mexico, may be acquired only by donation or exchange.

(b) OFFERS TO SELL.—

(1) IN GENERAL.—Subject to paragraph (2), the Secretary may acquire land and interests in land within the boundaries of the recreation area by donation, purchase with donated or appropriated funds, or exchange.

(2) LIMITATION.—The Secretary may not acquire lands within the recreation area without the consent of the owner thereof unless the Secretary has determined that such lands will be put to a use different from their use as of the date of enactment of this Act and that such new use would be incompatible with the protection of the natural and cultural resources of the recreation area.

[SEC. 5.] SEC. 6. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated such sums as may be necessary to carry out the purposes of this Act.

Mr. MITCHELL. Mr. President, I ask unanimous consent that the committee amendments be adopted, that the bill be deemed read a third time, passed, and the motion to reconsider be laid on the table.

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

So, the committee amendments were agreed to.

The bill (H.R. 38), as amended, was deemed read a third time and passed.

Mr. BINGAMAN. Mr. President, I am very pleased that the Senate has today passed this legislation to authorize the establishment of the Jemez National Recreation Area in New Mexico. This national recreation area will be managed primarily to conserve, protect, and restore the recreational, cultural, archeological, ecological, scenic, and wildlife resource values within this unique area of the Santa Fe National Forest. A plan for the national recreation area will be developed as an amendment to the Santa Fe national forest land and resource management plan to assure that this management emphasis will be carried out.

The Jemez National Recreation Area is approximately 57,000 acres in size. It is a place of volcanically formed mountains with beautiful valleys, stands of mixed conifer and deciduous trees, small hidden ponds, and steep canyons ringed with brilliantly colored rimrocks. Within the area is the east fork of the Jemez River, 11 miles of which has been designated as a national wild and scenic river. The Jemez National Recreation Area will further ensure the river's beauty and recreational value. The area also holds an abundance of spectacular prehistoric sites.

This action will ensure for the future the interests of the over 300,000 visitors to the area each year. The Jemez Mountains area has long been valued by the citizens of Albuquerque, Santa Fe, Los Alamos, Espanola, and the surrounding communities for its exceptional recreational opportunities, the plentiful water and clean air, the numerous hot springs, the abundant wildlife, and just the sheer beauty of the place. People who visit again and again form special emotional attachments to the area. These are people who enjoy the area for hiking, camping, rock climbing, backpacking, fishing, hunting, snowmobiling, swimming, and cross-country skiing—in the Jemez Mountains they have the opportunity to do all of this.

With the rapid population growth in Santa Fe and Albuquerque, even greater demands will be made upon the area for these recreational opportunities. Recreational and interpretative facilities and a visitor center will be constructed with minimal impacts on the scenic values and primeval character of the recreation area. Maintenance of both new and existing facilities in the national recreation area will be emphasized from the start.

The Jemez Mountains are one of the richest areas in the Southwest for the evidence of ancient Indian occupation. Human habitation stretches back at least 4,000 years in this area. There have been major finds nearby at Bandelier National Mounment, Jemez Monument, and Puye Cliff. Survey in the area has recorded thousands of sites—from surface scatters of artifacts to large multiroom pueblos. In fact, some of the ruins are much larger than any within the National Park System. Site density is estimated at approximately 15 sites per square mile—there could well be 30,000 sites in the national recreation area. The proposed boundaries include the Virgin Mesa area, in which are found the most impressive cultural resource sites in the mountains. This bill directs that there will be particular emphasis given to the preservation, stabilization, and protection of these invaluable cultural resources.

Today, to the people of the Jemez Pueblo, this land remains sacred for them as it was for their Tewa-speaking ancestors; it contains significant religious sites and shrines. The bill directs the protection of these cultural and religious sites and assures access by Indian people for traditional cultural and religious purposes. Further, upon request of an Indian tribe, an area may be temporarily closed to the general public in order to protect the privacy of religious and cultural uses in that area. The Governor of the Pueblo of Jemez and chief executive officers of other Indian tribes in the area will be consulted in these matters during preparation of the national recreation area management plan.

The Jemez National Recreation Area is important habitat for the peregrine

falcon, the goshawk, the meadow jumping mouse, the Jemez Mountain salamander, the Mexican spotted owl, and the wood lily—all species on State or Federal listings of endangered or threatened species. Emphasis will be given to the preservation and protection of these wildlife and botanical resources.

The bill will not affect traditional uses—grazing, hunting, and fishing will continue in the area at the request of many local citizens.

Timber sales for personal fuel wood, for vigas and latillas, and for purposes of public safety, wildlife needs, recreation and administration may continue. The Los Griegos sale, scheduled for fiscal year 1993, is specifically allowed on condition that uneven-aged management, including individual tree selection, will be used. Monitoring of this sale as it proceeds and after its completion will provide the Forest Service with valuable information for the planning of future timber sales throughout the Southwest. The methods prescribed for this sale might well be used more and more by the Forest Service in the future for the purposes of protecting threatened and endangered species, assuring biological diversity, and further controlling erosion in our fragile southwestern environment.

The largest elk herd in New Mexico migrates through this area. Hunting and fishing in the area will continue to be permitted; they are important both for subsistence and recreational activities.

Grazing may be permitted within the national recreation area in accordance with regulations. Riparian areas will be managed to protect their important resource values.

Local support for this bill is high; residents have been enthusiastic in their efforts to preserve the resources of the Jemez Mountains for future enjoyment. The Forest Service also supports the designation of a national recreation area. Areas like the Jemez Mountains are in need of our committed protection; they must be cherished for the benefit and enjoyment of present and future generations.

The House has already passed a similar bill to the one the Senate is passing today. I am delighted that after years of effort on the part of many New Mexicans and the New Mexico delegation, that we finally have legislation that will provide the Jemez area the protection it deserves.

PERFORMANCE MANAGEMENT AND RECOGNITION SYSTEM TERMINATION ACT

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 3019, the Performance Management and Recognition System Termination Act, just received from the House, that the bill be deemed read three times, passed and the motion to reconsider laid upon the table.

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

So, the bill (H.R. 3019) was deemed read three times and passed.

MARINE MAMMAL PROTECTION ACT EXTENSION

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 3049, a bill to extend the current interim exemption under the Marine Mammal Protection Act for Commercial Fisheries until April 1, 1994, just received from the House, that the bill be deemed read three times, passed and the motion to reconsider laid upon the table.

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

So, the bill (H.R. 3049) was deemed read three times and passed.

AUTHORITY OF SECRETARY OF COMMERCE TO CONDUCT QUARTERLY FINANCIAL REPORT PROGRAM

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 2608, a bill to extend the authority of the Secretary of Commerce to conduct the quarterly financial report program, just received from the House.

The PRESIDING OFFICER. The bill will be stated by title.

The legislative clerk read as follows:

A bill (H.R. 2608) to make permanent the authority of the Secretary of Commerce to conduct the quarterly financial report program.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Maine?

There being no objection, the Senate proceeded to consider the bill.

AMENDMENT NO. 942

(Purpose: To provide for the reauthorization of the collection and publication of quarterly financial statistics by the Secretary of Commerce through fiscal year 1998, and for other purposes)

Mr. MITCHELL. Mr. President, on behalf of Senator LIEBERMAN, I sent to the desk a substitute amendment.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows:

The Senator from Maine [Mr. MITCHELL] for Mr. LIEBERMAN proposes an amendment numbered 942.

Mr. MITCHELL. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

SECTION 1. REAUTHORIZATION OF COLLECTION AND PUBLICATION OF QUARTERLY FINANCIAL STATISTICS BY THE SECRETARY OF COMMERCE.

(a) IN GENERAL.—Section 4(b) of the Act entitled "An Act to amend title 13, United States Code, to transfer responsibility for the quarterly financial report from the Federal Trade Commission to the Secretary of Commerce, and for other purposes", approved January 12, 1983 (Public Law 97-454; 96 Stat. 2494; 13 U.S.C. 91 note) is amended by striking out "September 30, 1993" and inserting in lieu thereof "September 30, 1998".

(b) EFFECTIVE DATE.—The amendment made under subsection (a) shall take effect on September 30, 1993.

Mr. LIEBERMAN. Mr. President, it is with great satisfaction that I commend the Senate for reauthorizing the Quarterly Financial Statistics—title 13, chapter 3, subchapter IV. This collection is one of the cornerstones of our system of economic indicators, and is essential for monitoring the condition of our economy.

During the reauthorizing process I consulted a number of experts to learn more about this information collection. There was widespread support for this statistical series, and most took the opportunity to suggest ways in which our statistical system could be improved.

Ms. Gail Fosler, vice president and chief economist of the Conference Board pointed out that—

Economic statistics are not only the basis of serious work but drive American attitudes about their own current and future welfare.

Mr. Joseph W. Duncan, vice president, corporate economist, and chief statistician of the Dun & Bradstreet Corp. said:

Failure to reauthorize the series would have a very negative impact on the quality of economic statistics; and * * * would lead to risk of serious policy errors.

Information is fundamental to good management, and for us to manage our increasingly complex economy requires that we continuously update our information about the economy. Not only must we continually update our measures of performance, but we must also continuously watch to make sure that those performance measures continue to accurately represent the economy.

Twenty years ago we didn't collect information on computer services, protective services, or video tape rentals. Today these are all significant parts of our economy. Twenty years ago we didn't collect information on manufacturing digital watches, most families had never heard of mutual fund accounts, and there was only one long distance telephone company. Yet many of our statistical series have not changed over those 20 years to reflect these changes in our society.

One of the byproducts of the budget climate of the 1980's was the steady erosion of our statistical infrastructure. Recently, to the surprise of many professional economists, the Bureau of Labor Statistics announced that many

people are not working full-time, but are working two or more part-time jobs. Ten years ago, in response to a shrinking budget, BLS discontinued collecting annual information on persons holding more than one job.

A recent GAO investigation of the numerous revisions in the gross domestic product [GDP] found no evidence of malfeasance. It did however document the error in this statistic.

The GDP is a summary measure of economic activity. We use it to judge how quickly the economy is growing, and we use it to identify recessions. It is made up of hundreds of other statistics—each an information collection series like the Quarterly Financial Statistics. As the underpinnings of the GDP weaken, the whole structure suffers. As some or all of the numbers that go into the GDP weaken, the GDP gets less accurate. That infrastructure, like the roads and bridges built decades ago, is in need of serious repair. I encourage the administration to look seriously at this in developing the 1995 budget, and I offer to work with them to make this investment happen.

We often hear complaints about the burdens the government places on businesses. The information we collect to monitor our economy is a relatively small part of that burden, but one that produces great benefits. I am pleased to be a part of this reauthorization, and I look forward to working with the administration to strengthen our statistical system.

Mr. President. I ask unanimous consent that the letters on the value of the quarterly financial statistics be included in the RECORD.

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

BOARD OF GOVERNORS
OF THE FEDERAL RESERVE SYSTEM,
Washington, DC, September 7, 1993.

Hon. JOSEPH I. LIEBERMAN,
Chairman, Subcommittee on Regulation and Government Information, Committee of Governmental Affairs, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for inviting me to comment on the usefulness of the Quarterly Financial Report (QFR), produced by the Bureau of the Census.

The QFR is used extensively in the Federal Reserve in both data construction, most notably our Flow of Funds Accounts for the United States, and in a broad range of analytical and research activities. For many purposes one needs information on business finances at a disaggregated level—by size of firm, by industry, or on an unconsolidated basis—and the QFR figures are uniquely suited to satisfying those requirements. If anything, it would be desirable to expand the program to include industries other than manufacturing, mining and trade.

In sum, we believe that the failure to reauthorize this program would have a significantly adverse effect on our work, and on that of others inside and outside government.

Sincerely,

ALAN GREENSPAN.

THE DUN & BRADSTREET CORP.,
New York, NY, September 16, 1993.

Senator JOSEPH I. LIEBERMAN,
Chairman, Subcommittee on Regulation and Government Information, U.S. Senate, Committee on Governmental Affairs, Washington, DC.

DEAR SENATOR LIEBERMAN: The Quarterly Financial Report is an important source of basic data for the National Income and Product Accounts published by the Bureau of Economic Analysis of the Department of Commerce. Next week a major review of federal statistics entitled "Statistics for the 21st Century" will be published. This review includes an examination of many aspects of our nation's economic statistics.

As co-author of the study, I strongly recommend reauthorization of the QFR and, in fact, suggest a special effort to improve the series. Failure to reauthorize the series would have a very negative impact on the quality of economic statistics; and as explained in our study, this would lead to risk of serious policy errors. The study specifically recommends:

"The Census Bureau should conduct a comprehensive review of the scope of the Quarterly Financial Report (QFR) in consultation with the Bureau of Economic Analysis to determine where it can feasibly remedy major data gaps in the quarterly estimates of corporate profits. Based on an assessment of the quality of the existing data sources used in estimating corporate profits, the review should include the benefits and costs of (a) expanding coverage to the construction, transportation, utilities, finance, and services industries; and (b) expanding the coverage to unincorporated businesses in those industries where sole proprietorships and partnerships are prominent. If some expansion of the QFR is warranted, research and pilot surveys will be necessary prior to operational surveys. The inclusion of banks in the survey would have to be coordinated with the banking regulatory agencies. The FY 1994 Census Bureau's budget includes a request for funds to add the business services industries (SIC 73) to the QFR. We support the request."

I will send you a copy of our study as soon as it is released by the printer next week.

Sincerely,

JOSEPH W. DUNCAN.

THE CONFERENCE BOARD,
New York, NY, September 16, 1993.

Senator JOSEPH I. LIEBERMAN,
Chairman, Subcommittee on Regulation and Government Information, U.S. Senate, Washington, DC.

DEAR SENATOR LIEBERMAN: Thank you for your letter of September 9th regarding the Census Bureau's Quarterly Financial Report (QFR). The QFR is a key component of the national income accounts and the primary source for corporate profits and related corporate financial estimates. Presently, corporate profits levels have to be imputed at the time of the preliminary GDP release and become available only at the time of the first revision. Elimination of the QFR would eliminate the statistical basis for making any corporate profits or related estimate.

You may remember that I testified before the Subcommittee on Regulation and Government Information on the need for updated definitions and more extensive surveys of economic data to reflect the realities of a modern economy. This testimony was part of your review of the so-called "Boskin Initiative" on government statistics. As you are aware, not only was very little in this "Initiative" actually funded, but key statistical surveys like the government finance survey and construction programs were actually cut below current services in recent years. Census is currently on the verge of dropping the quarterly plant and equipment survey which was the subject of my testimony.

These cuts are not only damaging to the ability of the economic and financial community to analyze economic trends but also to the public policy process. The most recent revisions to the national income accounts which were the largest in 20 years, showed significantly higher national income in each of the past three years, in part because of upward revisions in corporate profits. These upward revisions suggest that the size of the QFR sample, which is now only 9,300 companies, needs to be expanded—not reduced or eliminated.

The QFR is one of the more modest reporting burdens on business requiring only a few hours per quarter for most businesses to complete. Indeed, the administrative burdens associated with almost every other major aspect of public policy change is far, far greater and seems never a deterrent to the policy process.

I strongly urge that you work to retain the QFR and congratulate you on your past efforts to support and enhance the economic statistical system. Economic statistics are not only the basis of serious analytical work but driven American attitudes about their own current and future welfare.

Sincerely,

GAIL FOSLER.

DEPARTMENT OF COMMERCE,
ECONOMICS AND STATISTICS
ADMINISTRATION,
Washington, DC, September 13, 1993.

Hon. JOSEPH I. LIEBERMAN,
Chairman, Subcommittee on Regulation and Government Information, Committee on Governmental Affairs, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: In response to your recent inquiry concerning the authorization of the *Quarterly Financial Report* (QFR) program in Title 13, the Bureau of Economic Analysis (BEA) strongly supports the proposed legislation that provides the Secretary of Commerce with permanent authority to conduct the QFR program. The proposed legislation would recognize the continuing critical role of the QFR in the U.S. statistical system.

BEA uses information collected on the QFR forms in estimating the domestic corporate profits, taxes, dividends, and mining inventories components of the national income and product accounts (NIPA's). The QFR information is critical to the quality of BEA programs, particularly to the quarterly estimates of the corporate profits component of the gross domestic product. No other source provides quarterly tabulations of a representative sample of mining, manufacturing, and trade corporations—corporations whose profits account for about 55 percent of total domestic profits. Loss of data for this pivotal component of gross domestic product would seriously affect the quality of the NIPA's.

Sincerely yours,

CAROL S. CARSON,
Director.

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DEPARTMENT OF LABOR,
BUREAU OF LABOR STATISTICS,
Washington, DC, September 16, 1993.

Hon. JOSEPH I. LIEBERMAN,
Chairman, Subcommittee on Regulation and Government Information, Committee on Governmental Affairs, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: I am responding to your letter of August 27 in which you requested my views on the value of the Quarterly Financial Statistics program, produced by the Census Bureau, for the programs of the Bureau of Labor Statistics (BLS).

A quick survey of my staff indicated that data from the Quarterly Financial Statistics program are not directly utilized in the production of any BLS statistics. I understand that the Quarterly Financial Statistics are used in the development of some statistical series of the Bureau of Economic Analysis (BEA), but I could not hazard a guess on the impact of elimination of the Quarterly Financial Statistics program on the work of the BEA.

BLS economists and statisticians do regularly use statistics produced by other government agencies to aid in evaluating the relevance and efficiency of data collection efforts by BLS. The Quarterly Financial Statistics program plays a part in measuring the economic performance of U.S. businesses and thus provides background information for our efforts in this area. To illustrate this point, I would like to note that Secretary Reich has emphasized the importance of learning more about employment practices in "high performance" workplaces. The measures of financial performance used in the Quarterly Financial Statistics program may prove useful to BLS analysts in designing new surveys of the workplace which would tell us more about these employment practices. We have just begun to examine this possibility.

I hope these comments will be helpful to your review of the Quarterly Financial Statistics program.

Sincerely yours,

WILLIAM G. BARRON, Jr.,
Deputy Commissioner.

Mr. COCHRAN. Mr. President, as ranking member on the Subcommittee on Regulation and Government Information of the Governmental Affairs Committee, I want to commend Senator LIEBERMAN, who chairs our subcommittee, and his staff for their excellent work on this legislation to reauthorize the Quarterly Financial Report Program.

The information obtained through this program is a key component of several economic indicators, including the gross domestic product and the flow of funds.

I am also advised that the burden on businesses surveyed in the Quarterly Financial Report Program has been reduced, since the program was transferred from the Federal Reserve Board to the Census Bureau in 1983. The sample of smaller companies has been reduced and the questionnaire is now more readable.

Mr. President, I am especially pleased that the bill we are passing today, with the adoption of the Senate amendment, will limit reauthorization of the program to 5 years rather than extend it permanently, as provided in H.R. 2608 passed by the House.

Mr. MITCHELL. Mr. President, I ask unanimous consent that the amendment be agreed to and the motion to reconsider be laid upon the table.

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

So, the amendment (No. 942) was agreed to.

The PRESIDING OFFICER. Hearing no objection, the bill will be deemed read a third time and passed, as amended.

So, the bill (H.R. 2608), as amended, was deemed read for a third time and passed.

Mr. MITCHELL. Mr. President, I move to reconsider the vote and, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. MITCHELL. Mr. President, on behalf of Senator LIEBERMAN, I send to the desk a title amendment.

So the title amendment was amended so as to read:

"An Act to provide for the reauthorization of the collection and publication of quarterly financial statistics by the Secretary of Commerce through fiscal year 1998, and for other purposes.".

ORDER FOR TUESDAY, SEPTEMBER 22, 1993, AT 8:30 P.M. AND ORDERS FOR WEDNESDAY, SEPTEMBER 23, 1993

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Senate stand in recess until 8:30 p.m. this evening and that when the Senate reconvenes this evening the Senate as a body proceed to the Chamber of the House of Representatives to receive such communication as the President shall be pleased to make at the joint session, that at the close of the joint session the Senate then stand in recess until 8:30 a.m. on Thursday, September 23; and that on Thursday following the prayer, the Journal of proceedings be deemed approved to date, the time for the two leaders reserved for their use later in the day; that there then be a period for morning business not to extend beyond 10 a.m. with Senators permitted to speak therein for up to 5 minutes and that the period for morning business be controlled as follows: The time from 8:30 a.m. to 9 a.m. and from 9:30 a.m. to 9:45 a.m. under the control of Senator WALLOP or his designee, that the time from 9 a.m. to 9:30 a.m. and from 9:45 a.m. to 10 a.m. be under the control of Senator DASCHLE or his designee and at 10 a.m. the Senate resume consideration of H.R. 2295, the foreign operations appropriations bill.

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

RECESS UNTIL 8:30 P.M.

Mr. MITCHELL. Mr. President, if there be no further business to come before the Senate today, I now ask unanimous consent that the Senate stand in recess as previously ordered.

There being no objection, the Senate at 7:25 p.m. recessed until 8:31 p.m.; whereupon, the Senate reassembled when called to order by the Presiding Officer [Mrs. MURRAY].

QUORUM CALL

Mr. SIMON. Madam President, I question the presence of a quorum.

The PRESIDING OFFICER. The absence of a quorum has been suggested.

The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

JOINT SESSION OF THE TWO HOUSES—MESSAGE OF THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 103–137)

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to the Hall of the House of Representatives for the joint session, and upon conclusion of the joint session the Senate will stand in recess until 8:30 a.m. on Thursday, September 23, 1993.

Thereupon, at 8:37 p.m., the Senate, preceded by the Secretary of the Senate, Walter J. Stewart, and the Sergeant at Arms, Martha S. Pope, proceeded to the Hall of the House of Representatives to hear the address by the President of the United States.

(The address by the President of the United States, this day delivered by him to the joint session of the two Houses of Congress, appears in the proceedings of the House of Representatives in today's RECORD.)

RECESS UNTIL 8:30 A.M. THURSDAY

At the conclusion of the joint session of the two Houses, and in accordance with the order previously entered, at 10:07 p.m. the Senate recessed until Thursday, September 23, 1993, at 8:30 a.m.

NOMINATIONS

Executive nominations received by the Senate September 22, 1993

IN THE NAVY

THE FOLLOWING-NAMED COMMANDERS IN THE LINE OF THE NAVY FOR PROMOTION TO PERMANENT GRADE OF CAPTAIN, PURSUANT TO TITLE 10, UNITED STATES CODE, SECTION 624, SUBJECT TO QUALIFICATIONS THEREFOR AS PROVIDED BY LAW:

UNRESTRICTED LINE OFFICERS

To be captain

AHLBERG, STEVEN JAMES
ALEXANDER, RONALD KEITH
ALLEN, LOIS ELIZABETH
ALLEY, JAMES RAY
ANDERSON, DARL RICHARD

ARGALL, CAROLYN LIMPER
AVVEDUTI, JOSEPH PETER, JR
BAGLEY, EDWARD GARLAND, III
BAKER, JOE ALLEN, III
BAKER, RUSH EMMONS, III
BALLARD, WILLIAM GARNET
BARBER, ARTHUR HOUGHTON, III
BARNES, ROBERT CARROLL
BEAL, STEPHEN DENNIS
BENKERT, JOSEPH ALBERT
BERNITT, THOMAS RICHARD
BESANCON, MICHAEL DAVID
BILLMYER, CAROLA ALMA
BILLS, MARTHA RIGBY
BLAKE, WILLIAM ROBERT, JR
BOLAND, JAMES FRANCIS, JR
BOONE, WILLIAM THOMAS
BRAY, JAMES DAVID
BRENNOCK, DANIEL JOSEPH
BROWN, CARRADEAN LYNN
BROWN, LARRY WARREN
BRYANT, FRANKLIN DAVID, JR
BULLARD, DONALD KENNETH
BURY, STEPHEN JOSEPH
BUSH, DANIEL EDWARD
CARMAN, JAMES ALLEN, JR
CARTER, EARL FREDERICK, JR
CARTER, THOMAS BEEMAN, JR
CASSARA, RICHARD JOHN
CASSIDY, PATRICK THOMAS
CHAPMAN, JAMES HASELDEN, JR
CHIAVEROTTI, GARY ROBERT
CLARKSON, DANNY LEROY
COBURN, BRUCE NORMAN, JR
COLEMAN, FRANK STEWART, JR
CONWAY, ROBERT THOMAS, JR
COOK, WILLIAM TERRANCE
COOPER, CHARLES GRAFTON, III
COVERT, HAROLD DUANE
CRANE, LARRY WAYNE
CRAWFORD, BRUCE WAYNE
CRAWFORD, MAY PERRI
CROWELL, PHILIP HOLMES, III
DAHMEN, DAVID ATHERTON
DAILEY, JOHN COUGHLAN
DAILEY, JOHN LAWRENCE, JR
DANKS, PAUL DOUGLAS
DAVIS, STEVEN EARL
DAWSON, JEAN ANNE
DENNY, PATRICK LEO
DESTAFNEY, JAMES JOSEPH, JR
DEULLEY, GARY WAYNE
DICK, RICHARD L
DODGE, KATHLEEN VIRGINIA WOLFE
DONAHUE, CONRAD JAMES, JR
DUDASH, TERRENCE MARK
DULL, TIMOTHY JEFFERSON
DUNAWAY, WILLIAM MICHAEL
DUNN, WILLIAM HOWARD
DURFEE, DAVID WEBSTER
ELAM, HARRY BAILEY
ENRIGHT, THOMAS FRANCIS
ESPINOSA, WILLIAM MICHAEL
EVANS, BILLIEANN
FEEKS, THOMAS MICHAEL
FERGUSON, JERRY FRANCIS
FERRITER, EDWARD CHADWICK
FISHBURNE, LILLIAN ELAINE
FISHER, RORY HILTON
FLEMING, JOHN LEROY
FORD, ROBERT DALE
FORD, THOM WOODWARD
GALLAGHER, THOMAS PAUL, III
GANGEWERE, ROBERT RUSSELL, JR
GAY, FREDERICK SYDNEY, JR
GERSHON, JOSEPH STEPHEN
GIBSON, DEANE KIMBLETON
GIBSON, ROBERT JOHN
GLOVER, GREY ALLEN
GOLDBERG, MARC DAVID
GOLDEN, KENNETH EUGENE
GORMAN, JOHN PAUL
GREEN, CONSUELLA
GREENAWALT, STANTON CHARLES
GREENERT, JONATHAN WILLIAM
GREGOR, JOHN BRADLEY
GUEST, FRANK BENJAMIN, III
HAGGART, JAMES ALAN
HALE, CHRISTOPHER DYER
HARRIS, RUSSELL ERIC
HARTLING, ROBERT MICHAEL
HARVEY, JOHN COLLINS, JR
HENDRICKSON, SCOTT LARS
HILLEY, HOWARD STEVENS, III
HLAVKA, STANFORD HAROLD
HOLMES, MICHAEL LYNN
HUGHES, LOUIS ALLAN
HUIATT, PATRICIA GRIFFIN
HUTCHISON, JEFFREY ALEXANDER
HUTTON, LINDA VAUGHT
INGRAM, ALFRED LOVERED VERNON
INGRAM, STEVEN RODNEY
JAMES, BRENT SNYDER
JAMES, ROBERT BOE
JOHNSON, JACOB LEE, JR
KANE, JAMES CHRISTOPHER
KEANE, JOSEPH PATRICK, JR
KEEPPER, ROBERT HAROLD
KEHO, JEFFREY DONALD
KELLY, JAMES DEAN
KILCLINE, THOMAS JOHN, JR
KLINGSEIS, FRANCIS JOSEPH
KOCH, DANA SUSAN
KORDIS, WILLIAM STEPHEN
KOVACH, GEORGE EUGENE
KRAJNIK, JOSEPH SCOTT
KUNKLE, STEVEN ALAN
KYLE, THOMAS GEORGE
LABRECQUE, TERENCE PAUL
LAEDLEIN, PAUL ARTHUR
LANDERS, PAUL KENNEDY
LANNING, ROGER BRIAN
LARAWAY, RITA ANN
LARIMER, STEPHEN WALKER
LARSON, LARRY EDWARD
LEE, RICHARD PATRICK
LINDNER, CARL MAX, III
LOCHAUSEN, VERNON C
LOREN, DONALD PATRICK
MACKINNON, DAVID ROBERT
MADISON, PATRICK TIMOTHY
MARINER, ROSEMARY BRYANT
MARSH, WILLIE CLYDE
MARSHALL, DAVID WARREN
MARVIN, GEORGE ROWE
MARZLUFF, PETER WADE
MASLOWSKY, ROBERT DAVID
MCCULLOUGH, BERNARD JOSEPH, II
MCDONALD, HARVEY BLAYLOCK
MCNALLY, WILLIAM JOHN
MEIER, DAVID KIRK
MERICLE, DAVID DEAN
MEYER, ETHEL
MEYER, MARY JAYNE
MEYER, TIMOTHY HUGH
MILLER, JOHN RICHARD
MILLER, MICHAEL JAMES
MOCINI, VINCENT PETER
MOORE, PAUL ANDREW, JR
MORRIS, PRIMA AMELIA ESCALON
MOSEMAN, JAMES AUGUST
MOSS, BRIAN WILLIAM
MURRAY, BILLY DENNIS
NEFF, JAMES RICHARD
NESTLERODE, ROBERT NORMAN
NEWMAN, MARLENE ANN
NEWTON, DANNY RAY
NICHOLS, STEVEN RAY
NORTON, DONALD GORDON
ODEA, JANE SKILES
OLSON, ERIC THOR
ONEIL, PATRICK DAVID
ORCHARD, RRED GREGG
PLOEGER, DAVID CHARLES
POWELL, JAMES RICHARD
POWERS, GLENN CURTIS
QUICK, GARY WAYNE
QUINN, JAMES JOSEPH
RADER, MICHAEL THOMAS
RANDALL, DONALD WILLIAM
REESE, RAOUL BURYLE
RENNINGER, JAMES BRUCE
REPSHOLDT, KAI THORVALD
RIGAS, TRIFON
ROBB, RANDOLPH ROLAND
ROGERS, THOMAS FOSTER
ROLLINS, BRYAN LEE
ROSS, THOMAS JOSEPH
RUEHE, FREDERIC RICHARD
RUSSELL, THOMAS BECKWITH, III
SATTERWHITE, BERNARD MASON J
SAUNDERS, ALEXANDER R, II
SCALA, PETER ANTHONY
SCHAEFFER, GEORGE, III
SCHWARTZEL, JOSEPH HENRY
SESTAK, JOSEPH AMBROSE, JR
SHAW, CLAUDE B
SHEPHERD, WILLIAM STINSON
SHEPPARD, WILLIAM LESTER, JR
SIMPSON, MICHAEL DOYLE
SKOWRONEK, LESLIE JEANNE
SLAVEN, GEORGE EDWARD, JR
SMANIA, DAVID JOHN
SMITH, ROBERT DALE
SPEARMAN, WALTER CUTHBERTSON
SPISHOCK, PATRICIA MARY
STARLING, HAROLD DENBY, II
STEUER, DONALD FRANCIS, JR
STEVENSON, JOHN RAYMOND, JR
STONE, DAVID MALCOLM
STONE, JEFFERY MORRIS
SUDKAMP, STEPHEN DONALD
SUMMERALL, DANIEL BUSH
TALLENT, HAMLIN BRUCE
TARBOX, JUDITH ANN
TAYLOR, LINDA S
TERPSTRA, RICHARD PAUL
THIGPEN, DAN IRVIN
THOMPSON, THOMAS ALLEN
TILTON, TERRY WARREN
TOALSON, VANCE LEE
TOMS, TERRY JACK
TYSON, WILLIAM JEANES, III
UNGVARSKY, WILLIAM JOSEPH
VANBELLE, BRUCE THOMAS
VILLARREAL, JOHN MARK
VINING, PIERRE GRIGSBY
VIRGILIO, RICHARD LOUIS
VUGTEVEEN, DANA LYLE
WACHENDORF, MILES BENTON
WAICKWICZ, JOHN JAMES
WALLACE, EDWARD CHARLES
WARD, GLENN HOWARD
WATTS, ROBERT DARRYL
WEBB, T LADSON, JR
WEBER, JOEL NATHAN
WEIDEMAN, CRAIG FRANCIS
WESSMAN, LYNN GAMMON
WHEELER, CHRISTOPHER EVERETT
WHITE, CARROLL LEROY
WHITMIRE, ROBERT DONALD
WILLIAMS, ROBBIE LYN
WILLMANN, DAVID WILLIAM
WILSON, CRAIG WILLARD
WILSON, EUGENE KENNON, JR
WOERMAN, WILLIAM JOSEPH, II
WOMACK, STEPHEN LEE
WORD, FRANK BROWN
WRIGHT, DAVID KEITH
WUETHRICH, CHRIS ALLEN
WYNKOOP, PETER
YARBOROUGH, JOSEPH EARL, JR
YORK, JAMES KENT
ZELIBOR, THOMAS E.
ZORTMAN, JAMES MILTON.

ENGINEERING DUTY OFFICERS

To be captain

BALLARD, JAMES CLAUDE, III
BISCEGLIA, STEPHEN VINCENT
BRUNER, TODD THORNTON WHITNE
ERMAN, REGINALD JOSEPH, JR
EVANS, WILLIAM GAYLORD
FREUND, BRUCE RICHARD
GOLDSBY, RICHARD EARL
HENNING, PETER JOHN
HOLLIS, STEPHEN JOE
JORGENSEN, PAUL C
LEARY, JAMES MARCELLUS
MCCORD, RAYMOND SCOT
MOSS, CHARLES MICHAEL
NEWTON, WAYNE JOSEPH
PUTNAM, GREER REED
RUCKER, HARRY JOSEPH
RUSSELL, WILLIAM DAVID
SCHEIB, TIMOTHY EDWARD
STILLWELL, JOHN WAYNE
TUDDENHAM, READ STAPLEY
WILLIAMS, VERNON THOMAS.

AEROSPACE ENGINEERING DUTY OFFICERS (ENGINEERING)

To be captain

BATOG, JOHN STANLEY
BEACH, EDWIN FRANKLIN
BROWN, FRANK HYATT
BUCKLEY, BRUCE WILLIAM
ENEWOLD, STEVEN LEE
FISHER, RAND HILTON
HENRY, DOUGLAS GORDON
HILL, WILLIAM JOHN
KNOLHOFF, LARRY EDWARD
ROGERS, MATTHEW JOSEPH
YERKES, WILLIAM MARK, JR.

AEROSPACE ENGINEERING DUTY OFFICERS (MAINTENANCE)

To be captain

BACHMAN, MICHAEL CHARLES
STAHLER, WILLIAM DONALD
TRAYNER, RICHARD ELWOOD
WALSH, DANIEL PATRICK
WATRY, COLEEN ANN.

SPECIAL DUTY OFFICERS (CRYPTOLOGY)

To be captain

DALY, JOSEPH THOMAS, III
HARDAWAY, JAMES HALLOWELL
HOULE, NORMAND ARTHUR
SARE, MICHAEL JOSEPH
TAMBURELLO, CHARLES.

SPECIAL DUTY OFFICERS (INTELLIGENCE)

To be captain

ALLISON, JOHN SIMMONS, JR
CARRINGTON, DAVID RICHARD
CHAMBERS, REGAN SCOTT
DARRAH, JOAN ELLEN
DUGGAN, MICHAEL JOHN
HUBBARD, ROBERT LEROY
KEY, WILLIAM TIGNER
KIRKPATRICK, JAMES REID
LEVITRE, ROSANNE MARIE
LEWIS, PAUL SCOTT
OLSEN, ALFRED JAMES
ROBINSON, EVAN DAHLSTROM
SIMERAL, ROBERT LEE
WATSON, JOSEPH ADRIAN
ZIEGLER, HOWELL CONWAY.

SPECIAL DUTY OFFICERS (PUBLIC AFFAIRS)

To be captain

BURNETTE, DEBORAH ANN
CONNOR, CHARLES DEAN, JR.

SPECIAL DUTY OFFICERS (OCEANOGRAPHY)

To be captain

ALDINGER, WILLIAM TYSON, JR
ETRO, JAMES FRANCIS
JOHNSON, WILLIAM FAWVER
SCHNOOR, ROBERT TIMOTHY
SMITH, BRADLEY PHILLIP
WHITFORD, DENNIS JAMES.

LIMITED DUTY OFFICERS (LINE)

To be captain

ALLEN, CHARLES EDWARD
ANDERSON, EDWARD WILLIAM
BASSETT, WILLIAM THOMAS
BECK, WAYNE ARTHUR
BROWN, LEROY ALLEN
CALHOUN, JIMMY ROYCE
DENEEN, BRIAN MICHAEL
EARNEST, WILLIAM GROVER
GRACIA, JAVIER
GUSTIN, BRUCE ALBERT, III
SHEEHAN, LEROY EDMUND
SIDES, JOHN ELVIN
SPANGLER, RALPH GRAHAM
STOLARZ, ROBERT MICHAEL.

THE FOLLOWING-NAMED COMMANDERS IN THE STAFF CORPS OF THE NAVY FOR PROMOTION TO THE PERMANENT GRADE OF CAPTAIN, PURSUANT TO TITLE 10, UNITED STATES CODE, SECTION 624, SUBJECT TO QUALIFICATIONS THEREFOR AS PROVIDED BY LAW:

MEDICAL CORPS OFFICERS

To be captain

ADKISSON, GREGORY HUGH
ALEXANDER, CHARLOTTE E.
ANDRUS, CHRISTINE MILLE
BARRETT TERRY LEE
BOHNKER, BRUCE K.
BOSTON, EDWARD G.
BOTHWELL, LINDA HARRIET
BRICE, DAVID ALAN
BROOKS, DANIEL A.
BROWN, JAMES A.
BURGER, GERALD ARTHUR J.
CANNON, BRUCE WAYNE
CAREY, BENJAMIN ARTHUR
CORBETT, PAUL B.
DEAFENBAUGH, MARTIN KEI
DEAKINS, DENNIS EUGENE
DUKE, MARK STANFIELD
EATON, PETER WESLEY
EDMONDSON, JOHN S.
FISCHER, KATHLEEN F.
FLOYD, CHARLES
FORD, ROBERT E.
FRALEY, JOHN EVERETT
FREER, DOUGLAS HALL
GANTT, ROBERT MARION
GARST, PAUL DIMITRE
GIBBIN, CANDACE LYNN
GOFF, WALTER BOHMAN, II
GULLICKSON, GAIL M.
HALL, LEE D.
HANSEN, MARK KROGNESS
HARGRAVES, RONALD W.
HINKSON, MONTGOMERY
HUTCHISON, JANE WHITE
HYAMS, KENNETH CRAIG
IIAMS, GORDON JOHN
JENSEN, DONALD WILLIAM
JOHANEK, MICHAEL FREEMA
JONES, WARREN ALLEN
KROOK, LINDA SUSAN
LASKIN, WILLIAM BRADLYN
LEES, JOEL
LOPEZ, VIRGILIO DIZON
MAGUIRE, FRANKE E., JR
MALONE, JOHN D.
MASON, JON DONAVON
MCCOID, GERALD RAY
MCHUGH, JOHN JOSEPH
MILLS, LELAND DAVID
MITHELL, BENJAMIN SANF
MONTGOMERY, JAY R.
MOORE, GREGORY LYNN
MULGONG, ESTELITA T.
MURRAY, JOHN WILIAM
MURRAY, KEVIN M.
NAGEL, JOHN ROBERT
NOWLAN, GUY JEAN
OPFER, WALTER D.
PIECH, RICHARD FRANK
ROMANO, GEORGE CARMINE
SAINTEN, CARL B.
SCHACHERER, TIMONTHY G.
SIMPSON, CHARLES EUGENE
SKELTON, HENRY GRADY, II
SLADEK, GARY G.
SMITH, DAVID LAWRENCE
SMITH, JACK W.
STANDRE, KENNETH ALLEN
TALLEY, JAMES D.
TRUMP, DAVID H.
VALDEZ, MICHAEL R.
WAACK, MATTHEW W.
WAND, KEVIN TIMOTHY
ZAJDOWICZ, MARGAN MAMIE

SUPPLY CORPS OFFICERS

To be captain

ANDERSON, PETER KING
BIRD, LINDA JEANNE
BRANIFF, GREGORY JAMES
BRISTOW, JAMES STEVEN
BRISTOW, WILLIAM DAVIS
CORNELY, EDWARD PHILLIP
DELORENZO, JAMES MARC
EBERLY, DAVID ARTHUR
GORMLY, RICHARD BENTON
GUESS, HARRY SAMUEL, JR
HALL, KENNARD RAY
HUDOCK, MICHAEL DAVID
JAGGARD, MICHAEL FRANCIS
KALAS, MICHAEL ROBERT
LILIEBERG, CARL JOHN, III
MAAS, STEVEN WELLS
MCCLURG, JAMES RANDALL
MERRILL, KENNETH JAMES, III
MITCHELL, MARK LEONARD
NOBLE, GEOFFREY THOMAS
POPP, RONNALD GORDON
PROCTOR, LEONARD LEWIS
RANNENBERG, JOHN ELLIOTT
SANDERS, ROBERT EDINBURGH
SULLIVAN, NICHOLAS MARTIN

VANHOUWELING, GERARD ANTHONY
WAGNER, JEFFREY QUIGG
WESTIN, MARK DAVID

CHAPLAIN CORPS OFFICERS

To be captain

BEBEE, ROY L.
BLACK, BARRY CLAYTON
BLANCETT, E.F.
BUMBRY, WAYNE KEITH
CAPPAR, JOSEPH CLAUDE, JR
DILLION, WILLIAM P., JR
ESTABROOK, JOSEPH WALTER
GATES, RICHARD RALPH
LINZEY, GEORGE WILLIAM
MADDEN, JOHN RONALD
MALENE, ROBERT MICHAEL
MAY, CHARLES HENRY
NICKOLS, JAMES P.
PHILLIPS, ROBERT JOSEPH
YOUNG, DAVID RALPH

CIVIL ENGINEER CORPS OFFICERS

To be captain

BLANTON, GUY IVAN, JR
DAILIDE, EDUARD ARAS
FOGARTY, WILLIAM PATRICK
HAMBROCK, DANIEL LEE
JOHNSON, RALPH FLOYD
KORNEGAY, EDWARD LOUIS
KRAAI, BERNARD WILLARD, JR
KUBIC, CHARLES RICHARD
LEWIS, WILLIAM H., III
RICCIO, JOSEPH GEORGE A., JR
RITCHIE, ANDREW SCOTT
SAUNDERS, PETER DAVID
SMITH, GLENN RICHARD
STRYKER, HARRY FORD

DENTAL CORPS OFFICERS

To be captain

ALDRICH, DAVID A.
ALLEMANG, JOHN D., JR
ASSAD, DANIEL A.
BENNETT, GERALD E.
BURTON, RICHARD GEORGE
CERTOSIMO, ALFRED JOSEPH
CHRISTIAN, LESLIE ALLEN
GRAEF, TODD RICHARD
HATCH, CRAIG L.
HILGEMAN, JAMES LEANDER
HORNING, GREGORY M.
HULL, GEORGE R.
JOHNSON, MARK PAUL
JONES, GORDON K.
KUZMA, DAVID J.
MARINAK, KENNETH W.
MCDONALD, WILLIAM H.
MEIERS, JONATHAN C.
MERRIFIELD, RICHARD PAU
MORGAN, WILLIAM C., JR
MUCCI, PAUL C.
PARKER, WILLIAM B.
PAULIN, WILLIAM BRYANT
REED, LON NATHANIEL, III
RIDING, ROBERT H., JR
ROBINSON, BOYD E.
SMITH, LANGSTON DELANO
TAYLOR, PATRICK ERIC
TOTH, RICHARD W.
TYLER, MICHAEL W.
WEISNER, JOHN TURNER
WILHELM, MILES LEO
YORTY, JACK SCOTT

MEDICAL SERVICE CORPS OFFICERS

To be captain

ADKISON, JERRY BLAKE
AGENT, SELWYN KEITH
BLACK, RONALD WAYNE
BREEDEN, GARY CLINTON
KEARSLEY, ERIC EDWARD
KNOX, WILLIAM W.
LISSNER, CHRISTOPHER RO
MOORHEAD, CHARLES EMIL
MOUNTZ, THOMAS CECIL, JR
MOYNIHAN, MARGARET E.
OTLOWSKI, RICHARD
RUTHERFORD, BRUCE DOUGL
SCHNABLE, ROBERT MICHAE
SHANNON, PATRICK ALLEN
SMITH, EDWARD LEE
TAYLOR, MICHAEL AUSTELL
WHEELER, DAVID LEO
ZARKOWSKY, JOHN DAVID

NURSE CORPS OFFICERS

To be captain

BEESON, VIRGINIA REED
BOLD, JOAN ANN
CURLEE, CANDACE
DAY, MARILYN ANITA
DESAVORGNANI, ADRIANE A.
HILL, RUTH KIMBERLY
HUBER, JOAN MARIE
HUGHESREASE, MARSHA LYN
JOHNSTON, CHARLENE RYCH
MAPES, SIGRUN MARIANNE
MARTIN, KATHLEEN LOUSCH
MICHAEL, DOROTHY ANN
MORAN, JANICE WEAVER
PHILLIPS, DONALD W., JR
ROBSON, JOHN EDWARD
RUSCHMEIER, ELIZABETH M.
SULLIVAN, DENNIS JAMES
TEMPLETON, ALMA NANCY
ZABEL, NANCY DIANE

LIMITED DUTY OFFICERS (STAFF)

To be captain

CURRY, DENNIS SAMUEL

IN THE NAVY

THE FOLLOWING-NAMED LIEUTENANT COMMANDERS IN THE LINE OF THE NAVY FOR PROMOTION TO THE PERMANENT GRADE OF COMMANDER, PURSUANT TO TITLE 10, UNITED STATES CODE, SECTION 624, SUBJECT TO QUALIFICATIONS THEREFOR AS PROVIDED BY LAW:

UNRESTRICTED LINE OFFICERS

To be commander

ADAMSON, DAVE RAY
ALBANO, TONY LEE
ALBERTSON, GEORGE SCOTT
ALGERT, DAVID CHRISTIAN
ASH, WILLIAM EDWARD
AVILA, NANCY LYNN
BAKER, WILLIAM KEITH
BALDWIN, CLIFTON VERN
BALZER, GREGG ALLEN
BARCUS, RICHARD SCOTT
BARTCH, DIANNE ELIZABETH
BEATTIE, ROBERT LEE
BELSER, RITCHIE HUGH, III
BENHAM, TIMOTHY LANE
BERGJOHNSEN, JON F.
BERNARD, MICHAEL H.
BERRY, RALPH MICHAEL
BINNIE, WILLIAM BRIAN
BOBBITT, RICHARD BRIEN
BOND, PAULA HUBBARD
BOND, WILLIAM GEORGE
BORGER, WILLIAM H.
BORIK, FRANCIS CHRISTOPHER
BRANNON, MICHAEL WILLIAM
BROSKIKONCZEY, CAROLINE FRAN
BROWN, JOHN ALPHUS, JR.
BROWNE, BRUCE CLEMENT
BUNCE, THOMAS WILLIAM
BURGUNDER, MARK GERARD
BURKE, FRANCIS J.
BUTLER, SANDRA MARIE
BUZBY, MARK HOWARD
CAPS, JOHN CHRISTOPHER
CAREY, KEVIN MICHAEL
CARPENTER, VALERIE ELIZABETH
CARSON, ELLEN K. STIFFLER
CASEY, JAMES JOSEPH
CASEY, MICHAEL SCOTT
CASH, JAMES EARL
CASON, RANDY ALBERT
CHACE, CHRISTOPHER BRUCE
CHADEAYNE, DONALD JAMES
CHAPMAN, KENNETH JOHN, JR.
CHRISTENSON, JON RICHARD
CHURCH, MARTIN EDMOND
CLOYD, JAMES D.
COFFMAN, HOMER JAY
COLGARY, JAMES JOHN
COMBS, BILLY GLENN
CONCANNON, TONYA JO
COOPER, GARRAT EMMANUEL
COX, JAMES COOPER
COX, RONALD RICHARD
CRAYTON, MARK NMN
CRUM, MICHAEL JAMES
CULLOM, PHILIP HART
CURRY, MERL PAUL
CUSH, TERRANCE ALBERT
DAILL, KURT FRANKLIN
DALLAIRE, STEVEN MICHAEL
DALY, JOHN JOSEPH
DANIEL, EDDIE WHITFIELD
DANIELS, DIANNE LOUISE
DANLEY, MARK STEWART
DAVENPORT, WILLIAM J., JR
DAVIDOVICH, MAUREEN ELIZABET
DAVIDSON, JERRY SCOTT
DAVIS, MICHAEL D.
DAVISON, TIMOTHY LEE
DESIMONE, JAMES VINCENT A.
DIERS, VALOR NICKOLS
DIGGS, DONALD G.
DILLARD, JAMES LOUIS
DIPAOLA, PATRICK SAMUEL
DIXON, CHARLES B.
DOMINICK, JAMES STEWART
DREON, JOHN WILLIAM, JR
DRISCOLL, PATRICK
DRURY, KIM MARIE
DUBUQUE, DRU MCELROY
DURAN, ERNESTINE HENRY
DURHAM, RICHARD WADE
DZIELSKI, ANTHONY JOHN
EDWARDS, WILLIAM JAMES
ENDACOTT, DANA DOTTEN
ERICSON, JOHN RAYMOND
ERSKINE, DONALD KIM
EVANS, RONALD RICHARD
FAASSE, DAVID WILLIAM
FARSON, DANIEL PAUL
FISH, JONATHAN DEXTER
FITZPATRICK, R.D.
FLANDERSWURZEL, MOIRA NOREEN
FLORES, THEODORA HELENA
FOSSEEN, WILLIAM CONRAD
FREMONT, DOUGLAS
FRENCH, WILLIAM DOUGLAS
FULLER, ROBERT B.
GABRIELE, STEPHEN G.
GADALETA, ANTHONY M.
GALLAGHER, MICHAEL JAMES
GALVIN, BEULAH CLARE
GEDBAW, MARTHA HELEN
GEER, DAVID CALVIN
GERNAND, JOHN CHARLES
GIARDINA, TIMOTHY M.
GIGLIOTTI, JAMES
GILCHRIST, JOHN PORTER, III
GNASSI, STEVEN DONALD
GORIE, DOMINIC L.
GRANT, STEVEN DOUGLAS
GRAVEEN, JOHN W.
GRAY, WALTER S.
GREENE, JAMES KENT
GRIFFITH, RAYMOND
GRIFFITH, THEODORE PAUL
HAMPTON, GARY WAYNE
HANOLD, GREGG THOMAS
HARKINS, ROY H.
HARRIS, WILLIAM FREDERICK, JR
HARRISS, JOSEPH CHRISTOPHER
HART, LOREN JOSEPH
HAWKINS, ERNEST LEE
HELBLING, TIMOTHY JAMES
HELLE, DEBRA KAYE
HIBBARD, RUSTIE LEE
HICKS, JAMES MARR
HILEMAN, KENNETH L.
HILLAN, JAMES B.
HINES, NELSON RAY
HOBBS, KATHRYN MICHELLE
HOHL, THOMAS KENT
HOKER, WILLIAM PATRICK
HOLZINGER, DEBORAH BRASHIER
HORTON, THOMAS JOHN
HOUCK, KENNETH THEODORE
HUGHEN, WILLIAM GREGORY
HYDE, JERRY LYNN, JR
IFILL, VINCENT STCLAIR
INBODY, DONALD STEPHEN
INMAN, JOHN ELDON
JACKSON, BERNARD LLOYD
JACKSON, DAVID M.
JACKSON, LEON, JR
JAMES, MICHAEL LEE
JARDOT, DAVID EDWARD
JERABEK, DAVID J.
JOHANNES, JOSEPH E., JR
JOHNSON, DAVID CHARLES
JOHNSON, EDWARD ALLEN, JR
JOHNSON, EDWARD JAMES, JR
JOYCE, THOMAS MICHAEL
JUNE, CARL MICHAEL
KASLER, JAMES FREDERICK
KASSILKE, DONALD JEFFREY
KAST, PAUL ANTON
KELLER, RUSSEL C.
KENNEDY, MICHAEL ANTHONY
KILIAN, FREDERICK JOSEPH
KIMBALL, WILLIAM HUNTE
KIMBERLAIN, DANNY ROGER, JR
KING, TRAVIS LEE JR
KIRK, KRISTOPHER D.
KIYOHARA, DEAN MASUMI
KLEPPER, TOMMY DAVID
KLINE, JEFFREY EUGENE
KOENIG, JOHN CHARLES
KOLESNIKOFF, KARL EDWARD
KONECNY, ANTHONY D.
KREMER, STEVEN R.
KRUMEL, GLENN L.
KUNERT, JOHN A.
LANG, ALBERT GEORGE, JR
LARYS, ROBERT P.
LAWS, RANDALL JOHN
LEEDS, ROBERT GEORGE
LEEKER, RICHARD EUGENE JR
LEONARD, SHARON MAE
LINDSTROM, TIMOTHY EDWARD
LIVINGSTON, DIANE ELIZABETH
LOCKLEY, WAYNE TERRENCE
LOFINK, DIANE LEAH HRACHOVEC
LOUGHERY, JO ANNE
LUCARELLI, MICHAEL CHARLES
LUCE, STEVEN EUGENE
LUECK, DALE KEITH
LYNCH, RICHARD NORRIS
MACDOWELL, KENNETH
MACHIN, MARK ABBOTT
MAHAR, JEROME DANIEL
MARMANN, BARBARA ANNE
MARRIOTT, WILLIAM PETER, II
MARSHALL, PAMELA ANN
MATHISON, KEVIN BOURNE
MAYNARD, JAMES STEPHEN
MCCAFFREY, GEORGE ANTHONY
MCCANDLESS, WILLIAM BRUCE
MCCARTHY, THERESA ILENE
MCCARTHY, THOMAS RICHARD
MCCHESNEY, ROBERT NEWMAN, JR
MCCLAIN, DOUGLAS LEE
MCCOMAS, LESA ALEXANDER
MCGEE, WILLIAM STEPHEN
MCKINSTER, STEPHEN WARD
MCCLAIN, WILLIAM E.
MCNAMARA, JOSEPH KEVIN
MCNAMEE, EDWARD PATRICK, III
MCWITHEY, JERRY LEE
MILLAR, DOUGLAS LEE
MILLER, GUY KIM
MILLER, JAMES D.
MILLER, RUBY LYNETTE
MOON, DAVID BRIAN
MOORE, LESTER LARUE, JR
MOORE, ROBERT MILES
MOSTERT, JUSTIN RAYMOND
MOULDER, PAMELA ANN
MULCARE, TIMOTHY M.
MULLOY, JOSEPH P.
MURRAY, MARGARET MARY
NELLER, MICHAEL E.
NIEDERHAUSER, GLEN ALAN
NINER, FRANCIS J.
NOLAN, RICHARD JAMES, JR
NOLTE, PAUL STUART
NORMAND, MITCHELL W., JR
NORTH, LOIS ARTHUR, JR
OBRIEN, EDWARD V.
OBRIEN, EUGENE T.
OLSEN, WILLIAM ARTHUR
OLSON, PETER JOHN
OMORI, FRANCIS
OREM, JOHN HOWARD
OSMAN, CATHERINE HOWES
OTT, TIMOTHY MARK
PARADISE, SETH FOSS
PARKER, GREGORY S.
PASKO, JOHN A.
PATTON, WILLIAM ANTHONY
PEARSALL, CHARLES JUDD, III
PEDERSEN, JOHN BARRY
PENNIMAN, RUSSELL SYLVANUS
PHELAN, THOMAS P.
PIERSON, MARK ALAN
POMPIER, PAUL MAURICE
PONSOLLE, GEORGE LEOPOLD, JR.
PORTER, WILLIAM LUTHER
PRINDLE, BRIAN CHARLES
PROTHERO, DAVID WILLIAM
PRUITT, JOHN MONTEZE, JR.
QUIGLEY JOHN VICENT
QUIGLEY, MILES CHARLES, III
QUINN, DONALD P.
RABENS, MICHAEL VANCE
RADLOFF, ROBERT WAYNE
RAFFERTY, ELAINE RHOADES
RAMIREZ, RICHARD PAUL
RANEY, CHRISTOPHER W.P.
RATTE, JAMES E., JR.
RAY, TERESA LYNN
REICHL, JOHN R.
RICE, RANDY CLYDE
RICHARDSON, DAVID JOHN
RINER, FRANK GEORGE
ROBERTS, JOHN WILLIAM
ROMINGER, KENT VERNON
ROOT, DONALD L.
ROSE, ROGER MARTIN
ROSE, WILLIAM SCOTT
ROSS, STEPHEN SCOTT
ROSS, STEVEN H.
RUSSELL, TODD WALTER
RUSTCHAK, JANET SUZANNE
RUTHERFORD, ROBERT HART
RYAN, JAMES ROGER
RYSTROM, JON ALVIN
SANDO, JEAN MARIE
SEAMAN, MARK D.
SEBASTIAN, JAMES RANDAL
SEGLEM, MARK KEVIN
SEIGEL, STEVEN BRIAN
SELDEN, JOHN KITRIDGE
SELEKMAN, ROBERT JAMES
SHAFFER, PAUL THOMAS
SHANAGHAN, KERRY MICHAEL
SHERMAN, JEFFERSON W.
SHIKADA, DAVID SADAO
SHIPLEY, MITCHELL N.
SHRADER, LEE THEODORE
SKOGSTAD, BRITT C.
SMITH, ROBERT MICHAEL
SMITH, STEVEN LYNEL
SNELL, RAY L.
SOTOMAYOR, CARLOS ALFREDO
SPAIN, DAVID L.
SPICER, RAYMOND ALEXANDER
SPILLANE, ROBERTA
STAMBAUGH, JOHN ALAN
STANLEY, SHARON ANN
STEEN, SUZANNE CLARICE
STEINER, SUZANNE LYNNE
STONE, HOWARD LYONS, III
STRAUSSER, STEVEN RICHARD
SUMNER, JAMES FREDERICK, III
SUSALLA, MICHAEL PAUL
SWAUGER, ERNEST VANCE, JR.
SZOSTAK, MICHAEL JAMES
TALLANT, SHAWN R.
TALON, JAMES DAY
TANDY, CY SPICER
TAYLOR, RICHARD ROY
TEMPESTILLI, MARK
THUMA, CHARLES FREDERICK, JR.
TOLIS, SPENCER P.
TOTI, WILLIAM J.
TRAIL, KEVIN F.
TRONGALE, NICHOLAS ALBERT
TROST, HOWARD FRANK
TRUKKEN, SUSAN JANE
TUNGETT, DAVID WAYNE
TUNSTALLCALABRESE, THERESA L.
UHRICH, KEVIN KARL
URRUTIA, ALEXANDER L.
VALENTINE, WILLIAM DAWSON, JR.
VANBUSKIRK, LAURIE JEAN
VANBUSKIRK SCOTT R.
VOETSCH, STEPHEN STOCKTON
VOORHIES, GERALD JASON
WAGNER, MICHAEL EDWARD
WALKER, CONSTANCE ANN
WARD, ROBERT ORVILLE
WASYLKIW, THEODORE JOSEPH
WEBER, CLIFFORD DEAN
WEIGEL, ALAN MARK
WELCH, THADDEUS BAYNARD, III
WEST, RICHARD C.
WETHERALD, THOMAS STANLEY
WICKER, RICHARD FENTON, III
WILBURN, JADE BRYANT
WILLIAMS, THOMAS ROBERT
WILLIS, DAVID LEE
WILSON, ARTHUR DEAN
WILSON, DWIGHT E.
WOLTER, THOMAS MICHAEL
WOMBLE, THURSTON
WOOTTEN, MARK ALLAN
WRIGHT, CHARLES ROBERT
YARBRO, JOHN FRANK, JR.
YEAGER, WILLIAM E.
YOCUM, RICHARD A.
YOUNG, CHARLES MERRITT, III
YOUNG, JEFFREY CHARLES
YOUNG, RANDOLPH KYLE
YOUNG, ROBERT ALLEN
ZACK, RAYMOND ANDREW
ZAPERACH, RONALD WAYNE

ENGINEERING DUTY OFFICERS

To be commander

BERTHOLD, DUDLEY BRYANT
BROTHERS, DANIEL GLENWOOD
CRAMP, BERNARD J.
DELPERO, PHILIP MARIO
DURAKO, PATRICIA ANN
FOLEY, JAMES K.
HIDDEMEN, ROBIN LEE
HUME, LARRY JOE
INGRAM, JOHN DAVID, JR.
LAUFENBERG, ROBERT S.
LIENARD, DAVID EDWARD
LYLES, KEITH ORAN

MALUSH, RUDOLPH E.
MCCARTHY, WILLIAM FRANCIS
METCALF, SHERMAN GENE
METTE, JAMES A., JR.
POOLE, WILLIAM M.
PRUITT, HENRY L.
ROGER, JAMES EVERETT
SAPONE, DAVID THOMAS
SMITH, JAMES DEVINE, II
THROWERLESESNE, PAMELA EULA
WALKER, ROBERT AMOS
WEISSKOPF, MICHAEL KEVIN
WILLIS, PAUL A.

AEROSPACE ENGINEERING DUTY OFFICERS (ENGINEERING)

To be commander

BRUCE, SCOTT A.
BUCKLEY, ROBERT LEE
FOREMAN, MICAHEL JAMES
GRAHAM, ROBERT GORDON
LEVOCI, PETER A.
LOYER, JOHN R.
MELDRUM, ANDREW GRAHAM
MORONEY, DAVID T.
NARVESON, MARSHALL LEE
PIROZZI, PHILIP C.
STORCH, MARK GERALD
TRAINER, WILLIAM TIMOTHY
WELCH, WILLIAM J.
WILLIAMSON, MICHAEL LARRY
WOOTEN, DAVID CHARLES

AEROSPACE ENGINEERING DUTY OFFICERS (MAINTENANCE)

To be commander

ALSTON, THOMAS PORTER
BECK, DAVID JOHN
BYRNE, VANESSA JANE
CHASE, JOHN HALL, JR.
CODE, CHARLIE C., JR.
DORGAN, MARTHA JO
GRAESER, KENNETH SCOTT
KARR, MARK EVAN
LOZANO, CARLOS
MACDONALD, STEPHEN JOSEPH
MEREDITH, MARK STANLEY
SCHLABAUGH, LARRY GLEN
TOPOLOSKY, JOHN JOSEPH
TYRPAK, JAMES NMN
WERNZ, GLENN ALLAN

AVIATION DUTY OFFICERS

To be commander

BRIDGES, STEPHEN DANIEL
SILVERMAN, DAVID B.

SPECIAL DUTY OFFICERS (CRYPTOLOGY)

To be commander

DEETS, EDWARD H., III
DELOREY, RICHARD L.
HAGGARD, TERRY WAYNE
HARDING, SUSAN KAYE
HARRIS, BASIL N.
HERLIHY, THOMAS PHILIP
KELLY, KEVIN MICHAEL
LANGE, MICHAEL PRESCOTT
LIBBY, SUSAN MARGARET
LUDWIG, KEITH WILLIAM
MACDOUGALL, DAVID RUSSELL
ROHDE, WILLIAM ELWIN
SCOTT, GEORGE ROBERT
SMIETANA, STEPHEN THOMAS

SPECIAL DUTY OFFICERS (INTELLIGENCE)

To be commander

ANDERSON, STEVEN PAUL
BOGGS, ANN MUMMA
BRETHAUER, TODD STEVEN
CARTER, BRUCE W.
CLARK, MARK ALLAN
COONEY, DAVID MARTIN, JR.
COTHRON, TONY LEE
CREASY, DAVID WAYNE
DEGREE, JAMES JOSEPH
DORSETT, DAVID JOHN
FARRELL, KEVIN CLARK
FOX, DENNIS R.
GARDELLA, PAUL RICHARD, JR.
GREG, CARRIE MARTIN
GRIFFIN, ARTHUR C.
GUNGGOLL, MARK ERNEST
HIZENSKI, AMY LINDA
HOWARTH, THOMAS ANTHONY, II
HUDDLESTON, ROBERT
IRWIN, WILLIAM LOVEJOY
JOHNSON, MARY ALICE
KELLER, TRACY NEAL
KELLY, JAMES M.
LAMBRECHT, RONALD ANTHONY
LOUGHERY, HERBERT ANTHONY
MCINTYRE, ROBERT FRANCIS
MOORE, PAULA LOUISE
OBRIEN, PETER ALEXANDER
OGRADY, DENISE HELEN
REISKE, WILLIAM FRANCIS
ROCKER, JEFFREY NMN
SPROWLS, LAURA JOYCE
THOMAS, JOHN WATIES, JR.
WARD, THOMAS SPENCER

SPECIAL DUTY OFFICERS (PUBLIC AFFAIRS)

To be commander

GRADISHER, JOSEPH FRANCIS
KING, GLENDON MARK
WENSING, KEVIN MICHAEL

SPECIAL DUTY OFFICERS (OCEANOGRAPHY)

To be commander

BACON, JEFFREY LEWIS
BAROCK, RICHARD TIMOTHY
CURTIS, JOHN E.
GILLARD, DAVID W.
GRANDAU, FRANK JOSEPH
GREEN, CHARLES WILLIE
LILLY, CRAIG DOUGLAS
PAUL, LINDA SUE
SHEMA, RICHARD ALLEN
SHERIDAN, TIMOTHY FRANK
SMOLINSKI, STEVEN PAUL
TOLL, RAYMOND F., JR

LIMITED DUTY OFFICERS (LINE)

To be commander

BECKER, ERNEST CHARLES
BENNETT, MICHAEL RAY
BLAKLEY, ROBERT WILLIAM
BOUDAH, MARK FREDRICK
BRANGES, WARREN GREGORY
BUTLER, ROBERT G., JR
CALLIS, LLOYD BAKER JENKINS
CAVINESS, EDMOND CARROLL, II
CHESTNUTT, HAROLD DEAN
CHOYESKI, FRANKIE DALE
CLARK, JAMES LARRY
COX, WILLIAM LOUIS
CRESS, CLIFFORD W.
CRIPPS, ROY LOUIS
CRISLER, ROBERT BRUCE
DERRICK, JAY
DIAMOND, ROBERT
DILLON, VEON RICHARD
DOWNS, BERNARD RAPHAEL
DUKE, JAMES M. JR
EWING, WILLIAM ALBERT, JR
GARDINER, EDDIE JOSEPH, JR
GODWIN, MARSHALL EARL
HAMILTON, EDWIN PHILIP
HAVENS, WILLIAM EDWARD
HEERY, JOSEPH WILLIAM
HOMAN, LEWIS NEVIN
HURST, LARRY CARL
JEFFERSON, CHARLES RAY
KENNEDY, JOHN MICHAEL, JR
KING, LEONARD
LANDRY, HENRY GEORG, JR
LARKIN, STEPHEN EVERETT
LEHMAN, LAWRENCE LESTER
LEWARE, BENTLEY CHARLES
LIPPA, VAL EDWARD
MALSON, ROBERT CHARLES
MARTIN, JOHN LAWRENCE
MAYFIELD, ANDRE HENRY
MCFARLANE, ANTHONY E.
MEADORS, DENNIS EDGAR
MEIEROTTO, VERNON CLIFFORD
MUSTO, LAWRENCE LOUIS, JR
ODELL, JAMES CRAIG
OLIC, FRANK PHILIP
PAYNE, EDWARD
PHILLIPS, CHARLES LEON, JR
PORTER, JAMES MICHAEL
ROCKWELL, JOHN ERNEST
ROUSSEAU, LESTER GENE
RUBINK, GERALD DEAN
RUSTCHAK, DANIEL FRANKLIN
SCRANTON, MICHAEL STEPHEN
SELLERS, KENNETH RAY
SHARP, KENNARD WAYNE, JR
SHREINER, TERRY LEE
SIMONS, THOMAS PAUL
SIMS, HOLLIS E.
STARNES, WINFORD HUBERT, JR
THOMAS, CLARENCE AUGUSTUS, JR
TYRE, ODEEN LADALE
UNDERWOOD, JON HARLAND
VERMETTE, PAUL MICHAEL
WHEAT, GRAY RAY
YANKOVICH, EDWARD PAUL, JR
ZUCHERO, WILLIAM JOHN, JR

IN THE NAVY

THE FOLLOWING-NAMED LIEUTENANT COMMANDERS IN THE STAFF CORPS OF THE NAVY FOR PROMOTION TO THE PERMANENT GRADE OF COMMANDER, PURSUANT TO TITLE 10, UNITED STATES CODE, SECTION 624, SUBJECT TO QUALIFICATIONS THEREFOR AS PROVIDED BY LAW:

MEDICAL CORPS OFFICERS

To be commander

ANDERSON, MICHAEL HUNTE
ANDERSON, WARREN
APRILL, BRIAN SCOTT
AVALLONE, JOHN MICHAEL
BLASSER, MARC H.
BLOOM, JAMES R.
BONO, RAQUEL CRUZ
BOYCE, KER
BRAUN, DALE
BREITERMAN, ANDREW CLAR
BRIDGES, JAMES D.
BRINK, DAVID ANDREW
BROOKS, JAMES ROBERT
BURTON, RICHARD JAMES
BUTLER, JAMES ARTHUR
BYNUM, EDWARD BRUCE
BYRNES, GORDON ANDREW
CHAHBAZI, JOHN CLARK
CHAWLA, SANTOSH JAMWAL
CHAWLA, SATISH
CHEESEMAN, EDWARD
CHRISTENSON, CATHERINE
CHURCH, PRESTON
CLEMENTS, WALTER LOWELL
COLEMAN, COLLEEN M.
COX, GERARD R.
CRANE, JAMES MONTGOMERY
CROWLEY, JOHN W.
CULPEPPER, RANDALL
CURIALE, STEVEN VINCENT
CURTIN, TIMOTHY JOSEPH
CURTIS, RICHARD D.
CURTIS, PETER HODSON
CUTTING, JONATHAN PAUL
DALTON, WARREN RICH
DAVIES, DAVID E.
DAVIS, DAVID A.
DELEONMENDOZA, FELICISI
DEMPSKI, JEFFREY WALTER
DENOBILE, JOHN WILLIAM
DICKERSON, MICHAEL MANF
DMOCHOWSKI, ROGER
DONNAL, JOHN F.
DOWNEY, MARK PATRICK
DRAKE, ALMOND JERKINS I.
DUSENBERY, DAVID
EDWARDS, RICHARD CALVIN
ENSELEIT, WOLFRAM H.
ESHMAN, STEPHEN JEFFREY
FEENEY, JOHN ROBERT
FETTER, JOHN EDGAR
FISCHER, ROBERT J.
FLETCHER, CLINTON LYNN
FORRESTER, JOSEPH M.
FRASSICA, DEBORAH ANNE
FROST, RANDALL E.
GARLAND, LANDON WELLFOR
GASTON, BENJAMIN M., IV
GIBB, MATTHEW DEWOLFE
GOEPFERT, CARY J.
GOYINS, GALE GERARD
GRAF, JAMES ALAN
GRAHAM, SCOTT J.
GREENWALD, JEFFREY ROBE
GRONKIEWICZ, BRUCE VINC
GROSSKREUTZ, SCOTT ROBE
HACKETT, THOMAS E.
HARRINGTON, JAMES F.
HEMP, JAMES ROBERT
HENNRIKUS, WILLIAM LAWR
HIGGINS, STANLEY MICHAE
HINSON, DOUGLAS M.
HOLZINGER, KARL A.
HOOD, ROBERT EARL, JR.
HOOKER, STEPHEN GLENN
HURLEY, DONALD
JENNINGS, HEIDI ANN
KEATING, ROBERT F.
KELLEY, RANDALL
KELSO, JOHN MONTANA
KERRICK, STEVEN SCOTT
KNOOP, KEVIN JOSEPH
KOFFMAN, ROBERT LEWIS
LAMM, JAMES DOMINIC
LAPA, JOYCE ANN
LAPPERT, PATRICK W.
LARKIN, BRENDA ANNE
LEWIS, DREW
LEWIS, EVELYN LYNNETTE
LLEWELLYN, DAVID M.
LONGSTAFF, JAMES EDWIN
LOVINS, DARRELL EVAN
MAGRINO, THOMAS JOSEPH
MAQUERA, VICTOR ADALBER
MARKWELL, JAMES KEVIN
MASCI, ROBERT L.
MAXWELL, JAMES M.
MCALEER, IRENE M.
MCCARTEN, MICHAEL DAMIA
MCGINNIS, MARY E.
MCWILLIAMS, TERRENCE R.
MITCHELL, CRAIG STEPHEN
MONAGHAN, TIMOTHY DANIE
MONTGOMERY, JEAN CHARLE
MOORE, GLEN LESLIE
MORAN, THOMAS J.
MORIN, WILLIAM DAIVD
MORRA, MARCUS NAPOLEONE
NELLESTEIN, MICHAEL EUG
NORWOOD, KENNETH WESTCO
NOWICKI, STEVEN DOUGLAS
ODONOVAN, TERRENCE M.
OLESEN, MARK CLIFFORD
ONEIL, KEVIN MICHAEL
OSGOOD, JOHN CHRISTOPHE
PAPARELLO, SCOTT
PELLOSIE, CARMINE JOHN
PEZOR, LAURENCE JOHN, JR
PLAJA, DENNIS JOHN
POWELL, CARL ALLEN
RALSTON, MARK ELMER
REED, JAMES SCOTT
REED, SANDRA LEE
REESE, CHARLES A.
REID, DAVID SETTLE
RICE, JAMES PHILIP
RICHIE, EMILY LEACH
RICHIE, THOMAS LAURENCE
ROBERTS, ALLEN H., II
ROBINSON, DON E.
ROSENBAUM, DONALD H.
ROWE, DENNIS N.
RUDOLPH, WILLIAM GARRY
SAGEMAN, WILLIAM SCOTT
SANDUSKY, WILLIAM
SASSLER, ALFRED MARK
SAVARINO, STEPHEN J.
SCHALL, DOUGLAS
SCHNEPF, GLENN ADRIAN
SCOTT, DANIEL ALFRED
SHANNON, STRATTON
SHIVELEY, DAVID LEE
SMITH, MARK DAVID
SMITH, WILLIAM
SOVER, ERIC RICHARD
SPENCER, DAVID DUANE
STABB, DAVID B.
STOCKEL, JOHN BRENNAN
STOCKS, ALTON L.
STRAND, WILLIAM RICHARD
SUMIDA, FLOYD KANAME
SWEENEY, WILLIAM B.
TAYLOR, ROBERT ROLAND
TENERIELLO, MICHAEL G.
THOENE, JOSEPH G.
THOMPSON, WILLIAM RALEI
TIMONEY, JAMES MICHAEL
TIMPERLAKE, ROGER W.
TOMASIC, PAUL V.
TORKILDSON, JOSEPH CHAR
TREZZA, SCOTT A.
TRIANA, MARK
TROUM, BETH ANN
TUREN, CLIFFORD H.
UTECHT, LYNN MARIE
VALBRACHT, LOUIS EDWARD
VICENS, JOSE JUAN
WAH, ROBERT MARCUS
WEBER, FREDERICK H.
WENZEL, MICHAEL SCOTT
WHEALTON, EDWARD
WILLIAMS, CYNTHIA MARY
WILLIAMS, JOHN P.
WILSON, ROBERT FRANCIS
WOJTCZAK, HENRY ALBERT
YORK, JAMES KELSO
YUND, ALAN JEFFREY

SUPPLY CORPS OFFICERS

To be commander

ABRAMOWICZ, SYLVESTER P. JR.
BECHTOL, DAVID J.
BELL, CHARLES W.
BERUBE, RAYMOND EDWARD
BOIKE, RICHARD EDWARD
BRYANT, MICHAEL BENTLEY
CASTILLO, STEVEN ANTHONY
COLE, CHARLES PEGRAM, JR.
CONDE, HENRY NMN
CUMMISKEY, JOSEPH WILLIA, III
DEGEORGE, JOHN FOSTER
DEGUIA, EDGARDO TAN
ENGLER, MAXINE RICHARD
FERRARO, ERIC L.
FITZGERALD, DAVID MICHAEL
FRANKWICH, JOSEPH ADAM
GEIS, EVERETT LEE
GRAHAM, PHILIP ELZY
HALE, ROBERT EDWARD
HARGROVE, ROGER DALE
HARMS, GERARD RICHARD
HECKELMAN, LOREN VERNE
HIGGINS, DAVID ALAN
HINTON, BRIAN LEE
HITCHOCK, JON VICTOR
HOLLAND, JAMES FRANCIS
HONEYCUTT, THOMAS WILLIAM
KEEFER, BRIAN DAVID
KENNEDY, MARK JAYE
LIEN, DANIEL MAURICE
MARTIN, DANA ALLEN
MCCARY, WILLIAM WRIGHT
MCKEE, LAURIE ANN
MCLEAN, HUGH SCOTT
MCNEILL, PAUL LYNN
MOORE, VIRGIL VANCE, IV
OBRIEN, RAYMOND MARK
PETERSEN, KEVIN LAWRENCE
PLUNKETT, MICHAEL JOSEPH
POAD, DOUGLAS ALLEN
PRENDERGAST, JOHN JOSEPH, III
PRICE, LARRY DALE
PRIEST, KEVIN MICHAEL
PULLEN, JAMES TERRY
RITCHIE, ROBERT JOSEPH
ROBBINS, PAUL H., JR.
SCHAUBER, JON ARTHUR
SCHEFFS, DALE K.
SCHWORER, WILLIAM JOSEPH III
SIMPSON, JOHNNY ROY
STABILE, MICHAEL E
STRINGER, TIMOTHY HAMPSHIRE
SWEENEY, JOHN JOSEPH, JR.
VALENTI, PHILIP JOSEPH
VIELLIEU, BENJAMIN LOUIS
WAITE, STEPHEN JOSEPH
WARKENTIEN, DAVID JEFFERY
WEBB, JULIE ELIZABETH
WEBSTER, CHRISTOPHER WILLIAM
WORLEY, BRUCE EDWARD

CHAPLAIN CORPS OFFICERS

To be commander

BUTLER, RICHARD COREY
CAIAZZO, GREGORY GENE
CLIFFORD, GEORGE MINOTT, III
HARRIS, JACKSON LEE, II
HEPNER, GREGORY ALLEN
JENSEN, WOLLOM ALLEN
JOHNSON, FRANKLIN OSCAR, JR.
JOHNSON, THOMAS STUART
MEYER, RONALD FREDERICK
MORGAN, JAMES PATRICK
PATTERSON, JAMES GRADY, JR.
POE, ERNEST ADLAI
REED, WILLIAM ALLEN
SEELY, GERALD DON
TATE, JESSIE RAYMOND
VALKO, ROBERT ANDREW
VERNER, THOMAS ROBERT
WASHBURN, MARY ELLEN
WHITE, MICHAEL KILLIAN
YORK, LORENZO COPPER

CIVIL ENGINEER CORPS OFFICERS

To be commander

AMARANTIDES, JOHN
BEARY, WILLIAM J.
BENGTSON, ROBERT HARRY
BIGGINS, TIMOTHY F.
BOLLINGER, JOHN REED
BOND, TIMOTHY J.
CALHOUN, THOMAS G.
CELLON, RICHARD E.
DELL, JAMES P.
DRAPER, JOHN DANIEL, JR.
ECKERT, ANDREW NORMAN
EICHERT, GEORGE EDWARD
ENGLE, GARY ALLEN
GEMENDER, MARK BENEDICT
HIRAKAWA, JIMMY SPENCER
HYDE, ROBERT WILLIAM
MCCULLUM, WILLIAM J.
ORNDOFF, DONALD HOYT

PATTERSON, MICHAEL J.
RADO, KENNETH LEWIS
ROTZ, ROBERT D.
SCHAEFER, MICHAEL EDWARD
SCHANZE, CHRISTOPHER NMN
SCHENK, ROBERT EUGENE, JR.
SMITH, FREDERICK RUSSEL
SNYDER, JOHN LEO
STIRLING, JAMES S.
VANHUTTEN, DARRELL YOUNG
WESTBERG, ROBERT

JUDGE ADVOCATE GENERAL'S CORPS OFFICERS

To be commander

BAGLEY, RICHARD WARREN
BANNOW, STEVEN WALKER
CLAUSSEN, ROGER REX
CLOPTON, CHARLES M.
GARAFFA, JOHN VINCENT
GETCHELL, ANTHONY B.
HATCH, GERALD T.
JOHNSON, PAUL CAMBRON J.
LEACHMAN, PENNIE CANNON
MCGREGOR, MICHAEL E.
NAGLE, TIMOTHY JOHN
NEWMAN, MELVIN DOUGLAS
NORMAN, JAMES BRADLEY
PRICE, CLARK ALAN
RITTER, WAYNE LYMAN, JR.
ROLPH, JOHN WILLIAM
SCHAPLER, ROBERT HANS
SPRATT, SHELLEY WINFIEL

DENTAL CORPS OFFICERS

To be commander

ANTUS, JAMES JOSEPH
ARENA, CHARLES ANTHONY
BARRETT, LAWRENCE ARTHU
BRYANT, NATHANIEL CEDRI
BUTT, WILLIAM EDWARD
CHAU, JAMES YUK MING
DEMAYO, THOMAS JOSEPH J.
DEPAUL, JOHN MICHAEL, JR.
DEURING, WILLIAM N.
EAGAN, DOUGLAS LAWRENCE
ECKENBERG, ROBERT NORMA
EIFERT, KENNETH GRAY
EISENHARDT, PETER WILLI
GERHARDT, PAUL WILBUR
HANEY, SCOTT C.
HUDSON, THOMAS CLAY
JOHNSON, DEBORAH KAY
LAFFERTY, THOMAS A.
MARTINO, JOHN F.
MCCLANAHAN, SCOTT BRINK
METZLER, DAVID GRANT
MOORE, BECKY SUE
NAPPEN, HOLLY LYNN
PASTOR, JAMES E.
PAUL, BRIAN FRANCIS
PROSE, GARY E.
REEG, EDWARD GEORGE
SANTULLI, GERALD ANTHON
SCHWAB, RICHARD ROY
SMITH, JAMES ALAN
SYNNOTT, SCOTT ARTHUR
THORPE, JEFFREY ROBERT
VARGA, KLARA J. EDITH
WALCZYK, THOMAS DANIEL
WHITE, CECIL, JR.
WRAY, ROGER DALE

MEDICAL SERVICE CORPS OFFICERS

To be commander

ALFORD, SAMUEL PATRICK
ASHBROOK, FRED MARTIN
BARROW, ANGELE WERTHMUL
BEAUGRAND, MARSHA JANE
BECKER, RICHARD ALAN
BENNETT, BRAD LEE
BIANCO, MARJORIE ANN
BOULDIN, AGNES ROGERS
BURANS, JAMES PETER
CABURIAN, EDGAR CLEMENT
CATABAY, RODRIGO SANTOS
CHURCHILL, FREDA VAUGHA
CLARK, JEFFREY LYNN
COCRANE, RICHARD MARK
CONNORS, JEANNIE LEE
CONNORS, ROBERT EDWARD
CRAIGMILES, RAYMOND GRE
DOLGIN, DANIEL LEE
DONLIN, MICHAEL THOMAS
ENGLISH, CHARLES K.
EPPS, JAMES CAMERON
FAHLER, DANNY J.
FULCHER, LARRY MATTHEWS
GETKA, ERIC JOSEPH
GIAMBARRESI, LEO IGNAZI
GLEISNER, DAVID PAUL
GREENAUER, MICHAEL ARTH
GRIFFITH, RICHARD OBRIE
HALL, GREGORY EUGENE
HARRIS, MONTE LEE
HEIDRICH, JERROLD CHRIS
HIRSH, ROGER NELSON
HUTTON, KENNETH LAVERN
JENKINS, WILLIAM BRENNA
KANE, EDWARD JOSEPH, JR
LANE, EDWARD MILTON
LUNDGREN, RICHARD ERICK
MANDERS, JULIAN HENRY J.
MARKO, KATHRYN WESTFALL
MATTHEWS, ROBERT ALLAN
MATTINGLEY, MARK WILLIA
MCCORMACK, MARCELLA MAU
MERCER, ALBERT HYLAND J.
MILLER, ARTHUR RICHARD
NEED, JAMES TERKEURST
NELSON, ALAN LEE
NIELSEN, DANN WILLIAM
NOELLER, KATHERINE RENE
NOVAK, DIANA MARY
PAIGEDOBSON, BEVERLY
PARKER, JAMES
PAST, MARILYN RAE
PRZYBYL, JANEE LEE
QUINONES, ROBERTO, JR.
REEVES, DENNIS LYNN
SELLIN, ROBERT ANTHONY
SHIGLEY, ELENOR MACARAE
SMITH, RANDALL JAY
SOLIS, SHIRLEY A.
STEIN, KENNETH ALAN
SWISHER, RAYMOND JOSEPH
TAKAHASHI, KENNETH
TATMAN, TERRY LEE
THOMAS, LEANNE LEE
TINNEY, GLENNA LEA
TITI, RICHARD J.
WALKER, MARK ANDREW
WHITE, STEPHEN CRAIG
YOUNG, WALTER MARTIN, JR.
ZAMBITO, PAUL RICHARD

NURSE CORPS OFFICERS

To be commander

ALLISON, RICH EUGENE
ANDRADE, ROSEMARIE
ARINGTON, RONALD GENE
BANKESTER, PEGGY JEAN
CAPPELLO, CYNTHIA SHAUN
CASTLEBERRY, LAURA ANNE
CONNORS, MARGARET ANN
COYLE, CYNTHIA ANN
CRANE, PAMELA ELIZABETH
CURTO, CHRISTINE JOSYAN
CWIKLA, JACQUELYN KAY
DEATER, MARY FERN
DELTORO, MIGUEL ANGEL J.
DESALVO, MARY ELIZABERTH
DOLAN, CHARLES C., III
DUNN, WILLIAM DAVID
EHLERS, CHRISTINE DIANE
FEDEROVICH, PETER NICHO
FELLER, CYNTHIA, M.
FELLIN, PATRICIA ANNE
FLIPPO, POLLY LYNN
FREVERT, GAYLE LYNN
GALLAHER, MICHAEL ROBER
GALLOWAY, GLYNN WARD, JR.
GARDNER, DONNA JEAN
GLACCUM, LOUANNE VICKER
GRAHECK, LAWRENCE DEAN
GREEN, MATTHEW ALAN
GUSTAFSON, LINDA PRINCE
HAMMOND, LEONA THERESA
HARTWELL, VATHRICE HAMI
HAUGHINBERRY, DONNA MAR
HAUSER, MARY LYNN
HERTERICH, DEBORAH KENT
HILL, FREDERICK CHARLES
HOLUB, NANCY LOUISE
HOOGENDORN, RAELENE KUL
HOURIGAN, JANE KATHRYN
KACMARSKY, RICHARD JOSE
KESTLE, LUCINDA ANN
KINNEY, MARY LOIS
KLINE, MARY A.
KOMANETSKY, M.S., FILLING
KREBES, GAY ANTOINETTE
LAMBERT, ARMAND D., JR.
LARSON, LAURIE WOOD
LAURENT, CHRISTOPHER LE
LEARY, BARBARA FRANCES
LEE, THOMAS KYLE
LEMON, MARCHIA HINKLE
LOGEMAN, JUDY ANN
MCCLAIN, DENNIS RAYMOND
MCCORMICK, CHARLOTTE HE
MCGLOON, ELIZABETH BRAD
MCGRATH, MARY CECILIA
MCKAY, DEBORAH ANN
MCKENZIE, ROBIN THERESA
MCNAMARA, KAREN JEANETT
MENENBERG, SONIA RISA
MICHAL, DIANE MARIE
MITCHELL, JACQUELINE AN
MORGAN, JANE MERCEDES
MORRISON, ROBERT WILLIA
MYNCHENBERG, THOMAS LJ
OFFRINGA, ROBERT ALLAN
PAGLIARA, CLAIRE MARIE
PAYONK, NOREEN KAY
PELLINI, DEBORAH
PRESSLER, ERIC PAUL
PRESTON, MARY CATHERINE
REDFORDVOGLER, SUSAN K.
ROBERTS, BARBARA ANN
SAFRAN, DORIS JEAN
SCHJAVLAND, ELENA T.
SHAUGHNESY, LARRY KEVIN
SHIFFER, SCOTT WAYNE
SIMPSON, PEGGY FAYE
SLATER, MAUREEN ANNE
SLOAN, ROSALIND
SMITH, FRANCES ROSE
SPATRISANO, WILLIAM F.
STEARNS, DIANE ALYNN
STOKKE, CHRISTOPHER A.
TAPP, NANCY ZIKARAS
TAYLOR, CHARLES EDWIN
THOMPSON, MICHAEL T.
VARBONCOEUR, EUGENIA C.
WASNEECHAK, DANIEL ALAN
WHITING, DAVID ROBERT
WIMETT, JEANINE LOUISE
WONDERLICH, DANIEL LEE

LIMITED DUTY OFFICERS (STAFF)

To be commander

MAURICIO, LORETO LADRINGAN
PIGEON, ROGER EMILE
ZEOLI, NICHOLAS FRANCIS, JR

IN THE NAVY

THE FOLLOWING-NAMED LIEUTENANTS IN THE LINE OF THE NAVY FOR PROMOTION TO THE PERMANENT GRADE OF LIEUTENANT COMMANDER, PURSUANT TO TITLE 10, UNITED STATES CODE, SECTION 624, SUBJECT TO QUALIFICATIONS THEREFOR AS PROVIDED BY LAW:

UNRESTRICTED LINE OFFICERS

To be lieutenant commander

AABERG, WAYNE THOMAS
ABALOS, AURORA SISON
ABITANTE, GEORGE PETER
ABRAMSON, ALAN JOHN
ADAMS, FREDERICK JAMES, III
AGAN, CHRISTOPHER EARL
AITCHESON, KENT ROBERT
ALCORN, FLOYD, II
ALEXANDER, PAUL MCLELLAN, JR
ALLEN, KIRK DEAN
ANDERSON, ROBERT DURAND, JR
ANDREWS, ANNIE BELLE
ANGLADE, PAUL PHILIPPE
APONTE, CARLOS EMILIO
AQUILINO, JOHN CHRISTOPHER
ARMSTRONG, JEFFREY HART
ASHTON, DUANE ROWAN
AUTEN, KENNETH WAYNE
AZMUS, DORA JUNE TAYLOR
BAILEY, THOMAS WAYNE
BALANTIC, FRANK WILLIAM
BALDREE, STEVEN W.
BALL, DANIEL JAMES
BARE, KEITH ALLEN
BARNES, THMAS EDWARD, JR
BARTHOLOMEW, DAVID JOSEPH, JR
BARTKOSKI, JEFFREY SCOTT
BARTKOWSKI, MICHAEL SCOTT
BARTLETT, RUSSELL JAMES
BATCHELDER, CRAIG DOUGLAS
BATES, STEVEN E
BAXTER, STEVEN
BECKVONPECCOZ, STEPHEN W., JR
BEEDENBENDER, MARK G.
BEHNFELDT, BARRY WALDEN
BEHR, CARL GORDON
BELTZ, THOMAS JAMES
BERGER, MICHAEL DOMINIC
BERGER, THEODORE JAMES, JR
BERNIER, DENISE RENE
BERRY, JOHN KENNETH
BERTOLINO, LAWRENCE GERARD
BEVINGTON, DENNIS GERARD
BISHOP, JR WILLIAM CARL
BITTNER, LAWRENCE PAUL
BIZZELL, DIANE THERESE
BJORKLUND, BRUCE ROBERT
BLANCHARD, FREDERICK THEODOR
BLOCH, SUZANNE RUTH
BLOCK, THIMOTHY JAMES
BLUESTEIN, KEITH ALAN
BOGDAN, DAVID SCOTT
BOHNSTEDT, KEVIN DEREK
BOIS, STEVEN GERARD
BOND, THOMAS HENRY, JR
BONSALL, GEORGE
BOONE, LAYNE RENEE
BORDEN, STEVEN ARTHUR
BOSTOCK, TODD WILLIAM
BOTHAM, RICHARD DANIEL
BOTONIS, JULIE SHAINE
BOUDREAU, GEORGE BERNARD, III
BOURQUE, MICHAEL THOMAS
BOUTWELL, BRIAN HAROLD
BOUZEK, MATTHEW GERARD
BOWDEN, GREGORY WARNE
BOWLES, ROMAN DANIEL
BOWMAN, AARON LEROY
BOYENGA, JEROME IRVING
BRADLEY, ANTHONY STEVEN
BRAGG, RODERIC CHARLES
BRAKER, WILLIAM CHARLES
BRAKKE, BRIAN JAMES
BRANSOM, WENDY RENEE
BREEN, MICHAEL JOSEPH
BRELAND, ELIZABETH ANN
BROADWATER, JAMES CALVIN
BROCKMARK, JUDITH
BROENE, BRIAN JAMES
BROOKS, CONRAD DANIEL
BROSE, CHRISTOPHER VALENTINE
BROWN, BRUCE ALLEN
BROWN, DOUGLAS JAMES
BROWN, JAMES J.
BROWN, JAMES ROBERT
BROWN, LLOYD PERRYMAN, JR
BROWN, MICHAEL WAYNE
BROWN, ROGER WILLIAM
BRUHN, DAVID DANIEL
BUCK, SEAN SCOTT
BURDICK, KENDALL ARTHUR
BURGOYNE, DOUGLAS JEFFREY
BUTCHER, KATHARINE JAN
BUTLER, JOHN CHARLES
BUTLER, RICHARD WALLACE
BUTTS, WHITMORE SPENCER, III
BUZZARD, RAYMOND KARL
BYRD, JULIUS HENRY, JR
BYRNE, ROBERT JOSEPH J.
CACCIVIO, JOHN DAVID, JR
CAIN, WILLIAM JAMES
CALCOTE, ROY KEITH
CALLAGHAN, VIRGINIA R.
CAMERON, ROBERT JOHN, JR
CAMPBELL, KEVIN PETER
CAREY, JOSETTE LAVERNE
CARLISLE, HOLLY LOUISE
CARMON, TERRY LEE
CARROLL, THOMAS
CARTER, GORDON REID
CARTIER, MATTHEW GEORGE
CASTON, VENETIA LOUISE
CAVANO, MICHAEL JAMES
CECCHETTI, JON MARIO
CEREZO, GREGORY ESTRADA
CERVANTES, CHRISTOPHER THOMAS
CHAFFIN, CARL RAY
CHAMBLISS, ROBERT LEE
CHAMNESS, SHARON NENNO
CHASSEE, THOMAS JAMES
CHISHOLM, JOHN SCOTT
CLARK, MICHAEL STEVEN
CLARK, WILLIAM ISAAC
CLOCK, WILLIAM J.
COBB, REX NMN
COLLINS, CHRISTOPHER CLAY
COLLINS, WILLIAM JAMES
COMMONS, ROBERT ANDREW, II
CONOWITCH, KEVIN D.
CONROY, TIMOTHY MICHAEL
COOK, DARRELL CLIFFORD
CORD, GREGORY ALAN
CORRAL, DIEGO RAMIRO
CORREIA, JOSEPH EDWARD
COSTELLO, BRIAN THOMAS
COSTELLO, ROBERT P.
COUGHLIN, EDWARD STEPHEN
COUPE, JAMES DANIEL
CRAIG, CALVIN HULL
CRAWFORD, TIMOTHY WILLIAM
CROCE, JOHN DOUGLAS
CROOKS, CHARLES PATRICK
CROWERS, RICHARD TRYDAY, JR
CRUZ, PATRICIA K.
CRYER, JOHN FRANCIS
CULTON, TERRENCE E.
CUNDARI, STEPHEN GERARD
CURBEAM, ROBERT LEE, JR
CYRUS, ANGELA WILSON
DACEY, THOMAS WILLIAM
DALE, JEFFREY SCOTT
DALY, JOHN MICHAEL
DANET, VINCENT EMILE
DAVIDSON, STUART WAYNE
DAVIS, MARK EDWARD
DAVIS, TERRY KEY
DAVIS, TODD CHARLES
DAVITO, STEVEN PETER
DAWSON, ERIC LEE
DAWSON, PETER MURRAY
DEAN, ANDREW SANFORD
DEARDURFF, MARK JOSEPH
DEE, JAMES MICHAEL
DEGENNARO, ROBERT ANTHONY
DELAGARZA, MICHAEL ALBERTO
DELTORO, CARLOS
DEMARCO, JOSEPH FRANK
DENEALE, SUSAN VICTORIA
DENNIS, LYNN LARRY, JR
DESIMONE, DAVID ROBERT
DILEONARDO, GERALD ANTHONY
DILLMAN, PAUL STEVEN
DINE, WILLIAM ERIC
DISHER, ERIC STEPHEN
DITZLER, BRENT ALAN
DOBBS, MICHAEL JOHN
DOBER, DAVID MICHAEL
DOLAN, MATTHEW HUBERT
DORRIS, ROBERT JAMES
DOTY, CHARLES JOHN
DRAKE, JAMES FRANCIS
DROPP, ANTHONY HENRY
DRUMMOND, CHARLES FREDERICK
DUGAN, DANIEL EUGENE
DUKES, GARY LOUIS
DUNAN, GUY EDWIN
DUNLAP, SUSAN LYNN
DUNN, ARCHIBALD SCOTT
DURAN, JIMMY
DYER, EVELYN J.
DYER, MICHAEL ALLEN
DYKES, JOEL BARRY
EASTERBROOKS, JAMES PAUL
EATON, MICHAEL J.
EBERT, JOSEPH GEORGE
EDENS, JIM BEN, III
EDWARDS, EVAN BOND
EGBERT, THOMAS LINCOLN
EKKER, DAVID ANTHONY
ELAM, WILLIAM ALONZO
ELLIS, LANTZ CLIFFORD
ELLIS, PATRICK EDWIN
EMERSON, DONALD FRANCIS
EMERY, JAMES MICHAEL
EMMES, DEIRDRE MIGNON
ENRIQUEZ, KENNETH ANTHONY
ERICKSON, MICHAEL ROBERT
ESTRADA, WILLIAM RUBEN
EVERETT, MOSES DEROY, JR
FAHEY, JOHN RAYMOND
FAIRBAIRN, EDWARD JAMES
FALETTI, MATTHEW JAMES
FARLIN, STUART L.
FARNHAM, STUART THOMAS
FERNAN, PAUL THOMAS
FILLION, DANIEL HENRY
FINK, ROBERT DOUGLAS
FINNEGAN, RICHARD JOSEPH
FISCHER, STEPHEN LAURENCE
FITZGERALD, NANCY SUSAN
FITZGERALD, PATRICK JOHN
FITZGIBBON, JOHN WILLIAM
FLANAGAN, KEVIN FRANCIS
FLASKERUD, BRENT JAMES
FLATLEY, JAMES HENRY IV
FLETCHER, BRIAN NATHANIEL
FLISK, THOMAS AQUINAS, JR
FORKNER, CARL BYRON
FORNEY, DANIEL PRICE
FOSTER, MICHAEL JOHN
FRANKS, DOUGLAS PRESTON
FRASSE, CHRISTOPHER LEE
FREE, MITCHELL A.

FREITAG, WILLIAM FRANCIS
FROSLEE, HANS MICHAEL
FROST, PAUL JAMES
FULLER, RAYMOND TALLEY, JR
FURTNER, ANN MARIE
GALBREAITH, SCOTT MICHAEL
GALE, DAVID JOHN
GALER, NORMAN WAYNE
GALPIN, ARTHUR FREDERICK, III
GARDNER, RICHARD EUGENE, JR
GATES, JOSEPH HENRY
GENUNG, MARK DAVID
GEORGE, ANDREA LYNN
GERALD, CARVIN KEITH
GILES, ROY WAYNE
GILLESPIE, JEREMY WARD
GILLINGHAM, DAVID ROSS
GINN, LELON LEVOY
GORDON, JEFFREY DOUGLAS
GORDON, MICHAEL SEAN
GOTT, WILLIAM ALLEN
GRACE, ALLEN WARREN
GRAHAM, MICHAEL GLENN
GRANT, LARRY ALLEN
GRAY, KENNETH LEE
GREENBLATT, JERALD MORTON
GREENLEY, JAMES CHARLES
GREGOIRE, JEFFREY WILLIAM
GRESS, RICHARD JOHN, II
GRIMES, RICHARD DUGGAN
GROSS, ROBERT LAREN, JR
GUERRERO, WILLIAM ANDREW
GUSEMAN, ROGER PAUL, II
GWILLIAM, DAVID JOHN WALFORD
HABERMEHL, STUART DALE
HAGINS, GUERRY HALL, JR
HAHN, ROBERT GEORGE
HALE, ANDREW MARTIN
HALE, SCOTT WESLEY
HALLAL, MICHAEL PATRICK, JR
HAMILL, NORTHMORE WILBUR
HAMILTON, LEONARD JOSEPH
HAMILTON, WILLIAM CHRISTOPHE
HARRINGTON, GERALD ROGER
HARRIS, ARTHUR CLARENCE
HARRIS, CHARLES KENNETH
HARRIS, SCOTT DEAN
HARRISON, FRANCIS LEO, JR
HARRISON, JOHN WILLIAM, JR
HART, DEVIN LAFAYETTE
HART, JAMES BRIAN
HART, WILLIAM JOSEPH
HARTFORD, JOHN WILLIAM
HARTMAN, RICHARD KLINE, II
HAWKINS, GINA LORAINE
HAYES, RAYMOND CECIL
HAYNES, ANNETTE MARIE
HAYNES, PAUL ANDREW
HAZARD, CHARLES ALLEN KERR
HEADRICK, ROBERT HUGH, JR
HENDRICKSON, RANDALL M.
HENSON, CHRISTOPHER MICHAEL
HERRING, DAVID EDWARD
HERRINGTON, JOHN BENNETT
HERTLEIN, JAMES ARTHUR
HEYS, WILLIAM SCOTT
HICKS, GERALD THOMAS
HIGGINS, MICHAEL DAVID
HILL, HENRY JAMES
HILL, STEPHEN EARL
HILLEN, CAROLINE MARGARET
HILSCHER, GREGORY JOHN
HINKLEY, BRIAN EDWARD
HOFFMAN, DAVID MICHAEL
HOFFMAN, PAUL JOSEPH
HOFFMANN, RAYMOND FREDERICK
HONE, DON ALLAN
HONEKER, KENNETH SCOTT
HOOKS, ROBERT REESE
HOPGOOD, MARK ROY
HOPKINS, JAMES BUFORD, II
HOSPODAR, ROBERT SCOTT
HOUCHIN, MITCHELL LLOYD
HOUFEK, JOHN RICHARD
HOUGHTON, PAUL STEPHEN
HOWE, PHILIP GARDNER
HOWELL, WILLIAM ROBERT NEWTO
HOWICK, JAMES FRANKLIN
HOWLETT, JEFFREY RICHMOND
HOYLE, MARK RICHARD
HUGGINS, JEFF ALAN
HUGHES, BRIAN DAVID
HUNT, PETER PAUL
HURNI, PHILLIP RANDOLPH
INGRAM, KIM DENISE
ISLEY, TERRELL DWAYNE
JACKSON, STEPHEN MARK
JANACEK, THEODORE KENNETH
JARVIS, JAMES VINCENT
JENKINS, BRENT PERRY
JENNINGS, NATHANIEL HILLS
JOHN, SHARI L.
JOHNSON, KIRK ANDREW
JOHNSTON, DANIEL JOSEPH
JONES, ANDREW SEABORN
JONES, CALVIN AMOS, JR.
KAN, JONATHAN HIDEO
KAPAUN, DAVID MICHAEL, JR.
KARA, FRANK RING
KEATING, MICHAEL JOHN
KEELY, KATHLEEN ANNE
KEILTY, KEVIN JOSEPH
KELLY, CHRISTOPHER JAMES
KELLY, KEVIN FRANCIS
KELLY, SHAUN MICHAEL
KENDALL, JULIE ANNE
KENNEDY, SIDNEY DALTON
KENNEY, JOHN HERBERT, JR.
KERN, JEFFREY WILLIAM
KERSTEN, CHARLES WILLIAM
KESSLER, PHILLIP RAYMOND
KEYS, RICHARD DAVID
KING, ANDREW ALAN
KING, JOSEPH FRANCIS, JR.
KING, MILLIE MAE
KINNAVY, KATHERINE THERESE
KINNEY, JOHN GERALD
KISIEL, THOMAS KENNETH
KITCHENS, RICHARD WAYNE
KOCHMAN, STEVEN GEORGE
KOLBAS, PATRICK JOSEPH
KONDZELLA, STEPHEN TOBIAS
KONEFF, DOUGLAS ANTHONY
KOPAS, ROBERT GEORGE
KORPELA, NANCY CARROL
KOSZALKA, MARK WILCOX
KRAECKBARNES, AINSLIE ANN
KREFT, GERALD PAUL
KRIZ, MICHAEL JAMES
KROFT, JOHN MARK
KUHLMANN, DIETRICH HENRY, III
KUHN, JEFFERY SCOTT
KULP, JEFFREY ALAN
KUYATT, BRUCE NEAL
KUZMA, JAMES MICHAEL
LACKEY, PATRICIA ANN
LACSON, ERNANI MORENA
LACY, REX DAMIAN
LAGERGREN, LEIF ERIK
LAGO, ROBERTO
LANDRUM, CHARLES RAYMOND
LARSEN, SCOTT GREGORY
LARSON, CAROL LYNN
LAVOW, DEBRA JEAN
LEATHERS, SANFORD WESLEY
LEE, JOHN HUDSON
LEE, JOHN STEVEN
LELAND, JAMES MORRISON, III
LEMMON, DAVID ALEXANDER
LESTER, EDWARD JAY
LESTER, GREGORY ALLEN
LESTER, LINDA ANN
LEVINS, KENNETH CHARLES
LEWIS, GERARD MICHAEL
LEWIS, JAY SCOT
LEWIS, RAYMOND JOHN
LEWIS, WILLIAM PAUL
LIEPELT, ROBERT RUEBEN
LINNELL, PAUL FRANCIS
LIPPE, BRIAN THOMAS
LIVESAY, SANDRA THORNTON
LOFTUS, DEBORAH ANN
LONES, JOHN RUDGE, JR.
LONG, JEFFREY CARLTON
LORENZ, DANIEL SCOTT
LOWELL, KATHRYN AMY
LUFFY, TIMOTHY SCOTT
LUGINSLAND, JOSEPH HOWARD
LUNT, ROBERT PAUL
LUPTON, SHERMAN RUDOLPH
LYON, WESLEY WALDEN
MACLAREN, JON MARK
MALLETTE, JAMES ROBERT, JR.
MALONE, WINFRED ALAN
MANDULEY, OCTAVIO ENRIQUE
MARAOUI, ANDRE
MARINACCI, LOUIS GENE
MARRIOTT, WILLIAM ALAN
MARTIN, BRADLEY A.
MARTIN, BRADLEY SCOT
MARTIN, CYNTHIA ANNE
MARTIN, MARSHALL WARREN, JR.
MARTIN, MICHAEL LEO
MARTIN, RAUL ALBERT
MARTINELLI, FRANCIS IGNATIUS
MASON, RUSSELL WILLIAM
MATTHEWS, ROBERT DEWITT
MAYER, PETER CLARK
MAYFIELD, TERRY EDWARD
MAYNARD, DAVID NEAL
MAYNARD, TIMOTHY JACQUES
MCALOON, JEFFREY FRANCIS
MCCALL, DENNIS CHARLES
MCCLELLEN, JEFFREY HAROLD
MCCLURE, MARK LOOMIS
MCCORMICK, STUART ALAN
MCCOY, ANGELO ANTONIO
MCDAVID, CHARLES SCOTT
MCDONALD, ANN MARIE
MCDONALD, CHRISTOPHER JOHN
MCDONOUGH, BARRY RICHARD, JR
MCGLOTHIN, CHARLES CLIFTON J.
MCGOVERN, JAMES JOSEPH
MCHUGH, EVELYN KATHLEEN
MCILVAINE, BRIAN
MCKAVITT, THOMAS PATRICK, JR
MCKENZIE, JEFFREY LYNN
MCLEAN, KATHLEEN ANN
MCLEAN, MICHAEL BROOKS
MCMAHON, MARTIN GERARD
MCQUILKIN, WILLIAM CLINTON
MEHR, STEVEN JOHN
MELAMPY, RONALD WILLIS
MELIN, DAVID WHITING
MENZEN, DAVID ROBERT
MERCER, JOHN CHARLES
MERRITT, RONALD CECIL
MILEY, KENNETH EUGENE
MILLER, DAVID ANDREW
MILLER, JAMES AUGUSTUS, JR
MILLER, JOSEPH PEARCE, III
MILLER, MARVIN LEWIS
MILLER, STEPHEN TRISTAN
MILLS, SAM MICHAEL
MITCHELL, DEBORAH JEANNETTE
MITCHELL, STEPHEN RAYMOND
MODISETTE, JOEL DAVID
MODZELEWSKI, STEPHEN ANTHONY
MOHS, SAMUEL DAVID
MOLKENBUHR, MICHAEL SEAMON
MOODY, ANN MARIE
MOORE, PAUL WARREN
MOORE, SCOTT PURSE
MORALES, ROBERT CRUZ
MORAN, EUGENE FRANCIS
MORAN, TIMOTHY
MOREAU, ELLEN ELIZABETH
MORNEAU, FRANK ANTHONY
MORRILL, KENNETH VOSE
MORRIS, STEVEN MICHAEL
MORRISON, JOHN ALLEN
MORRISON, MARK EDWARD
MORRISON, PETER EDWARD
MORTON, EDWARD
MOSER, RICHARD EARL, JR
MOSS, ERIC BRIAN
MUHA, BARRY RYAN
MULL, ROBERT GEORGE, III
MULLIGAN JAMES OWEN
MUNIE, ROSEMARY COSTELLO
MUNNS, THOMAS M.
MURPHY, MICHAEL JOSEPH
MURPHY, THOMAS ALOYSIUS
MURPHY, THOMAS JOSEPH
MURRAY, DAVID ANDREW
MURRAY, WILLIAM SCOTT
MUSOLF, WAYNE ROY
MYERS, STEVEN J.
MYSINGER, WILLIAM RAY
NASHOLD, ANDREA GALE
NAZIMEK, JEANNE MARIE
NEAGLEY, JOHN PHILLIP
NEAL, RANDALL A.
NEEDHAM, DONALD MICHAEL
NELSON, DAVID ANDREW
NELSON, JOHN WILLIAM
NESTOR, DUANE EDWARD
NETTLETON, EDWARD E.
NEUENFELDT, ALAN RICHARD
NEUENFELDT, BRIAN DOMINIC
NILSSON, INGRID SUSANNE
NINAS, LARRY EDGAR
NOLAND, JOSEPH FRANCIS
NORBERG, CHARLES EVERETT, JR
NORDEL, STEPHEN DAVID
NOWELL, JOHN BLACKWELDER, JR
NYE, MARK CHARLES
NYGAARD, JOHN CHARLES
OGUREK, JEFFREY ALAN
OKEEFE, THOMAS W.
OLSON, LEE A.
ONORATI, ANTHONY BEACH
ORAVEC, MICHAEL JAMES
ORR, WILLIAM PARKER
ORTIZ, VINCENT MICHAEL
OSTWALD, DAVID ALLEN
OTIS, JAMES EDWIN
OWENS, DONALD RAY
OWENS, VICKY JEAN
OWINGS, RICHARD CHARLES
PADFIELD, JONATHAN MAX
PARDUE, PHILLIP CHARLES
PARROTT, NEIL RICHARD
PASCH, JAMES ROY
PATTERSON, ROBERT JOSEPH
PAULSEN, JAMES
PAYNE, JAMES THOMAS
PAYTON, TYRONE
PEARSON, DAVID TRACY
PEARSON, MICHAEL RICHARD
PETERSON, MARLENE JANE
PETERSON, WILLIAM LOUIS
PETTIGREW, TENISE LOUISE
PFIRRMANN, FREDERICK WILLIAM
PHILLIPS, ANN CLAIRE
PHILLPOTT, SCOTT JON
PICCHINI, THEODORE THOMAS
PICKER, JONATHAN DEANE
PIERCE, DAVID DICKEY
PIERSALL, CHARLES HOMER, III
POLLPETER, SCOTT DONALD
PONDS, FERNANDEZ LEWIS
POVLOCK, PAUL ANTHONY
PROULX JAMES CHESTER
PUTNAM, DAVID REID
QUISENBERRY, DAVID MAURICE
RABUN PATRICK COFFIER
RADICE, MARK ROBERT
RADOMSKI, WILLIAM ROBERT
RAGUSA, VIVAN LEROY, II
RAIMONDO, PHILIP BRIAN
RAND, ALICE LOUISE
RASNICK, PETER CRAIG
RATLIFF, CHRISTOPHER SCOLUM
RATNER, TODD GUILD
REA, THERESA MARIE
REAGANS, YOLANDA YVETTE
REAVEY, WILLIAM PATRICK, JR.
REDDEN, MARK EDWARD
REED, SHEENA LOPINO
RESSEL, FREDERICK CHARLES, JR.
RHUDY, DANNY DALE
RICE, ALLEN STUART
RICHARDS, PAUL RANDALL
RICHTER, DEAN ANTHONY
RITCHIE, STEVEN CRAIG
RIVERA, RICHARD CARLOS
RIXEY, JOSEPH WOODFORD
ROBELEN, ALDONA INGE
ROBERTO, FRANK, LOUIS, JR.
ROBINSON, ROBERT GORDON
ROBINSON, RONALD BRADFORD
ROBINSON, TERESIA ANN
RODER, NEIL ANDREW
RODGERS, DANIEL JOE
ROESCH, PATRIC KARL
ROGERS, MICHAEL PATRICK
ROGERS, ROBERT LOUIS
ROHRBACK, MARK DAVID
ROSS, JOHN ROBERT
ROSSANO GRAHAM WIGHT
ROTHENBERGER, DANIEL, D.
ROTHWEILER, GEORGE WILLIAM
ROWLAND, JOHN KEVIN
RUSH, KATHRYN GAYLE
SADSAD, ENRIQUE LERMA
SALINAS, FELIPE ELIEZER
SALITSKY, GEORGE JOSEPH
SALTERS, MICHAEL JEROME
SALVATO MICHAEL JOHN
SAMARIO HECTOR
SANDERS, MICHELLE LYNN
SASSCER MICHAEL SCOTT
SAULT KENNETH ROGER
SAWYER, DEAN ROBERT
SCHALLERT, ANTHONY RAY
SCHIFANDO, RICHARD PAYNE
SCHMIDT, CRAIG WAYNE
SCHMIDT STEVEN PAUL
SCHMIT, PETER J.
SCHNELL, DAVID ALLAN
SCHONENBERG, LEE WILLIAM
SCHREIBER, CHRISTOPHER GEORG
SCHREIBER, STEVEN RANDALL
SCOFIELD, RICHARD DENNIS
SELBREDE, CRAIG MICHAEL
SELLERS, DOUGLAS WAYNE
SERVIS, SHERIE LEE
SEWELL, ROSE MARIE
SHAFFER, FRANK PATRICK
SHANKLAND, PAUL DAVID
SHEEHAN, JOHN CHARLES
SHERRARD, JAMES LAMAR
SHOEN, STEPHEN CHRISTOPHER
SHOMAN, GARY
SHUMAN, ALAN DEAN
SILEO, JOSEPH ANTHONY
SILVERNAGEL, GREGORY ALAN
SIMET, STEVE BRIAN
SIMMONS, FRANK LLOYD
SIMS, JOHNNY DEAN
SLAUGHTER, JOHN MICHAEL
SLOAN, STEVEN EDWARD
SMITH, DIXON RHODES
SMITH, GORDON ANDY
SMITH, LYNN EDWARD
SMITH, MILTON AUGUSTUS, JR
SMITH, RICHARD DWAYNE
SMITH, RICKY DEAN
SMITH, TIMOTHY THOMPSON
SMITH, WALLACE DEAN
SMITS, THEODORE VERNON
SMOLA, SUSAN MARIE
SNAZA, CLAY JAMES
SNELL, WILLIAM ANTHONY, JR.
SNOW, JEANNINE ELIZABETH
SNYDER, DAVID ALAN
SNYDER, JOHN CARL
SOLEY, EDWARD THOMAS
SONNER, ROBERT ALAN
SOUTH, JERRY CURTIS, III
SPEER, JAMES ANDREW
SPERRY, JAMES BRENT
SPLINTER, STEVEN THOMAS
SPRINGER, JEFFREY MARK
STAHURA, DOUGLAS ANDREW
STAINBROOK, ANTHONY LEO
STASCAVAGE, JAMES FRANCIS
STAUFF, KEVIN PAUL
STAUFFER, JAMES VICTOR
STEELE, LEE ARTHUR
STEINBRONN, JEFFREY PAUL
STEPHENS, GARLAND
STEPHENS, ROBERT
STEVENS, JANE FRANCES
STEVENS, PAUL TRACY
STEWART, ROBERT BRUCE
STITT, PETER LYLE
ST JOHN, RICHARD WILLIAM
STOCK, JANET ANN
STOESSEL, SUSAN ANNETTE
STONE, MARK LYLE
STUART, SCOTT CLAYBORNE
SULLIVAN, RAYMOND EARL, JR
SULLIVAN, SEAN CORDEN
SUMMERS, JOHN MICHAEL
SUNDT, SCOTT MARTIN
SUSBILLA, ROBERT TAYAG
SUTHERLAND, STEVEN FRANKLIN
SWANSON, JOEL THOMAS
TAKESUYE, EDWARD LEE
TANNER, LORI JOAN MELLING
TAPPAN, SCOTT JEFFREY
TATE, MARK DENNIS
TAYLOR, THOMAS JOHN
TEICHER, DARIO ESLAIT
THEUS, DANIEL LAMAR
THOMAS, ROSS BAKER
THOMLISON, CYNTHIA ANN
THOMPSON, STEPHEN NORRIS
THURMAN, KATIE PODOLAK
TIBBETS, ERIC JUDSON
TILLER, DAVID CAMERON
TIMME, MARK THOMAS
TOOMBS, MATTHEW ALAN
TOWNS, WALTER LEE
TOWNSEND, JAMES RICHARD
TRAUB, WILLIAM F.
TRENCH, MICHAEL SHAWN
TUBBS, CURTIS WAYNE
TUCKER, RANDALL JAY
TURNER, ROBBIE G.
TWITE, ERIC HURON
TWOMEY, THOMAS RAMON
ULANDER, BRETT NELSON
VALDIVIESO, CHERYL L.
VALE, RICHARD A.
VANBLOEM, PATRICIA MARY
VANCE, BRIAN THOMAS
VANDERKAMP, MARTHA MARIE
VANDYKE, GREGORY GLENN
VANJOOLEN, VINCENTIUS JOZEF
VAUGHAN, TY COURTNEY
VELEZ, RAUL ANTONIO
VISLAY, TRICIA ANN
VISSCHER, KEVIN LAINE
VORMBROCKE, MICHAEL JOSEPH
VOTER, RICHARD SCOTT
WALDHAUSER, MICHAEL GORDON
WALKER, DOUGLAS EARL
WALKER, FLOYD KEITH, JR
WALKER, JOHN DIETRICH
WALKER, JOHN GARRETT
WALTER, GEORGE JOHN, JR
WALTHER, CURT ROBERT
WALTZ, JAMES DAVID
WATKINS, RICHARD JOSEPH, JR
WATSON, JOHN VIRGIL
WATT, CHRISTOPHER JOHN
WEARS, THOMAS G
WEBB, CHARLES DAVID
WEBB, JACKLYN DEWARE
WEBB, PETER KENT
WEBBER, DIANE ELIZABETH H
WESTERWICK, JON BARRY
WETTERSKOG, KEVIN
WHEELER, EDUARDO ESTEBAN
WHEELER, WILLIAM EDWARD
WHISMAN, CURTIS DUANE
WHITE, BRICE LANDREAU
WHITEHEAD, GEORGE SCOTT
WHITEMAN, PHILIP STEPHEN II
WHITSON, ANDREW SHEPHERD
WILDONGER, KEITH JOSEPH
WILLARD, RANDOLPH JAMES
WILLHITE, BRUCE ROBERT
WILLIAMS, CRAIG BACKUS
WILLIAMS, MARK HARDEE

WILLIS, ROBERT JON
WILLISTON, WILLIAM CURTIS
WINKELJOHN, JEFFREY ALAN
WINTERS, JEFFREY BRAD
WISEMAN, ALAN LESLIE
WOLFER, TY ROY
WONDER, FRANK ANTHONY
WOODS, ROBERT BLACK
WOOLSON, MARTHA ANNE
WORLEIN, CHERYL KAY
WRAY, CURTIS DEAN
WRIGHT, STEVEN ROLAND
WYANT, JAMES LYNTON
YANG, KUO H
YARDLEY, ROLAND JAMES
YBARRA, JAMES SIDNEY
YI, DONG JOO
YOUNG, MARSHALL STEPHEN
YOUNG, RICHARD STEPHEN
ZALAMEA, ULYSSES OCA
ZARING, ROBERT KEITH, JR
ZILBER, DAVID JOEL
ZWICK, JOHN RAFAEL

ENGINEERING DUTY OFFICERS

To be lieutenant commander

BAHRKE, FREDRIC GERARD
BAITINGER, ANDREW SCOTT
BROOKS, WILLIAM ALLEN
BROVARONE, THOMAS JOSEPH
CHIZEK, LARRY VERNON
CLARK, MICHAEL JOHN
DAVIS, MICHAEL HARRY
DEHAVEN, DARREL SCOTT
EREMIC, JOHN CURTIS
GAISER, ALFRED OTTO
GOOD, MICHAEL RICHARD
GRIBAUDO, MICHAEL LOUIS
GUTTENDORF, MARK BRANY
HAEMER, ROBERT BUDD
HARPER, CHRISTOPHER PAUL
HAWKINSON, TODD DAVID
IMPELLIZZERI, RICHARD
IWANOWICZ, STEPHEN EDWARD
JENKINS, DAVID ARTHUR
KAPOLKA, DAPHNE
KLEIN, DAVID LAWRENCE
LAWSON, JOHN ERNEST
LOGSDON, MARY JONES
MACDOUGALL, KAREN MARIE
MACRI, PAUL DOMINIC
MAURER, GERALD JACOB
MURPHY, MARY CATHERINE
NEIBERT, MICHAEL JOSEPH
POWELL, MARK EDISON
RENKEN, JAY ALAN
SCHNEIDER, WILLIAM ALFRED, JR
SERBINSKI, THEODORE JOSEPH
SITYAR, IRMA
SKOOG, HAROLD LOREN
SOUZA, RANDY
STANKO, MARK THOMAS
SWANK, DAVID PHILIP
TORSIELLO, KEVIN ALAN
VANOVER, KENNETH CHARLES
VINCE, ROBERT J
WHITNEY, MARK RICHARDSON
ZUROWSKI, MARY MARGARET

AEROSPACE ENGINEERING DUTY OFFICERS (ENGINEERING)

To be lieutenant commander

BRUNGER, CLIFFORD ALLAN
GAY DAVID LEE

AEROSPACE ENGINEERING DUTY OFFICERS (MAINTENANCE)

To be lieutenant commander

AINSWORTH, WILLIAM THOMAS
BEACHAM, WILLIAM FREDERICK
BLACKWELL, JACQUELINE YVETTE
BRANSOM, WILLIAM ANTHONY
BRAYMER, THERESA MARY
BROWN, CATHERINE RUTH
BURROUGHS, RONALD KENNETH
BURT, TERRY MICHAEL
CHARTIER, DENNIS WAYNE
CHILDRESS, OLIN THOMAS, JR
COLON, CHRISTOPHER SCOTT
DENNIS, AUBREY DAN, JR
DISHONG, LARRY ALLEN
GEERDES, DAVID PAUL
HARDING, JON CAREY
JONES, MARTIN ARTHUR
KEAS, DAVID GILBERT
KENLON, EDWARD GEORGE, III
LEE, HUGO CLYDE
MOORE, ROBIN ANDREA
MUNSON, GRAIG STEVEN
NOZA, REYNALDO OBDIN
RAMSY, ROBERT GANES, JR
SCHANZ, KEITH ELDON
SEATON, GEORGE DAVID
SHANAHAN, CURT MATTHEW
WILEY, JANET LOUISE
WYNNE, ROSEMARY ANNE

AVIATION DUTY OFFICERS

To be lieutenant commander

COOLEY, THOMAS OWEN
STEWART, STEPHEN DEAN
STRICKLAND, CARY JAMES

SPECIAL DUTY OFFICERS (CRYPTOLOGY)

To be lieutenant commander

BACHE, ROGER WILLIAM
BERGMAN, ROBERT GEORGE
BROWN, THOMAS LYNN
CHANEY, DONALD EUGENE
CLARKE, KATHRYN MARGARET
DEDRICKSON, RANDAL LEE
FISHER, MICHAEL R
HAEFNER, ROBERT JOHN
ILIFF, MICHELLE
KASINGER, CHARLES DARWIN
MAYER, MICHAEL MCCLANAHAN
NESTHUS, STEPHEN EDWARD
POOLE, JAMES ANDREW
PROPER, JEFFREY DENNIS
RICHARDS, GARY ALAN
SCHAEFER, EDWARD
SHUMA MICHAEL GENE
STREER, JOSEPH VALENTINE
SWEET, THOMAS ALLAN
WHITE, JEFFREY LYNN

SPECIAL DUTY OFFICERS (INTELLIGENCE)

To be lieutenant commander

ARCHEY, RICHARD LOUIS
BLACKWOOD, CAROL LEE
BRAKER, PATRICK JOHN
BROOKS, MARY CATHERINE
BRUNN, CHARLES CHRISTIAN
BYRD, JEFFREY THOMAS
CASEY, BRIAN PATRICK
CLEVELAND, MICHAEL SCOTT
CLIFTON, JOHN WAYNE
COATS, ROBERT VAUGHN
COBB, MICHAEL MAHANEY
COOK, ELIZABETH LYNN
CUGINI, JOEL ROBERT
CUNNINGHAM, JEFFREY HOWARD
DALLAS, DAVID THOAMS
DAVIS, KRIS OTISDEVINE, MI[illegible]
DOUGLAS JOHN
HANSON, DAVID BRUCE
HEIDA, JEFFREY DEAN
HIPONIA, LORENZO SISON
HOPPA, ROBERT VALENTINE
HURLEY, DONALD JEFFERSON
JOHNSON, CECIL RAY, JR
KOHLER, MATTHEW JOSEPH
KOTHEIMER, WILLIAM CONRAD, JR
KWON, TONY
LANG, THOMAS HUGH
LEWIS, JAMES PETER
LIPTAK, CHRISTOPHER PETER
MARKER, STEVEN JAY
MCCABE, PATRICK CLARKE
MENGEL, JOHN WARREN, JR
MURPHY, MICHAEL GERARD
NEAL, GREGORY MARK
NICHOLS, THOMAS CHRISTIAN
NICHOLSON, BRIAN DAVID
NUGENT, ROBERT PAUL
OLSEN, GREER GIBSON
OLSON, ERIC WINTER
PENCE, TIMOTHY BARRY
PETERSON, ROY NEAL
PIERCE, KENNETH DEAN
PILLING, EVAN RHETT WILSON
POOLE, PHILLIP TODD
POOR, ROBERT WESLEY
REYNOLDS, MICHAEL LAWRENCE
ROSS, JON TODD
SAWYER, DARREN ANTWON
SCHEEL, GEORGE ANDREW
SCHMIT, JOHN JOSEPH
SCOFIELD, EVA LYNN
SHEA, JOHN JOSEPH
SHEEHAN, FRANCIS XAVIER, JR
SIMPSON, MARK STEVEN
SOLBERG, ONA CLAIRE
STARKWEATHER, ROBERT JAMES
STERNBERG, STEPHEN MICAHEL
SUTTON, FRANK ERWIN
THORNLOW, CHRISTOPHER CLARKE
WHITEHOUSE, EDWARD AARON
WILSON, ALVIN CARLISLE, III

SPECIAL DUTY OFFICERS (PUBLIC AFFAIRS)

To be lieutenant commander

FALLIN, JAMES ROYCE, JR
QUIMBY, JOSEPH L
ROSS, KENNETH BUDD
VANLEUNEN, THOMAS PAHLS, JR
YOST, JACQUELINE CHRISTINE

SPECIAL DUTY OFFICERS (OCEANOGRAPHY)

To be lieutenant commander

BOLDUC, STEVEN JAMES
CONLEE, DON THOMAS
COUSINS, JOHN DAVID
DECARIA, ALEX JOSEPH
DECARIA, MARCIA ANN
EDSON, ROBERT WAYNE
EVANS, MICHAEL EUGENE
GREER, SUSAN NANCY
HOWELL, DAVID WILLIAM
HUMISTON, RANDALL THOMAS
KATZ, SCOTT DAVID
REECE, RICHARD H.
SAMPSON, RAYMOND MARK
STEWART, PAUL COURTNEY
WARREN, STEVEN WALTER

LIMITED DUTY OFFICERS (LINE)

To be lieutenant commander

ADAMS, DONALD ROBERT
ADKINS, ANDREW LEWIS
ADKINS, JIMMY DALE
AGRICOLA, ROBERT JOHANNES
ALVERSON, JOHN MICHAEL
ALVEY, WILLIAM LISTON, JR.
ANDERSON, CHARLES LLOYD
ANNUNZIATA, ALBERT ANTHONY
ARNSTAM, MARK ALFRED
ATHERTON, JAMES DONALD
AUBERRY, TERRY WAYNE
BAKER, BILLY WAYNE
BAKER, DOUGLAS GORDON
BAKER, JONATHAN ANDREW
BARANN, DETLEV ANDREW
BARKER, ROBERT ALLEN
BARRETT, MICHAEL GENE
BATTLE, JOHNNY CORNELIOUS
BEALE, GARY CARLTON
BEELER, JAMES ROBERT SR.
BELL, WILLIAM LEWIS, JR.
BELLANDO, MICHAEL PETER
BENEDETTO, JOSEPH MICHAEL
BENSON, KAY ELLEFSON
BEVERIDGE, TERRANCE LEE
BROKAW, DENNIS LEE
BROWN, PHILIP ELROY
BROWN, STEVEN CARL
BROXTON, BOBBY JOE
BUNDY, DANIEL ARTHUR
BURRIS, JOHN RICHARD JR.
BUTCHERINE, DONALD EUGENE
BUTLER, ALBERT FRANCIS
BYRD, CARLTON LLOYD
CABALLERO, ORLANDO GILBERT
CACHO, DAVID ARVIN
CALLAO, EDUARDO PEREZ
CAMPBELL, KATHRYN DIANE
CAREY, ALBERT GREGORY
CAREY, RALPH WESLEY
CARGILL, LARRY DALE
CARLBERG, JON ALAN
CARPENTER, STEPHEN EDWARD
CAYLOR, GORDON LYNN, II
CHAPMAN, THOMAS WILLIS
CHEMAN, MICHAEL GERARD
CHRISTENSEN, MARC K.
CHRISTOFFERSEN, CRAIG P.
CLARK, SHERRY LYNN
CLIFTON, CHARLES RANDALL
CLOSE, CLARENCE CLIFFORD
COBB, STEPHEN ALFRED
COFFELT, RICHARD JOHN
COLE, JERRY ALLEN
CONNORS, GEORGE
CONOSCENTI, WILLIAM FRANK
CORPUS, ROLAND GARCIA
COSTANZO, DANIEL MARIO
CULP, WELDON HERBERT
CURRAN, THOMAS LEE
DAVIS, BILLY KEITH
DENHAM, RICHARD MICHAEL
DESOTTO, PHILIP VINCENT
DODSON, JOHN WILLIAM
DONOVAN, JAMES M.
DOVE, JAMES ELBERT
EATON, CRAIG LAVERN
ENDRESS, DAVID CHARLES
FAKES, CHRIS ALLAN
FARIAS, EDWARD JOHN
FISCHER, KEVIN MARTIN
FITZGERALD, CHRIS TUCKER
FLETCHER, KENNETH CARL
FRANKLIN, JERRY
FRANZEN, CHARLES ROBIN
FRENCH, JANER LOU
FRIEDMAN, GERALD
GABRIEL, FRANK
GATTERER, ROBERT ALLEN
GAUDRY, SAMUEL JOSEPH
GAWLIK, EDWARD JOHN, JR
GETMAN, RANDALL LYNN
GILBERT, GREGORY LEE
GILLIS, JOHN HAROLD
GOFF, GARRY LEE
GREFE, ROBERT WILLIAM
GUNTER, STANLEY LUTHER
GYURE, KENNETH ALEXANDER
HAGER, RANDALL JAMES
HALL, GEORGE RAYMOND
HALL, WILLIAM JOHN
HAMBLIN, STUART DOUGLAS
HAMNER, PHILIP LYLE
HARBESON, HAROLD LEON
HARRINGTON, ARTHUR GERARD
HART, MARVIN BRUCE
HAVIRD, ELBERT HILTON
HAWKER, WILLIAM ANTHONY
HAYNES, JEFFREY CHARLES
HEIDENREICH, GEORGE MICHAEL
HEIMBACH, PETER JAMES
HENDERSON, EMMETT ALVIN, JR.
HENKEL, JAMES JOSEPH
HERATH, DOUGLAS VERNON
HOLDRIDGE, DONALD DEWAINE, JR
HOLICKY, SANDRA LEA
HOLM, GARY DALE
HOLTZ, WILLIAM RAYMOND
HONECK, MARK CLAIR
HOOVER, KIM KEVIN
HOYT, DONALD OWEN
HUMPHREY, EDWARD EARL
HUMPHREY, LANCE KAYE
HUNTER, PATRICK ARTHUR
JACKSON, PHILLIP
JARRELL, PAUL CHRISTIAN
JENKINS, JAMES LEE
JEWETT, CHRISTOPHER FLINT
JOHNSON, CECIL CALDWELL
JOHNSTON, HAYES PLUMMER
JONES, CHRISTOPHER MICHAEL
JONES, TOMMY PAUL
JUSTICE, GIFFORD DEAN
KARABINOS, GEORGE RAYMOND JR
KENNEY, PAUL LUTHER
KELLY, KEVIN MARTIN
KEMP, WEYMAN EDGAR JR
DERNS, TERRILL DANIEL
KIDD, ROBERT DAVID
KOFFEL, KENNETH WILLIAM
KRAUSE, EDWARD ANTHONY JR
KRUG, WILLIAM CHARLES, III
LANCASTER, EDWIN LEE
LAWSON, DAVID ALAN
LEADFORD, JEWELLLANDON
LEPARD, DAVID HAROLD
LHOTKA, ERVEN ROBERT
LILE, STEVEN MICHAEL
LITTLE, PATRICK KIRWOOD
MACARAS, WILLIAM NMN
MACH, CHARLES RONALD
MACKAY, JAMES LEE
MADIA, FRANK OTTORINO
MANGUS, GARY STEPHEN
MANN, BOBBIE LYNN
MANNING, STEVE P
MARCH, JAMES WESLEY
MARTIN STEVAN DALE
MARX, TODD ROBERT
MASSE, PAUL EDMOND JR
MATTHEWS, WILHIMENIA THERESA
MAY, THOMAAS ROGER
MCCAIN, STANLEY JAMES
MCCOLLOUGH, DEWEY DWANE
MCDONOUGH, CHARLES MARK
MCEWEN, STUART PETER
MEREDITH, DENZIL RAY, JR.
MERRILL, ROBERT GORDON
MILLINER, BENNETT WISE
MINER, NORBERT LUDWIG
MISTLER, DENNIS L.
MITCHELL, DOUGLAS MICHAEL
MORSE, DALE JAMES
MURPHY THOMAS TERRANCE
NAGLE MARTIN ALBERT
NEASE, RICHARD LEE
NEELY, MICHAEL WAYNE
NEIDER, ROBERT LEE, JR.
NEUBERT, KENNETH GEORGE, JR.
NORTHRUP, BRUCE LLOYD
OBRIEN, JOSEF SYLVESTER
OTT, JAMES HOUSTON
OTTERY, JOHN PETER
PARKER, EDWARD STEPHEN
PASTIN, JOHN ROCCO
PATRICK, JEFFREY LYNN
PERKINS, STEVEN WAYNE
PHIPPS, CARL CLAIBORNE
PINE, MARION GAIL, JR.
PINKLEY, ROGER DALE
PIZZA, LAWRENCE ANTHONY, JR.
PORTER, KENNETH EDWIN
POTTS, RAY ALFRED
PRICE, RICHARD BRANSON
PRITCHARD, ROBERT EDWARD
QUINN, KEVIN JOSEPH
RANNO, GARY PETER
RATHBUN, MALCOLM WILLIAM
REDMOND, WILLIAM ROBERT
REEB, RANDAL DALE
REED, FRANK EARL, III
REED, THOMAS CLAUDE
REED, VICTOR LESLIE
RICHARDSON, EUGENE FELTON, JR.
RILEY, STEPHEN GEORGE, III
RIZER, THOMAS WALTER
ROBERTS, JEFFREY LYN
ROBINSON, STEVEN LEWIS
ROBLES, ERNEST RIVERA
RODGERS, JOSEPH BERNARD
ROGAYAN, ALEXANDER ZAMORA
RUBLE, HOWARD ANTHONY
RUSEK, RONALD MILTON
SANDERS, RICHARD BRYAN
SCHIAVONI, MARK ANTHONY
SCHNEBEL, KEITH ALAN
SCOTT, ROBERT P.
SHEARMAN, FRANK EDWARD, IV
SHIRLEY, CHARLES EDGAR
SIGAFOOSE, JAMES LEROY
SIMS, GREGORY ALAN
SIPPLE, BERNARD FRANCIS
SMITH, GARY ALDEN
SNIDER, ORVAL CLYDE, JR.
SOUTHALL, RALPH C.
SPONTAK, DOUGLAS E.
STACKS, EDWARD MICHAEL
STALLARD, THOMAS DALE
STANFIELD, LEONARD WYNFRED
STAPLETON, JOHN THOMAS, JR.
STEPPE, RONALD CLAY
STETTLER, GLEN JAMES
STEUER, STEVEN WILLIAM
STEWART, ROBERT CARL
STRAWN, MARC EUGENE
SUTHERLAND, DANIEL MORGAN
SWALLA, ALBERT EDWARD
SWANGIN, LYNN CONDY
SZASZ, KAROLY
TACK, RICHARD W.
TAYLORBROWN, NORAH HIDEMI
TEZAK, PATRICIA ANN
TODD, JOHN PAUL, JR.
TOOLE, JAMES ROBERT, JR.
TROTTER, JOSEPH WENDELL
WARE, DONALD LEROY
WAYMAN, PAUL DEAN
WELLBAUM, STEVEN EUGENE
WHELAN, JAMES FRANCIS
WILDS, TERRY RAY
WILKIE, DAVID BRUCE
WILLIAMS, JOHNNY
WINDHAM, WOODROW TERRY
WONG, JAMES CHUNMOO
WOOD, NICKY SPENCER
WOODS, ROBERT L.
WRIGHT, JOHN EDWARD
WYNN, JAMES DALE
YACOVONI, JAMES ALBERT
ZELESNIKAR, DANIEL PAUL

IN THE NAVY

THE FOLLOWING-NAMED LIEUTENANTS IN THE STAFF CORPS OF THE NAVY FOR PROMOTION TO THE PERMANENT GRADE OF LIEUTENANT COMMANDER, PURSUANT

TO TITLE 10, UNITED STATES CODE, SECTION 624, SUBJECT TO QUALIFICATIONS THEREFOR AS PROVIDED BY LAW:

MEDICAL CORPS OFFICERS

To be lieutenant commander

ALONSO, ROBERT A.
AMSBERRY, JAMES K.
ARMSTRONG, DEBRA L.
ARREGUI, PABLO
BALK, RICHARD
BALKKRADEL, SUSAN
BANEY, RICHARD N.
BEBB, DONALD RAYMOND
BELENKER, STUART
BELLAND, KRIS M.
BERRY, COLIN
BETHEA, MARCUS CARLISLE
BEVERLY, RICHARD E.
BIENVENU, LOUIS MAURICE
BILIK, ALFRED J., JR.
BLACK, DAVID K.
BLASCHKE, GREGORY S.
BLICE, JEFFREY P.
BOLSTER, DAVID E.
BOND, CHARLES D.
BOWER, ERIC A.
BRAMS, DAVID M.
BREWSTER, DOUGLAS F.
BRIER, DANIEL E.
BRIGGS, KEVIN A.
BRINSKO, KENNETH J.
BRODNIK, RANDY M.
BROOKER, CHARLES R.
BROWN, JOHN E.
BUCKLEY, ROBERT H.
BUETOW, MICAHEL
BUGLEWICS, THOMAS
BUNDY, JOEL T.
BURGESS, JOHN BUCHANAN
BURTON, KELVIN B.
VALVIT, THOMAS B.
CAMARCA, MARY A.
CANTILENA, CHRISTOPHER
CARBINE, DOUGLAS N.
CARBONELL, MIGUEL G.
CARUSO, JAMES L.
CASTELLAN, DAVID
CASTERELLA, PETER J.
CHAMBERLAIN, ROBERT J.
CHAVEZ, ALEXANDER C.
CHENG, LAWRENCE MASON
CHITWOOD, ORVIS H.
CHOWDHURY, MOHAMMED RAY
COGAR, WILLIAM B.
COLE, JEFFREY B.
COLLINS, JEFFREY S.
COLLINS, TIMOTHY PAUL
CONNER, RICHARD J.
CONWELL, JEFFREY A.
CRONIN, KELLY G.
CROSBY, CAROLYN SARGENT
CULTON, MARK ANDERSON
DAVILA, VIRGIL A.
DAVIS, DANIEL C.
DAY, CHRISTOPHER J.
DILLARD, DAVID G.
DISNEY, JEFFREY D.
DLUGOS, DENNIS J.
DOMMERMUTH, RONALD F., II
DORT, JONATHAN M.
DOUGHTY, FLOYD ARTHUR
DUNLEVY, TIMOTHY M.
DYKES, WILLIAM
EARHART, KENNETH C.
ESCHBACH, JEFFREY C.
EVANGER, ANDREW J.
EVANS, EDWARD E.
EWERT, TODD R.
FANTES, THOMAS P.
FEEKS, EDMOND F.
FELIX, STEVEN D.
FERRALL, ROBERT J.
FINDLEY, RUSSELL
FISK, JOHN W.
FLEMING, GEORGE
FLOYD, DAVID W.
FORD, GWENDOLYN C.
FOWLER, MARK D.
FRIAS, JUAN P.
FULLEN, DOUGLAS RANDALL
GANTT, RODDIE
GARCIA, EDDIE ALONZO
GARCIA, MICHAEL A.
GASMAN, MICHAEL A.
GASTON, DAVID A.
GENTILE, CHARON E.
GENTRY, JERRY L. II
GOFF, DAVID
GOLDBERG, BRUCE L.
GORELICK, DAVID S.
GRAVEDEPERALTA, JOSE M.
GRAY, JOHN M.
GRAYSON, GALEN
GREGG, KEVIN
GRIECO, ANTHONY
GRIFFAY, ANTHONY M.
GROSS, MAJOR R.
GUSTAFSON, KEITH B.
HAAS, GERALD R.
HALLIBURTON, CHARLES R.
HAM, DELBERT W.
HAMMER, PAUL
HANSEN, GEORGE H.
HARDIN, JEFFREY M.
HARFORD, ROBERT R.
HARRISON, EMMANUEL
HEINS, CYNTHIA LOUISE
HEISS, GORDON L.
HENRY, JOHN C.
HERBERT, ERIC
HERRON, BRYAN R.
HICKMAN, DANIEL D.
HINSHAW, KEVIN
HOLGUIN, RAUL
HUEPPCHEN, NANCY A.
HUEY, WILLIAM B.
HUHN, DANIEL EDWARD
HUTCHESON, JOEL C.
HYLER, DAVID S.
IANNACCONE, RAYMOND
INOUYE, WARREN S.
IWAOKA, D.
JACKSON, ROBERT
JAN, MOORE HUA
JENNINGS, CHRISTOPHER J.
JOHNSON, CHARLES II
JONES, DOUGLAS A.
JUN, STEPHAN FRANK
KANE, CHRISTOPHER JOSEP
KELLEY, JOHN
KENNEDY, TIMOTHY RAYMON
KEYES, ALAN S.
KIRKPATRICK, KURT J.
KNEPPER, JOHN A.
KOELLA, JOHN E
KRADEL, BRIAN K.
KUNCIR, ERIC J.
KURMIS, GARY F.
LAHREN, KRIS M.
LARRINAGA, JOHN A.
LE, THO D.
LE, TRUNG N.
LEONARD, DAVID
LEONG, HERMAN G.
LESLIE, THEODORE L.
LU, DAVID CHUNG
LUCIO, JOHN C.
MANSON, GREGG W.
MARATEA, EDWARD A. JR
MAREBURGER, STEVEN R.
MARTIN, NEIL J.
MCEWEN, GARY W.
MCKAY, MARY P.
MCQUEEN, MATTHEW ANTHON
MEISTER, RAYMOND K
MEJIA, ETIENNE A.
MERCADER, LUIS
MERWIN, MILES M.
MEYER, GRETCHEN A.
MICHITSCH, ROBIN U.
MILLAN, ERNESTO R.
MILLER, BRYAN D.
MILLIKEN, MARTIN
MILOWIC, KRISTI LYNN
MINOSOYDECAL, OSCAR E.
MITCHELL, PAUL
MOHS, DONALD C.
MOLOGNE, TIMOTHY S.
MOORE, THOMAS K.
MORRISON, ALAN L.
MORTON, BRYCE A.
NEPOMUCENO, YVES
OLLAYOS, CURTIS
OSTERWALD, BONNIE E.
PAGE, DEAN A.
PARSONS, ANDREW
PASTERNAK, JOSEPH
PAUL, FINSTER L.
PAYNE, MELVIN P.
PECHA, BRIAN S.
PELFREY, DAVID A.
PERDUE, PHILIP W.
PETERSON, CYNTHIA MARIE
PETULLO, DAVID J.
PICCIRILLI, CYNTHIA B.
PORTER, BURDETT R.
POWERS, THEODORE S.
QUAST, ROBERT F.
QUAYLE, SHARON S.
RANDALL, DAVID
REED, KEVIN JOSEPH
REICHARD, SCOTT R.
RITCHIE, JAMES V
ROBERTSON, THOMAS J.
ROEGNER, DOUGLAS P.
ROOKSTOOL, ROBERT J.
ROPER, JOHN ALEXANDER
ROSENQUIST, RONALD L.
RUBEY, ROBERT NEAL
RUSSELL, STEVEN R.
RUSSELL, WARREN K. II
RUTERBUSCH, JEFFREY A.
SANTIAGO, JULIO A.
SAPERSTON, ADAM R.
SARIDAKIS, MICHAEL A.
SAWYER, ROBERT N.
SCHMETZ, MARK A.
SCHOENFELD, PHILIP
SCHROFF, RICHARD L.
SCHRUBBE, BENJAMIN POWE
SHAPIRA, JOHN B.
SHAYNE, ANDREW
SHERMAN, STERLING SCOTT
SHIELDS, RAYMOND C.
SHUFFER, PHILLIP M.
SIMPSON, ROBERT
SMALL, ROBERT W.
SMULLEN, BRIAN D.
SORRELLS, TIMOTHY C.
SPANDORFER, STEVEN D.
STAAB, JEFFREY P.
STADTLANDER, SEAN M.
STERNER, DAVID CHARLES
STID, MARK A.
STINNETT, BRUCE A.
STONUM, THOMAS S.
STREETER, JACKSON
STRONG, BRADLEY W.
STUBBS, GINA LEWIS
SULLIVAN, NEIL M.
SUNADA, FAY Y.
SUTHERLAND, MARK V.

SUPPLY CORPS OFFICERS

To be lieutenant commander

ADAMS, GARY GRIFFITH
ALBRIGHT, CYNTHIA ANN
ALEXANDER CATHERINE DENISE
ALLISON, PHILLIP ROWE
ANDREANO, JAMES MATTHEW
ARNOLD, MICHAEL JUDD
ARNWINE, KEVIN MICHAEL
BENNETT, ROBERT JOHN
BERGERON, WAYNE JOHN
BRANNON, TROY EUGENE
BRAVO, MANUEL ESTABILLO
CAIN, STEVEN MARTIN
CAMPBELL, DANNY WAYNE
CARTER, ROBERT KENTON
CLAGUE, DANIEL GERARD
COLLINS, BRIAN JOHN
DANIELSON, SHERMAN ARTHUR
DESJARLAIS, GEORGIA KATHRINE
DOUGLASS, ROBERT CAMERON
DUMLAO, MARCIAL BERNARD
EBERT, LESS GLENN
EHRHARD, KEITH WILLIAM
EVERINGHAM, MICHAEL ALAN
FEELY, MATTHEW STEPHEN
FOWLER, ROSS OGDEN, III
GILBEAU, ROBERT JOHN ALBERT
GOELLER, DALE WELLINGTON
GRASSILLI, LEO JOSEPH, III
GREENE, TIMOTHY MICHAEL
GWOZDZ, ROBERT LOUIS
HAMMOND, GARY EDWIN
HATHCOCK, CARL RUSSELL
HUSSON, CLAUDE ROBERT, III
JOHNSON, JERRY
KANE, MICHAEL WALTER
KIRK, MICHAEL KENNEDY
KNOBLOCH, KURT BENET
LARSON, CRAIG ALLEN
LAZO, MILANTE FORONDA
LEOPARD, GUY LESCHER, JR.
MALVEAUX, JOHN
MARCHBANKS, KEITH LYNN
MARLER, JAMES ERWIN, JR.
MARSH, MICHAEL ROBERT
MIGLIORE, STEPHEN JAMES
MILLS, JACK QUENTIN
MOORE, ROSA RUIZ
OHL, MARK ANTONI
OREAR, DENNIS PAUL
OSBOURN, DOUGLAS ALAN
PALKO, DANIEL ANTHONY
PRITCHARD, JEFFREY WILLIAM
PROTACIO, PATRICK EUGENE
RECTOR, HERSCHEL HERMAN, JR.
REEVES, ROSS ROBERT
REID, JEROME LEON DACOSTA, JR.
RICHARDSON, TOMMY LEE
RIVAS, GERALD ALAN
ROBILLARD, GLENN CHARLES
ROBINSON, MICHAEL WAYNE
RODRIGUEZ, RAYMOND JOHN
RYAN, WILLIAM PATRICK
SANTIAGO, ROLANDO MELCHIADES
SANTOS, ADONAI DIONICIO
SAWHER, WALTER, III
SHEEHAN, EDWARD WILLIAM, JR.
SHEPPARD, BRIAN DAVID
SHIELDS, JAMES LOUIS, III
SISK, STEVEN KENNETH
SIST, ARNO JOHN
SMITH, DANIEL JOSEPH
SMITH, STEVEN LEE
SPILLMAN, EMIL EDWIN
SPRUILL, JOSEPH LESLIE
STANSFIELD, PATRICK JOHN
THOMAS, JAMES GARNET
TULENKO, EDWARD
TURNER, ROBERT BURCHEL
VARNER, CYNTHIA RASCH
WALKER, RAYMOND ALEXANDER
WALKER, SAMUEL NATHAN
WALTERS, ELIZABETH STEPHANIE
WEINER, DANA STUART
WHELAN, RICHARD THORNE
WHITE, DERRICK THOMAS
WILLIAMSON, WAYNE JOHN
YEATMAN, DENNIS FRANCIS
YOUNG, DAVID LARRY
YUEN, JONATHAN ALEX
YUSTAK, LISA ANN

CHAPLAIN CORPS OFFICERS

To be lieutenant commander

ARNOLD, RICHARD LEWIS
BEEDE, CLAUDE ROBERT
BJORKLUND, BRIAN DAVID
BROWN, STEVEN DOUGLAS
BUCK, CHRISTOPHER EVANS
CARR, GARY W.
CHEATHEM, LESA DEVON
CREELY, THOMAS E.
CWIKLINSKI, CARL JEROME
DAVIS, BETTIE JEAN
DEATON, PAUL R.
DEVINE, WILLIAM D.
ELLIOTT, PATRICK KELLY
ELSON, IRVING ALEX
GIRARDIN, DAVID WALTER
GREENSLIT, LAWRENCE PUTNEY
GREGORY, PETER WILSON
HALL, DANIEL RAY
HOOD, WILLIAM RIENKS
JENSEN, VAL JON
JONES, LAURENCE WHITMAN
JONES, NEIL GEORGE
KALSOW, LARRY DONALD
KIBBEN, MARGARET GRUN
KLEPACKI, MICHAEL STEPHEN
LANGSTON, MICHAEL W.
LARSEN, SAMUEL HARRY
LEA, JOHN HARVEY, III
MORRIS, GARY WAYNE
PENNELL, GRADY J.
PHILLIPS, JERRY FRANKLIN
PHILLIPS, TRAVIS M., JR.
ROCHEFORD, DENNIS JOHN
SCHUTZ, MICHAEL LOUIS
SCHWABAUER, DAVID MICHAEL
SCORDO, JOSEPH ANTHONY
STEPHENS, DANIEL CLIFTON
STURGIS, RONALD CARL
TARGONSKI, CONRAD ANDREW
TORRALVA, ARMANDO SALAZAR
UHALL, MICHAEL ANTHONY
YOUNG, DENNIS WILLIAM
YUILLE, THOMASINA ALEXINE

CIVIL ENGINEER CORPS OFFICERS

To be lieutenant commander

ANGELL, JOSEPH ADRIEN, II
BABCHYCK, BRUCE COURTNEY
BAKER, JOHN TIMOTHY
BALLINGER, CATHERINE ANN
BEEBE, MATTHEW RICHARD
BELL, STEPHEN SPENCER
BERTOLACCINI, STEVEN GERARD
BOONE, DAVID MIKIO
BOOTHE, DOUGLAS HAMMOND
BOWERS, MICHAEL SHON
BREWER, SCOTT ALAN
BUFFKIN, MARK DUBOSE
CLAUSE, DONALD WILLIAM
COX, ANTHONY JAMES
COZIER, DAVID ROBBINS
CUNNINGHAM, THOMAS WILLIAM
CURIA, ROBERT GAETANO
DUPES, STEVEN RAY
ERMOVICK, ANTHONY VINCENT
FLORO, CHRISTOPHER VAN OLIVE
GATCHALIAN, DONALD HYNSON
GOMEZ, PAZ BELTRAN
GRAVEN, JAY ANTHONY
GRIP, WILLIAM GEORGE
GUERRA, JUAN MANUEL JR
HAMILTON, SHAWN KEITH
HODGES, GARY LEE
HONKOMP, CHRISTOPHER JOHN
IRBY, JULIAN BUTLER
JOHNSON, BRIAN DAVID
KELLEY, DAVID FREDERICK
KENEALY, WILLIAM EDWARD
KILLMEYEREBERT, CYNTHIA.
LANDIS, JONATHAN ROBERT
LASATER, DARIN VON
LEINBERRY, BETH ELISE
MARKIEWITZ, MARTIN ARNOLD
MORTON DOUGLAS GRAY
MOURITSEN, JOHN WARREN
MUNOZ, HERMOGENES REYES
NATSUHARA, KAREN FUSAE MATSU
NATSUHARA, ROGER MITSURU
NICHOLAS, THOMAS CHARLES
ORLOWSKY, JOSEPH GERARD
PETERSON, MICHAEL WILLIAM
PUNSALAN, ROMELEO NONATO
PUNTENNEY, MICHAEL CRAIG
RODINA, THOMAS JAMES
SCHMADER, KELLY JOSEPH
SHIRK, WILLIAM HENRY
SIEGFRIED, ROBERT WILLIAM
SNOW, RALPH GORDON
SOARES, PAUL ANTHONY
SPEAR, THEODORE EDWARD
STADER, JAMES FRANCIS
VOGELSANG, KEVIN GEORGE
VOLTZ, JEFFREY DAVID
WEISENBURGER, KIMBERLY DALE
WILHELM, WADE BERNARD
WIRSCHING, STEVEN MICHAEL
WOODSON, ROSS DAVID
YEHLEN, MARK HENRY

JUDGE ADVOCATE GENERAL'S CORPS OFFICERS

To be lieutenant commander

AUCLAIR, MARCELLA JANE
BASTIEN, RICK DENIS
BLAZEWICK, ROBERT BRIAN
BOORDA, ROBERT NATHAN
BROUGHTON, LEROY ALEXAN
BUDENSIEK, MARK DAVID
CERVI, GREGG ANTHONY
CLANCY, BENJAMIN BEALE
CRANDALL, DARSE E
DUTTON, PETER ALAN
DWIGANS, DEAN LEROY
FISCHERANDERSON, KAREN
FOSTER, KIRK ALAN
GALLOTTA, STEPHEN MICHA
GREEN, MICHAEL GERARD
GROGAN, DAVID EDWARD
HEROLD, JENNIFER STANFI
HORRIGAN, WILLIAM CHRIS
HORWITZ, JEFFREY SCOTT
JACOBS, THOMAS WILLIAM
JAMROZY, STEPHEN ANTHON
JOHNSON, KAREN ANNETTE
JOHNSON, RONALD NESTOR
KENNEY, SCOTT ARTHUR
LUSTER, JEFFREY PAUL
MAHER, STEPHEN JAMES
MCPALMER, TERESA ANN
MOBERG, BRETT ALLEN
MORGAN, DAVID PAUL
NELSON, JON ELMER
OBRIEN, GREGORY JOHN
OROURKE, KENNETH JOHN
PALMER, MICHAEL TIMOTHY
POE, STACY ANN
REILLY, GEORGE FRANCIS
SCHAFF, CHARLES EDWARD
SHIRLEY, MATTHEW GRAHAM
SNEATH, KAREN LYNN
TINKER, JULIE LYNN
VINCENT, ROBERT EVERETT
WAITS, JOHN KIRK
WARE, GLENN THOMAS
WENTWORTH, MICHAEL JOHN

DENTAL CORPS OFFICERS

To be lieutenant commander

AUTH, VINCENT GERARD
BEGOTKA, BRUCE A.
BELMONTE, STEPHEN A.
BERNARDY, JOHN SCOTT
BETTIOS, IOANA
BROWNING, JOHN PERRY
BUCHMANN, CRAIG ERIC
BURGER, CARRIE LEE

CABASSA, ROBERTO JOAQUI
CAMPBELL, ROBERT DOUGLA
CANBY, FREDERICK LOOMIS
CATRON, GLENN LEE
CHESTAND, MAGGIE JANE
CISNEROS, ROBERT ANDREW
COLBURN, SCOTT WILLIAM
COUREY, JAMES MICHAEL
CUMMINGS, GARY MICHAEL
DOROFF, DAVID PAUL
DRISCOLL, PHILIP G.
ENEA, STEVEN ARNOLD
FLYNN, KEVIN FRANCIS
GASKIN, ELIZABETH BOWLE
GILLIS, SCOTT VINCENT
GORTHY, JEANETTE MARIA
GRIESER, PETER A.
GRZESIK, SANGSOO J.
HAGAN, CHARLES ERIC
HALUSKA, SCOTT EDWARD
HARMATZ, DAVID MARC
HARRISON, ROBERT B.
HILT, BRUCE ROBERT
HOAG, JAMES DOUGLAS
JARAMILLO, CARLOS VILLA
KOCH, BRADLEY STEVEN
KORSNES, JEFFREY NILS
KORSNES, MARIA ISABEL
KREMP, PETER GERHARD
KUKLOK, KIERIAN BRIAN
LEMASTERS, GRANT DAVID
LESSIG, MARGARET ANN
LLOYD, DAVID ROBERT
MAZZEO, NICHOLAS
MCDAVID, VALERIE GAIL
MCGEE, MARK
NEITZKE, CRAIG MATTHEW
NESBIT, LINDA KAE
ONEILL, EDGAR PATRICK
POSCH, MICHELLE MARY
READ, LANCE A.
SMITH, SCOTT MITCHELL
SONNIER, KEITH EDWARD
TAITO, LEE ANTHONY
THOMAS, CRAIG JOSEPH
TINDLE, DAVID IRA
TRASK, GEORGE LEE
TUCKER, DENNIS MAXWELL
UHER, DEBORAH ELIZABETH
UNSELL, MICKEY LEE
VANDERVORT, GENE ALLEN
VAZQUEZ, VANESSA LYNETT
WATKINS, BRIAN DOUD
WEINACKER, GERARD GRAY
WILLIAMS, CURTIS C.
WOLFGANG, MICHAEL J.
WORM, DONALD ALFRED, JR.

MEDICAL SERVICE CORPS OFFICERS

To be lieutenant commander

ABELS, CECIL CARLTON, II
ALBIA, DON CENON B.
AREVALO, LUISITO JOCSON
BAKER, GARY LEWIS
BALESTRIERI, THOMAS MIC
BANGS, MICHAEL JOHN
BARNARD, LEESA JAN
BASLER, JOANN
BEAVERS, GREGORY MARK
BIRON, JOSEPH EDWARD
BLANCHE, WILLIAM HARVEY
BLAND, MARK JOSEPH
BRADLEY, WILLIAM PAUL
BRITTON, CLIFFORD LYLE
BRUCE, DANIEL JAMISON
BUTLER, BARBARA KAY
BYRON, MICHAEL RAY
CABANACAN, JESUS BALLES
CANBY, JAMES BENJAMIN I
CASTILLO, VALMORI MORTE
CLEMENS, DONALD STEPHEN
COOK, KEVIN DOUGLAS
CROWL, PETER E.
DAVIES, DAVID ANDREW
DAVIS, MICHAEL AUSTIN
DAVIS, STEVEN KENNETH
DEGEORGIO, PHILIP ANDRE
DELVECCHIO, RAFAEL JUAN
DEPPERMAN, DAVID LAWSON
DESIMONE, PAUL MICHAEL
DIEHL, JAMES GERALD
DODGE, RONALD FLOYD
DOUGLAS, STEVEN ANDREW
DUFFY, NANCY LOU
DUGGER, OSKER LEE
EHRESMANN, ELAINE CLAIR
ELLIOTT, TAMERA JANE
FERRARA, JEAN MARIE
FEYH, WILLIAM HOWARD
FITZPATRICK, JAMES BERN
FONTANOZA, CONSOLACION
FORMISANO, JERRY ANTHON
FRAGOSO, LINO LUIS
FRANCE, ROBERT LYLE
FULFORD, DAVID WILLIAM
GABB, GEORGE FREDERICK
GALESKI, STEVEN MICHAEL
GOLDBERG, KATHY FEHNEL
GRAHAM, DENISE MARIE
GREEN, KENNETH PETER
GRIFFITH, JEFFREY SAMUE
GRIMSLEY, GERALD RANDOL
GROSSO, LISA LYNN
GUTIERREZ, DAVID
HACKETT, DON E.
HAGEN, DONALD DELANO
HASTING, STEPHEN ROY
HATFIELD, GARY LEE
HATHAWAY, GAIL LOUISE
HERNANDEZ, RENE SUZAN
HILAND, JAMES WILLIAM J.
HOFF, MELINDA JEAN
HOOVER, DIANE LYNN
HORN, DAVID SAMUEL
HOYOS, GERMAN E.
HUSEMAN, WILLIAM FRANK
JACKSON, JASON AZEL
KARPACHINSKI, NICK
KERR, BRIAN GREGORY
KILLEA, PATRICIA JEAN
KNOWLES, JOHN WILLIAM
KOPACZ, PETER EFREM
KRECEMAN, WILLIAM HILL
LAMBRECHT, MARK PAUL
LANIER, STEPHEN NORMAN
LAVENDER, DAVID ROBERT
LAWRY RUSSELL SCOTT
LEDERER, MARK RICHARD
LEFEVER, BRYCE EDWIN
LINDO, RUPERT FITZGERAL
LIOTTA, PHILIP LEE
LITTLE, KEVIN LEE
LLANES, BENJAMIN POBRE
LOE, MICHAEL M.
LONG, RONALD EUGENE
LOPES, NANCY ELIZABETH
LOTT, MICHAEL WAYNE
LUSSIER, WILLIAM A.
MACALALAD, DANA LYNN PO
MAMMINO, ELISE JUSTINE
MAMOT, KENNETH JOSEPH
MARRIONEAUX, ORY SAMUEL
MARTIN, JOHN L JR.
MARTINEZ, FABIO MAURICI
MCCALLUM, DAVID LEE
MCCLENDON, DWIGHT MYRO
MCDONALD, SHARON M.
MCWHORTER, LISA KAY
MILLER, NANCY LEIGH
MILSON, KURT SAMUEL
MOORE, KEVIN MICHAEL
MOORE, WILLIAM GARY
MOSMAN, GARY WILLIAM
MURPHY, CHRISTOPHER BRI
MURRAY, TERRENCE MICHAE
NESSMITH, SUSAN PATRICI
PARNELL, CLAUDE LAURENC
PEREZ, JOSE RAMON
PETRILLO, MARTIN ANTHON
PICCIONE, FRANCES
POLIZZI, DIANE KAY
POSVISTAK, MARK STEVEN
POWELL, KENNETH VICTOR
PRICE, DAVID EUGENE
RAKES, GARY HOWARD
RAMOS JOSE ALBERTO
READING, MITCHELL JOHN
RIAHI, SANDY JO
RICHERSON, MARK ALAN
ROSE, PATRICIA LYNN
RYAN, DANIEL JAMES
SAMMON, MORGAN TAYLOR
SANDERSON, PATRICK ALSO
SAWYER, THOMAS JOSEPH
SCHAUER, DAVID ALAN
SCHLEGEL, ROBERT MARK
SHAPPEL, SCOTT ALLEN
SHUMAKER, DEBORAH JEAN
SIRCY, MICHEAL JOHN
SMITH, DAVID PHILLIP, JR.
SPADA, PAUL THOMAS
SPEERUET, LISA C.
SPERNOW, ELIZABETH ANN
STEVENSON, ANN ARLINE
STONE, MICHAEL DOUGLAS
SUMNER, FREDERICK SILVI
SWAN, BRIAN DAVID
SYMONDS, STEPHEN BROOKS
SYRING, KEITH ALAN
TABACH, GARY
TALMADGE, STEPHEN ALFRE
TELA STEPHEN DOUGLAS
THOMAS, CLARENCE, JR.
THORLEY, EVAN ASHBY
THORNTON, SCOTT ALEXAND
THRALLS, JAMES ARTHUR
TILLERY, LAURA SUZANNE
TOMLINSON, DAVID WENDEL
TUCKER, PAMELA ONEITA
UPHAM WILLIAM JOHN
VANORDEN, KARL FREDERIC
VILLANUEVA, AMILCAR
VILLAREAL, HENRY BARELA
WARREN, MICHAEL LEE
WHALEN, DANIEL GERALD
WHITLEY, ALICE
WILLIAMSON, DIANA L.
WINKLERPEISER, SHARON K.
WOLGEMUTH, KEITH STEHMA
WOOD, ELAINE JEAN
WOODRUFF, RONALD RUDOLP
ZIEMKE, GREGG W.

NURSE CORPS OFFICERS

To be lieutenant commander

ALSBERRY, ANGELA MARY
AXMAN, LINNEA MARIE
BAKER, BRENDA CAROLE
BAKER, JAMES DUANE
BARNHART, MEEGAN PAGE
BECK, MICHAEL RONALD
BERNATEK, THOMAS J.
BLACK, RENAE LAREE
BLONIEN, JODY KATHRYN
BODE, AMY ELIZABETH
BOYER, PATRICIA SUE
BRACE, LISA GAIL
BRADSHAW, ELLA FRANCES
BRAITSCH, ELIZABETH ANN
BRENNAN, KRISTI BROWN
BROWNVIDAL, LINDA MAY
CHAN, PATRICK PAKNAM
CLARK, SUZANNE MARIE
COLLENS, CHARLES TERRY
COWAN, JUDY A.
CURLL, NANCY LEE
DELANEY, THOMAS JOSEPH
DIAZ, MARGARET ANNE
DIRENZO, KAREN ANN
ELUMONEAL, ANGELIA DENI
ELY, HELENA GERTRUDE
FERGUSON, JAMES PAUL
FINK, MARK HAMILTON
FRANCIS, LAFRANCIS D.
GIANINO, SUSAN MARIE
GIGUERE, ARTHUR JOSEPH
GIZA, PAMELA GAYLE
GODWIN, BRUCE WAYNE
GRAU, KRISTE J. MILLER
GREEN, KRISTIN LEE
GROSDIDIER, RENE AUGUST
HADDOCK, ALLEN HOUSTON
HANRAHAN, EDWARD JOSEPH
HANSEN, STEFFANI HETMAN
HARRELLPARKER, JANICE M.
HASSELBECK, ANNETTE NOE
HENDRICKSON, ROBERT G.
HO, CHRISTOPHER W.
IRELAND, LINDA ANN
JONAK, PAULA MARIA
JONES, SCOTT MORGAN
KEENAN, MARY DEBRA
KENNEY, GUTSHALL MARY K.
KIRKLAND, RANDOLPH J.
KLUS, BARBARA ANN
KNOERL, DANIEL VINCENT
KOVACH, CYNTHIA
KOZLAK, JOANNE THERESA
KREMLER, JEAN ELIZABETH
LAROSE, JOEL PATRICK
LEIBY, LISA JANE
LINDSEY, SUSANNA KAY
LONGENECKER RUTH ANN
LUKE, JAIME ANN
MALEBRANCHE, MARK ROY
MARKS, KEVIN TIMOTHY
MARSH, CLAUDIA SELCH
MARTIN MARY ELIZABETH
MATA, CRUZ
MCGAHAN, MATTHEW FRANCI
MICHO JERRY JAMES
MILLER, KARYN LYNN
MIRANDA SHAUNEEN MURRA
MOCK, CARRIE ANNE
MOLER, ROBERT ANTHONY
MONNENS HELEN LINNEA
MORRO, MARYALICE
MORSE, BEVERLY ANN
MOUWDY, CURTIS DARREL
PEARCE, GINAMARIE
PEARL, JAMES EDWARD
PELLEGRINI, JOSEPH EDWA
PERDUE, MARY KATHRYN
PHELPS, MELISSA R.
PYLE, SONJA MARIE
RAIMONDO, LISA HENNING
REISER, ELIZABETH ANN
REMEY, CAROL LYDIA
RODRIGUEZ, WANDA IVELIS
ROTHACKER, JOHN ALOYSIU
RUPERT, DAVID THOMAS
SALOMON, KAREN LEA
SCHALL, MARY BETH
SCOTT, SUSAN MILLS
SCOTT, VANESSA MARIE
SEXTON, PAULA JEAN
SHAW, CAROLYN MARIE
SIEMER, THERESA E.
SIMPKINS, GREGORY LOUIS
SLATTEN, JANET DAVIS
SLEICHTER, PEGGY MARIE
SOWELL, PAMELA MAE
STEWART, BONNIE L. FIELD
SUTTON, VALERIE J.
TYSOR, PATRICK WILLIAM
VERNERE, MICHAEL
VOGLER, ROBERT CHARLES
WAEGERLE, JOHN DAVID
WIGGANS, LAURA BEATRICE
WILBERT, DEBRA MAY
WILCOX, MARY KATHLEEN
WILSON, SONIA ELAINE
WOODHEAD, SHIRLEY BELLE
ZECKSER, DARLENE VESTA
ZELLER, MAUREEN JOAN

LIMITED DUTY OFFICERS (STAFF)

To be lieutenant commander

ANTOINE, BRUNO VINCENT
BENOIT, RICHARD OMER
BRINK, SANFORD ALLAN
ELLSWORTH, LEE
FLORA, RAYMOND AUGUSTINE, JR
FRENCH, JAMES ANDRE
GABOURY, JOHN KEIJI
JOHNSTON, HARRY ROBERT
KENNAMER, LARRY JAMES
LASTRELLA, AMANDO LLORIN
ROOT, GARY DONALD
SMITH, EVERETTE JENNINGS, JR
TARPLEY, FRANKLIN JERRY
TURNWALL, DICK DEAN

IN THE AIR FORCE

THE FOLLOWING OFFICERS FOR PROMOTION AS RESERVES OF THE AIR FORCE, UNDER THE PROVISIONS OF SECTIONS 593, 8366, AND 8372, OF TITLE 10, UNITED STATES CODE. PROMOTIONS MADE UNDER SECTION 8372 AND CONFIRMED BY THE SENATE UNDER SECTION 593 SHALL BEAR AN EFFECTIVE DATE OF 18 JUNE 1993 AND PROMOTIONS MADE UNDER SECTION 8366 SHALL BE EFFECTIVE UPON COMPLETION OF SEVEN YEARS OF PROMOTION SERVICE AND TWENTY-ONE YEARS OF TOTAL SERVICE, UNLESS A LATER PROMOTION EFFECTIVE DATE IS REQUIRED BY SECTION 8372(C), OR THE PROMOTION EFFECTIVE DATE IS DELAYED IN ACCORDANCE WITH SECTION 8380(B) OF TITLE 10.

LINE OF THE AIR FORCE

To be lieutenant colonel

JOAN M. ABELMAN [redacted]
RUSSELL H. ABERNETHY [redacted]
THOMAS J. ACCAMANDO [redacted]
RONALD G. ADAMS [redacted]
MARC C. ALBERTSEN [redacted]
DALE H. ALLEN [redacted]
FREDERICK L. ALLEN [redacted]
LOUIS AMADIO [redacted]
LINDA S. AMES [redacted]
DENNIS R. ANDERSON [redacted]
JOSEPH P. ANDERSON [redacted]
ROLAND E. ANDERSON [redacted]
ROBERT J. ANNETT [redacted]
DANIEL P. APLAND [redacted]
RICARDO APONTE [redacted]
FRANK P. ARCURY [redacted]
ARTHUR W. ARNOLD [redacted]
BRUCE D. ARNOLD [redacted]
DAVID L. ARNOLD [redacted]
MICHAEL W. ASKINS [redacted]
JERRY L. BABLEH [redacted]
CLARK J. BALDWIN [redacted]
LYLE L. BALLANCE, JR [redacted]
LEO R. BALTHAZOR [redacted]
JAY A. BANASIAK [redacted]
BRIAN R. BARBER [redacted]
ROBERT S. BARCA [redacted]
EDD G. BARNES, JR [redacted]
JAMES E. BARNETT, JR [redacted]
JOHN M. BARNETT [redacted]
CECELIA A. BARRIERE [redacted]
HILMAR H. BARTELS [redacted]
PAUL R. BARTON [redacted]
FOSTER I. BATTEN [redacted]
DANIEL M. BAUMGARTNER [redacted]
MARGARET A. BAYER [redacted]
JAMES C. BEACHELL [redacted]
KENNETH A. BEAN [redacted]
JAMES E. BECK, JR [redacted]
WILFRIED N. BECKMANN [redacted]
VAUGHN P. BELLISTON [redacted]
MICHAEL G. BENNETT [redacted]
DAVID E. BENTON [redacted]
CLARK L. BERGGREN [redacted]
WILLIAM A. BERNSTEIN [redacted]
WILLIAM J. BERRY [redacted]
THOMAS R. BERTOLDI [redacted]
LANCE H. BESHARA [redacted]
GLORIA A. BETTENCOURT [redacted]
DEBORAH N. BIELANSKI [redacted]
ALAN S. BIETRY [redacted]
JOHN E. BIGGS, JR [redacted]
DANA BISHOP [redacted]
DONALD C. BLACK, JR [redacted]
DAVID A. BLESSING [redacted]
JAY D. BLOCH [redacted]
DAVID E. BLUBAUGH [redacted]
GERALD R. BOCKENEK [redacted]
DAVID L. BOMBARD [redacted]
JOHNNY E. BONNER [redacted]
MICHAEL R. BOSS [redacted]
CHRIS M. BOURGEOIS [redacted]
RICHARD J. BOWE [redacted]
DAVID C. BOWEN [redacted]
ALLEN R. BOYD, JR [redacted]
DAVID H. BOYD [redacted]
LARRY W. BRADFORD [redacted]
RICHARD J. BRADFORD [redacted]
JAMES R. BRASWELL [redacted]
JERRY R. BRETTHAUER [redacted]
EDWARD F. BRIGGS [redacted]
JOHN D. BRITTO [redacted]
LARRY L. BROCK [redacted]
LESLIE C. BROOKS [redacted]
WILLIAM R. BROOKS [redacted]
WILLIAM D. BROOME [redacted]
MARK W. BROPHY [redacted]
EDWARD F. BROWN [redacted]
RICHARD W. BROWN [redacted]
RAYMOND B. BRUEN [redacted]
JOHN R. BRUNS, JR [redacted]
JEFFERY W. BRYANT [redacted]
WILLIAM R. BRYNDLE [redacted]
LARRY D. BUELOW [redacted]
RONALD E. BULLARD [redacted]
ROBERT L. BURDEN [redacted]
GEORGE D. BURGESS [redacted]
WILLIAM D. BURKE [redacted]
BILL B. BURKHART [redacted]
JOHN B. BURROUGHS, JR [redacted]
ROBERT L. BURTON [redacted]
WAYNE E. BURTON [redacted]
STANLEY J. BURZYCK [redacted]
MARK E. BUSCH [redacted]
DENNIS M. BUSHMAN [redacted]
ARMANDO A. BUSTOS [redacted]
THOMAS R. BUTLER [redacted]
THOMAS E. BYRD [redacted]
RICARDO CABEZADEVACA [redacted]
JAMES R. CALLARD [redacted]
VERA S. CALLAWAY [redacted]
WILLIAM G. CALLAWAY, JR [redacted]

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ANDREW T. CALTAGIRONE xxx-xx-x...
MARSHALL A. CALVERT xxx-xx-x...
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STEVE G. CASTLE xxx-xx-x...
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ERIC H. LENZ xxx-xx-x...
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THOMAS A. LINSTER xxx-xx-x...
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ROBERT F. LITTLEFIELD xxx-xx-x...
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KAY B. LONG xxx-xx-x...
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JOHN E. WOERLY, JR xxx-xx-x...
WILLIAM E. WOODS, II xxx-xx-x...
ROBERT E. WOODSIDE xxx-xx-x...
GARY L. WOODWARD xxx-xx-x...
STEPHEN N. WORNOFF, JR xxx-xx-x...
KERRIS L. WRIGHT xxx-xx-x...
MARYANNE WRIGHT xxx-xx-x...
STEPHEN A. WRIGHT xxx-xx-x...
WILSON M. YAGER xxx-xx-x...
THOMAS D. YATES xxx-xx-x...
THOMAS G. YLIKOFSKI xxx-xx-x...
BRADLEY C. YOUNG xxx-xx-x...
LAWRENCE J. YOUNGBLUT xxx-xx-x...
IAN G. ZAHN xxx-xx-x...
STEPHEN E. ZEER xxx-xx-x...
GLEN J. ZEVENBERGEN xxx-xx-x...
DWAINE A. ZITKO xxx-xx-x...
HARRY E. ZUBIK xxx-xx-x...
MICHAEL J. ZWICK xxx-xx-...

DENTAL CORPS

To be lieutenant colonel

JOHN R. ABEL xxx-xx-x...
GUY E. ACHESON xxx-xx-x...
KEITH B. AGUILERA xxx-xx-x...
RAYMOND M. BAUMGARDNER, JR. xxx-xx-...
ROBERT L. BIRDWELL xxx-xx-x...
NOEL I. CAPESTANY xxx-xx-x...
RICHARD C. GIEMZA xxx-xx-x...
ROGER W. GILBERT xxx-xx-x...
CHARLES B. KLEMZ xxx-xx-x...
JEFFREY C. LANDON xxx-xx-x...
ROBERT M. MORTENSEN xxx-xx-x...
JAMES E. SCHREINER xxx-xx-x...
MICHAEL C. SPIELBERGER xxx-xx-x...
JOHN A. TALL xxx-xx-x...
LAURENCE A. WARREN xxx-xx-x...
SIEGFRIED R. WEIGELE xxx-xx-x...
SUE E. WESTON xxx-xx-x...
JOHN D. WIEBE xxx-xx-x...
HORACE B. WILKES xxx-xx-x...
RAYMOND WILLIAMS, JR xxx-xx-x...

MEDICAL CORPS

To be lieutenant colonel

WILLIAM R. ACKER xxx-xx-x...
ARSENIA P. ALIGNAY xxx-xx-x...
RAIQUA S. ARASTU xxx-xx-x...
RICHARD J. BAROHN xxx-xx-x...
MARK R. BASSETT xxx-xx-x...
RANDALL L. BEATTY xxx-xx-x...
JOHN K. BLEVINS xxx-xx-x...
ROBERTO A. CARO xxx-xx-x...
ANGEL C. CUNANAN xxx-xx-x...
MANUEL G. DEE xxx-xx-x...
RAMASUBBAREDDY DHANIREDDY xxx-xx-x...
DARRYL G. DILLMAN xxx-xx-x...
JOSEPH F. DIVITA xxx-xx-x...
CHARLES A. DUNCAN xxx-xx-x...
LUCKEY M. DUNN xxx-xx-x...
WILLIAM T. GALEY xxx-xx-x...
DANIEL P. GILLEN xxx-xx-x...
JEFFRY A. GOLDES xxx-xx-x...
MARSHALL W. GRANT xxx-xx-x...
STEPHEN M. HOWELL xxx-xx-x...
GARY S. JEWELL xxx-xx-x...
CHARLES W. JOSEPH, IV xxx-xx-x...
SOOREN KARAYAN xxx-xx-x...
TOSCA E. KINCHELOWSCHMIDT xxx-xx-x...
JOHN A. KREMER, II xxx-xx-x...
CRAIG W. KUEBKER xxx-xx-x...
LISA A. KUHAR xxx-xx-x...
HUGH K. LANCASTER, JR xxx-xx-x...
MANOHAR R. MANCHANDIA xxx-xx-x...
ANNAMMA T. MATHEW xxx-xx-x...
JAMES M. MCGREEVY xxx-xx-x...
JEFFREY S. MEINTS xxx-xx-xx...
RICHARD L. MORGAN xxx-xx-x...
MELLAYNE R. MYERS xxx-xx-x...
MOHAMMED A. NAYEEM xxx-xx-x...
SUSAN K. PALMER xxx-xx-x...
DONALD K. PORTER xxx-xx-x...
WAYNE E. SCHURICHT xxx-xx-x...
KIRBY V. C. TURNER xxx-xx-x...
STEVEN K. WHITE xxx-xx-x...
ROBERT L. WINDERS xxx-xx-x...
LINDA L. C. YANG xxx-xx-x...

NURSE CORPS

To be lieutenant colonel

LINDA J. ADAMS xxx-xx-x...
AGNES K. BOEHNING xxx-xx-x...
MONTEZ D. BOWERS xxx-xx-x...
RAYMOND E. BREZINSKI xxx-xx-x...
MARILYN G. BUNKER xxx-xx-x...
CAROL T. CAIN xxx-xx-x...
ROSEMARY CAPPELLI xxx-xx-x...
JEANNETTE P. CARTER xxx-xx-x...
JIMMIE R. CASSAT xxx-xx-x...
GARY G. CHAMBERS xxx-xx-x...
TERI L. CHILDERS xxx-xx-x...
ANNE M. CHISHOLM xxx-xx-x...
BARBARA L. CONNER xxx-xx-x...
ELVIRA G. COOLEY xxx-xx-x...
WATSON DIANA K. CRUMP xxx-xx-x...
KARLENE A. DEVINE xxx-xx-x...
LINDA K. DONALD xxx-xx-x...
JAMES F. DRESCHER xxx-xx-x...
MARY L. DUNCAN xxx-xx-x...
PAMELA J. ELLICO xxx-xx-x...
KAREN F. ENOCHS xxx-xx-x...
DAVID O. EVANS xxx-xx-x...
MARIANNE G. FARRAR xxx-xx-x...
MICHELE M. FORMICOLA xxx-xx-x...
JUDITH M. FORREST xxx-xx-x...
LAURA B. GILDERUBIO xxx-xx-x...
CARYN A. GRAHAM xxx-xx-x...
SUSAN S. GRANT xxx-xx-x...
LYNN M. GULICK xxx-xx-x...
JANE L. HAGELE xxx-xx-x...
LINDA A. HARTFORD xxx-xx-x...
DOLORES M. HENDERSON xxx-xx-x...
LUANN E. HIEATT xxx-xx-x...
JEANETTE A. HIGGINS xxx-xx-x...
JAYNE L. HILDEBRAND xxx-xx-x...
ANN M. HINDMAN xxx-xx-x...
PATRICIA G. HUGGINS xxx-xx-x...
LINDA S. JOHNSON xxx-xx-x...
SYLVIA J. JOHNSON xxx-xx-x...
PATRICIA A. JORDAN xxx-xx-x...
NANCY J. KELLEY xxx-xx-x...
CAROL S. KENNEDY xxx-xx-x...
JANE E. KIEHLE xxx-xx-x...
KENNETH W. KIRKPATRICK xxx-xx-x...
ROBERT E. KOENEN xxx-xx-x...
SHARI A. LARSON xxx-xx-x...
LINDA F. LEAR xxx-xx-x...
JOANN LEGENDRE xxx-xx-x...
PAULA LIOTTA xxx-xx-x...
SUSAN M. LOCKE xxx-xx-x...
KATHLEEN M. LUX xxx-xx-x...
ANNE S. MANLY xxx-xx-x...
LINDA L. MCHALE xxx-xx-x...
LINDA G. MCKEVITT xxx-xx-xxxx
LORRAINE M. MCKINNON xxx-xx-x...
JEANNE M. MELIUS xxx-xx-x...
LINDA E. MILLER xxx-xx-x...
PAULA A. MONDLOH xxx-xx-x...
DONALD R. MOORE xxx-xx-x...
THOMAS E. MORRILL xxx-xx-x...
KRISTINE M. MOSORA xxx-xx-x...
WANDA C. MURRAY xxx-xx-x...
BETTY H. NEWELL xxx-xx-x...
BARBARA M. PETERSON xxx-xx-x...
ELAINE PRENKOWITZFREY xxx-xx-x...
DONNA J. REINER xxx-xx-x...
DEBORAH A. ROBINSON xxx-xx-x...
LYNNETTE D. ROESLER xxx-xx-x...
SHERRA L. ROGERS xxx-xx-x...
JAMES M. SCHUMAN xxx-xx-x...
MARION E. SHARKEY xxx-xx-x...
EMILY J. SMITH xxx-xx-x...
JANIS L. STANGLE xxx-xx-x...
MURILYNNE M. STATON xxx-xx-x...
VICKIE L. C. STEPHANY xxx-xx-x...
MARY K. TOCK xxx-xx-x...
CONSTANCE L. TRIGEBOCK xxx-xx-x...
LAN E. VANDEVEER xxx-xx-x...
ANGEL M. VASQUEZ xxx-xx-x...
TOMMIE L. VOLKMANN xxx-xx-x...
JOAN L. WAKEFIELD xxx-xx-x...
DORIS A. WALSH xxx-xx-x...
SARAH F. WATERMAN xxx-xx-x...
OLIVIA O. WERTZ xxx-xx-x...
MARY J. WHITE xxx-xx-x...
CECILIA J. WILLIAMS xxx-xx-x...
NOREEN S. WOLANSKY xxx-xx-x...
KATHLEEN A. WOODY xxx-xx-x...

JEAN M. WRIGHTSIMS xxx-xx-x...
LEE W. YATES xxx-xx-x...
MILDRED A. YOUNG xxx-xx-x...

MEDICAL SERVICE CORPS

To be lieutenant colonel

RICHARD G. BIONDI xxx-xx-x...
JOHN L. BOZARTH xxx-xx-x...
RUBEN R. CARDENAS xxx-xx-x...
ROSE D. ENCINAS xxx-xx-x...
ALEXANDER J. FADROWSKY, II xxx-xx-x...
RICHARD L. HAMILTON xxx-xx-x...
ROY A. HART xxx-xx-x...
ROBERT L. KARPINSKI xxx-xx-x...
REX A. LUCAS xxx-xx-x...
THOMAS O. MCKEE xxx-xx-x...
SAMUEL E. MCVAY xxx-xx-x...
MORRIS SPARKS xxx-xx-x...
RUSS A. STANSELL xxx-xx-x...
CHRISTOPHER C. STEVENS xxx-xx-x...
GEORGE M. STONER, JR xxx-xx-x...
JON R. WESTERGAARD xxx-xx-x...
THOMAS L. WOLTMAN xxx-xx-x...

BIOMEDICAL SERVICE CORPS

To be lieutenant colonel

TIMOTHY R. BOOSINGER xxx-xx-x...
PHILLIP R. BROWN xxx-xx-x...
LAURA N. BUTTS xxx-xx-x...
JOHN C. CAMPBELL xxx-xx-x...
JOHN M. CLEGG, JR xxx-xx-x...
NELSON W. COUCH xxx-xx-x...
DAVID P. DAVIS xxx-xx-x...
PATRICIA M. DUVALL xxx-xx-x...
JANET C. GREEN xxx-xx-x...
FREDRICK T. HORN xxx-xx-x...
PAUL G. KLINGER xxx-xx-x...
WILLIAM E. MALONE xxx-xx-x...
DAVID A. MCCOOL xxx-xx-x...
CARLYN R. MUNN xxx-xx-x...
LYNN F. OBORN xxx-xx-x...
JOHN A. PHELPS xxx-xx-x...
PATRICIA E. PIRRELLO xxx-xx-x...
CLIFTON W. POLING xxx-xx-x...
COLIN R. ROBINSON xxx-xx-x...
FRANCIS A. SIRO xxx-xx-x...
ARTHUR V. TENNYSON xxx-xx-x...
JAN M. TINDER xxx-xx-x...
LEONARD M. TYLER xxx-xx-x...
ROGER D. WETHERINGTON xxx-xx-x...
DAVID E. WITHERSPOON xxx-xx-x...
GARY J. WOODS xxx-xx-x...

IN THE AIR FORCE

THE FOLLOWING UNITED STATES AIR FORCE RESERVE OFFICER TRAINING CORPS GRADUATES FOR APPOINTMENT IN THE REGULAR AIR FORCE IN THE GRADE OF SECOND LIEUTENANT UNDER THE PROVISIONS OF TITLE 10, UNITED STATES CODE, SECTION 531, WITH DATES OF RANK TO BE DETERMINED BY THE SECRETARY OF THE AIR FORCE.

LINE OF THE AIR FORCE

LINDEN C. ADAMS xxx-xx-x...
LISA D. ADAMS xxx-xx-x...
MICHAEL L. ALLEY, JR xxx-xx-x...
WILLIAM B. ASHWORTH xxx-xx-x...
MICHAEL A. ASSIL xxx-xx-x...
CHARLES R. AUKLAND xxx-xx-x...
ELBERT T. BALEY xxx-xx-x...
DONALD E. I. BAKER, II xxx-xx-x...
REGINA G. BECK xxx-xx-x...
ALLISON R. BES xxx-xx-x...
RICHARD G. BISHOP xxx-xx-x...
JUSTIN W. BOLDENOW xxx-xx-x...
REBECCA J. BOLL xxx-xx-x...
JOSEPH G. BOUCHARD, JR xxx-xx-x...
ANDREW L. BOYD xxx-xx-x...
JONATHAN C. BOYD xxx-xx-x...
JOE S. BROSIOUS xxx-xx-x...
KEITH E. BRYZA xxx-xx-x...
TERRY L. BULLARD xxx-xx-x...
LARRY D. BURNS xxx-xx-x...
DAVID A. CAGLARCAN xxx-xx-x...
YVONNE M. CALHOUN xxx-xx-x...
CHARLES M. CARPENTER xxx-xx-x...
CAMILLE Y. CHANDLER xxx-xx-x...
CATHRYN J. CHISLAGHI xxx-xx-x...
MICHAEL L. CLARK xxx-xx-x...
SCOTT S. COBURN xxx-xx-x...
LAURA L. COOK xxx-xx-x...
TOMMY CORMIER xxx-xx-x...
KIMBERLY R. COTTINGHAM xxx-xx-x...
JEFFERY D. CRUM xxx-xx-x...
JAMES P. DAMATO xxx-xx-x...
MARC A. DAUTEUIL xxx-xx-x...
CHRISTOPHER M. DAVIS xxx-xx-x...
JEFFERY R. DIBIAS xxx-xx-x...
KEVIN L. DOLATA xxx-xx-x...
MICHAEL L. DOWNS xxx-xx-x...
DIANA L. DYE xxx-xx-x...
CASEY D. EATON xxx-xx-x...
JILL S. ERICKSON xxx-xx-x...
MARK J. FELTZ xxx-xx-x...
RICHARD H. FILLMAN, JR xxx-xx-x...
SHAWN D. FORD xxx-xx-x...
PATRICK C. FRAGILE xxx-xx-x...
ERIC H. FROEHLICH xxx-xx-x...
MICHAEL L. GAUTHIER xxx-xx-x...
JOHN M. GONDOL xxx-xx-x...
BRENT A. GROMETER xxx-xx-x...
MICHAEL T. HAMMMONDS xxx-xx-x...
DONNA L. HARDEMON xxx-xx-x...
MARGARET M. HASPER xxx-xx-x...
TIMOTHY HENDERSON xxx-xx-x...
PAUL M. HERTZBERG xxx-xx-x...
PHILIP C. HICKS xxx-xx-x...
MATTHEW W. HIGER xxx-xx-x...
DAVID L. HIGGINBOTHAM xxx-xx-x...
KEITH D. HODSDEN xxx-xx-x...
KIMBERLY A. HOLT xxx-xx-x...
CHRISTOPHER L. HOOVER xxx-xx-x...
GINA C. HUMBLE xxx-xx-x...
BERNARD P. HUND xxx-xx-x...
STEPHEN K. HUNTER xxx-xx-x...
JODI A. HUTTON xxx-xx-x...
ERIC J. JACHIMOWICZ xxx-xx-x...
ANN MARIE JOJOLA xxx-xx-x...
TERRI A. JONES xxx-xx-x...
JOHN M. KANUCH xxx-xx-x...
ANNEMARIE L. KENEW xxx-xx-x...
KELLY M. KLEIN xxx-xx-x...
DAVID M. KOEHLER xxx-xx-x...
JOHN B. I. KOHLER, I xxx-xx-x...
GREGG A. KOPECK xxx-xx-x...
MARK A. KRABY xxx-xx-x...
LISA BLAIR KRUMM xxx-xx-x...
RONDA R. LEATHERS xxx-xx-x...
HANSEL E. LEE, JR xxx-xx-x...
KARRIE J. LEMARR xxx-xx-x...
TIMOTHY R. LEWIS xxx-xx-x...
MICHAEL J. LIQUORI xxx-xx-x...
TODD A. LUCE xxx-xx-x...
ROBERT K. LYMAN xxx-xx-x...
MICHAEL E. MARTIN xxx-xx-x...
DENISE M. MCDONALD xxx-xx-x...
RICKY T. MCGLOTHIN xxx-xx-x...
KRISTAL L. MCMASTER xxx-xx-x...
ALEXANDER R. MERZ xxx-xx-x...
CARL C. MISNER xxx-xx-x...
KEVIN J. MORELLO xxx-xx-x...
ROBERT J. MORSE xxx-xx-x...
TIMOTHY J. MOSER xxx-xx-x...
JENNIFER K. MUSER xxx-xx-x...
FRANCINE N. NELSON xxx-xx-x...
DARIN J. NEUFELD xxx-xx-x...
STACY C. NICHOLSON xxx-xx-x...
DEWAYNE A. NIKKILA xxx-xx-x...
MITCHELL L. NORDER xxx-xx-x...
DAWN N. OGLE xxx-xx-x...
PAUL M. OLDHAM xxx-xx-x...
GEORGE E. PARKER, JR xxx-xx-x...
ROBERT J. PETERSON xxx-xx-x...
JAMES D. PETRICK xxx-xx-x...
JAMES W. POLANOSKY, JR xxx-xx-x...
JEFFERY A. POWELL xxx-xx-x...
DAVID C. PRATT xxx-xx-x...
BRETT M. PROVINSKY xxx-xx-x...
RHODRI L. PURCELL xxx-xx-x...
BRITTON C. READ xxx-xx-x...
ALEX J. REEL xxx-xx-x...
CHRISTINE M. REESE xxx-xx-x...
STEFANIE M. ROBERTS xxx-xx-x...
BRIAN I. ROBINSON xxx-xx-x...
LAURA L. RUDOLPH xxx-xx-x...
HELEN A. SALTSGIVER xxx-xx-x...
CLINTON DEWAYNE SANDERS xxx-xx-x...
KARL C. SCHLOER xxx-xx-x...
JOHN H. SCHRIMPF xxx-xx-x...
KEITH S. SHANEMAN xxx-xx-x...
MILDRED L. SHINGLER xxx-xx-x...
ROBERT R. SKIDMORE xxx-xx-x...
ERIC C. SORBO xxx-xx-x...
HUNG K. TANG xxx-xx-x...
HEATHER F. TAYLOR xxx-xx-x...
MICHAEL E. TEIGEN xxx-xx-x...
ROBERT B. TRSEK xxx-xx-x...
JENNIFER L. VANDERMARK xxx-xx-x...
JENNIFER V. VAZQUEZ xxx-xx-x...
DAVID E. VERCELLONE xxx-xx-x...
MICHAEL J. VETH xxx-xx-x...
RUSSELL S. VOCE xxx-xx-x...
ALEXANDRIA R. WATSON xxx-xx-x...
GRANT T. WELLER xxx-xx-x...
DYLAN T. WELLS xxx-xx-x...
KEVIN M. WENKS xxx-xx-x...
TRACY L. WICKHAM xxx-xx-x...
DWAYNE E. WILLIAMS xxx-xx-x...
LYNN M. WILLIAMS xxx-xx-x...
JOEL F. WINTON xxx-xx-x...
DUSTIN P. ZIEGLER xxx-xx-x...
JAMES W. ZIMMERMAN xxx-xx-x...
MICHAEL A. ZROSTLIK xxx-xx-x...

IN THE ARMY

THE FOLLOWING-NAMED OFFICERS FOR PROMOTION IN THE RESERVE OF THE ARMY OF THE UNITED STATES, UNDER THE PROVISIONS OF TITLE 10, U.S.C., SECTIONS 593(A) AND 3366:

ARMY NURSE CORPS

To be lieutenant colonel

MARY E. ABT xxx-xx-x...
CHERYL A. ADAMS xxx-xx-x...
MARY J. AHWESH xxx-xx-x...
CARMEN E. ALTHOFF xxx-xx-x...
ROGER P. ALTHOFF xxx-xx-x...
MARY L. AMES xxx-xx-x...
RAYMOND J. ARBOUR xxx-xx-x...
PAMELA S. ARPIN xxx-xx-x...
MARIANNE R. BACON xxx-xx-x...
CAROLYN A. BANNON xxx-xx-x...
GLADYS E. BARCLAY xxx-xx-x...
KATHLEEN A. BASSANI xxx-xx-x...
CHARLOTTE F. BEASON xxx-xx-x...
DAVID C. BELT xxx-xx-x...
GEORGE T. BENOIT xxx-xx-x...
ROBERT J. BERGER xxx-xx-x...
BARBARA A. BERMUDEZ xxx-xx-x...
THELMA L. BERNARD xxx-xx-x...
SHARO BERRYCARRION xxx-xx-x...
BEAUTON L. BLACK xxx-xx-x...
ANITA B. BOGAN xxx-xx-x...
SANDY M. BOND xxx-xx-x...
MARY BOOKER xxx-xx-x...
CHERIE J. BOUDWIN xxx-xx-x...
NANCY D. BOURGEOIS xxx-xx-x...
PAUL C. BRADRICK xxx-xx-x...
LINDA N. BRESSEM xxx-xx-x...
VEREN BRILEYHUDSON xxx-xx-x...
RUTH A. BROWER xxx-xx-x...
WILLIAM BRUMFIELD xxx-xx-x...
RALPH L. BUCHANAN xxx-xx-x...
CHRISTINE BUDNICK xxx-xx-x...
JO A. BURCH xxx-xx-x...
RUTH A. BURKE xxx-xx-x...
BONNIE W. BURNER xxx-xx-x...
CANDACE M. BURNS xxx-xx-x...
DORIS E. BUTCHER xxx-xx-x...
MARILYN J. BYINGTON xxx-xx-x...
BARBARA G. CALDARA xxx-xx-x...
CATHERIN CAPESTANY xxx-xx-x...
IRENE CARR xxx-xx-x...
GARY M. CARROLL xxx-xx-x...
JAMES R. CARROLL xxx-xx-x...
SHIRLEY E. CARTER xxx-xx-x...
MARGARET L. CARVETH xxx-xx-x...
CHESTER P. CHECKETT xxx-xx-x...
PHYLLIS A. CHELETTE xxx-xx-x...
GARY A. CLARK xxx-xx-x...
MARILYN G. COLLINS xxx-xx-x...
SELWYN J. COLLINS xxx-xx-x...
CHARLINA COPELAND xxx-xx-x...
CAROL COSGROVE xxx-xx-x...
ETHEL M. COUGHLIN xxx-xx-x...
CAROLYN M. CRAIG xxx-xx-x...
LINDA G. CROSSER xxx-xx-x...
JENNIFER A. CROTTY xxx-xx-x...
SAUNDRA K. CRUMP xxx-xx-x...
JEANNE Q. CUTCHINS xxx-xx-x...
DAVID M. DALTON xxx-xx-x...
EDNA B. DAVIS xxx-xx-x...
PATRICIA D. DAVIS xxx-xx-x...
ROBERT J. DELAIR xxx-xx-x...
KAY L. DICKISON xxx-xx-x...
JOHN P. DIGIORIGIO xxx-xx-x...
SHARON S. DITTMAR xxx-xx-x...
RUTH E. DIXON xxx-xx-x...
HILL C. DURHAM xxx-xx-x...
JOHANNA L. EDWARDS xxx-xx-x...
MARY A. ELDER xxx-xx-x...
JACQUELINE E. ELLIS xxx-xx-x...
EDITH ELZIE xxx-xx-x...
MICHELE F. EMOND xxx-xx-x...
GLORIA C. ESSOKA xxx-xx-x...
ANNA M. FATH xxx-xx-x...
C. FERNANDEZCEPEDA xxx-xx-x...
LESLIE L. FILAPELLO xxx-xx-x...
CARLA J. FINN xxx-xx-x...
JANIE R. FISCHER xxx-xx-x...
RICHARD S. FISHER xxx-xx-x...
NAOMI K. FOODY xxx-xx-x...
DIANA G. FRENCH xxx-xx-x...
MELISSA A. FRENDAK xxx-xx-x...
JANET FREUDENRICH xxx-xx-x...
MARJORIE D. FREUND xxx-xx-x...
MICHAEL J. FREY xxx-xx-x...
MARY K. FRY xxx-xx-x...
ANN A. GALE xxx-xx-x...
LAURA J. GALLAGHER xxx-xx-x...
LINDA L. GALLOWAY xxx-xx-x...
SANDRA A. GALVIN xxx-xx-x...
M. GARCESVELAZQUEZ xxx-xx-x...
CAROLYN F. GARNETT xxx-xx-x...
CARL A. GARVIN xxx-xx-x...
GENWYL A. GLOVER xxx-xx-x...
KATHRYN A. GOOD xxx-xx-x...
LINDA GOODALEFURTH xxx-xx-x...
KLEIN B. GOODMAN xxx-xx-x...
PHYLLIS T. GRANT xxx-xx-x...
CLAUDIA J. GRATE xxx-xx-x...
MARSHA M. GREENE xxx-xx-x...
PATRICE GREENFIELD xxx-xx-x...
MADONNA L. GRIFFEY xxx-xx-x...
JUDITH M. GRIGGERS xxx-xx-x...
DEBRA L. GUILMETTE xxx-xx-x...
JACQUELIN GULLETTE xxx-xx-x...
RICHARD E. HAAS xxx-xx-x...
RITA R. HAGERTY xxx-xx-x...
CATHERINE HAMILTON xxx-xx-x...
ELIZABETH HAMILTON xxx-xx-x...
JEANNE L. HARDIN xxx-xx-x...
MARY A. HARPER xxx-xx-x...
JANIE V. HARRIS xxx-xx-x...
BILLY D. HARWELL xxx-xx-x...
CLAYTON C. HAYES xxx-xx-x...
NANCY A. HAYES xxx-xx-x...
WAYNE R. HEATON xxx-xx-x...
JACQUELINE HEBERT xxx-xx-x...
LARRY J. HENDRICKS xxx-xx-x...
EDMOND HENDRICKSON xxx-xx-x...
PEGGY J. HENGEVELD xxx-xx-x...
ROSANNE M. HERMAN xxx-xx-x...

MARILYN J. HESSER xxx-xx-x...
HARVEY A. HICKS xxx-xx-x...
ELAINE HIERS xxx-xx-x...
LAWRENCE J. HILL xxx-xx-x...
VIRGINIA HOLLIDAY xxx-xx-x...
ROSA HOLLISBIRD xxx-xx-x...
JOYCE A. HOLT xxx-xx-x...
BEY L. HOPKINS xxx-xx-x...
ROBIN K. HORNER xxx-xx-x...
GARY R. HOWARD xxx-xx-x...
SUSAN M. HUGGLER xxx-xx-x...
JOYCE T. HUMPHREYS xxx-xx-x...
KATHLEEN V. IRELAND xxx-xx-x...
JEAN M. JENNY xxx-xx-x...
DEBORAH J. JOHNSON xxx-xx-x...
FRANK J. JOHNSON xxx-xx-x...
JUDITH A. JOSEPH xxx-xx-x...
KATHLEEN A. KALETA xxx-xx-x...
PATRICIA A. KELLY xxx-xx-x...
ELLEN A. KENNEDY xxx-xx-x...
FLOYD E. KING xxx-xx-x...
CAROL L. KONCHAN xxx-xx-x...
MARGARET M. KUHN xxx-xx-x...
BONNIE D. LACEWELL xxx-xx-x...
JAMES A. LALONDE xxx-xx-x...
CAROL L. LAMBRECHT xxx-xx-x...
SHARON E. LAZARUS xxx-xx-x...
GEORGE P. LEAMY xxx-xx-x...
RENE J. LEBLANC xxx-xx-x...
JESSIE M. LECLAIR xxx-xx-x...
CHRISTINE C. LEWIS xxx-xx-x...
JAMES E. LLOYD xxx-xx-x...
NORMA J. LLOYD xxx-xx-x...
PRETTI P. LOCKHART xxx-xx-x...
VAN D. LOENNIG xxx-xx-x...
KATHLEEN M. LONG xxx-xx-xxxx
RAY E. LONG xxx-xx-x...
DEBORAH M. LOVELAND xxx-xx-x...
JANICE K. MALDONADO xxx-xx-x...
WILLIAM G. MALLON xxx-xx-x...
MARGARET MALONEY xxx-xx-x...
GLORIA J. MARTIN xxx-xx-x...
MARY L. MAYWETHER xxx-xx-x...
JEAN L. MCCASKILL xxx-xx-x...
SHIRLEY MCCASKILL xxx-xx-x...
JAMES J. MCCOLGAN xxx-xx-x...
JANE M. MCCOY xxx-xx-x...
CONSTANCE MCCRARY xxx-xx-x...
MARY L. MCDONALD xxx-xx-x...
ROBERT J. MCKENNETT xxx-xx-x...
MARY J. MCKENZIE xxx-xx-x...
WINIFRED MCMORROW xxx-xx-x...
ZERLI MCNEALINGRAM xxx-xx-x...
JEANETTE MCNUTT xxx-xx-x...
SHAREE H. MERKLEY xxx-xx-x...
RAYMOND T. MIERZWA xxx-xx-x...
SUSANNE M. MIHALEK xxx-xx-x...
BETH E. MILLER xxx-xx-x...
FRED P. MILLER xxx-xx-x...
PATRICIA L. MILLER xxx-xx-x...
TAREN J. MILLER xxx-xx-x...
BOBBY B. MILLS xxx-xx-x...
MARTHA A. MOODY xxx-xx-x...
KAREN P. MOORE xxx-xx-x...
KATHLYN S. MOORE xxx-xx-x...
KATHLEEN MOORHEAD xxx-xx-x...
WILLIAM R. MORRIS xxx-xx-x...
KATHLEEN MORRISSEY xxx-xx-x...
MARIE O. MOSLEY xxx-xx-x...
BRENDA J. MYERS xxx-xx-x...
HELEN M. NEUBERT xxx-xx-x...
MARTHA C. NON xxx-xx-x...
SHERRY B. NORDMEYER xxx-xx-x...
CYNTHIA K. OBRIEN xxx-xx-x...
SUSAN K. OCONNELL xxx-xx-x...
GAIL P. OLENDER xxx-xx-x...
DUANE R. OPP xxx-xx-x...
KAREN E. ORR xxx-xx-x...
MICHAEL R. OSTROSKI xxx-xx-x...
DOLOR OTEROCOLLAZO xxx-xx-x...
RICHARD C. PARADIS xxx-xx-xxxx
NANCY W. PEARSON xxx-xx-x...
JOSE A. PENAJURADO xxx-xx-x...
PEGGY L. PETERBURG xxx-xx-x...
JOHN T. PETERSON xxx-xx-x...
NANCY R. PICKETT xxx-xx-x...
JEAN POMPEWALTMAN xxx-xx-x...
CONSTANCE L. POPE xxx-xx-x...
GARY W. POWERS xxx-xx-x...
DEBRA PREWDELEKTO xxx-xx-x...
PATRICIA PRIMOSCH xxx-xx-x...
KATHRYN S. RAASCH xxx-xx-x...
DORIS C. RAVISH xxx-xx-x...
JOSEPHINE M. REEL xxx-xx-x...
JAMES C. REGUR xxx-xx-x...
JUTTA B. RICE xxx-xx-x...
LINDA L. RICHARDS xxx-xx-x...
BARBARA RICHARDSON xxx-xx-x...
BARBARA A. ROARK xxx-xx-x...
CATHY A. ROBERT xxx-xx-x...
DUANE H. ROBERTS xxx-xx-x...
FRANK J. ROSATO xxx-xx-x...
DAVID D. ROSE xxx-xx-x...
PHILLIP E. ROSS xxx-xx-x...
AMANDA C. ROWE xxx-xx-x...
LINDA S. ROY xxx-xx-x...
MARCO SADRES xxx-xx-x...
KENNETH P. SANNER xxx-xx-xx...
LOLA J. SASSER xxx-xx-x...
ROBERT W. SAUM xxx-xx-x...
LYDIA SCARBROUGH xxx-xx-x...
PAUL E. SCHAUM xxx-xx-x...
LORETTA SCHLACHTA xxx-xx-x...
REBECCA B. SCHWANER xxx-xx-x...
MARTHA L. SCOTT xxx-xx-x...
DIAN S. SHACKELFORD xxx-xx-x...
JACQUELINE D. SMITH xxx-xx-x...
KAREN L. SMITH xxx-xx-x...
LANI W. SMITH xxx-xx-x...
PATRICIA A. SMITH xxx-xx-x...
PAUL E. SMITH xxx-xx-x...
MARY E. SORRELL xxx-xx-x...
JERRY W. SPRADLEY xxx-xx-x...
CHERYL A. SPRAY xxx-xx-x...
THOMAS F. STACK, JR xxx-xx-x...
SHARON A. STANLEY xxx-xx-x...
ARGARITA M. STEWART xxx-xx-x...
CYNTHIA J. STEWART xxx-xx-x...
ELISABETH STEWART xxx-xx-xxxx
KATHLEEN STOCKMAN xxx-xx-x...
DELEO D. STOLL xxx-xx-x...
LOTTY E. STOUT xxx-xx-x...
DALE E. STREIN xxx-xx-x...
NANCY L. SUTTON xxx-xx-x...
NANCY A. SZAREK xxx-xx-x...
LINDA D. THIELEMIER xxx-xx-x...
TERRY K. THOMAS xxx-xx-x...
GAIL M. TIDMORE xxx-xx-x...
PATRICE V. TILLMAN xxx-xx-x...
PATRICK W. TINDALL xxx-xx-x...
MARYELLYN TISON xxx-xx-x...
DONNA L. TRACY xxx-xx-x...
MARGARET TRIMBLE xxx-xx-x...
SUSAN A. TURCKE xxx-xx-x...
PATRICIA A. TURNER xxx-xx-x...
ESTELLE L. TUTHILL xxx-xx-x...
ROBIN B. UMBERG xxx-xx-x...
ELIZABETH VANTVEER xxx-xx-x...
BARBARA J. VENDT xxx-xx-x...
SHEILA M. VERDON xxx-xx-x...
MARJORIE VOSS xxx-xx-x...
CARLA A. WALKER xxx-xx-x...
GLORIA C. WALKER xxx-xx-x...
MYRA L. WALKER xxx-xx-x...
PAMELA S. WALLACE xxx-xx-x...
THERESA M. WARDLE xxx-xx-x...
MARJORY K. WATERMAN xxx-xx-x...
WESLEY C. WEAVER xxx-xx-x...
WILLIAM R. WEAVER xxx-xx-x...
ANNIE L. WEBSTER xxx-xx-x...
WILLIE M. WHITE xxx-xx-x...
JUDITH A. WIECK xxx-xx-x...
SARAH D. WILLIAMS xxx-xx-x...
DEBBIE T. WINTERS xxx-xx-x...
CELIA J. WINTZ xxx-xx-x...
JO F. WOOD xxx-xx-x...
LOLA M. WOODSON xxx-xx-x...
CATHERINE E. WRIGHT xxx-xx-x...
KATHLEEN A. YAGICH xxx-xx-x...
JOAN F. YEASH xxx-xx-x...
JANICE B. YOUNG xxx-xx-x...
ROBIN L. ZOPHY xxx-xx-x...

DENTAL CORPS

To be lieutenant colonel

STERLING C. BEASLEY xxx-xx-x...
DONALD W. BEGEZDA xxx-xx-x...
MARK S. BELLO xxx-xx-x...
WILLIAM A. BENNETT xxx-xx-x...
GERALD J. BOTKO xxx-xx-x...
GARY M. BOURGEOIS xxx-xx-x...
TERRY G. BOX xxx-xx-x...
ROBERT BRIGHTBILL xxx-xx-x...
ROBERT W. CATER xxx-xx-x...
MARK L. CHARNLEY xxx-xx-x...
JOHN W. CHILES xxx-xx-x...
RICHARD Y. CHO xxx-xx-x...
OSCAR S. DEPRIEST xxx-xx-x...
GARY P. DICKSON xxx-xx-x...
THOMAS F. DOWLING xxx-xx-x...
JOEL B. FEINBERG xxx-xx-x...
DAVID A. FELT xxx-xx-x...
JOHN J. FERRY xxx-xx-x...
THOMAS D. FLANDERS xxx-xx-x...
ROBERT T. FRAME xxx-xx-x...
EDWARD F. FREDERICK xxx-xx-x...
JOHN A. GIBSON xxx-xx-x...
STEPHAN A. GINSBERG xxx-xx-x...
JOHN V. GLADDEN xxx-xx-x...
JOSE L. GONZALEZ xxx-xx-x...
GEORGE P. GREEN xxx-xx-x...
TERRY D. GRUBBS xxx-xx-x...
RAYMOND J. HAAG xxx-xx-x...
EARL D. HAMMIT xxx-xx-x...
JAMES W. HART xxx-xx-x...
STEPHEN F. HARTMAN xxx-xx-x...
JOSEPH L. HILL xxx-xx-x...
WADE L. HILL xxx-xx-x...
JAMES M. HOUSEWORTH xxx-xx-x...
CLYDE P. HOUSTON xxx-xx-x...
CHARLES M. JENNESS xxx-xx-x...
MARK L. JOHNSON xxx-xx-x...
GENE P. KAHN xxx-xx-x...
ZAVON F. KANION xxx-xx-x...
RICHARD T. LEIBY xxx-xx-x...
ROBERT M. LORENZ xxx-xx-x...
JAMES L. MARKS xxx-xx-x...
ROBERT W. MARLIN xxx-xx-x...
JIMMY W. MATTHEWS xxx-xx-x...
TERRY A. MCCOOE xxx-xx-x...
ROBERT L. MCGUINN xxx-xx-x...
VIRGINIA MERCHANT xxx-xx-x...
DANIEL F. MULLEN xxx-xx-x...
MAURICE J. NETHERY xxx-xx-x...
ERIC W. NODERER xxx-xx-x...
MICHAEL J. OBRIEN xxx-xx-x...
GEORGE W. OTTO xxx-xx-x...
CRAIG H. RICKS xxx-xx-x...
ENRIQUE A. RIGGS xxx-xx-x...
THOMAS W. RILEY xxx-xx-x...
ALAN M. ROCKWERN xxx-xx-x...
JOYCE E. RUBIN xxx-xx-x...
MITCHEL RUFFMAN xxx-xx-x...
CARL A. RUTHERFORD xxx-xx-x...
BRADLEY SAISSELIN xxx-xx-x...
LAWRENCE SCHEITLER xxx-xx-x...
ALBERT E. SCOTT xxx-xx-x...
ELIZABETH L. SHEA xxx-xx-x...
STEFAN SHERMAN xxx-xx-x...
ROGER SIENKIEWICZ xxx-xx-x...
ROBERT M. SKVORAK xxx-xx-x...
BEN M. SMITH xxx-xx-x...
LINDA L. SMITH xxx-xx-x...
DANIEL I. SPEARS xxx-xx-x...
MARK A. SPIKER xxx-xx-x...
DAVID J. SPINELLI xxx-xx-x...
THOMAS STERN xxx-xx-x...
RODERICK THIELE xxx-xx-x...
ROBERT E. THIELMAN xxx-xx-x...
JOSEPH L. THOMAN xxx-xx-x...
ETIEN TORMOSTORRES xxx-xx-x...
FREDERI WASSERMANN xxx-xx-x...
CHARLES WEBSTER xxx-xx-x...
GEORGE C. WEEKS xxx-xx-x...
STEWART WIDDOWSON xxx-xx-x...
ROBIN E. WILLIMAN xxx-xx-x...
GEORGE WOO xxx-xx-x...
JUDSON R. WYNKOOP xxx-xx-x...
PHILIP E. YOUNG xxx-xx-x...

MEDICAL CORPS

To be lieutenant colonel

GOMBURZA M. ABAD xxx-xx-x...
ANDREW J. AHMANN xxx-xx-x...
YEONG K. AHN xxx-xx-x...
HERBERT ALEXANDER xxx-xx-x...
LUIS A. ALMODOVAR xxx-xx-x...
JAMES A. AMEIKA xxx-xx-x...
VALENTINA ANDRAOS xxx-xx-x...
JOSEPH P. ARAIZA xxx-xx-x...
FEDERICO ARCALA xxx-xx-x...
DAVID M. ARMESTO xxx-xx-x...
EDWARD J. AUSMAN xxx-xx-x...
EDGAR H. BALLENAS xxx-xx-x...
JOHN K. BARTZ xxx-xx-x...
JAMES F. BEATTIE xxx-xx-x...
JAMES L. BERGMAN xxx-xx-x...
EDWARD F. BIGSBY xxx-xx-x...
AKIRK BODARY xxx-xx-x...
WALTER L. BOGART xxx-xx-x...
PHILLIP R. BRYANT xxx-xx-x...
DAVID R. BRYSON xxx-xx-x...
REED A. BURCH xxx-xx-x...
JOSEPH J. CALABRO xxx-xx-x...
JAMES B. CALDERBANK xxx-xx-x...
MARY E. CALLSEN xxx-xx-xxxx
WAYNE E. CAMPBELL xxx-xx-x...
JUAN M. CAMPOS xxx-xx-x...
MARCUS E. CARR xxx-xx-x...
TODD R. CHACE xxx-xx-x...
KEH F. CHEN xxx-xx-x...
DOMINIC K. CHEUNG xxx-xx-x...
JAI J. CHO xxx-xx-x...
MARTIN CHRISTENSEN xxx-xx-x...
DOUGLAS A. CLARK xxx-xx-x...
JAMES H. CLINGAN xxx-xx-x...
MICHAEL W. COATNEY xxx-xx-x...
EVERARDO J. COBOS xxx-xx-x...
LAMAR P. COLLIER xxx-xx-x...
CARL J. CONLEY xxx-xx-x...
COURTNEY CRIM xxx-xx-x...
SAMUEL A. CROW xxx-xx-x...
VERNESS CUNNINGHAM xxx-xx-x...
JOHN E. DADOW, JR xxx-xx-x...
MICHAEL J. DALY xxx-xx-x...
PANAKKAL U. DAVID xxx-xx-x...
PAUL D. DAVIS xxx-xx-x...
FRANCISCO DELAROSA xxx-xx-x...
GLENN A. DEYO xxx-xx-x...
VASANT P. DHOPESH xxx-xx-x...
RODNEY S. DILL xxx-xx-x...
DOUGLAS P. DIONNE xxx-xx-x...
DAVID L. DOERING xxx-xx-x...
WILLIAM V. DOLAN xxx-xx-x...
WILLIAM C. DUNAWAY xxx-xx-x...
JEFFREY DUNKELBERG xxx-xx-x...
ALLEN S. ELLIOTT xxx-xx-x...
J. ELLISBILLINGSLEY xxx-xx-x...
DAVID T. ESTROFF xxx-xx-x...
DANIEL F. FLYNN xxx-xx-x...
FOREST W. FOLLETT xxx-xx-x...
PAUL E. FORZLEY, xxx-xx-xxxx
MICHAEL C. FOSTER xxx-xx-x...
RICHARD G. FOUTCH xxx-xx-x...
SAM F. FRANKEL xxx-xx-x...
JEFFREY L. FRYE xxx-xx-xx...
JOHN J. FUNG xxx-xx-x...
SUB GAJENDRAGADKAR xxx-xx-x...
SISENANDO P. GALVEZ xxx-xx-x...
ARCHIMEDES GARCIA xxx-xx-x...
HOWARD E. GENDELMAN xxx-xx-x...
MICHAEL D. GETTER xxx-xx-x...
CHRISTIE GHICADUS xxx-xx-x...
CHIT G. GOH xxx-xx-x...

RICHARD GRANVILLE [redacted]
JAMES F. GRAUMLICH [redacted]
MURALI GUTHIKONDA [redacted]
DARROW E. HAAGENSEN [redacted]
DENNIS B. HALL [redacted]
ANSAR M. HAROUN [redacted]
JONATHAN E. HASSON [redacted]
DAVID M. HAYES [redacted]
JERRY W. HAYGOOD [redacted]
JOHN F. HAYNES [redacted]
JAMES E. HEDER [redacted]
THOMAS S. HELLING [redacted]
CHRISTOPHER HICKS [redacted]
RONALD HIGGINBOTHAM [redacted]
DURELL A. HILLER [redacted]
RICHARD E. HOLMES [redacted]
TOMAS HORNA [redacted]
STEPHEN W. HORNYAK [redacted]
RANDALL T. HULING [redacted]
ARTEMIO A. IFURUNG [redacted]
ARTHUR D. JABS [redacted]
MARY T. JACKSON [redacted]
ROBERT L. JACOBSON [redacted]
JUAN JIMENEZVEGA [redacted]
TONE J. JOHNSON [redacted]
ZEHERA N. KHAN [redacted]
ELIZABETH KLIBANOFF [redacted]
WALTER M. KOBIALKA [redacted]
ALLAN J. KOGAN [redacted]
MANGARAJU KOLLURU [redacted]
STEPHEN KOOPMEINERS [redacted]
KARL J. KREDER [redacted]
ROBERT A. KUNZ [redacted]
PETER C. LAFON [redacted]
BELA T. LANCZY [redacted]
CHRISTOPHER L. LEE [redacted]
LEONARD J. LIND [redacted]
THOMAS N. LITTLE [redacted]
PETER H. LOWRY [redacted]
FLORANTE E. LUZANO [redacted]
GARY K. MCALLISTER [redacted]
KEVIN P. MAGUIRE [redacted]
JOHN M. MANFRED [redacted]
WALTER MARCHLEWSKI [redacted]
ROY S. MAROKUS [redacted]
GARRETT L. MARR [redacted]
ALLAN B. MARTIN [redacted]
ROBERTO MASFERRER [redacted]
BRENT R. MCINTOSH [redacted]
NITIN R. MEHTA [redacted]
JOE J. MENDIOLA [redacted]
NARCISO D. MENDOZA [redacted]
RADU MIHAIL [redacted]
RONALD D. MILES [redacted]
RODERICK D. MOE [redacted]
IAN MOOREHEAD [redacted]
KEITH C. MOSES [redacted]
JOSEPH G. MOYER [redacted]
JAMES M. MULLINS [redacted]
MICHAEL J. MURRAY [redacted]
FERENC NAGY [redacted]
ARSENIO P. NAVARRO [redacted]
MOHAMED O. NAWAR [redacted]
MICHAEL L. NOEL [redacted]
DOROTHY A. NOVAK [redacted]
EDMUNDO S. NUNEZ [redacted]
ROBERT M. OLSON [redacted]
YAO C. ONG [redacted]
ALFRED O. PARK [redacted]
FRANK B. PARKS [redacted]
RAJNIKANT C. PATEL [redacted]
SHUTISH C. PATEL [redacted]
WILLIAM PATTERSON [redacted]
HERBERT W. PERCIVAL [redacted]
DOUGLAS A. PETERSON [redacted]
GARY R. PLOTKIN [redacted]
MICHAEL D. POOLE [redacted]
JOHN E. POPE [redacted]
PATRICK J. QUINLAN [redacted]
GITA S. RAMAN [redacted]
RICARDO J. RAMIREZ [redacted]
VENKATAPURAM REDDY [redacted]
JOHN E. REED [redacted]
BRIAN M. REES [redacted]
NESTOR J. REYES [redacted]
MERCEDITA Q. RIVERA [redacted]
WALTER RIVERA [redacted]
SUNG C. RO [redacted]
BRUCE W. ROGERS [redacted]
DONALD K. ROKOSCH [redacted]
JUDE T. ROUSSERE [redacted]
VASQUEZ E. RUEDA [redacted]
CEFERINA P. RUIZ [redacted]
JOHN B. RULE [redacted]
ERIC F. SABETY [redacted]
JOSEPH R. SALAZ [redacted]
ZIMARA M. SAMPAGA [redacted]
GERALD R. SCHWARTZ [redacted]
DWIGHT Y. SHEN [redacted]
ROUCHDY S. SHENOUDA [redacted]
PRAVINA B. SHETH [redacted]
JOSE T. SINGSON [redacted]
JOE L. SMOTHERS [redacted]
MOHAMMAD A. SOBHAN [redacted]
NISHA P. SOPREY [redacted]
ALBERT T. SPAW [redacted]
DEBORAH G. SPEARE [redacted]
DAVID L. SPEER [redacted]
GIOVANNA SPINELLA [redacted]
ALFRED N. STANFORD [redacted]
MICHAEL R. STEVER [redacted]
BARRY STRINGFIELD [redacted]
PAULA L. STUART [redacted]
STEPHEN L. STYRON [redacted]
BOLLEPALL SUBBARAO [redacted]
AVERELL H. SUTTON [redacted]
ROBERT J. SWAN [redacted]
MARGARET E. SWEENEY [redacted]
JIMMIE W. TAYLOR [redacted]
JAMES W. TEMPLIN [redacted]
HERBERT J. THOMAS [redacted]
LEYLAND A. THOMAS [redacted]
MICHAEL TILLIRSON [redacted]
KEVIN P. TRACY [redacted]
JOE E. TREVINO [redacted]
ROBIN L. TRUMBULL [redacted]
WARREN D. TURNER [redacted]
WILLIAM TURSI [redacted]
WILLIAM E. TYNDALL [redacted]
AUGUSTINE F. VELEZ [redacted]
JOHN C. VELTMAN [redacted]
HUNG T. VU [redacted]
ALONZO P. WALKER [redacted]
LAWRENCE R. WALKER [redacted]
EUGENE A. WALTKE [redacted]
JOHN P. WAYMACK [redacted]
LANCE D. WEAVER [redacted]
THOMAS WESTERMEIER [redacted]
RICHARD T. WHITE [redacted]
GARY L. WILSON [redacted]
MARK S. WINDER [redacted]
JAMES W. WOODHAM [redacted]
JONATHAN WOODSON [redacted]
IRENE I. YEVICH [redacted]
ALAN T. ZIMBARD [redacted]

MEDICAL SERVICE CORPS

To be lieutenant colonel

SAMUEL J. ALANO [redacted]
JAMES T. ALLEN [redacted]
BRUCE G. ANDERSON [redacted]
WILLIAM H. ANDERSON [redacted]
CHARLES H. ANTHONY [redacted]
PHILIP R. APPEL [redacted]
REGINALD W. ASLETT [redacted]
DON C. BAGWELL [redacted]
JOHN W. BARCH [redacted]
LENWARDE C. BEASLEY [redacted]
JOHN J. BELKO [redacted]
STEVEN J. BELL [redacted]
ALVIN BELTON [redacted]
STEVEN R. BENNETT [redacted]
TERRY H. BERNER [redacted]
GARRY W. BOSWELL [redacted]
PATRICK M. BOYD [redacted]
THOMAS M. BRANNOCK [redacted]
MICHAEL BRIDGEWATER [redacted]
GLEN D. BRITT [redacted]
MARSHALL J. BROWN [redacted]
JOHN J. BRUGGER [redacted]
DONALD E. BURGESS [redacted]
WILLIAM H. BURT [redacted]
WILLIAM E. CARTER [redacted]
JOHN P. CHANG [redacted]
PHILLIP CHRISTMAN [redacted]
JAMES B. CLARKE [redacted]
RONALD A. COCUZZO [redacted]
DONALD C. COFFIN [redacted]
JOHN R. COLEY [redacted]
WEBBER J. COMELLA [redacted]
DENNIS E. CONNER [redacted]
PAUL CONSIGLIO [redacted]
JERRY COTTON [redacted]
DANIEL J. CRAWFORD [redacted]
DAVID M. CUMMINGS [redacted]
DAVID L. DANIELS [redacted]
RANDY L. DANIELS [redacted]
DINESH V. DAVE [redacted]
JOHN D. DAVENPORT [redacted]
STEPHEN J. DEMSKI [redacted]
PAUL A. DENESON [redacted]
DAVID D. DENTON [redacted]
JOHN J. DIAMOND [redacted]
THOMAS J. DINWOODIE [redacted]
STEPHEN M. DOLGIN [redacted]
DENNIS DOMBROWSKI [redacted]
KENNETH L. DREHER [redacted]
CHARLES S. DRESBACH [redacted]
WILLIAM S. DURRETT [redacted]
ROBERT J. ECKRICH [redacted]
SHARYN K. EKLUND [redacted]
CHARLES W. ELLIOTT [redacted]
DAVID F. EVERETT [redacted]
ANTHONY J. FARANO [redacted]
ROBERT FITZGERALD [redacted]
MICHAEL A. FLEMMING [redacted]
HENRY L. FRANKLIN [redacted]
JAMES D. FRANKLIN [redacted]
LUTHER J. FRANKLIN [redacted]
ROBERT F. FRICKE [redacted]
BRIAN L. FRIEDMAN [redacted]
PAUL D. GANCHER [redacted]
SUSAN E. GARRETSON [redacted]
JAY E. GLENN [redacted]
JESSE S. GONZALEZ [redacted]
ROBERT R. GRANADO [redacted]
MICHAEL R. GRAY [redacted]
ROBERT GREIFENHAGEN [redacted]
RONALD D. GRIFFITH [redacted]
RONALD GRIMES [redacted]
EDUARDO GUERRERO [redacted]
RANDOLPH A. HALL [redacted]
CHARLES J. HANNAN [redacted]
JOHN W. HARBELL [redacted]
RONALD N. HARROFF [redacted]
FREDRICK A. HASSUT [redacted]
ROBERT J. HAWK [redacted]
GILMER M. HAYES [redacted]
DANIEL E. HENDRICKS [redacted]
JACK M. HICKEY [redacted]
HAROLD L. HILL [redacted]
JAMES E. HOLLAND [redacted]
RICHARD G. HUNTER [redacted]
LANCE E. HYLANDER [redacted]
TERRENCE INGRAHAM [redacted]
GEORGE H. IRBY [redacted]
DANA R. JACKSON [redacted]
WILLIAM B. JANIGA [redacted]
DONALD W. JEHN [redacted]
DOUGLAS H. JENKINS [redacted]
RANDOLPH W. JOHNSON [redacted]
SILVANUS P. JOHNSON [redacted]
JOHN C. KEMP [redacted]
RICHARD A. KEYSER [redacted]
STANLEY W. KING [redacted]
GLENN Y. KOBAYASHI [redacted]
BRUCE M. KOENIG [redacted]
WILLIAM G. KOSKY [redacted]
WILLIAM LAFOUNTAIN [redacted]
LAWRENCE E. LANDRUM [redacted]
KEITH J. LANG [redacted]
FRANCIS J. LAYER [redacted]
ROBERT E. LEE [redacted]
MICHAEL A. LEES [redacted]
WILLIAM L. LEMONS [redacted]
NORMAN LENTENBRINK [redacted]
JOHN C. LEWIS [redacted]
ROGER T. LITTLE [redacted]
CURTIS W. LONG [redacted]
THEODORE L. LONG [redacted]
HENRY J. LOPEZ [redacted]
SORREL E. LUHRS [redacted]
DAVID J. LUKE [redacted]
EDDIE N. LUMPKIN [redacted]
DANIEL L. MACINTYRE [redacted]
SHAIKH A. MANZOOR [redacted]
MARK E. MARLEY [redacted]
DWAYNE D. MARROTT [redacted]
WILLIAM K. MARSELLA [redacted]
WILLIAM B. MARTIN [redacted]
JOHN A. MAURER [redacted]
WILLIAM MCALISTER [redacted]
TIMOTHY J. MCCUE [redacted]
JOHN B. MCDONALD [redacted]
CLEM B. MCIVER [redacted]
LAWRENCE L. MEGUIZ [redacted]
CHARLE MINICHIELLO [redacted]
STEPHEN W. MITCHELL [redacted]
WILLIAM D. MIZE [redacted]
ROBERT B. MORGAN [redacted]
JOSEPH G. MOTSINGER [redacted]
RICHMOND B. MOWRY [redacted]
WILLIAM P. MUMPOWER [redacted]
WILLIAM D. MUSICK [redacted]
WILLIAM R. NAYES [redacted]
RICHARD F. NELSON [redacted]
BRENT P. NIXON [redacted]
HARALD E. OLAFSSON [redacted]
ROBERT W. OMER [redacted]
DANIEL P. OPPERMANN [redacted]
PATRICK S. ORILEY [redacted]
PEDR ORTIZMOLINARY [redacted]
ANGEL L. PADILLA [redacted]
ADA M. PALACIOS [redacted]
MICHAEL G. PAPPAS [redacted]
JEFFREY PARASZCZUK [redacted]
JOSEPH M. PARKER [redacted]
WILLIAM PATTERSON [redacted]
ALBERT A. PENNA [redacted]
EUGENE P. PHILIPP [redacted]
STANLEY PIOTROSKI [redacted]
PAUL L. RAGAINS [redacted]
ROBERT J. RAGONE [redacted]
BRUCE A. REDDISH [redacted]
JAMES D. REED [redacted]
JAMES F. REED [redacted]
HARRY REYNOLDS [redacted]
DENNIS C. RHEA [redacted]
KEVIN J. ROARK [redacted]
DONALD J. ROCHE [redacted]
RAUL RODRIGUEZ [redacted]
DENNIS S. ROGERS [redacted]
ROBERT ROGGENBACH [redacted]
HECTOR H. ROSADO [redacted]
ROBERT S. ROSS [redacted]
JOSEPH A. SANDRIN [redacted]
KAY A. SATHER [redacted]
ROBERT L. SAWYER [redacted]
JOSEPH SCELZA [redacted]
JOHN A. SCHENNE [redacted]
JOE R. SCHROEDER [redacted]
KENNETH L. SHIELDS [redacted]
DENNIS SHINGLETON [redacted]
HAROLD B. SILMAN [redacted]
JACK B. SILVER [redacted]
BARRY K. SLATTON [redacted]
MICHAEL A. SMAJDA [redacted]
ELIZA SMIEHOROWSKI [redacted]
ED SOTOMAYORVICENS [redacted]
RAYMOND T. STANTON [redacted]
ROBERT N. STATON [redacted]
JAMES H. SUNIA [redacted]
JOHN H. SUTTON [redacted]
HOWARD S. SWAN [redacted]
ROBERT B. SWOPE [redacted]

LARRY E. TAYLOR [redacted]
JOHNNY B. THOMAS [redacted]
NANCY C. TIPTON [redacted]
THOMAS M. TOLER [redacted]
ROBERT J. TOTH [redacted]
STEVEN F. TRONNES [redacted]
ROY H. TRUCKS [redacted]
PETER O. USBECK [redacted]
JESUS B. VALENZUELA [redacted]
LINDA M. WALKER [redacted]
WILLIAM J. WALSH [redacted]
JACK N. WASHBURNE [redacted]
ROBERT J. WERNER [redacted]
STANLEY J. WHIDDEN [redacted]
CHRISTOPHER WHITE [redacted]
ALEXANDER L. WIATT [redacted]
KENNETH K. WIER [redacted]
RICHARD E. WILLIAMS [redacted]
DAVID A. WING [redacted]
CHARLES V. WIRTH [redacted]
JAME WOJCIECHOWSKI [redacted]
JAMES D. WOOD [redacted]
GROVER E. YOUNG [redacted]
WILLIAM C. ZEILLER [redacted]
HENRY E. ZERANSKI [redacted]

ARMY MEDICAL SPECIALIST CORPS

To be lieutenant colonel

GLENN E. BALLARD [redacted]
BARBARA I. BERKOFF [redacted]
HERBERT E. BRUNTEL [redacted]
JOYE F. BUCKLIN [redacted]
PHYLLIS M. BUTZEN [redacted]
PHYLLIS A. COTTON [redacted]
ELLEN G. EVANS [redacted]
BRIAN P. FOSTER [redacted]
BARBARA A. GREENE [redacted]
RICHARD L. JAMES [redacted]
RICHARD J. JENNINGS [redacted]
BEVERLY KACZYNSKI [redacted]
WILLIAM L. KICKHAM [redacted]
MARY B. MCQUARY [redacted]
DONALD C. MILLER [redacted]
KURT N. NEWTON [redacted]
MARGARET A. ONEILL [redacted]
ISABEL M. PARRAGA [redacted]
ELIZABETH RALEIGH [redacted]
GREENHALGH S. RASOR [redacted]
THOMAS H. RICHEY [redacted]
CHRISTINE SAJEVIC [redacted]
CRAIG L. STRONG [redacted]
DOUGLAS WAKEFIELD [redacted]
MIMI WANG [redacted]
SUSAN L. WILSON [redacted]

VETERINARY CORPS

To be lieutenant colonel

ROBERT V. ADAMSON [redacted]
PAMELA L. BARLOW [redacted]
KENNETH E. BARTELS [redacted]
JAMES M. BRYANT, [redacted]
MARION S. CORNWELL [redacted]
WILLIAM R. DEHAVEN [redacted]
DAVID L. FRITZ [redacted]
ROGER D. HUBNER [redacted]
LORRAINE K. JARBOE [redacted]
VIRGINIA W. JENKINS [redacted]
MARK D. MARKS [redacted]
EARL W. MORGAN [redacted]
STEPHEN K. SCOTT [redacted]
CAROL A. THOMPSON [redacted]
GARY L. WHITE [redacted]
GEORGE A. WHITE [redacted]
RICHARD D. WHITTEN [redacted]

CONFIRMATIONS

Executive nominations confirmed by the Senate September 22, 1993:

DEPARTMENT OF STATE

HAZEL ROLLINS O'LEARY, OF MINNESOTA, TO BE THE REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE 37TH SESSION OF THE GENERAL CONFERENCE OF THE INTERNATIONAL ATOMIC ENERGY AGENCY.

IVAN SELIN, OF THE DISTRICT OF COLUMBIA, TO BE AN ALTERNATE REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE 37TH SESSION OF THE GENERAL CONFERENCE OF THE INTERNATIONAL ATOMIC ENERGY AGENCY.

JANE E. BECKER, OF THE DISTRICT OF COLUMBIA, TO BE AN ALTERNATE REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE 37TH SESSION OF THE GENERAL CONFERENCE OF THE INTERNATIONAL ATOMIC ENERGY AGENCY.

HOUSE OF REPRESENTATIVES—*Wednesday, September 22, 1993*

The House met at 10 a.m.

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

We recognize the favor that we have received from the bounty of Your hand, O God, and in our best moments, we discern the gifts with which we have been endowed. Above all else, gracious God, we pray that we will learn to have hearts full of thanksgiving for the faith and hope and love that we have received. In spite of all the tasks before us, may we so live our lives that we begin each day with gratitude and appreciation for Your blessings to us and to all people. Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

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

Mr. MANN 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.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will receive 20 requests for 1-minute statements on each side.

THE MEASURE OF SUCCESS FOR PRESIDENT CLINTON'S HEALTH CARE PROPOSALS

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

Mr. WISE. Mr. Speaker, the experts will be talking tonight, but the real test is what the President's proposal for comprehensive health care means to these West Virginians:

To the working Kanawha County family who had to give up legal custody of their daughter with cerebral palsy to her grandparents because the mother's insurance would not cover treatment;

To the Lewis County mother whose private insurance refused to cover the preventive treatment of removing precancerous cells, and then refused to cover any treatment for cancer for 2 years;

To the eastern panhandle couple who lost their assets and had to quit their jobs to qualify for financial assistance to buy the vitally needed medicines for their two hemophiliac sons; and

To the Braxton County couple with a lifetime insurance cap of $75,000 that was run through after only two hospitalizations for cancer.

These are the people, most of them working, who will measure the President's health proposals. These are the people whose fear and suffering this Congress can ease this year.

THE PRESIDENT'S PLAN IS A JOB KILLER

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

Mr. DELAY. Mr. Speaker, when President Clinton convened his secretive task force to redesign our health care system, we knew we would have trouble hanging onto our wallets. Now that we have seen the plan, it seems that millions of Americans will have trouble hanging on to their jobs as well.

In addition to imposing tens of billions of dollars in new taxes, the President plans to force businesses across America to provide expensive corporate-style health care benefits for all their employees—whether the businesses can afford to or not.

According to the Employment Policies Institute, such a mandate will destroy 3.1 million jobs, mostly low-wage, low-skill jobs held by the very people on whose behalf the President claims to be acting.

Mr. Speaker, it will not do a worker any good to try to give him health insurance at the expense of his job.

Mr. Speaker, Republicans want to give workers more choices in health care and let 3 million workers keep their jobs.

WISHING BORIS YELTSIN AND THE RUSSIAN PEOPLE WELL

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

Mr. LANTOS. Mr. Speaker, I want to wish Boris Yeltsin good luck. The first president democratically elected in 1,000 years of Russian history is now engaged in yet another struggle against the forces of darkness and evil and totalitarianism and turning back the clock. We wish him well personally, and we wish well the Russian people who, on December 11, for the first time in their history, will elect democratically, freely and openly, a parliament worthy of the name parliament.

When a few of us visited Mr. Rutskoy not long ago, there was on his wall a large map of the Soviet Union. When we asked him why he had the map of a country that no longer exists, his answer was not very satisfactory. We now know the answer. The people who want to reestablish the Soviet Union as an expansionist, imperialist, totalitarian empire will lose, and the forces of democracy in Russia, led by Boris Yeltsin, will prevail.

WHO PAYS?

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

Mr. BOEHNER. Mr. Speaker, tonight the whole Nation is going to hear President Clinton present his health care plan with wonderful rhetoric such as low cost, access for everyone, and security for all. But the one detail the President will leave out of his speech tonight is, who pays.

White House staffers that created this plan estimated it will cost around $700 billion over the next 5 years. Who pays?

Who is going to pay for the President's plan—the young? The old? Single people? Married couples? Small businesses? The self-employed? Who pays for the huge new bureaucracy Clinton will form to ensure that all Americans are covered under Government-controlled health insurance?

Mr. Speaker, the President is going to make his health care plan seem like just another free lunch for us all. But he is not being honest with the American people unless he tells them tonight who pays.

LET US SUPPORT PRESIDENT CLINTON'S HEALTH CARE PLAN

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

Mr. BLACKWELL. Mr. Speaker, tonight the President will offer a bold, new initiative, designed to make health care accessible to all Americans.

I believe the President deserves the support of Congress, without regard to party or politics. Quality health care is fundamental to a good quality of life.

Over the next several weeks, many hearings will be held, much discussion will be undertaken, and the debate will rage on throughout the Congress and in virtually every sector of this Nation.

But, we must not lose sight of the fact that the President's plan controls costs, cuts the deficit, allows choice, promotes quality, eliminates fraud and waste, and covers everybody. It is universal.

Mr. Speaker, I intend to support the President in this effort to bring sanity to a mad system, to bring stability and security to the uncertainty and fear which represents health care in America.

No father should risk sickness because he is unable to help his sick child. No mother should pain because she cannot afford to heal her child's pain. No American should have to choose between health, eating, or paying the rent.

Let us put party and politics aside, Mr. Speaker. Let us support our President.

BEWARE OF THE HEALTH CARE TASK FORCE

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

Mr. BALLENGER. Mr. Speaker, William F. Buckley once said that he would rather be governed by the first 500 names in the Boston telephone book than the first 500 names on the Harvard faculty. After reading the plan devised by the President's 511-member health care task force, I think I know exactly what he means.

This task force—composed of academics, Government employees, and assorted policy wonks—a bunch of bureaucrats has managed to propose exactly the wrong remedy for America's health care ills.

The global budgets and mandatory price controls—which, by whatever name are in the plan—will lead to health care rationing.

The managed competition will lead to sharp limits on consumer choice of health care providers and insurance packages.

The higher taxes and business regulations will greatly harm the economy and destroy, by one estimate, 3 million American jobs.

Nine out of ten doctors would probably agree that 50 million Federal bureaucrats are not the cure for national health care problems.

□ 1010

HEALTH CARE ACCESS TO TRADITIONALLY UNDERSERVED AREAS

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

Ms. ENGLISH of Arizona. Mr. Speaker, I rise today in anticipation of President Clinton's speech this evening to unveil the health care reform proposal. For the first 8 months of this administration, debate has centered around the effort to address the escalating costs and lack of access to basic health care services to many segments of our society.

The lack of access problem is of particular concern to a large portion of the constituency I represent—rural Arizona.

The health care reform proposal must address the unique concerns of America's rural population.

Many in rural Arizona are either unemployed, self-employed, seasonally employed, or employed by small businesses. Rural Arizona also has a large percentage of senior citizens.

Health care providers must provide the same high quality service in remote rural areas as in urban centers. We must seize the opportunity to ensure that traditionally underserved areas finally gain access to the quality health care that all Americans and their families deserve.

OUR BROKEN GOVERNMENT CANNOT FIX HEALTH CARE

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

Mr. HOKE. Mr. Speaker, the Government was broken and needed to be reinvented, but this week the Government is fixed, and it is going to save our health care system. Those are the two conflicting messages from the Clinton White House.

On the one hand they acknowledge that Government-run programs do not run very well, but on the other hand they propose a massive Government-driven reform of our health care system.

The Clinton health care reform plan will create over 350,000 bureaucratic jobs to replace 350,000 private sector jobs, 100 new bureaucracies nationwide. It is going to cost over $700 billion and limit the health care choices of every American.

It creates a national health care board, a kind of politburo of health made up of 7 individuals who will decide the basic benefits package for 250 million Americans.

In other words, the Clinton health care plan is another Federal bureaucratic solution to a real problem. The President needs to reconcile his conflicting messages.

The Government is broken and we should not rely on it to fix our health care system.

NOW IS THE TIME FOR HEALTH CARE REFORM

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

Mr. BONIOR. Mr. Speaker, not long ago, I received a letter from a man in Michigan.

Fourteen years ago, he was diagnosed with Hodgkins disease, which is a form of cancer.

But he fought it, and thanks to a strong will and some good doctors, he was pronounced cured.

Cured by everyone but his employer's insurance company, who refused to cover him because he was a bad risk.

And because of it, after 15 years on the job, his boss was forced to lay him off.

And now, he has no job—and he, his wife, and his two children have no health insurance.

Here you have a guy who did everything right.

Who paid his insurance premiums on time.

Who played by the rules.

And in return, he saw his whole idea of security shattered right before his eyes.

Mr. Speaker, people don't deserve to be treated like that in America.

Tonight, the President presents his plan for health care reform to the Nation.

A plan that will provide health security.

A plan that will ensure that no American family will ever lose their health insurance.

A plan that will make sure no other family will be forced to go through what this family went through.

Mr. Speaker, we can't wait any longer.

Now is the time for health care reform.

WORSE THAN THE DISEASE

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

Mr. HEFLEY. Mr. Speaker, like the medieval doctors who tried to cure a fever by bleeding their patients white, the President's advisers may be prescribing a cure for our health care ills that is worse than the disease.

Say what you will about our health care problems, and there are problems, America has the finest health care system in the world.

Our death rate for many common diseases is lower than anywhere else and treatment is more available. For prostate problems, it is one-seventh the death rate in Sweden, a third of Germany's, and a quarter of the death rate in Great Britain.

For stomach and intestinal ulcers, the death rate per 100,000 is 2.7 in the United States, compared with 7.6 in Sweden, 4.9 in Germany, and 3.1 in Canada.

For hernias and intestinal obstructions, our rate is 1.7, compared to 3.2 in Sweden, 3.1 in Britain, and 2.7 in Germany.

Sure we need changes in our health care system but as we prepare to discuss health care reform, let us remember the wise counsel of the great physician Hippocrates: First, do no harm.

AMERICANS SHOULD ASK PERTINENT QUESTIONS ABOUT PRESIDENT'S HEALTH CARE PLAN

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

Mr. EWING. Mr. Speaker, tonight, we are in for one whale of a Presidential sales pitch on the merits of a national health care system.

My fellow Americans, do me a favor, do yourself a favor, kick the tires. Look past the pinstripe and ask yourself some very pertinent questions like:

How are we going to pay for this? Who is going to pay for it? How much is it going to cost? Who is going to administer it? Will I be able to see the doctor of my choice? Will I be able to go to the hospital of my choice? Is this really a better plan?

And lastly, when all is said and done, ask yourself, do I trust a politically appointed commission in Washington to make the proper call of who is to be denied health care coverage when the money runs out?

Buckle up America, you are in for the ride of your life on this plan, a ride we cannot afford to rack up.

HEALTH CARE REFORM AND THE VA

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

Mr. EDWARDS of Texas. Mr. Speaker, we have a special commitment to our veterans. The men and women who have fought for this Nation deserve the best possible health care available. They also deserve an independent hospital and health care system designed to serve their unique and special needs.

I want to commend President Clinton for honoring that commitment in his proposed health care reform plan.

The administration should be applauded for its position that no veteran will receive less care under health care reform than he or she is receiving now. Our Nation has a moral obligation to provide health care for those who have been willing to put their lives on the line for us.

In the months ahead Congress should work with President Clinton to support, improve and streamline the veterans health care system.

THE REPUBLICAN ALTERNATIVE: THE RIGHT CHOICE FOR HEALTH CARE REFORM

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

Mr. SMITH of Texas. Mr. Speaker, tonight the President will finally unveil his long-awaited plan to reform the Nation's health care. However, the Nation did not have to wait until tonight for a plan. Last year Republicans had one introduced in Congress.

Again this year, Republicans already have a plan. It has 114 Members supporting it—more than any other health care bill in Congress. And it could be enacted right now.

One look at our plan, and you will know where we agree and disagree with the President. We agree on the need to cut costs and deliver security in health care. However, we disagree in one fundamental respect: We do not think a system that delivers the world's best health care to over 80 percent of all Americans should be scraped. We think it should be reformed.

After tonight's hoopla has died down, Americans will start to ask the hard questions. What does it do to the business that employs me? Will it preserve my right to choose a doctor? How does it compare to what I already have? What will it cost?

When Americans start to ask the hard questions, they will find that Republicans have the right answers.

□ 1020

HEALTH CARE PROGRAM COVERS AMERICAN CITIZENS IN PUERTO RICO

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

Mr. ROMERO-BARCELÓ. Mr. Speaker, as Puerto Rico's Representative, the Nation's territory with 3.5 million disenfranchised citizens, I wholeheartedly endorse President Clinton's health care reform plan.

After my participation in many of the discussions held during the formulation of this plan, I am particularly pleased that the American citizens of Puerto Rico have for the first time been included in the national health care program as full and equal partners. The President's plan does not please everybody. It is impossible to propose any reform that affects the whole Nation and at the same time pleases everybody. But it is by far the best plan submitted and President Clinton must be congratulated for taking such a bold and necessary step.

The plan the President is putting forward is a most important social and economic guarantee for all Americans since the adoption of Social Security six decades ago. It is a plan that will bring for the first time in the Nation's history a much-needed peace of mind to all American citizens, who will be able to lay aside their fears of losing their hard-earned savings or their home as a result of unexpected high medical expenses, a peace of mind that all of us will have access to quality health care whenever we need it, not as a privilege, not at outrageous costs, but as a right. Every American will have that security.

HEALTH CARE REFORM: BIG BUSINESS, BIG GOVERNMENT

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

Mr. KINGSTON. Mr. Speaker and Members of the House, the previous speaker mentioned something that I think bears repeating, that this health care plan will be the size and will be as far-reaching as the current Social Security system. We are talking about big business and big Government here. As we approach this debate, I think we should do it on a bipartisan basis, but that we as a Congress and we as Americans should have to ask some fundamental questions.

No. 1: Will a Government-sponsored health care system do a better job than a private system? Do we want more or less Government regulation? How many decisions do you want the Federal Government to make for you in your life? Can we afford another tax increase in the wake of the largest tax increase in the history of America? Do we need another $7 billion bureaucracy? Can small business afford another tax increase without laying off workers? And, finally, can we increase our individual and collective security without decreasing our individual freedom?

I think these are profound questions, and I think these are pertinent, and I think we as Americans, as we go through this debate, have to keep asking ourselves these questions.

DEMJANJUK SHOULD BE DEPORTED FORTHWITH

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

Mr. SCHUMER. Mr. Speaker, last evening John Demjanjuk returned to the shores of the United States in what is a punch in the gut to the thousands of Holocaust survivors living in America and the millions of other people of goodwill.

John Demjanjuk has been proven by an American court to have participated in Nazi concentration camps, to have been a part of war machine that brutally killed 6 million Jews and millions

of others, Christians, Gypsies, Poles, and Slavs. Yet here he is back in America because the 6th circuit, in its own pursuit almost flying in the face of the law that this Congress passed, said he could come back to determine he was extradited improperly.

What is uncontrovertible is that he was deported properly. It was shown that he was a guard in various Nazi concentration camps. There are millions who clamor for American citizenship, who come here in little boats, risk their lives, who have done nothing, and yet we are letting this terrible, terrible human being back.

Mr. Speaker, it is a travesty, it is a disgrace, and I urge the Department of Justice to immediately begin proceedings to enforce the deportation order and send John Demjanjuk where he belongs, out of this country.

HEALTH CARE REFORM: LET'S GET DOWN TO IT

(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, obviously most of us today are interested in health care, Many of us have been interested in health care for some time and indeed have been working on it for several years. So I am pleased it will come to the top of the agenda and we will do something about it.

However, we are going to have to make certain that we do not deal with it in terms of campaign rhetoric, just talking in general terms about the things we like to see happen. We are going to have to get down to it. It is going to be tough. It is like that tax bill we went through, where you can listen to both sides of this conversation and never know you were talking about the same thing.

That is going to be troublesome here. Some Western advice here we ought to take is, "Don't ask the barber if you need a haircut."

So we really ought not ask the people who are supporting this what the facts are. Everyone is for reducing the cost for universal coverage, for maintaining quality. The question you have to ask is: Do we want a program with more Government? Is there any evidence that the Government is the best provider, that we can do that? I think we have to ask who is going to pay the bill? Are we going to end up with better coverage with more money or worse coverage and more money?

Those of us from rural areas have to look for some flexibility. So I hope we address this and deal with some facts for a change.

HEALTH CARE REFORM: PREVENTION IS MOST IMPORTANT IN SAVING MONEY

(Ms. EDDIE BERNICE JOHNSON of Texas asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I too am very interested in health care, and tonight I think we are going to hear a plan that addresses most of the major issues. And it is not a plan that is going to be free, nor is it a plan that can have results overnight because in health care you can't because the most important thing about saving money in health care is prevention.

We must start to influence and pay more attention toward prevention. People must be self-reliant; they must act in a way that they preserve their own health and take the responsibility for that. When we see more of this practiced, we will see a reduction in the cost of health care. Most of the chronic diseases that cost a lot of money can be prevented when people take the responsibility for themselves and exercise, eat right, and not abuse the body through drugs and other poisonous types of habits.

Another thing that must be very essential to saving money in the long run is research because we know the results of what we can get from health care research. Many, many dollars have been saved by the findings and the use of those areas where we have done research.

I hope, Mr. Speaker, that we are looking at the real serious problem of health care reform.

CONGRATULATIONS TO KELLY ZIMMERMAN, YOUTH OF THE YEAR, BOYS AND GIRLS CLUBS OF AMERICA

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

Mr. REGULA. Mr. Speaker, this morning at a breakfast of representatives of the Boys and Girls Clubs of America they honored the five winners from these United States, representing 1.8 million members of the Boys and Girls Clubs. I am pleased to report that the individual chosen as the Youth of the Year to represent all of these young people and the over 1,400 clubs is Kelly Zimmerman from Orrville, Ohio, in the 16th District.

Kelly will be the first young lady, to be chosen as the Youth of the Year by the Boys and Girls Clubs of this Nation. She has an outstanding record of community service.

Just a few of her many accomplishments: She organized the Students Against Drunk Driving in her community; she was chosen by the board of the United Way as a full voting member, the first time they have put a young person in a position of this responsibility; she has worked extensively with the Salvation Army in many different ways in developing their programs of helping others.

Kelly has been a member of the Orrville Area Boys and Girls Club for 9 years and serves as a leader and role model for fellow club members. At the club, she organized a cheerleading program, volunteered as a gymnastics coach and worked in the activity center and junior gamesroom. Through her membership in the Keystone Club, a teen leadership group, Zimmerman served as chairperson of the first annual Midwest Keystone Conference and has been involved in the past three National Keystone Conferences. She is also a bible schoolteacher and greeter at the Trinity United Methodist Church, and a Red Cross blood donor.

While in school, Zimmerman was a member of the National Honor Society, and Fellowship of Christian Athletes. She was also president of the student council, and captain of the varsity football and basketball cheerleading squads. Zimmerman will begin her freshman year at the University of Toledo in the fall.

Mr. Speaker, Kelly certainly will be a shining example to all young people of what is good about American youth.

□ 1030

UNFUNDED MANDATES

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

Mr. DREIER. Mr. Speaker, in 10½ hours President Clinton is going to be unveiling his Government-run health care program. It seems to me it is a real tragedy that one of the problems that States and local governments and taxpayers in State and local areas are going to be shouldered with a burden which will continue to expand, and tragically his program does not address. I am referring, of course, to unfunded Federal mandates.

We here at the Federal level impose on State and local governments, and in my State of California it is costing $3 billion, the cost of providing health care and a wide range of other services to people who enter the United States illegally.

In fact, we learned at a hearing that we held with the task force on illegal reform during the month of August that it is easier for someone who is in this country illegally to gain health care when they enter the United States than it is for someone who is here legally.

Tragically, the Government-run program which President Clinton is going to be unveiling does not address that question at all. I hope very much that

we can bring about an end to unfunded Federal mandates.

GRATITUDE TO PRESIDENT FOR BEGINNING HEALTH CARE PROGRAM

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

Mr. GEJDENSON. Mr. Speaker, over a decade of deafening silence has ended. For 12 years we had Presidents who refused to address the crisis in national health care. This is not something new for this country. In 1948, standing in this very Chamber, Harry Truman addressed the issue of national health care and universal coverage, and President Bill Clinton has brought forth a program that, yes, may not be perfect, I say to my Republican colleagues, but indeed has reenergized the debate, has forced the House and the Senate, Republicans and Democrats, to focus on the issue of national health care for those uninsured, for those who are impoverished by the cost of insurance, by Americans who live in fear that their children or they will be sick and they could lose their homes.

This Nation and this Congress owes a debt of gratitude to President Clinton for beginning this debate anew and with his leadership we will come forward with a health care proposal that does meet the needs of the American people.

THE CHALLENGE OF HEALTH CARE

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

Mr. STRICKLAND. Mr. Speaker, when former Surgeon General Dr. C.P. Everett Koop spoke to us a couple mornings ago, he said the following:

> Before we can enact the sweeping reform we need in health care, we must agree on the basic values and the ethics upon which our health care system and, indeed, our society is based and from which it draws its moral power. If we could reach an ethical consensus, I think many of the economic and political problems of health care reform would fall rather easily in line.

Then he further said:

> I don't imagine any one of us will agree with every point in the proposed reforms. I imagine that the President has his own reservations about some points. But our reservations—or even outright objections—to some provisions cannot give us the excuse to oppose everything.

Mr. Speaker, we have the opportunity to do something good for the American people, to provide universal health care security for every man, woman, and child in this country. I hope that we meet the challenge of this moment.

PROVIDING FOR CONSIDERATION OF H.R. 2750, DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES APPROPRIATIONS ACT, 1994

Mr. MOAKLEY. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 252 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 252

Resolved, That during consideration of the bill (H.R. 2750) making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1994, and for other purposes, the amendment printed in section 2 of this resolution shall be considered as adopted in the House and in the Committee of the Whole. The bill as so amended shall be considered as the original bill for the purpose of further amendment. The amendment printed in section 3 of this resolution may amend a portion of the bill not yet read for amendment and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole.

SEC. 2. The amendment considered as adopted in the House and in the Committee of the Whole is as follows:

Page 36, after line 10, insert: "$28,200,000 for the San Francisco Airport BART Extension Project and the Tasman Corridor LRT Project;"; and

Page 36, line 21, strike "$78,200,000" and insert in lieu thereof "$50,000,000".

SEC. 3. The amendment that may amend a portion of the bill not yet read for amendment is as follows:

Page 7, line 13, strike "$2,555,695,000" and insert in lieu thereof "$2,560,695,000"; and

Page 22, line 23, strike "$85,550,000" and insert in lieu thereof "$62,000,000".

SEC. 4. House Resolutions 211 and 221 are laid on the table.

The SPEAKER pro tempore. (Mr. MONTGOMERY). The gentleman from Massachusetts [Mr. MOAKLEY] is recognized for 1 hour.

Mr. MOAKLEY. 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 Florida [Mr. GOSS]. Pending that, I yield myself such time as I may consume.

Mr. Speaker, House Resolution 252 is an open rule which provides that the en bloc amendments that are printed in section 2 of the rule shall be considered as adopted in the House and in the Committee of the Whole.

The rule also provides that the Goss en bloc amendments which are printed in section 3 of the rule are not subject to a division and my amend portions of the bill not yet read for amendment.

Finally, House Resolutions 211 and 221 are laid on the table.

Mr. Speaker, Chairman BOB CARR, ranking Republican FRANK WOLF and the members of the Transportation Appropriations Subcommittee should be commended for bringing this comprehensive bill to the floor. This spring, the committee conducted extensive hearings on programs and projects within their jurisdiction which are contained in 9 published volumes totaling approximately 10,000 pages.

Each year the subcommittee has the task of producing a bill which maintains the current transportation system and provides for new technologies which will make our Nation's transportation system intermodal, efficient, safe and cost effective. This year, all of this had to be achieved with a much tighter budget, and with maximum job creation in mind.

I would also like to commend Chairman CARR for developing economically based investment criteria which the subcommittee uses when evaluating individual funding requests. Chairman CARR and his staff spent numerous hours consulting with officials at the Department of Transportation, investment companies, and transportation consultants along with others to produce the investment criteria.

I encourage my colleagues to adopt this open rule so that we may begin debate on this important piece of legislation.

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

Mr. Speaker, House Resolution 252 marks the conclusion of a very long chapter in this year's transportation appropriation process. It's something of a cleanup rule that smoothes the rough edges and ensures that the fiscal year 1994 transportation appropriation bill will finally come to the floor without further delay. Normally appropriations bills do not necessarily need rules. But this bill—which has been reincarnated from an earlier version and which has had three different rules along the way—has proven to be anything but a normal bill. Since the first version first came before the Rules Committee in late June we have had much debate about the rules of this House and how we handle our Nation's budget. It has been a valuable debate, focusing on the basic principles of sound budgeting; asking whether—and how—to set priorities before we spend the taxpayers' money. I commend the chairman and ranking member of the Rules Committee—as well as the chairmen and ranking members of both the Appropriations and authorizing committees—for their diligence and perseverance in sorting things out. As a result of their efforts, today we have a rule that does two things: First, it incorporates an amendment by Chairman MINETA into the original text, restoring funding for the San Francisco BART extension project that had been in the original bill. Second, the rule allows this gentleman to offer en bloc an amendment to follow through on a commitment this House made earlier in the year to provide resources to the Coast Guard for additional missions it is asked to undertake, specifically the

mission to provide coverage for the Haitian immigration program which has been successfully conducted, but at some cost extra to the Coast Guard which needs to be paid.

Mr. Speaker, this rule preserves the open amendment process—affording all Members the chance to make changes in H.R. 2750 in accordance with House rules. It also leaves vulnerable in the bill any provisions which do not comply with the standing rules of the House. I and others in the minority have continually advocated this type of open process, forcing us to live within our rules and allowing the greatest possible participation by the full membership of this House, the true deliberative process of legislation. I am pleased to support this rule, and I reserve the balance of my time.

□ 1040

Mr. GORDON. For purposes of debate only, Mr. Speaker, I yield such time as he may consume to the gentleman from Michigan [Mr. CARR].

Mr. CARR of Michigan. Mr. Speaker, this is a hard thing for me to do: I rise reluctantly and oppose the rule. The chairman of the Committee on Rules and all the members of the Committee on Rules on both sides have spent far too many hours dealing with the matter of the Subcommittee on Transportation and of the Committee on Appropriations, and they have done so with the utmost of cooperation, the utmost of graciousness, and they have been very understanding, and I want to thank all the members of the Committee on Rules. We did not expect to find ourselves in the difficult parliamentary situation we are in, and we certainly did not intend to waste their time or depreciate its value, and I want to extend the sincerest of my gratitude for the Committee on Rules, for their cooperation.

It is customary, Mr. Speaker, for the manager of the bill and the chairman of a subcommittee to have it fall to him or her to ask for a rule. In this particular case we did not ask for a rule. We did not ask for this rule. I might say, again in gratitude to the Committee on Rules and to the leadership's staff, that we were consulted. It is not a surprise to us that we have this rule. Indeed its contents are not a surprise. We were talked to about what might be in the rule. But we did not ask for this rule.

Mr. Speaker, it is a rule that we believe fundamentally is a bad rule. Normally rules of the House are modified by resolutions out of the Committee on Rules to tailor the parliamentary situation for the consideration of legislation on the House floor. Occasionally the Committee on Rules, either on its own or at the urging of others, acts in a substantive way rather than just a procedural way. It offers essentially an amendment to the bill through the device of the adoption of the rule. It is called a self-executing rule, meaning that it self-executes an amendment to the legislation at hand.

This rule is, in the main, a self-executing rule and a self-executing rule only. It determines no rules of debate beyond the rules of the House. It makes no limitation on other amendments which might be offered under the rules of the House. It in no way enhances or diminishes the rights of all the Members of the House under the rules of the House to participate in the procedure of consideration of the transportation appropriations bill.

What it does do, Mr. Speaker, is amend the bill to restore a provision which the subcommittee, by unanimous agreement in our full Committee on Appropriations, in majority or substantial agreement, felt to be unwise, and the Committee on Rules has, in their rule, self-executed this provision back into our bill. It would be hypocritical for us, as members of the committee, to pass a provision out of our committee and through the full committee only to accept the Committee on Rules adding a provision that we felt genuinely was a bad provision back into this legislation.

So, Mr. Speaker, it is very hard because we like to cooperate. We appreciate the work of the Committee on Rules. We appreciate the leadership's role. It is very hard to stand and oppose a rule that I know that they intend to do good things very sincerely, but I must vigorously oppose the rule and will work for its defeat.

Mr. GOSS. Mr. Speaker, I yield 5 minutes to the distinguished gentleman from Texas [Mr. DELAY], a member of the Committee on Appropriations.

Mr. DELAY. Mr. Speaker, I, too, rise in opposition to this rule. I normally would not rise in opposition to what some are thinking is an open rule, and, except for my one objection, this is an open rule.

As the chairman of the Subcommittee on Transportation of the Committee on Appropriations has so eloquently pointed out, we did not on the subcommittee ask for a rule. We wanted to bring the bill to the floor, and let anyone amend, and let anyone take the opportunity of the rules to invoke points of order. But we just cannot seem to resist the opportunity to use the rule to take care of some personal concerns of certain Members of this House, and that is what this rule does.

Mr. Speaker, it has already been pointed out that this rule spends $28 million on a project in San Francisco that the subcommittee had evaluated and decided did not meet any criteria for good cost effectiveness in spending mass transit moneys. This is a project that in this rule spends $28 million in fiscal year 1994 which is just part of a $470 million project. This project, called the Tasman corridor project, is a rail system that goes to the San Francisco Airport that is only being ridden by employees of the airport. It has a cost per new rider index number of $40—$40 for each and every new rider.

The Federal Transit Administration really looks closely and frowns on any project that has a cost effectiveness number of around $10 per new passenger on a project. Yet this one has over $40 per new passenger project as a cost per new rider number. That is outrageous.

The chairman, over the course of this year, has established criteria which any project must meet, and it is a very extensive criteria so that we could get rid of this problem of having projects that are not worthy placed in our bill or any other bill. If you have a project, you should justify that project and the cost effectiveness of this project, and then we as a committee can and will support it.

But here we are, passing a rule that continues the spending of over $400 million in an open rule setting. If the supporters of this project want to spend this money, let them bring an amendment down here under the open rule process, and offer their amendment, and let it stand on its own before this House. We are going to have to use the debate on the rule to discuss this project, and this project is going to have to stand on its own as we go through the rule.

□ 1050

Make no mistake about it. Members should not come down to this floor and vote for this rule thinking they are supporting an open rule. This is an open rule in every other case, except it has this self-executing clause in it that spends $28 million.

So I am urging my colleagues to vote against this rule when we call the vote, because if you vote against this rule, you are voting to save over $400 million. That is what the vote is all about. It has nothing to do with the fight over jurisdiction that has been going on for the last couple of months. It has nothing to do with whether this is an open rule or not. A vote against the rule is a vote to save over $400 million. So I urge my colleagues to vote no on the rule.

Mr. GORDON. Mr. Speaker, for the purpose of debate only, I yield such time as he may consume to the gentleman from California [Mr. MINETA].

Mr. MINETA. Mr. Speaker, I rise in support of the rule, not because it is the rule I sought or preferred, but because it appears to be the only rule we can get which allows us to proceed on an issue which should have been resolved months ago.

Before the Rules Committee last June I sought a rule which would allow points of order to be made against significant legislative provisions and unauthorized highway projects in the bill.

The first rule granted back in June by the Rules Committee reflected what I believed needed to be done. It protected all parts of the bill except the significant legislative provisions and unauthorized highway projects. Every rule since that first rule—and we are now on our third rule—has been some shade of imperfection compared to that first rule.

The rule now before us is the product of layer upon layer of move, countermove, and compromise. This rule allows the points of order to be made which I sought to have allowed; on that I prevailed. But the gentleman from Michigan sought to have the entire bill unprotected; and on that he prevailed.

It has been clear for many weeks what most of the Members of this House wanted to do with this bill: They wanted to remove the $284 million in earmarked highway projects and spend the money instead on the basic highway program which meets the most urgent highway improvement needs in all States. The appropriations bill takes the $284 million, sends one-third of it to 1 State, sends all the rest of it to 22 other states, and sends absolutely none of it to 27 States. Most of the Members of this House believe that the people of all States pay the taxes that support highway funding, and that the people of all States have urgent needs for highway improvements, so why shouldn't the people of all States get a fair share of their taxes back to do the highway work that needs to be done in their area?

What a rule should do is allow the will of this House to be carried out with as little wasted time and distracted rhetoric and anguish as possible. This rule meets only half that test. It will allow the will of this House to express itself on the unauthorized highway projects, but it will not do so in a direct and straightforward way, and that may in the end be to everyone's disadvantage. It did not have to be this way.

In short, we could have done what needed to be done without raising all kinds of issues that few believe need to be raised, few want raised, and few would support. That is not the course we have taken in this rule.

I want to thank the House leadership and the chair of the Rules Committee and its members for their patience and understanding in bringing this rule forward.

However, because this rule does allow the Members to work their will on the core issue of unauthorized highway projects and the equitable distribution of highway funding across the country, and because there appears at this time to be no alternative to proceeding under this rule, I urge support of the rule.

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

Mr. MINETA. I very happily yield to my very fine colleague, the gentleman from Pennsylvania [Mr. SHUSTER], the ranking member on the Committee on Public Works and Transportation.

Mr. SHUSTER. Mr. Speaker, I thank the chairman for yielding.

Mr. Speaker, I rise to support the rule also and to be certain that my understanding is correct, that with regard to the Tasman project, which has been referred to here, which is self-executing in this rule, which affects several districts in California, it is my understanding that that project was indeed included in the transportation appropriation bill, that it was passed by the Transportation Appropriations Subcommittee, and that it was passed and accepted by the full Committee on Appropriations. Further, that only after the distinguished chairman of the Committee on Public Works and Transportation announced his opposition to the bill did they go back in so-called phase 2 and eliminate this project, which is important not only to the chairman, but to many Members from California.

Mr. Speaker, I would ask the gentleman from California [Mr. MINETA], is my understanding correct?

Mr. MINETA. Mr. Speaker, the gentleman from Pennsylvania is correct.

Mr. SHUSTER. Mr. Speaker, if the gentleman will yield further, I think this speaks volumes, when indeed the project was approved, and only was removed after the distinguished chairman stood up to oppose the legislation. I think that certainly should tell our Members an awful lot.

Mr. GOSS. Mr. Speaker, I yield 9 minutes to the distinguished gentleman from the Commonwealth of Virginia [Mr. WOLF], a member of the committee.

Mr. WOLF. Mr. Speaker, every Member ought to oppose the rule. Let me just say to my colleagues on the Committee on Rules, and I do not want to get personal in this, let me just stipulate that everyone is a good person, and I do not mean to attack anybody, because I did not come to Congress to attack or hurt people.

But if you are listening and you are on the Committee on Rules, this is why the gentleman from Oklahoma [Mr. INHOFE] got 218 signatures on his motion re: discharge petitions. The Congress and the people are fed up. They have had enough. There was one AP story in the Wall Street Journal, and Rush Limbaugh covered the Inhofe motion and they were lining up down here to sign it. Everyone who is not on the committee wants to sign it.

Mr. Speaker, what you have done to colleagues on both sides of the aisle is create an unprincipled act that is confusing to everyone. This is not appropriate; this is wrong.

The chairman came out with criteria under the leadership of the gentleman from Kentucky [Mr. NATCHER] trying to develop some rationale on these projects. I stipulate next year that the Speaker ought to provide some leadership, if the Speaker is listening, and tell the chairmen there will be no designated projects. Then the chairmen of all these committees can say, "When we have hearings, don't come before the committee, because it is the rules of the House."

Mr. Speaker, if that is what the rules are, fine. I will be the first Member to support them. I think that would be fine. Knock out all the earmarking. But what you have done here is inappropriate.

Now, for my side, they are sticking it to us on the Republican side again. If you come down here and you vote for this because maybe this helps your committee a little bit and we are going to forget about tomorrow, do not do it, because principle carries forth into the future.

So this is a bad rule, whether you are a Republican or whether you are a Democrat, and this is not a partisan issue. This clearly is not a partisan issue.

Mr. CARR of Michigan. Mr. Speaker, will the gentleman yield?

Mr. WOLF. I yield to the gentleman from Michigan.

Mr. CARR of Michigan. Mr. Speaker, I just rise to thank the gentleman for all the work he has done on this bill, as well as so many things in the Congress. Not just on transportation. The gentleman from Virginia [Mr. WOLF] is a well-known expert in some areas of Africa that would astound the average Member. They do not realize the depth of the gentleman from Virginia [Mr. WOLF] and the good heart that he has.

□ 1100

One of the things that troubled us, and I know that we have discussed before, is that there is a difference between ourselves and our friends on the authorizing committee. The authorizers had a tendency to worship at the shrine of the ISTEA formula. That ISTEA formula is flawed in many ways. They gloss over the fact that the formula is fundamentally not very fair. They would like us to believe that if it is formula, it must be fair. If it is formula, every State must be treated equally, or equitably.

In point of fact, the formula does not treat States equitably, because the formula, notwithstanding the efforts of some of us a few years ago to block it or change it, that formula is stuck out there and locks in advantages for certain States to the disadvantage of other States for a period of 6 years.

Also, without any malice, I could say that the members of the Committee on Public Works and Transportation I think legitimately tried to look at the needs of America when they passed that bill 2 years ago, but it was a snapshot in time.

We now know, for example, because of testimony and volumes of paperwork that was submitted to our committee, that there are situations around the country that were not and could not have been envisioned when the original ISTEA legislation was passed. Yet the Members representing those districts and the people, the traveling public in those districts, cry out for some of their tax dollars to meet some of their circumstances that could not have been foreseen, and they come to our committee.

We realize that, with the help of the gentleman, that we have broached and done something that is extraordinary. We accepted upon ourselves an extraordinary standard for making these adjustments. They had to be documented. We had to hold hearings.

This was not a frivolous tap on the shoulder of the chairman saying, "Buddy, can you give a dime, I have a tough election." That is not what this was about. The gentleman was key and a principal coauthor with me of the criteria that he mentioned.

We try to make these adjustments because the formula is not fair. Let me read just one, and I am not trying to pick on any personalities here. Take the State of Massachusetts. This is under the ISTEA formula. The State of Massachusetts ranks 13th in population. The State of Massachusetts ranks 40th in road miles. The State of Massachusetts ranks 16th in vehicle miles traveled. Yet, under the surface transportation highway formula, known as ISTEA, Massachusetts ranks second in the amount of money it gets.

If you are from Massachusetts, you should really be in favor of the formula. If you are from any other State, you ought to look very, very carefully.

For example, my own State, we in Michigan rank 8th in population, 7th in road miles, 8th in motor vehicle miles traveled, and yet Michigan only ranks 11th in the Nation in ISTEA.

The formula is not fair. Our committee has been called upon time and time again to make some adjustment. We asked the Committee on Public Works and Transportation to have a technical corrections bill. They have not produced one that has made it to the President's desk, so we ask the Congress to help us out. We are trying to help you out and trying to help the American traveling public out.

This is a bad rule. The rule does not do anything to alter the normal rules of the House except amend the bill to put a project costing a lot of money back into the bill.

Mr. WOLF. Reclaiming my time, Mr. Speaker, let me just close with this. Frankly, I am not against anybody. There are not three people in this body that I do not like, and let me just say that I have great respect for the gentleman from California [Mr. MINETA] for the work that he did on transferring the airports over, and the gentleman from Pennsylvania [Mr. SHUSTER], so I do not want to get into the personalities of projects.

I would just say this. This rule is almost an insult to any other committee, other than the Committee on Rules. I would say, it brings not honor on the committee. They cannot keep pushing us around, and particularly those of us on our side, but on their side, also.

I just ask the body, do not get involved in personalities. Look at it from a principled, intellectual point of view. The chairman has held extensive hearings. He has developed the criteria. This thing has been dragging on for a long while. Vote the rule down. Vote the rule down, and then let us come back with an open and complete no rule, as the chairman wanted, without any involvement of anybody, and let the chips fall where they may.

For my side to support this rule is to negate all the meetings that we have had where we talked about how we are being whipsawed by the Committee on Rules.

For those who have wondered why the gentleman from Oklahoma [Mr. INHOFE] got his 218 without any coverage, that is why. I ask the Committee on Rules to withdraw the bill. If they will not withdraw the bill, and I understand the problems, then I ask people on both sides, as the chairman, the gentleman from Michigan [Mr. CARR] said, and the gentleman from Texas [Mr. DELAY] said, defeat this rule. Let us come up with no rule. We want nothing. We want no protection.

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

Mr. Speaker, let me concur with the assessment of the gentleman from Michigan [Mr. CARR], of my friend, the gentleman from Virginia [Mr. WOLF], as probably one of the most decent individuals that is here in this body. However, I do think that he was a bit off the mark in trying to set up villains in this situation.

Let me also stipulate, I am not happy with this rule, either, quite frankly, because of some unbeknownst parliamentary rulings. I do not like the result. Also, I am disappointed that there has not been some technical corrections of the earlier ISTEA bill.

The fact of the matter is, those things aside, this is a wide-open rule. This is what the minority has been asking for. This is a wide-open rule, do anything you want, make any amendments, make whatever strike you want. Certainly that is what he chooses. If there is a portion of this bill that he is not happy with, then it is subject to being stricken. It is a wide-open rule. That is what has been asked for. There could be no rule that gives more flexibility, more leeway, to the minority.

Again, whether or not you like the bill, you like the outcome, and I have reservations myself, it does not address the fact that this is a wide-open rule that is not subject to whatever striking, whatever amendments that the minority or the majority party would like to make.

Mr. GOSS. Mr. Speaker, I yield 1 minute to the gentleman from Pennsylvania [Mr. SHUSTER].

Mr. SHUSTER. Mr. Speaker, I would point out that this is a wide-open rule, and once the rule passes, anybody can offer any kind of an amendment to strike out any part of this bill. Indeed, it is wide open. We in the minority in particular should be supporting it.

Mr. GORDON. Mr. Speaker, I have no further requests for time.

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

Mr. Speaker, there are a couple of things that have been said here about the Committee on Rules. I think if we go back and take a look at the voting record, we will discover that most of the rules that have passed the House this year have been passed without the support of the minority members of the Committee on Rules. We have not succeeded to the degree we would like to in getting open rules on the floor. I think that has been much discussed, and we all know that.

Mr. Speaker, I think that the frustration of the gentleman from Virginia [Mr. WOLF] is very genuine, and it expresses a very clear point for all of us to take under consideration. That is, we have not successfully resolved the way we do business, the people's business in this House, yet. The debate is not over on rules. The debate is not over on the types of squabbles that are going on between appropriators and authorizers.

I think it is absolutely clear from my reading of the original bill, H.R. 2490, that the contentious project that is being discussed was in fact in the original bill. Then it was taken out. Now it is being put back in.

□ 1110

This is a fight between authorizers and appropriators that no Rules Committee could paper over. This fight is too great. No rule is going to hide this fight. It is going to have to be worked out in debate, and it is going to have to be worked out in the ballot box, and that is why we have these procedures. And I suggest that those opportunities are available to us. Certainly previous speakers have suggested that already.

I would also like to point out there is a little difference between a self-executing provision in a rule when you have a closed rule and a self-executing provision when you have an open rule. There is a different vulnerability, I would suggest, and the vulnerability does exist in this case. Projects are at risk to points of order, to stripping amendments and to other procedures of the deliberative process on the floor.

I guess this is the third version of a rule we have had on this bill, and nobody has been happy the whole way as far as I can see. We have left some pocket of unhappiness somewhere, and I suggest that it may be beyond the Rules Committee's authorization capability at this point to come up with happiness for all parties, because this has simply not worked out that way.

I participated in the debate. I feel that there is merit on both sides. And I do not have the wisdom individually to make the judgment on these individual projects. And frankly, I think it is appropriate that every Member of this body in this type of a situation should have their say-so. And I believe that is about what is going to happen.

To say we have solved controversies of this nature in the Rules Committee is too grand a statement. We do not have that ability. We have made it our best shot.

If the majority of the Rules Committee wishes to listen to the request to withdraw it, that is their privilege. We are not making such a motion to withdraw this rule at this time. Nor are we making any sense of abandonment of our pursuit of open rules to the greatest degree possible.

Having said these things, I know that we are going to get on with this, which is what we should be doing, because this is an appropriations bill which is long overdue, and we need to have an answer to the provisions of it.

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

Mr. GORDON. Mr. Speaker, in conclusion, let me just say there is an old cliche within the legal community that when you go to court, if you have the facts you argue the facts. If you do not have the facts, you argue the law, or in this case the procedure.

The facts are that even though again I do not think I am going to be happy with the conclusion of this particular bill, and I am not happy as I say with some of the parliamentary rulings, I am not happy with the fact that we did not have some earlier corrections of problems, but that does not put away the simple fact that this is an open rule. This is a rule that lays the entire bill on the table to strike what you may, to add whatever within amendments, and it is a complete open rule. So do not confuse that you may not like some portion of it, and you may not of the bill, or that you may not like the conclusion of the bill, with the facts of the matter. The fact of the matter is that this is an open rule and a wide open rule.

Mr. SOLOMON. Mr. Speaker, let me try to clarify a misimpression that has been conveyed during the debate on this bill.

It is true that this rule self-executes an amendment into the bill relating to the San Francisco Bay area rapid transit system.

And it is true that ordinarily we on this side vigorously protest self-executing rules.

But unlike some self-executing rules that do not allow for further amendments, and therefore do not give the House a separate vote on the self-executed provision, this rule does not otherwise alter or restrict the normal, open amendment process for appropriations bills.

What that means, quite simply, is that although the BART provision is made a part of the bill, it is done so for the purpose of further amendment. Members may still offer an amendment to strike that provision or reduce the amount appropriated for it.

Moreover, the amendment does not protect the provision against points of order, should someone wish to raise a point of order.

It must also be reiterated that this controversial provision was included in the first bill reported from the Appropriations Committee. So the Appropriations Committee has spoken twice on the matter—it has been of two minds.

This rule simply lets the House choose between those two options approved by the Appropriations Committee.

Finally, Mr. Speaker, we applauded the chairman of the Appropriations Committee earlier this year for indicating that he had no intention of coming to the Rules Committee asking for waivers of points of order.

Notwithstanding that, the subcommittee chairmen, in a majority of instances, have come to the Rules Committee asking for waivers. And we have granted them.

We had two previous rules on the first transportation bill reported by the Appropriations Committee. Both of those rules, House Resolution 211 and House Resolution 221, waived points of order against certain unauthorized provisions in that bill.

This rule does not waive points of order against anything. It is therefore the closest we have come in an appropriations rule this year to what the chairman of the Appropriations Committee has requested from the outset.

The only thing this rule does is to attempt to split the difference between two conflicting appropriations bills and between the two committees at loggerheads today. I therefore urge its adoption.

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

The previous question was ordered.

The SPEAKER pro tempore (Mr. MONTGOMERY). The question is on the resolution.

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

Mr. GORDON. 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. Pursuant to rule I, further proceedings on this resolution are postponed until later today.

RECESS

The SPEAKER pro tempore. Pursuant to rule I, the House stands in recess until 12:10 p.m.

Accordingly (at 11 o'clock and 15 minutes a.m.), the House stood in recess until 12:10 p.m.

□ 1240

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at 12 o'clock and 42 minutes p.m.

PROVIDING FOR CONSIDERATION OF H.R. 2750, DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES APPROPRIATIONS ACT, 1994

The SPEAKER. The pending business before the House is the vote de novo on House Resolution 252.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the resolution.

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

Mr. CARR of Michigan. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 257, nays 163, not voting 14, as follows:

[Roll No. 447]

YEAS—257

Abercrombie	Dingell	Hughes
Ackerman	Dixon	Hutchinson
Andrews (ME)	Dooley	Hyde
Andrews (NJ)	Doolittle	Inhofe
Applegate	Dreier	Inslee
Baesler	Duncan	Jefferson
Baker (CA)	Dunn	Johnson (CT)
Baker (LA)	Edwards (CA)	Johnson (GA)
Ballenger	Emerson	Johnson, E.B.
Barca	English (AZ)	Johnson, Sam
Barlow	Eshoo	Kanjorski
Barrett (NE)	Ewing	Kaptur
Barrett (WI)	Farr	Kennedy
Bartlett	Fawell	Kennelly
Barton	Fazio	Kim
Becerra	Fields (LA)	King
Beilenson	Filner	Kleczka
Berman	Fish	Klein
Bilbray	Flake	Klink
Bilirakis	Foley	Klug
Bishop	Ford (MI)	Kopetski
Blackwell	Ford (TN)	Kreidler
Bliley	Frank (MA)	Kyl
Blute	Franks (NJ)	LaFalce
Boehlert	Frost	Lambert
Bonior	Gallegly	Lantos
Borski	Gejdenson	LaRocco
Browder	Gekas	Laughlin
Brown (CA)	Gephardt	Lazio
Brown (FL)	Geren	Leach
Brown (OH)	Gibbons	Levy
Byrne	Gilchrest	Lewis (GA)
Canady	Gillmor	Lipinski
Cantwell	Gilman	Machtley
Cardin	Gingrich	Maloney
Clay	Glickman	Mann
Clement	Gonzalez	Manton
Clinger	Goodlatte	Margolies-Mezvinsky
Clyburn	Goodling	Markey
Collins (GA)	Gordon	Martinez
Collins (IL)	Goss	Matsui
Condit	Grandy	Mazzoli
Coppersmith	Gunderson	McCandless
Costello	Hall (OH)	McCollum
Cramer	Hamburg	McDermott
Crapo	Harman	McHale
Danner	Hastert	McHugh
de la Garza	Hayes	McInnis
Deal	Hefley	McNulty
DeFazio	Hinchey	Meehan
Dellums	Hoekstra	Menendez
Derrick	Holden	Meyers
Deutsch	Horn	Mfume
Diaz-Balart	Houghton	Mica
Dickey	Huffington	

Miller (CA)
Miller (FL)
Mineta
Minge
Mink
Moakley
Molinari
Montgomery
Moorhead
Morella
Nadler
Neal (MA)
Oberstar
Owens
Oxley
Pallone
Parker
Payne (NJ)
Payne (VA)
Pelosi
Petri
Pomeroy
Portman
Poshard
Pryce (OH)
Quillen
Quinn
Rahall
Rangel
Reed
Reynolds
Richardson
Ridge
Rose
Roth
Roukema
Rowland
Roybal-Allard
Rush
Sanders
Sangmeister
Santorum
Sawyer
Saxton
Schaefer
Schenk
Schumer
Scott
Serrano
Shuster
Slaughter
Smith (NJ)
Smith (TX)
Snowe
Solomon
Spence
Spratt
Stark
Strickland
Studds
Sundquist
Swett
Swift
Synar
Talent
Tauzin
Taylor (MS)
Tejeda
Thomas (CA)
Thomas (WY)
Thompson
Thornton
Torkildsen
Torres
Torricelli
Tucker
Unsoeld
Upton
Valentine
Velazquez
Volkmer
Walker
Walsh
Waters
Waxman
Weldon
Wheat
Williams
Wise
Woolsey
Young (AK)
Zeliff
Zimmer

NAYS—163

Allard
Andrews (TX)
Archer
Armey
Bacchus (FL)
Bachus (AL)
Barcia
Bateman
Bentley
Bereuter
Bevill
Boehner
Bonilla
Boucher
Brewster
Brooks
Bryant
Bunning
Burton
Buyer
Callahan
Calvert
Camp
Carr
Castle
Chapman
Clayton
Coble
Coleman
Combest
Cooper
Cox
Coyne
Crane
Cunningham
Darden
DeLauro
DeLay
Dicks
Dornan
Durbin
Edwards (TX)
English (OK)
Evans
Everett
Fields (TX)
Fingerhut
Foglietta
Fowler
Franks (CT)
Furse
Gallo
Grams
Green
Greenwood
Gutierrez
Hall (TX)
Hamilton
Hancock
Hansen
Hastings
Hefner
Herger
Hoagland
Hobson
Hochbrueckner
Hoke
Hoyer
Hunter
Hutto
Inglis
Istook
Jacobs
Johnson (SD)
Johnston
Kasich
Kildee
Kingston
Knollenberg
Kolbe
Lancaster
Lehman
Levin
Lewis (CA)
Lewis (FL)
Lightfoot
Livingston
Lloyd
Long
Lowey
Manzullo
McCloskey
McCrery
McCurdy
McDade
McKinney
McMillan
Meek
Mollohan
Moran
Murphy
Murtha
Myers
Natcher
Nussle
Obey
Olver
Ortiz
Orton
Packard
Pastor
Paxon
Penny
Peterson (FL)
Peterson (MN)
Pickett
Pickle
Pombo
Porter
Price (NC)
Ramstad
Ravenel
Regula
Roberts
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Rostenkowski
Royce
Sabo
Sarpalius
Schiff
Schroeder
Sensenbrenner
Sharp
Shaw
Shays
Shepherd
Sisisky
Skaggs
Skeen
Skelton
Smith (IA)
Smith (MI)
Smith (OR)
Stearns
Stenholm
Stump
Stupak
Tanner
Taylor (NC)
Thurman
Vento
Visclosky
Vucanovich
Watt
Whitten
Wolf
Wyden
Wynn
Yates
Young (FL)

NOT VOTING—14

Collins (MI)
Conyers
Engel
Hilliard
Linder
McKeon
Michel
Neal (NC)
Slattery
Stokes
Towns
Traficant
Washington
Wilson

□ 1305

Messrs. WYDEN, EVERETT, BRYANT, MCMILLAN, and DICKS changed their vote from "yea" to "nay."

Messrs. KIM, BAKER of Louisiana, HUFFINGTON, DOOLEY, and Ms. PRYCE of Ohio changed their 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. GORDON. 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 House Resolution 252.

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

There was no objection.

PERMISSION FOR COMMITTEE ON APPROPRIATIONS TO FILE PRIVILEGED REPORT ON BILL MAKING APPROPRIATIONS FOR THE DEPARTMENT OF DEFENSE FOR FISCAL YEAR 1994

Mr. MURTHA. Mr. Speaker, I ask unanimous consent that the Committee on Appropriations may have until midnight tonight to file a privileged report on a bill making appropriations for the Department of Defense for the fiscal year ending September 30, 1994, and for other purposes.

Mr. McDADE reserved all points of order against the bill.

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

There was no objection.

GENERAL LEAVE

Mr. CARR of Michigan. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and that I may be permitted to include tables, charts, and other extraneous materials on H.R. 2750.

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

There was no objection.

DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES APPROPRIATIONS ACT, 1994

Mr. CARR of Michigan. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 2750) making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1994, and for other purposes; and pending that motion I ask unanimous consent that the general debate be limited to 1 hour, the time to be equally divided and controlled by the gentleman from Virginia [Mr. WOLF] and myself.

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

There was no objection.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan [Mr. CARR].

The motion was agreed to.

□ 1307

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. 2750) making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1994, and for other purposes, with Mr. BOUCHER in the chair.

The Clerk read the title of the bill.

By unanimous consent, the bill was considered as having been read the first time.

The CHAIRMAN. Under the unanimous consent agreement, the gentleman from Michigan [Mr. CARR] will be recognized for 30 minutes, and the gentleman from Virginia [Mr. WOLF] will be recognized for 30 minutes.

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

Mr. CARR of Michigan. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, we finally bring before the House today the Transportation and related agencies appropriations bill for 1994. The bill is well below the administration's request and is under the Transportation Subcommittee's section 602(b) discretionary budget authority allocation. Under very tight budget constraints we bring you a balanced bill that provides for all essential operations of the Department of Transportation and increases funding for the critical infrastructure needs of the country. This is not a bill that supports the status quo. We have departed from some of the old ways of doing business in this body. As a result, we have upset some people. We have upset some who are content with the usual way things get done around here. With the serious fiscal problems facing the Nation, we think the old ways are not good enough anymore.

Mr. Chairman, it has often fallen to the Appropriations Committee to make the tough choices. This bill is no exception. We have had to weigh the relative merits of important law enforcement activities of the Coast Guard, capital requirements of Amtrak, and the operation of the air traffic control system

with the administration's investment priorities for highways, transit, and rail systems. I think we have struck a balance that a vast majority of this body can support. I think the Appropriations Committee has produced a good bill under very difficult fiscal conditions.

As with all appropriations bills, this product is the result of numerous hours of hearings that are contained in nine volumes totaling more than 10,000 pages. In addition to administration witnesses, the subcommittee heard testimony from approximately 270 Members of Congress and public witnesses. As an example of the daunting challenge the subcommittee faced, more than 200 Members of Congress asked for over $5 billion for more than 200 separate projects. Obviously we weren't able to accommodate them all. We were only able to provide for about 20 percent of the requests we received.

To deal with the number of requests received, the subcommittee implemented a new procedure this year. After weeks of briefings and consultation with many experts in the field, the subcommittee adopted a set of investment-based criteria to use in evaluating special requests. The criteria have much in common with guidelines published by the Office of Management and Budget concerning benefit-cost analysis for Federal programs. They also seek to generate the same type of information used by many commercial investment firms. The main purpose in using the criteria is to ensure we provide only for those projects that have a high economic rate of return and a robust benefit-cost ratio.

I must say that I have been surprised by the ability of project sponsors and managers to produce responses to the questions posed in the criteria in a relatively short period of time. When the criteria were introduced in early May, it was my expectation that we would phase in the use of the criteria and they would not have a major impact until next year. That turned out not to be the case. Virtually every project listed in the bill or report has had documentation supplied that supports its inclusion.

The criteria have been reprinted near the beginning of the committee's report. It should be noted that we view the development and use of the criteria as a dynamic—not static—condition. We hope to work on and improve the criteria in the future. To that end, we welcome the comments and suggestions of our colleagues. Comments have been made that the criteria are nothing more than a set of good questions, without cohesion or a unifying theme. Although I do not agree with that observation, I challenge anyone to point to any other procedures that generate as much financial and economic data with which to evaluate project merit.

I do want to point out, as noted in the committee report, that project documentation and responses to the criteria should be received for the 1995 Transportation bill no later than May 15, 1994. This will allow the subcommittee adequate time to review the responses before making its funding recommendations. I might add that next year there will be more communication and consultation with the authorization committee regarding funding for special projects in appropriations bills and general provisions that might be legislative in nature. The goal, of course, will be to avoid the situation that occurred this year and delayed consideration of this measure.

Before getting into the specifics of the committee's recommendations, I want to relate some of the major forces that helped shape the legislation we bring to the floor today.

To the extent possible within our budget allocations, the committee tried to provide for the elements in the administration's investment proposals. For the Federal-aid highway program, we were able to provide approximately one-half of the requested increase in the obligation limitation. For transit programs, we were able to do better. The bill contains all but $125 million of the amounts requested for transit formula and discretionary grants. We have included all but $50 million of the $802 million requested for transit operating subsidies. We wanted to include the entire request, but were unable to do so given our outlay allocation. Transit operating subsidies is one of the few accounts in the bill with a high spendout rate. The others, such as Coast Guard and FAA operating expenses, have already been reduced more than we prefer. So we reluctantly have cut transit operating subsidies.

High-speed rail is another of the administration's top priorities in their investment package. This initiative is currently unauthorized. Accordingly, we have deferred providing funding for the program at this time. Should the authorization be farther along at the time of our conference, we will consider the request then. In this regard, I think a note of caution is in order. Some high-speed rail advocates would have you believe there could be 10 to 20 high-speed corridors in this country in the next decade. This may raise expectations that can never be met. With current technology, high-speed rail requires electrification, and electrification is very costly. The only electrified corridor in the United States today is the Northeast corridor, and it will require an additional $1.4 billion just to electrify the section between New Haven and Boston. In the future it may be possible to have fossil fuel locomotives capable of high-speed operations. Indeed, the bill includes funds to research this issue. But for right now, high speed means electrification. For these reasons, the committee believes an incremental approach as outlined by the president of Amtrak and discussed by the Secretary of Transportation is the best course of action.

Another initiative of the subcommittee this year was a conscious effort to delete many of the items previously contained in the bill that have only a tenuous relationship, at best, to transportation. One notable example is zero funding for airway sciences. The 1993 Transportation Act contained $30 million for such programs. The program is not authorized and, in my opinion, has been subject to some abuses in the past.

For the first time this year, our report specifies certain projects for airport improvement grants. It should be noted that the amount of funding reserved for the three projects singled out is less than $30 million. This is only 2 percent of the total program of $1.5 billion. The committee has taken this action partly because the Federal Aviation Administration does not have in place an economically based investment policy apparatus for making sound funding decisions. We hope to work with the FAA in the months to come as it improves the process by which allocations are made.

In past years, virtually all of the transit section 3 money in the bill for both buses and new starts has been identified for specific projects. While this was a boon for those fortunate enough to receive such consideration, it has led to inequities. For example, there is currently unobligated on the books of the Federal Transit Administration $987 million in section 3 funds set aside in earlier bills for certain projects, including $228 million for bus projects. These projects may have environmental problems or difficulty in obtaining the non-Federal share of funding required. At the same time, FTA has documented the demand for worthwhile bus projects estimated to cost $780 million that it cannot fund. This is not good policy. We have tried to strike a balance. Within the bus program, we have set aside some of the funds. But we have also provided $100 million, or nearly 30 percent of the total, to be allocated at the discretion of the Secretary. The situation is similar in the section 3 new start program. When combined with unneeded carryover funds, we have again provided $100 million to be distributed at the discretion of the Secretary. We certainly hope the other body will follow suit in this practice, so we can preserve this discretion through the conference stage.

Now I'd like to address some of the specifics in the bill. It would provide $13.7 billion in new budget authority for the programs of the Department of Transportation and related agencies, a decrease of $530 million below the amounts requested by the administration. As reported, the bill is $10.3 million under the section 602(b) discretionary budget authority allocation

and $907,000 below the outlay allocation.

For the Office of the Secretary of Transportation the bill includes $234 million, an increase of $29 million above the request. Most of the increase is due to the consolidation of all the Offices of Civil Rights from the various modes into the Office of the Secretary. We believe this will improve their operation and make implementation and compliance more uniform throughout the department.

The bill also recommends no authority for the essential air service program. Although the initial reasons for this activity were sound, it has definitely outlived its usefulness. It is now subject to abuse and results in extreme inequities across the country. It also results in subsidies of up to $430 per passenger for some short trips.

Total recommended funding for the Coast Guard is $3.56 billion, about $24 million below the 1993 level and $167 million below the 1994 request. This is a tight budget for the Coast Guard. There is no question about that. Two items should be noted, however. The first is that most of the reduction, or $106 million, is in the investment accounts—acquisition and research and development. Thirty-five million dollars for seagoing buoy tenders was identified by the administration as a lower priority. They know we can't fund everything in the President's budget. They are willing to defer some items until next year. We agree with that. We have had to reduce the operating expenses of the Coast Guard by approximately $54 million. We would rather not do that. However, this bill has several large accounts, such as highways, transit, and airport grants that spend out very slowly. In order to meet our outlay target—which is $400 million below the budget—we had to reduce some of the faster spending accounts. The largest of those accounts are FAA and Coast Guard operations. On a percentage basis, the operating and administrative accounts of some agencies in the bill were reduced more than the Coast Guard. Coast Guard operating funds are essentially at a hard freeze level. I know that our friends on the authorization committee are concerned with the levels for the Coast Guard, and especially with the amounts for operating expenses. Let me assure you we have recommended reductions only in those areas deemed the lowest priorities and those the farthest from the Coast Guard's core responsibilities. We have been working with our colleagues on the authorizing committee, and I believe we have reached a compromise. This bill contains $36 million more for the Coast Guard than the earlier bill reported from our committee. That amount includes $20 million for operating expenses, to be allocated at the discretion of the Commandant, and $16 million for helicopter spare parts and the vessel traffic system program in the acquisition account. In addition, the Defense appropriations bill reported by the committee this morning contains some extra funding for certain Coast Guard operating expenses.

The total recommended for the Federal Aviation Administration is $6.95 billion in new budget authority and a limitation on obligations of $1.5 billion in the grants-in-aid for airports program. This represents reductions of $400 million in budget authority and $379 million in the obligation limit below the amounts requested in the budget. More than 95 percent of the budget authority reduction is in the facilities and equipment account. The operations account has been reduced by only $7 million, to ensure the safe and reliable operation of the Nation's air traffic control system. While the committee has recommended a rather large cut in the obligation limit for the airport improvement program, this should be viewed as a one-time only reduction. It has been taken for several reasons. First, it helps in achieving our outlay target. Second, the committee is not entirely pleased with the process the FAA has used in making AIP grants. The committee believes the FAA needs to base its decisions more on economic factors and doesn't think a higher level should be provided until such a process has been implemented.

The committee has included several general provisions in the bill related to the FAA. There is one I want to address at this time. It concerns the diversion of airport revenues for nonairport uses. Notwithstanding the fact that there is a law on the books requiring airport generated revenues be used only for aviation purposes—some municipalities believe they can treat airport generated funds like general revenue sharing. Especially at a time when the Nation's airlines are experiencing major and sustained financial losses, the committee does not think we should be condoning apparent violations of the law in the diversion of such revenues. Accordingly, the bill includes a general provision that would not make available any of the funds provided in the act to a municipality that diverts airport revenues. This section merely reinforces provisions of the statute enacted in 1982.

Rebuilding America's infrastructure has been one of the new administration's top priorities. For the Federal-aid highway program, they requested an obligation limitation of $18.4 billion, an increase of more than $3 billion above the 1993 limit. Due to budget constraints, the committee could not provide the full amount. We have recommended a limit of $17.2 billion. This is more than $1.8 billion above the 1993 level. The committee also recommends the requested amount of $2.1 billion for items exempt from the obligation limitation.

It is true that the bill provides for certain highway projects not requested by the administration. I think a few comments are in order regarding these projects. First, it should be noted that the level of projects recommended is less than the level appropriated in 1993. It represents only 1.7 percent of total highway funding provided in this bill. By way of comparison, the $6.2 billion included in ISTEA for demonstration projects represents 5.1 percent of total highway funding authorized in that legislation. I also might add that several of the projects for which we recommend funding in the surface transportation account are ISTEA authorized projects. But the proponents of the projects realize that the amount of funds authorized is not enough, and they have asked us to provide augmentation.

Second, and what is more important, documentation in response to the criteria issued by the subcommittee earlier this year has been submitted for each project for which funding is recommended. These projects have been reviewed on their merits—not on the basis of in whose congressional district they happen to be located. As a result, it happens there are funds included for freshmen Members on both sides of the aisle. Some projects that have received special consideration for several years are not included in this bill. If it appeared that the project was banking money and had a large obligated balance, little or no funding is recommended this year. It should also be noted that this year—for the first time—the bill limits the availability of funds for these projects to 4 years. This is the same time period as for the basic highway program. We see no reason why funds for these projects should remain available for obligation longer than funds in the base program.

In that vein I might add that the bill contains a general provision that would also limit contract authority made available on October 1, 1993, pursuant to provisions in the authorization act to 4 years. The bill as reported would treat virtually all highway funds the same. Whether the source is the basic Federal-aid highway program, special designation in the authorization act, or special designation in an appropriations act, the money would be available for obligation for 4 years. Our friends on the authorizing committee testified before the Rules Committee that they want to be able to strike the provision that would limit the availability of moneys for their projects, funded with contract authority. If such a point of order is made, I will have to concede it. Technically they are within the rules to strike it. But I would hope that in the spirit of fairness and good government that they would not do so. Limiting the time allowed for the use of all the highway funds will mean no more situations where funds are frozen

unproductively for up to 10 years or more while worthwhile projects can not get to bid due to lack of funding.

Mr. Chairman, we have also recommended a general provision that prohibits the use of funds in the bill to implement the section in the Intermodal Surface Transportation Efficiency Act of 1991 that would require 5 percent of the asphalt laid in 1994 to contain crumb rubber modifiers. The report makes clear that the committee does not object to the use of crumb rubber modified asphalt. It merely objects to the mandates that specific amounts of such asphalt must be used. We have also directed the Federal Highway Administration to conduct a study with an organization such as the Transportation Research Board to try to resolve some of the outstanding issues regarding crumb rubber modified asphalt.

The bill also includes the recommended rescission of $95 million in budget authority previously made available. Of this total $68.7 million is from highway programs, including $65.1 million originally made available in authorization acts. Technically, those rescissions are subject to points of order. But I hope that no one from the authorization committee will strike these rescissions. We have taken funds only from projects that have had little or no activity in at least 5 years, and in some cases, more than 10 years. Members of the authorization committee may try to paint this action as an infringement upon matters under their jurisdiction. The truth is we need to redirect these unproductive funds to prevent further cuts in essential programs. You should know we have received scorekeeping credit from the Congressional Budget Office for these rescissions. Since the bill as reported is close to our discretionary budget authority allocation, the effect of points of order on the rescissions will be to place the bill above its allocation. The committee felt it made much more sense to rescind unneeded authority than to further reduce money in the bill for essential programs.

For the National Highway Traffic Safety Administration, the bill includes a total program level of $295 million. This represents an increase of $25.1 million above fiscal year 1993. The bill specifies that $220.8 million of this amount is to be derived from the highway trust fund, with the balance from the general fund.

The committee's recommendation of $121 million for NHTSA's operations and research will essentially support a current services budget for administrative and program activities. For the most part, pending the nomination of a new administrator for the agency, the committee has not recommended funding for new initiatives. One notable exception is the approval of requested funding to support antidrinking and driving initiatives, especially those aimed at young people. The committee has not recommended the $2 million requested to initiate construction of the national advanced driving simulator.

The bill includes limitations on obligations of $174 million for the various highway traffic safety grant programs, an increase of $32.4 million above the fiscal year 1993 level. We recommend the administration's request of $123 million for the section 402 State and community highway safety grants, of which $8 million is targeted for young driver initiatives; $25 million for the section 410 alcohol incentive grant program; and $10.5 million for the section 408 alcohol-impaired driving countermeasures program. The section 153 safety belt and motorcycle helmet use grants program is funded at the fiscal year 1993 level of $12 million. In total, the additional funding recommended for fiscal year 1994 will sustain and enhance State efforts to deter drunk driving, encourage motorists to buckle up, and improve the safety of those who drive on our Nation's roads.

The President's budget requested $1.056 billion for the programs and activities of the Federal Railroad Administration, including $105 million in obligation limitations. The bill recommends $807 million for the FRA, including $3.5 million in limitations. Of the total reduction of $265 million, $136 million represent the deferral of the administration's high-speed rail initiative, pending enactment into law of authorizing legislation. The committee also recommends $698 million for Amtrak including $130 million for the Northeast corridor improvement program and $100 million for capital. The bill also includes $10 million for local rail freight assistance and $2 million for nonelectric locomotive technology research.

I have already touched on some of the major recommendations of the committee concerning the transit programs. Let me add that the committee tried to provide as much of the administration's investment initiative for transit as we could. In total, the budget request for transit was $4.6 billion, including $2.96 billion in obligation limitations. The committee has recommended $4.48 billion, including $2.85 billion in limitations. We have provided all but $50 million of the $802 million requested for transit operating subsidies. Otherwise, we have recommended the entire request for formula grants. Concerning discretionary grants we recommend the budget requests of $354 million for buses and bus related facilities and $760 million for rail modernization. The bill includes $593 million of the $657 million requested for new fixed guideway systems. As noted earlier, when combined with unused authority from 1993, the totals recommended in the bill increase the discretion allowed the Secretary and the relative percentages are very similar to those proposed in the budget. The bill also includes the budget request of $200 million for the Washington Metropolitan Area Transit Authority.

For the Research and Special Programs Administration, the bill includes appropriations and obligation limitations that total $54 million. This represents a 7.8-percent increase above the fiscal year 1993 level. Of this amount, $19.5 million is provided for the pipeline safety program, including $2.4 million to be financed from the oil spill liability trust fund to implement the Oil Pollution Act of 1990. The committee has recommended a 7-percent increase for the State grants-in-aid program to encourage States to assume greater pipeline safety enforcement jurisdiction and a small increase—4.3 percent—for Federal pipeline safety compliance efforts. The bill also includes $10.75 million, including an appropriation of $400,000 and an obligation limitation of $10.35 million, for emergency preparedness grants, curriculum development, and administration. This program level is a reduction of 2.3 percent below the level provided in fiscal year 1993.

The committee's recommendations also include raising the staff ceiling at the Volpe National Transportation Systems Center to 525 full-time positions and 575 full-time equivalent positions. An increase in the staff ceiling will allow the Volpe Center to respond aggressively to priority transportation research and analysis needs, including those in the areas of intelligent vehicle highway systems and air traffic control. Funding for these positions will come from research expenditures made by other Federal entities which contract with the Volpe Center.

Mr. Chairman, other recommendations are contained in the committee's report. Given the constraints under which we have had to conduct our work this year, I believe this is a very good bill and I urge Members to support it.

□ 1320

Mr. WOLF. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, I rise in support of H.R. 2750, the fiscal year 1994 Transportation appropriations bill.

I am glad that this bill has finally made it to the floor for consideration by the full House, and I would urge my colleagues to give it a fair hearing.

We are going to hear a lot today about procedure and about which committee should do what and when. In fact, I would guess that the American people—if they have been paying attention to the turf battles that have surrounded this bill in the last couple months—have concluded that the Congress cares a lot more about internal process than about meeting needs.

I ask my colleagues to look beyond these issues and judge H.R. 2750 solely

on how well it meets the Nation's infrastructure needs.

This bill is about a country on the move, and how to make that travel as smooth and as seamless as possible.

H.R. 2750 is about moms and dads going to work, the grocery story, and the drycleaners. It is about families going to church, ballet recitals, and little league games. It is about taking the subway and commuter rail to Camden Yards to see the Orioles win at baseball, and about taking a yellow bus to school so that you can be a winner at life. And piling everyone plus the dog into a station wagon for the cross-country trip to grandma and grandpa's. Or, leaving the dog at home and booking a flight.

It is also about the products that fuel our economy. They, too, are on the move, on their way to market by truck, by rail, by air, by pipeline, and by barge.

This bill provides for $37.7 billion to fund needed improvements in our Nation's transportation infrastructure. This includes all modes of transportation—highways, transit, railroads, and aviation.

Mobility does have its downside. Sometimes, with all the movement, people and things arrive at the same place at the same time and accidents happen. H.R. 2750 addresses this, too, by providing for countless safety measures.

In addition to getting people where they want to go, this bill is also about people in trouble at sea who are rescued by the U.S. Coast Guard, which is also funded in this bill.

It is about the finest air traffic control system in the world. This system serves as traffic cop for the 3,500 airplanes, big and small, that are in our airways at any given moment during peak flying hours. Even so, there is sometimes human error or a machine doesn't work. This bill provides for transportation safety board go teams which arrive at the site of a crash within hours to learn what happened and how to make sure it does not happen again.

This bill is about inspecting pipelines to hopefully discover ruptures before they occur, and if a break does occur, destroying livelihoods and fragile ecosystems, learning how we can prevent such catastrophes.

H.R. 2750 is about looking ahead to a day when smart cars and smart highways team up with hopefully smart drivers to make accidents even less frequent.

You are going to hear today that some of the programs in this bill have not been authorized, and that is true. For example, this bill includes funding to help the community of Jacksonville, FL, patch a gaping hole that has developed on a highly traveled interstate bridge. Authorization bills for surface transportation programs are passed every 5 or 6 years. Understandably, the residents of Jacksonville cannot wait that long to address what is an obvious safety problem, so they turned to their Member in Congress for help.

Other Members have also brought needs in their communities to the attention of our subcommittee, and frankly, the law of supply and demand prevented us from meeting all those needs. We have tried in H.R. 2750 to meet the needs brought to us by Members as fairly as possible by evaluating them against a new set of investment criteria. I want to compliment my friend, the gentleman from Michigan, Chairman BOB CARR, for taking this initiative to bring even greater discipline to the allocation of limited resources.

This bill is the product of the strict oversight that our subcommittee gives every year to Department of Transportation [DOT] projects. And it is within budget, as appropriations bills are required to be.

H.R. 2750 is not a perfect bill, but it represents a sincere attempt to balance finite resources against the daunting needs that come with a country literally on the move. I hope we will show the American people today that we think it is more important to get the job done than it is to argue about jurisdiction, and I urge the Members' support in passing this legislation.

Finally, Mr. Chairman, I would be remiss if I did not compliment the yeoman's work of one of the finest subcommittee staffs in the Congress. Many hours have been invested in this effort by Del Davis, Rich Efford, Cheryl Smith, and Linda Muir of the subcommittee staff, and by John Blazey and Jan Powell of the minority staff.

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

Mr. CARR of Michigan. Mr. Chairman, I yield such time as he may consume to the gentleman from Kentucky [Mr. NATCHER], the distinguished chairman of the Committee on Appropriations.

Mr. NATCHER. Mr. Chairman, I rise in support of the Transportation Appropriations bill for fiscal year 1994. This is the 12th appropriations bill for fiscal year 1994 to come before the House. This will leave only the Defense Appropriations bill, which we reported out of full committee this morning. The Defense bill will be brought forward next week.

The Senate is moving on our other bills that have already passed the House. We will be moving rapidly toward conferences as the Senate acts, so that congressional action on as many of our bills as possible will be completed prior to the beginning of the fiscal year.

Mr. Chairman, we have 13 appropriation bills. When the budget is sent up here each year the Committee on Appropriations divides the discretionary funding portion into 13 parts. They are not equal, money-wise, but this enables us to develop 13 bills that are needed to fund the Government. We passed 11 of those 13 bills before the Fourth of July recess, and we sent them off to the other body. The Transportation and Defense bills would have passed by that time, but had to be held up for two or three different reasons.

Mr. Chairman, following is a fuller account of the status of fiscal year 1994 appropriations bills:

1 signed into law:
Legislative (P.L. 103-69).
1 conference report:
Agriculture (passed House—pending in Senate).
4 passed House and Senate:
Commerce-Justice-State-Judiciary.
District of Columbia.
Treasury-Postal Service (conferees appointed).
Interior.
3 passed House and reported by Senate:
VA-HUD.
Foreign Operations.
Labor-HHS-Education.
2 passed House and pending in Senate:
Energy and Water.
Military Construction.
1 pending in the House:
Transportation.
1 reported:
Defense (floor action expected the week of September 27).

Mr. Chairman, I want to thank every Member in the House for helping us with our bills. We appreciate it.

I want to say to the chairman of the subcommittee, the gentleman from Michigan [Mr. CARR], and the ranking minority member, the gentleman from Virginia [Mr. WOLF], and every member on the subcommittee, they have worked hard. They have produced a good bill, and we appreciate it.

Mr. Chairman, this bill provides for important transportation programs. It makes important investments in our highways, airports, and railroads. We need this bill so our country can continue to develop safe and efficient transportation systems.

I recommend this bill be adopted.

Mr. WOLF. Mr. Chairman, I yield 3 minutes to the gentleman from Texas [Mr. DELAY], a hard-working member of the committee.

Mr. DELAY. Mr. Chairman, I rise in strong support of the bill. This is the bill that literally keeps America moving, and I am proud to be a part of this subcommittee. From the outset, I would like to commend my chairman, the gentleman from Michigan, BOB CARR, for his diligent efforts on behalf of this Nation's transportation needs. In just his first year as chairman of the subcommittee, he has instituted many crucial and necessary changes to the committee, and I applaud his efforts. I would also like to pay tribute to my ranking member, the gentleman from Virginia [Mr. WOLF]. In his first year as ranking member he, too, has put in many long hours crafting this Nation's

transportation needs. I commend the gentleman, and again, am proud to serve on the committee with him.

Mr. Chairman, this committee has gone to great lengths to address transportation programs in a fair and responsible manner. There are many provisions in the bill that are timely and necessary in support of our Nation's transportation infrastructure.

Some in Congress would rather play games and cause turf battles rather than advance this Nation's transportation. Some in Congress would go so far as to decimate legislation that is good for the taxpayer and good for the country.

Let us look at the simple facts. The Transportation Subcommittee passes a bill, without exception, each and every year. Although there is an outside possibility that important and much needed authorization language is forthcoming in some future mystery authorization bill, we all know the political realities of the authorizing process and we all know that this simply will not happen this year.

Some in Congress keep preaching how important certain provisions are, and express their support in principle as they strike them to points of order, thus knocking them out of the bill. I sincerely hope that this does not happen, because there are good provisions in this bill that are needed now that will assist the transportation infrastructure of this Nation. I believe that the American people would agree that until the appropriate committee passes authorization legislation on a regular basis, Congress should not stifle the will of the American public and American business by eliminating the opportunity for valuable and needed provisions to become law.

Let me give you some examples. Some in Congress feel that—because of jurisdictional turf battles—it is more important to keep previously appropriated funds from as far back as 1982 that are in dormant accounts unspent rather than rescind those accounts and put the money back to work building roads and bridges, projects that can create jobs now.

The airline industry, which as a whole paid out of $5.9 billion last year in taxes and fees, is on the verge of collapse. Yet some in Congress believe that it is important to strike one of the only provisions in the bill which help airlines remain competitive. The bill prohibits the collection of passenger facility charges on frequent flyer award tickets. This makes sense. This is a small provision that helps the airline industry stay competitive, and yet some in Congress would like to charge those already-in-debt airlines even more for awarding these tickets.

These are just two examples of sound public policy that I believe the majority of the House believes needs to become law. Yet because of turf battles, the inability of those committees which have jurisdiction to produce and enact legislation, these good ideas never become law. Who loses? The taxpayer and those who work in the industries that would benefit under this bill.

Mr. Chairman, I sincerely hope that Members would take a moment to understand the actions of this committee and make an effort to improve this Nation's transportation system. Members should take a long look at the political realities of some of these provisions—should they be struck from the bill—and support the legislation as presented to us today.

I invite all Members to ask the hard questions regarding provisions they are concerned about in this bill. I, and the subcommittee, welcome the opportunity to justify our actions, and ask support for the bill.

Mr. CARR of Michigan. Mr. Chairman, I yield 4 minutes to the gentleman from North Carolina [Mr. PRICE], a distinguished member of the committee.

Mr. PRICE of North Carolina. Mr. Chairman, I, too, rise in support of H.R. 2490. I want to add my words of commendation to the gentleman from Michigan [Mr. CARR], our new chairman and Mr. WOLF, our new ranking member. Mr. CARR has done an outstanding job in his first year. He is responding to this new challenge with energy and integrity, as is our new ranking member, the gentleman from Virginia [Mr. WOLF]. They have continued the important bipartisan tradition of this committee. We also, of course, are indebted to our fine professional staff—Del Davis, Rich Efford, Linda Muir, and Cheryl Smith—for their critical contributions to this bill.

□ 1330

This is a bill that is a bit different from some of the transportation appropriation bills we have dealt with in the past. We have not been content this year to simply extol the virtues of transportation investments in the abstract.

In hearings throughout the year we have questioned witnesses carefully about the economic impact of transportation spending. We have pushed them to justify what they were requesting.

This led the subcommittee to develop investment criteria for highway, transit, and airport projects. These criteria helped guide the subcommittee's decisionmaking to ensure that we are spending these dollars wisely.

We have also taken other steps to improve our decisionmaking. For example, we are directing the Coast Guard to develop a better method for evaluating performance. Some of its budget items, particularly in research and development, are in serious need of better analysis and justification.

We have made some hard decisions not to fund certain programs such as the airway sciences program. We know that we need to push technology training in this country, but this particular program seems to have lost its sense of purpose. It has been used to fund some projects that do not deserve to be in a transportation or even an education bill. So we have removed that funding until that program can regain its integrity.

In the highway area we have some important fiscal reform decisions which, unfortunately, under this rule, are vulnerable to a point of order. We have proposed to rescind funding for certain low-priority and moribund projects. I do not know how anyone could quarrel with that. We want to place funding for highway demonstration projects that are listed in an authorization or an appropriation bill on the same footing as funds in the basic Federal aid program. Currently funds from basic programs are available only for 4 years, but funds for these specifically listed projects are available for an unlimited period of time. Our subcommittee wants to stop that.

Without any time limits, money from the 1982 to 1987 transportation authorization bills has remained unspent. We are struggling to find funding to meet our transportation needs, but this money sits frozen, unavailable for critical priorities. Our subcommittee found $64 million from these bills still unspent. Some money has been tied up for more than 10 years. We want to end this insane policy and use this money to build roads and provide jobs, so we have proposed to rescind that $64 million.

It is most regrettable that these policy changes are not protected by this rule. But I think the burden of responsibility is on the House Committee on Public Works and Transportation to explain why these monies are still tied up, why they are just sitting there when we have such pressing needs in this country. We have got to find a way to make these changes. They are critical to improving the effectiveness of our transportation programs, and I look forward to working with my colleagues to implement these changes.

Even if these provisions are struck, this is still a bill well worthy of our support. I ask my colleagues to support the subcommittee's careful work. This is a bill which will provide jobs for our Nation's citizens and improve our economic efficiency, and I urge its support.

Mr. WOLF. Mr. Chairman, I yield such time as he may consume to the gentleman from New Jersey [Mr. SAXTON].

Mr. SAXTON. Mr. Chairman, during the 100th Congress, funds were appropriated for a bypass bridge in Toms River, NJ, a growing town, overburdened with traffic congestion. The funding for the bridge was provided to the State of New Jersey which contributed matching funds for its design and construction.

Currently, the funds are ready to be used. State and local officials have decided on the bridge design, which has been approved by the Department of Transportation. Traffic studies have commenced. The New Jersey Department of Environmental Protection and Energy will be issuing wetlands and stream approach permits. The project is ready to move forward, using the funding authorized by the Surface Transportation and Uniform Relocation Assistance Act of 1987.

Now, after all of the preliminary work has been completed for the construction of this much-needed bridge, the Appropriations Committee has included a provision in the bill to rescind the funds that the 100th Congress intended for the Toms River bridge.

I urge my colleagues to support striking the provision that rescinds amounts made available for highway demonstration projects in the Surface Transportation and Uniform Relocation Assistance Act of 1987.

Mr. WOLF. Mr. Speaker, I yield 3 minutes to the gentleman from Ohio [Mr. REGULA], a member of the committee.

Mr. REGULA. Mr. Chairman, I rise in strong support of the fiscal year 1994 appropriations bill for the Department of Transportation and related agencies. As a new member of the subcommittee, I have been impressed with the time and energy devoted to very in-depth analyses of transportation issues. I particularly commend our chairman, BOB CARR, and ranking minority member, FRANK WOLF, for their leadership in crafting this bill.

This bill was fairly and carefully written. The subcommittee spent a full 27 days in hearings with every administration and agency funded in this bill. A week was devoted to outside witnesses, the public, if you will, who presented about 200 requests worth more than $5 billion.

Funding decisions for these requests are based on a project's merits. Each request underwent scrutiny based on investment criteria developed by the subcommittee. We looked at such things as whether the project is on a State's transportation plan.

In the case of Ohio, we went to the director of highways and said do these projects fulfill a pressing need in our State, and that was part of the criteria established by the chairman. We looked at the cost/benefit ratio, the share of the local match, are the communities and the States willing to put up the money, do they believe in the project enough to do that, and we looked at the value of the benefits produced by the project.

The American Public has demanded that we change the way we do business in Washington and that means giving them their money's worth when it comes to allocating taxpayers' funds. This bill does that.

The bill also rescinds money that has been stuck in a funding pipeline and will not be spent. The projects have either been completed without using all of their allocation, or have not as yet obligated any funds. Rescissions also affect projects which have only obligated a small percentage and have been identified as being a low priority by the State's department of transportation.

If you believe in a more prudent and judicious use of Federal funds, then you should support this bill. There is no justifiable reason to let this money sit unused when there are so many other pressing needs to which it can be directed.

There are some provisions and programs in this bill which are unauthorized and Members will argue that they should be deleted. If this is your philosophy then let's be consistent.

The Coast Guard is not authorized, but I do not believe any Member would support striking the funds they need to carry out their vital functions such as search and rescues, responding to oil-spills, intercepting smugglers' ships filled with illegal immigrants, and their drug interdiction activities. These are programs your constituents support.

The Airport Improvement Grant Program is also not authorized, but I do not believe many Members would argue that we leave the Nation's airports unable to improve safety, extend and rehabilitate runways, or build taxiways.

But let us look at what is in this bill. The Local Rail Freight Assistance Program is funded at $10 million. This is a very popular program that provides support for the continuation of rail freight service and track rehabilitation on light density lines.

The Coast Guard is provided with a total of $3.5 billion. An amendment will be offered this afternoon to restore additional funds for operating expenses. The Coast Guard has once again proven its value to life, commerce, and property during the crisis in the Mississippi flood, and deserves our support.

We provided $8.4 billion for the Federal Aviation Administration for continuing operations, facilities, and equipment, including modernization of the air traffic control system, and grants in aid for airports. The FAA does a good job of maintaining air safety and the committee's recommendation reflects that.

For programs of the Federal Highway Administration, the committee provides $19.7 billion. Most of this money comes from the highway trust fund paid for by gas taxes. The amount recommended in the bill is $1.3 billion less than last year. Included are activities such as motor carrier safety grants and railroad-highway crossings projects.

Under the National Highway Safety Administration, we provided $123 million for section 402 safety grants designed to assist States in reducing traffic crashes, fatalities, and injuries.

We have heard today about a disaster in one of the Southern States with trains, an example of why safety is important.

The Federal Transit Administration is provided with a total of $4.4 billion, of which $2.4 billion is for formula grants, and $1.7 billion is for discretionary grants. We have left $150 million of discretionary money unallocated to leave to the discretion of the Secretary as to its use.

In conclusion, I want to ask my colleagues to take a thoughtful and comprehensive look at this bill. I believe you will come to the same conclusion as the members of the subcommittee and the full committee; namely, that this bill responds to the public's demand for wiser spending, fairness, and accountability, as well as beginning a process of economic-based criteria that has been endorsed by conservatives and liberals alike. This bill is good transportation policy for the United States.

Mr. CARR of Michigan. Mr. Chairman, I yield such time as he may consume to the distinguished gentleman from Texas [Mr. COLEMAN], a member of the committee.

Mr. COLEMAN. Mr. Chairman, I rise today in support of H.R. 2750, the Transportation appropriations bill for fiscal year 1994, and to express my appreciation for the leadership of Chairman BOB CARR and the ranking member, FRANK WOLF, in crafting this important piece of legislation. These are new roles for these two members of the subcommittee, and I want to commend them for their diligence and hard work.

I also want to thank my colleagues on the committee who worked so tirelessly on the many complex issues related to our Nation's infrastructure and transportation needs. It is also important to express my gratitude to the Transportation Subcommittee staff who serve a critical function in the legislative process by their command of the budget's intricacies as well as policy issues.

This year, Chairman CARR and the subcommittee implemented a major initiative, economically based investment criteria, as a method of evaluating requests for special funding consideration. I want to congratulate the chairman for developing this criteria because it assisted Members representing communities across the country in structuring their requests and assisted the subcommittee in reviewing them. These were applied to highways, transit, and aviation projects.

I would like to thank my colleagues on the subcommittee for their support for critical transportation projects in my district including extension of the Border Highway in El Paso, a study of El Paso Airport and Loop 375 corridor regional transportation center, construction of a paratransit facility, and the purchase of alternative fuel buses by the city of El Paso. These projects all submitted economic information relative to the investment criteria and received scrutiny alongside of hundreds of other proposals.

In addition to the local projects, the subcommittee adopted language in its report which recognizes the great need in developing the infrastructure along the United States border regions with Mexico and Canada, and directs the Department of Transportation to give

high priority to these areas in the allocation of discretionary funds and grant awards. I would like to commend my colleagues for their support for this concept, and would urge the administration to reflect this concern in its budget submissions to the Congress.

Finally, the subcommittee included my amendment which prohibits airports from collecting passenger facility charges from passengers flying on frequent flyer bonus awards. This reaffirms congressional intent that these charges were not to be collected from frequent flyers, and I would urge the House to maintain this position as it did last year.

I recommend this bill to my colleagues, and urge its passage.

Mr. WOLF. Mr. Chairman, I yield 2 minutes to the gentleman from Rhode Island [Mr. MACHTLEY] who I believe will be the next Governor of the great State of Rhode Island, and who I will be sorry to see leaving.

Mr. MACHTLEY. Mr. Chairman, I rise in strong support of H.R. 2750. I believe it will help revive our economy, and in particular I think it is good, sound transportation policy.

During these difficult economic times, New England particularly has suffered and received a disproportionate share during the slowdown and recession that has crippled so many of our industries. But now we have an opportunity to make an investment that offers both enormous economic as well as environmental advantages to our region and to other regions of the country.

Within H.R. 2750 is a Northeast corridor improvement program. Investing in state-of-the-art mass transit is a means to an end of creating jobs, attracting new businesses and increasing tourism, and at the same time protect our environment.

Studies show that if rail travel is reduced to 3 hours between New York and Boston, up to 3 million additional travelers a year will choose this means of transportation. Such traffic would provide a much needed boost to the economy of New England. Not only will an expansion of the corridor help revive our region's economy, but it will help keep our invaluable environmental conservation programs going.

Trains are quieter and trains are quicker, and rail travel conserves both fuel and land. Consider this: A 12-lane highway can be put on a 2-track train transportation corridor for the same amount of vehicles and passengers per hour.

□ 1340

This makes rail travel six times more efficient than roads. Improved rail service could be the ultimate painkiller for the commuter headaches of New England.

In 1985 passengers experienced 2.7 billion hours of vehicle delays in the Northeast corridor. The figure in the year 2005 is 12 billion hours of traffic delays, and that is a lot of Advil.

Continuing to invest in our roads and our infrastructure in this country in the Northeast is critically important for business. I ask my colleagues to join me in supporting H.R. 2750 as a substantial progress toward the infrastructure improvement here.

Mr. CARR of Michigan. Mr. Chairman, I yield such time as he may consume to the distinguished gentleman from Minnesota [Mr. SABO], a member of the committee and chairman of the Committee on the Budget.

Mr. SABO. I thank the gentleman for yielding this time to me and I congratulate him, the gentleman from Michigan [Mr. CARR], and the ranking member of the subcommittee, the gentleman from Virginia [Mr. WOLF], for their work in putting this bill together. I think it is a good bill and deserves passage.

From my perspective in the Committee on the Budget it meets all of our guidelines for staying within the allocations to the subcommittee. But more importantly it deals with some very fundamental and important transportation issues in this country.

Let me speak to a couple of things that are of particularly local concern. Sometimes we are told we are not supposed to talk about those. But there are things that we do that are important.

In this bill it is funding for the planning of the transit system in our metropolitan area. It is there because the State took action in the State legislative session to fund the local matching funds. We had indicated to local folks that we would pursue Federal funds when local matching funds were in place.

We were not going to pursue funds for hypotheticals. We waited until the actual funds were in place.

They are there. Now this bill would appropriate Federal matching funds as specified by law for this project. Good project, should be done, I understand it may be struck. I hope we can resolve that later on. I think that it is a prime example of how there are things that we have to deal with on an annual basis where it is not possible to deal with them several years in advance.

We also have funding for another small suburban community which is doing work in advance of the re-doing of a major freeway. What they are doing is re-doing the frontage road early. The impact of that is that they are doing it in conformance with local plans, they are doing it so it will save a whole series of small businesses in their community.

If they simply waited for the rehab of the full freeway, the Federal funds still would have been there, I think at a higher match level, but it probably would have meant that the small businesses that existed along that freeway would have had to go out of business or move. Because of our action in previous Congresses, and in this bill, they are able to make that change consistent with local plans and also to preserve some very important small businesses in this community.

So I thank the gentleman from Michigan [Mr. CARR] for his good work and I look forward to continue working with him.

Mr. WOLF, Mr. Chairman, I yield 3 minutes to the gentleman from Florida [Mr. BILIRAKIS].

Mr. BILIRAKIS. I thank the gentleman for yielding this time to me, this very valuable time.

Mr. Chairman, on August 10, 1993, a collision occurred in a navigation channel outside the entrance to Tampa Bay between two tug/barges and a 357-foot freighter. The accident resulted in a thunderous explosion and 380,000 gallons of oil spilled into the Gulf of Mexico.

However, this is not the first accident to occur at the mouth of Tampa Bay. Most of us will never forget the disaster that occurred in May 1980, when a freighter ran into the Sunshine Skyway Bridge, causing one of its spans to collapse and killing at least 40 people.

Mr. Chairman, I would like to engage the gentleman from Michigan [Mr. CARR], chairman of the subcommittee, in a brief colloquy with regard to a Coast Guard vessel traffic system designed to prevent such shipping accidents.

Mr. CARR of Michigan. Mr. Chairman, will the gentleman yield?

Mr. BILIRAKIS. I certainly will yield to the gentleman.

Mr. CARR of Michigan. I thank the gentleman for yielding.

Mr. Chairman, the gentleman [Mr. BILIRAKIS] is absolutely correct. I know from personal experience the situations about which he speaks. It is a very treacherous area of water, particularly with low visibility at times. I pledge, and I think I can speak for the rest of the members of the subcommittee, that we are interested in the VIS system. We will work with the gentleman in future years, in future appropriation bills, to make sure that this potentially dangerous body of water is improved and that vessels can transit the area with greater safety.

Mr. BILIRAKIS. I thank the gentleman so very very much. This type of an accident of course we know not only affects dollars but obviously does great damage to the environment. I know a spill of 380,000 gallons has really affected that area. Of course the cost of the cleanup will be enormous, as we know, several billion dollars at least.

We are talking about this vessel traffic service and the fact that it probably would go a long way toward a solution to trying to keep these types of accidents from taking place.

So I very much appreciate the gentleman's willingness to work with us and

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hopefully also with the chairman of the Committee on Public Works and Transportation so that we can try to do something to help the Coast Guard, basically, to help us in matters such as this.

Mr. CARR of Michigan. Mr. Chairman, I reserve the balance of my time.

Mr. WOLF. Mr. Chairman, I yield 2 minutes to the gentleman from Illinois [Mr. FAWELL].

Mr. FAWELL. I thank the gentleman for yielding this time to me.

Mr. Chairman, I rise to thank Congressman MINETA and Congressman SHUSTER for speaking out against the $284 million for earmarked and unauthorized highway demonstration projects which I assume will fall upon a point of order being raised.

As I do so, I realize it is a bit of a painful situation we have here, but the rules of the House of course require the projects be authorized by law before they are funded and none of the $284 million it earmarks is authorized.

Mr. Chairman, on July 20, 1993, the Porkbusters Coalition circulated a Dear Colleague letter announcing our intention to offer an amendment to strike these earmarks and asking Members for their support.

We were pleased that Congressmen MINETA and SHUSTER took up the fight and I think that legitimately as representatives obviously of the authorizing committee that is only right. I also deeply respect and appreciate the views that have been ably expressed by the gentleman from Michigan [Mr. CARR], chairman of the subcommittee, and also by the ranking Republican, the gentleman from Virginia [Mr. WOLF], both of whom are good friends of mine. It is ironic and unfortunate that both of these gentlemen have worked hard to open up, I think, hearings in the Committee on Appropriations process and they ought to be lauded for those efforts. However, restoring this money to the highway formula would increase highway funding for 40 States and eliminate questionable projects that we know are earmarked and not authorized.

These 40 States gain funds because the earmarks would direct the majority of the funds to just a few States. The effects of earmarking funds for unauthorized projects are not isolated to this bill. Whenever Congress earmarks funds in most appropriations bills for unauthorized projects, most States, unfortunately, lose. I hope that this has been really a constructive debate from which we have all learned some lessons.

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

Mr. Chairman, if I may, I would like to engage in a colloquy with the chairman of the subcommittee, the gentleman from Michigan [Mr. CARR].

I would like to bring to the attention of this body an issue that greatly concerns me. Currently the Department of Transportation and the Architectural and Transportation Barriers Compliance Board and the Department of Justice are conducting a proposed rulemaking process that would suspend the requirements for detectable warnings at curb ramps and hazardous vehicular areas until January 26, 1995, in order to conduct further research on potential safety concerns.

□ 1350

I think this is a laudable rulemaking; however, the July 9, 1993, notice of proposed rulemaking on this matter specifically excludes transit platform edges, thus making the assumption that untested detectable warning materials are safe for rail platform edges.

There does not appear to be a consensus within the disabled community that proposed detectable warnings are necessary. For example, the National Federation of the Blind [NFB], an organization of over 50,000 blind people in the United States, has taken the position that detectable warnings should not be used because the information they convey tends to be confusing. NFB points out that the platform edge itself is a natural barrier that can be detected by the use of a white cane or dog guide. Many advocates for the disabled believe that the detectable warning may lead to tripping or falling.

Alternate platform edging systems must be thoroughly assessed. Safety records should be compared between transit agencies using the truncated domes material and transit agencies using other approaches to platform edging. Costs and benefits and simple reason must not be ignored. Let us take the time required to ensure that safety will indeed be enhanced by whatever alternative is required after thorough research and analysis. As presently contemplated, this requirement appears to be an example of the old adage "If it isn't broken, don't fix it."

Mr. CARR of Michigan. Mr. Chairman, will the gentleman yield?

Mr. WOLF. I yield to the committee chairman.

Mr. CARR of Michigan. Mr. Speaker, I rise in complete agreement with the gentleman's concerns. This requirement would add substantial cost and expense associated with the installation of these devices, without a showing that it would be cost-beneficial, or that they even work. As the gentleman pointed out, some groups in the handicapped sector have said they are even counterproductive, not to mention the number of people who may twist an ankle by an unsure footing on an irregular surface.

I think we ought to urge the Department of Transportation and the Justice Department and the Access Board to incorporate a final rule that would include a study to make sure that whatever rule they promulgate is in effect cost-effective and does what it says it is going to do, not just for one segment, but for all segments that use transit systems.

We have to deal with all transit platform edges, including key stations, new stations, and altered stations. they should be included.

The effective date of any rule should be suspended indefinitely until we can complete the research that we just talked about.

So I want to heartily endorse what the gentleman has said and congratulate him on bringing this particular matter to the attention of the committee.

Mr. WOLF. Mr. Chairman, I thank the gentleman.

Mr. CARR of Michigan. Mr. Chairman, I yield such time as he may consume to a distinguished gentleman from Washington [Mr. SWIFT], a member of the Committee on Energy and Commerce, and the chairman of the Subcommittee on Transportation and Hazardous Materials that deals with Amtrak, and a good friend.

Mr. SWIFT. Mr. Chairman, I thank the gentleman for yielding this time to me.

I also want the gentleman to know that I appreciate his efforts and the efforts of the ranking member of the subcommittee to address the concerns of my subcommittee.

I have some continued concerns about Amtrak funding as to whether it is going to have adequate moneys to maintain the current system.

Several months ago this body voted for a fiscal year 1993 supplemental appropriation that provided additional operating and capital for Amtrak. This showed clearly that Amtrak could not survive on the amount provided last year. This added funding allowed Amtrak to address their current-year shortfall due to the continued recession and to avoid furloughing hundreds of Amtrak employees. Even with this money, however, Amtrak expects to be $10 million in the hole at the beginning of next year.

This year's appropriations bill, until recently, would have provided Amtrak with $20 million more than last year's level. But the bill before us today has stripped out that $20 million, leaving Amtrak with the same funding level as last year.

Mr. Chairman, can the gentleman give me his assurance that he would look sympathetically upon restoration of that $20 million to Amtrak in the context of a supplemental request for funding? Can the gentleman also assure me that he would look sympathetically upon the restoration of this funding during the conference deliberations with the other body?

Mr. CARR of Michigan. Mr. Chairman, if the gentleman will yield, I can most assuredly grant those assurances.

It was a sad and difficult time, and I want to thank the gentleman. A lot of people do not know how some accommodations get made around here.

The fact of the matter is, the gentleman is absolutely correct. In our first product, we wanted to put Amtrak on the footing where they would be able to efficiently spend all their moneys throughout the year and know how much they would have.

We did not want to keep them on a short string where they would have to come back to us for a supplemental. We really did not want to do that.

In that philosophy, we are very much in sync.

It became clear, however, that we did have a conflict with regard to fitting some pieces of this big transportation puzzle together. We had to make some accommodations to another committee, the Merchant Marine Committee.

The gentleman was so gracious in his understanding of the imperative that we had in front of us, and I want to thank him for extending us that courtesy.

In return, I really pledge to the gentleman that our initial product, which the gentleman agrees with and I had hoped we could deliver to the House, is really where we want to be this year in conference if we can get there and certainly next year in our bill hopefully we can resolve some of these conflicts a little earlier so that we do not get into that situation.

Most assuredly, we are not going to let anything happen to Amtrak. If they need a supplemental, we are going to be there.

Furthermore, there is the device of reprogramming if we need to do that, and I want to thank the gentleman for his cooperation.

Mr. SWIFT. Mr. Chairman, I thank the gentleman very, very much for his assurances in that regard and his cooperation throughout the bill.

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

Mr. DELAY. Mr. Chairman, I rise for the purpose of entering into a colloquy with the chairman of the subcommittee.

Mr. Chairman, I am interested in a section of the bill that provides $6.8 for transportation planning, research, and development by the office of the Secretary; this represents a $3.8 million increase over the President's budget and over the current fiscal year.

Would the committee chairman give his opinion how these funds are to be spent?

Mr. CARR of Michigan. Mr. Chairman, if the gentleman will yield, a portion of these funds are appropriately directed to projects that would enhance the safe and efficient operation of commercial trucks. Recent examples have focused on the commercial drivers license, techniques to improve brake maintenance, and the causes of driver fatigue. New projects under development will monitor drivers' fitness for duty, electronic card applications for the commercial driver's license, devices to automate roadside inspections, compliance with truck weight limits, and the promotion of seat belt use by truckdrivers, and so forth.

We believe all those things are important, and in past legislation they have been included in their own sections, and it is very much the intent of the committee that while we reorganize some of the funding, that the function not be dropped and we will continue to communicate this with the Secretary of Transportation if the need arises.

Mr. DELAY. Mr. Chairman, the committee report language makes special mention of these funds being directed to industry-affiliated institutes and research organizations such as the Trucking Research Institute. Is that the chairman's understanding?

Mr. CARR of Michigan. Mr. Chairman, if the gentleman will yield further, yes, it is.

I might say to the gentleman again in the spirit of cooperation and reinventing Government, the thing that is going on now, a request by the Secretary of Transportation not to be too tied down if we gave him some more discretion, to trust him, that he would do the right thing. I think he will. We have communicated that. It is very much in our intention that the funding that had been going to the Trucking Research Institute in fact be favored with his discretion. We will monitor that situation very carefully.

Mr. DELAY. Mr. Chairman, I thank the gentleman for this explanation.

□ 1400

Mr. CARR of Michigan. Mr. Chairman, I yield 4½ minutes to the gentleman from Pennsylvania [Mr. FOGLIETTA], a distinguished member of the committee.

Mr. FOGLIETTA. Mr. Chairman, I rise in strong support of the fiscal year 1994 Transportation appropriations bill. As the newest member of the Transportation Subcommittee, I applaud the leadership and fairness of my chairman, BOB CARR.

The bill we are considering today is a good bill. It is a fair bill. And it represents a change in the way our subcommittee has done business. Our subcommittee asked questions that have never been asked before. The bill sets standards to measure the bang for the buck we get out of our transportation investments. It looks at costs and benefits.

It says that if you get money for a project and can't spend it in a reasonable amount of time, it should be given back to be spent on other worthwhile projects and to put people to work.

These are changes for the better. They are changes that have helped us to make better decisions about how we spend taxpayers' dollars.

Further, as chairman of the Congressional Urban Caucus, I support this bill because it reaffirms a commitment to U.S. cities and the people who live in them by increasing funding for public transit. It provides $2.4 billion to operate and upgrade transit systems nationwide—a 30-percent increase.

I am especially proud of increased funding provided in the bill for rail modernization, the program which helps repair and restore older city transit systems like my own in Philadelphia. Investments in transit translate into mobility for urban residents to jobs and opportunities. Transit takes commuters stuck in traffic out of the traffic jams and gets them to work. And public transit is good for the environment.

This is a good bill and I urge my colleagues to support it.

Mr. Chairman, I would like to enter into a colloquy with the gentleman from Michigan [Mr. CARR].

Mr. Chairman, I would like, first of all, to commend you for your leadership on this bill, especially under the difficult circumstances and budget constraints. I also want to recognize the significant increases we are able to provide for public transit in the bill. However, I was disappointed we were forced to reduce the amount of funding provided for Federal operating assistance in the formula grant program.

This reduction comes at a most unfortunate time. New Federal mandates imposed since 1990 have increased operating expenses by hundreds of millions of dollars each year, and these costs are stretching transit systems' resources to their breaking point.

I am concerned that if operating assistance is not continued at adequate levels, service cutbacks and fare increases could result. It is my hope that as this bill moves forward into conference, resources will be pursued to raise the amount of funding available for operating assistance to provide at least last year's level, and I would ask the gentleman from Michigan to comment.

Mr. CARR of Michigan. Mr. Chairman, will the gentleman yield?

Mr. FOGLIETTA. I yield to the gentleman from Michigan.

Mr. CARR of Michigan. Mr. Chairman, I want to congratulate the gentleman from Pennsylvania [Mr. FOGLIETTA] for diligence as a new member of our committee. His fingerprints are very much upon the product of this bill, particularly with respect to rail modernization. Those who are interested in rail modernization owe a debt of gratitude to the gentleman from Philadelphia for his staunch advocacy for his point of view.

I also want to share with the gentleman his concern that the factors motivating the piecing together of this

bill were very difficult, as he knows. Transit operating pays out at a very rapid rate and thus constrains us in terms of our budget authority and outlay problems. We did not want to reduce transit operating below the administration request. In fact, I would have loved to have improved it, as the gentleman knows, but we ran into several money collisions in putting this bill together. So, to reconcile these conflicts we, unfortunately, had to clip the operating subsidy in a way that neither one of us wanted to. We had to make the tough choices.

Mr. Chairman, we hope we do not have to do it next year.

Mr. WOLF. Mr. Chairman, I yield 2½ minutes to the gentleman from Georgia [Mr. KINGSTON] who has been working very hard on this particular project.

Mr. KINGSTON. Mr. Chairman, I, too, would like to enter into a colloquy with the gentleman from Michigan [Mr. CARR] on a bridge in our area, the Sidney Lanier Bridge, and, first of all, I want to say, thank you, and thank you, Mr. WOLF, for all the work that you have put into this bill and all the support that you have given me and my staff in trying to get the Sidney Lanier Bridge funded.

Mr. Chairman, as my colleagues know, it is under the discretionary portion of the budget now. There is some discussion going on with FHA as to whether the bridge would actually qualify for discretionary money, and there are also some questions that we are getting back from the Georgia DOT on it. What we are hoping to do is get some of the funding put in on the Senate side, maybe under Truman Hobbs or some other vehicle, and my question would be: If we are able to do that, could we get your support, or reconsideration, or some sort of consideration, in the conference committee?

Mr. CARR of Michigan. Mr. Chairman, will the gentleman yield?

Mr. KINGSTON. I yield to the gentleman from Michigan.

Mr. CARR of Michigan. Mr. Chairman, I thank the gentleman from Georgia [Mr. KINGSTON] for his question and want to say that the gentleman has been most diligent in pursuing this matter. It really is a matter of two bridges, the Sidney Lanier Bridge in the gentleman's district and the Chelsea Street Bridge in Boston, MA, which I believe we will be talking about a little later on, but the same applies to both bridges.

Heretofore, Mr. Chairman, those bridges have been designated under a program called obstructions to navigation in the Coast Guard account. Yet, fundamentally, those are bridges to carry vehicular traffic, and in the truest of intermodal senses the obstruction to navigation ought to be given points when assessing the need and priority for the highway bridge.

I have just talked to the Secretary of Transportation about this issue. He is familiar with it. He supports, I believe, the committee's desire to move the restoration of these bridges, the repair of these bridges, to the highway side of the ledger, relieving the Coast Guard account, and he has pledged to work with us. He has pledged to work with us, and he has indicated that he would get us together with the new FHWA Administrator, Mr. Rodney Slater, to remedy the situation, and I pledge on behalf of our committee to work very diligently to see that these two very needed bridges are taken care of and that we do it with highway funds.

Mr. KINGSTON. Mr. Chairman, I thank the gentleman very much.

Again, Mr. Chairman, I appreciate the leadership of the gentleman from Michigan [Mr. CARR] and the gentleman from Virginia [Mr. WOLF], and I just want to say thank you.

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

Mr. Chairman, let me just say that I pledge to work with the gentleman from Georgia [Mr. KINGSTON] and also the gentleman from Massachusetts [Mr. KENNEDY], and with the chairman, to resolve this problem. Both have been very diligent and dogged, and the people in their congressional districts should know they both have worked on this.

So, Mr. Chairman, I pledge to do everything I possibly can.

Mr. KENNEDY. Mr. Chairman, will the gentleman yield?

Mr. WOLF. Mr. Chairman, I yield 30 seconds to the gentleman from Massachusetts.

Mr. KENNEDY. Mr. Chairman, I just want to thank the gentleman from Michigan [Mr. CARR], as well as the gentleman from Virginia [Mr. WOLF] for their agreement to try and make certain that this navigational hazard in Chelsea, MA, gets taken care of. This is a critical bridge without which people will be denied heating oil this winter, and it is something that needs urgent attention of the committee.

So, Mr. Chairman, I very much appreciate the willingness of both the gentleman from Virginia [Mr. WOLF] and the gentleman from Michigan [Mr. CARR] to make certain that this bridge gets the million dollars that it so desperately needs.

Mr. WOLF. Mr. Chairman, I yield 2 minutes to the gentleman from New Mexico [Mr. SKEEN].

Mr. SKEEN. Mr. Chairman, I thank the gentleman from Virginia [Mr. WOLF] for yielding this time to me.

Mr. Chairman, I want to say that this year the transportation appropriations bill has certainly invoked an enormous amount of controversy, and I respect the differences of the parties involved. But, as I see it, the Committee on Public Works and Transportation reports a highway authorization bill every 5 to 6 years in which Members of Congress have just one opportunity to get specific projects authorized, and what is a Member to do in the interim if an emergency situation arises?

Mr. Chairman, in my district we have an emergency situation in which the Las Cruces public school system decided to build a new high school directly across a major highway without underpasses, overpasses or a frontage road system, and if something is not done immediately, those students and parents entering and exiting the school will be in danger each time they cross this major highway. The school system is not solely to blame due to the city's enormous growth in this particular area, and in addition, Mr. Chairman, New Mexico politics, being what they are, and directing State-allotted funds to other parts of the State, southern New Mexico often gets the raw end of the deal in allocating these funds.

□ 1410

I brought this particular predicament to the attention of my colleagues on the Appropriations Subcommittee on Transportation and they agreed that we have a situation which deserves immediate attention.

The Committee on Appropriations made its determination about which projects are the most deserving and urgently needed on the basis of the very extensive new set of highway criteria developed by Chairman CARR and the gentleman from Virginia [Mr. WOLF]. I have never seen a more responsible and detailed submission requirement from any committee, and I commend the Appropriations Subcommittee on Transportation for this approach.

To now strip all of these projects, which I am assured will happen when a point of order is raised, as if they have received an unfair advantage, is creating a tremendous hardship. I would suggest that the highway authorization bill works to construct their bill in nearly the same fashion. If it were actually researched, we would find that most of the Member-driven projects are actually coming from the authorizing committees, rather than the Committee on Appropriations.

The school opened this fall, and already we have had an incident which nearly caused a life threatening situation.

I will continue to bring this matter before all the appropriate committees in the House and urge them to save lives in my district. It is my hope that my colleagues will agree, and will allow some of these emergency projects to receive the necessary Federal funding. I would hope that whatever compromise has been struck between Chairman MINETA and Chairman CARR will address the needs of Members who have similar situations in their districts.

Mr. WOLF. Mr. Chairman, I yield 2½ minutes to the gentleman from Kansas [Mr. ROBERTS].

Mr. ROBERTS. Mr. Chairman, I rise today in opposition to provisions in this bill that defund the Essential Air Service Program. Unfortunately, the procedures governing debate make it difficult—if not impossible—for me or any other Member from offering an amendment that would restore funding to this small, but critical, program.

The EAS Program is one of the rare Federal programs that has not only provided a valuable service to the average rural citizen, but also has been provided at a very modest—and continually decreasing—cost to the Federal Government. In fact, overall costs of the program have dramatically fallen over the last 15 years. The program was created in 1978, along with the deregulation of the airline industry, to assist small communities in maintaining minimal commercial air service. The program has kept air service in rural areas—where it would have been lost many years ago—by providing a relatively small Federal payment to air carriers.

In 1978, over $100 million was appropriated for EAS, today full operation of the current program only costs $38 million. However, while the amount of Federal tax dollars spent on essential air service has gone down, the need and use of the program in rural America has not. Unfortunately, this bill unilaterally defunds the program without taking these facts into consideration.

In my home district, where six communities receive EAS funds, the number of passengers using EAS flights increased by 9 percent in 1992—even with the elimination of two flights that resulted in a 16-percent decrease at one of our airports. Further, EAS passenger totals in the State of Kansas have increased to 47,000 passengers. At the same time, the cost per passenger for the EAS subsidy in Kansas actually dropped 33 percent—from an estimated $60.21 in 1991 to $40.88 in 1992. Simply put—in Kansas, EAS costs are down, ridership is up and competition is appearing—competition that will allow for the natural attrition of the program—but this emerging competition will also be stymied if the program is unilaterally defunded.

Let us recall that, in 1990, the 101st Congress took a hard look at the Essential Air Service Program, and made several adjustments—including the elimination of communities serviced by EAS and the size of per-passenger payments. These changes were done to ensure the continuation of the program and we authorized the program for an additional 10 years.

The fat around essential air service has been trimmed. What remains today are communities that heavily rely on EAS. Without commercial air service for these struggling communities, prospective businesses are not likely to settle in rural areas—thus limiting the economic viability and future of these communities.

I realize during this age of reinventing Government, praising the success of a program is not always as popular as eliminating one. As we run down the road to reform, we must not eliminate the life-support systems that enable rural America to exist.

Although an amendment is not expected to restore funding, it is my hope that the Senate will act to make funding available and the issue resolved during the conference on this bill. I urge my colleagues' future support for this program.

Mr. Chairman, for all the critics of this program, and there are many, and it is an easy target, I urge them to simply get on a plane with me as I travel to Wichita, to Amarillo, to Lincoln, to Kansas City, and to Denver, and then drive with me 5 hours to the small communities which would be denied this air service. We then could have ample time to visit each other, and you could explain to me why the $38 million will go to major airports and not continue to rural and small town America.

Mr. KYL. Mr. Chairman, as the fiscal year 1994 Transportation appropriations bill is read and opened to amendment later today, points of order will be raised against 57 unauthorized highway demonstration projects. I rise in strong support of that effort, which grew out of an amendment that Congressman FAWELL and I and other members of the Porkbusters Coalition had intended to offer when the Transportation bill was originally scheduled for action back in August.

A separate amendment will be offered to implement the second part of the Porkbusters amendment—to put the $284 million that those highway projects would cost back into the Federal-aid highway program to be distributed by formula instead.

Mr. Chairman, I want to make several points at the outset: First, these funds are derived from highway-use taxes and are intended solely for use in transportation improvement projects. The American people deserve to know that the funds are expended promptly, and properly, for the purposes for which they were collected.

Second, simply striking the $284 million from the bill together would not reduce the Federal budget deficit. These are highway trust fund moneys, and if they are not expended, they simply remain in the highway trust fund. And, that's not the kind of savings account the American people want or need.

That is because trust fund surpluses are invested in Government securities. Only IOU's are left in the trust fund, and the resources are actually used to finance other Government operations unrelated to transportation. Running a trust fund surplus may make Congress look fiscally responsible, but it is in reality a way for Congress to covertly increase taxes and spending. If the funding isn't needed, we should just cut transportation-related taxes instead and give that money back to the American people.

Mr. Chairman, this effort begins the process of reversing the trend toward ever-increasing numbers of highway demonstration projects. A record number of such projects were included in the 1991 highway bill.

Keep in mind that demonstration projects are really just a way for Members of Congress to get publicity and buy support from narrow segments of their constituencies. It is pork-barreling pure and simple. And, it not only means taxpayers have to finance some questionable projects, but that, in many cases, their States are being deprived of additional funding that could be used for needed transportation improvements.

Arizona, for example, got a few projects in the 1991 bill amounting to $18.3 million, but because of the pork-barreling, Arizona lost—lost—about $300 million more over the life of the more than 500 special projects earmarked in that legislation.

The special project earmarking in the fiscal year 1994 Transportation appropriations bill before us today represents more of the same, only this time Arizona gets no special projects at all. Were the special project funding simply allocated by formula, Arizona would get almost $4 million. In fact, 40 States would do better under our plan than under the Appropriations Committee's bill.

That is because just a few States—coincidentally, the most prominent being Michigan, the home State of the subcommittee chairman—take the bulk of the funding under the appropriations bill. Michigan alone takes nearly a third of the total.

The Public Works Committee/Porkbusters alternative would require that projects compete against other worthwhile projects for funding; States would have to get priorities. Our plan would help ensure that the best projects, and the most needed projects—not just the best-connected projects—are funded first.

This effort promotes fiscal responsibility over pork-barreling. It ensures that funds are distributed fairly, rather than on the basis of which States and districts are represented among committee and subcommittee chairmen and ranking members.

Mr. Chairman, I urge my colleagues to support this effort and put the interests of the taxpayers ahead of the special interests.

Mr. PETRI. Mr. Chairman, I support the amendment offered by the chairman of the Public Works and Transportation Committee which will increase funding for our regular highway program by the amount of funding now contained in the bill for unauthorized highway projects. These projects will be stricken on a point of order.

Since the unauthorized projects are funded through the highway trust fund, it is logical and appropriate that these funds be restored to our highway program and distributed to all the States. Indeed, this has been the expectation of many Members since the debate on these particular projects began a few months ago.

Allowing these trust funds to be spent on our basic highway program and distributed through established formulas to all the States is the right thing to do, and I urge my colleagues to support this amendment.

Mr. WILLIAMS. Mr. Chairman, I rise in strong concern about this bill's zero funding of the Essential Air Service Program.

Essential Air Service was established to counterbalance the expected abandonment of rural America by the commercial airlines upon deregulation. Essential Air Service provides appropriate Federal assistance making sure

that our smaller, remote towns and cities have access to commercial airline services.

The Essential Air Service cities in central and eastern Montana have been determined by the Department of Transportation to be among the most isolated in the lower 48 States, in terms of the travel times to the closest regional airport. In some of these communities airline service is the only form of public transportation assistance available.

Mr. Chairman, every one of the seven Montana communities served by Essential Air Service is deeply involved in economic development. I would say to my colleagues who know about the tough, creative work that goes into economic development and diversification in rural towns, this program is a fundamental building block of those efforts. In our modern society, economic diversification is simply impossible without access to the regional and national business, academic, or governmental community. For these seven Montana cities few, if any, Federal programs are more important to economic development efforts.

As just one example, folks in Glasgow, MT, worked for years to attract the Boeing Corp. to house its jet aircraft testing program at the former air force base there. Certainty over future access to commercial air transportation was critical in sealing the deal bringing Boeing to Glasgow. And so this relatively small program was literally a linchpin to Glasgow's success story in economic development.

I understand the committee's concern that we should continue to work on how we target the funds we spend in Essential Air Service to make sure we're getting help to those towns that have a real need. Congress should be concerned that this assistance is targeted to those areas where it's absolutely essential, and we should avoid subsidies in those places where access to a regional airport is really a matter of convenience.

But I strongly encourage my colleagues to take out a map and find Lewiston, or Wolf Point, or Sidney: Essential Air Service is not a convenience, it's absolutely critical to these Montana towns and so I am greatly concerned about the action we take here today.

Mr. PAYNE of Virginia. Mr. Chairman, I rise to express my concerns about the provisions in this bill relating to the Essential Air Service Program. The city of Danville, VA, is one of those small municipalities that the EAS Program was designed to protect. With a population of only 53,000, continued commercial air service allows Danville to remain a gateway for commerce and business for the entire south central part of the State.

In the years before 1978, when the airline industry was deregulated, commuter air passenger levels at the Danville airport averaged almost 13,000 arrivals and departures annually. In the years after the industry was deregulated, this number plummeted to an annual average of less than 2,400, with a low point of 936 in 1981.

In a deregulated environment, the ability of small airports like Danville to attract passengers is at the mercy of airline scheduling. Years when the airlines serving the area increase the number of flights or improve the routes, passenger levels soar. Other years, when few flights are provided or when the routes are so convoluted that you can actually drive the distance in less time than it takes to fly, not surprisingly, the number of passengers drops.

Without the Essential Air Services Program, the airlines have made it quite clear that they would discontinue services to places like Danville entirely. For the tens of thousands of people in Danville and the surrounding areas, this means a 1½-hour drive to the nearest airport with passenger service, in North Carolina. It means less business travel into the area, and as a consequence, fewer opportunities for economic growth.

It is my understanding that funding for the Essential Air Service Program will be restored when this bill is taken up by the other body. I strongly support this effort. If the program needs review, I believe it should be done by the authorizing committee, where it can be evaluated in the context of aviation policy in our country.

I believe the investment we are putting into the Essential Air Services Program is a wise use of our scarce resources, making it possible for small, rural communities to expand their economy and increase jobs. I strongly support continued funding for the program.

Mrs. FOWLER. Mr. Chairman, I rise in support of H.R. 2750, the fiscal year 1994 Transportation appropriations bill. Thanks to the leadership of Chairman CARR and ranking member Mr. WOLF, the committee has reported a bill which is fiscally prudent but also serves to meet our Nation's transportation needs.

Due to some of those needs, however, we find ourselves in a bit of a procedural quagmire. As we all know, Congress only authorizes a new Intermodal Surface Transportation Efficiency Act [ISTEA] every 5 years. Our problem is how to meet transportation needs that did not exist at the time the authorizing bill was passed. The yearly appropriations bill serves as an excellent safety net for such situations.

Jacksonville, FL's, Fuller Warren Bridge was built with local funds in 1954 and was designed to handle a maximum capacity of 73,800 vehicles per day. Since its construction, however, the bridge has been incorporated into the Interstate System. It is now used by almost 100,000 motorists a day. This heavy use has led to some problems.

In January 1992, the bridge was closed for 6 days when engineers found seam cracks in the counterweights. Last July, the bridge was closed again when a 3-foot chunk of the roadway fell into the St. Johns River. Remarkably, no one traveling on or beneath the bridge was hurt.

While this hole has been filled, more damage is expected. Engineers recently inspecting the bridge reported,

> The number of cracks found in the superstructure components demonstrates that these have reached their fatigue limits.

When the next piece of the bridge falls, someone could be hurt or killed.

The Fuller Warren Bridge must be replaced. And unfortunately, my constituents and all those who travel I–95 do not have time to wait another 4 years until the Public Works Committee authorizes its next highway bill. By that time, a tragedy could have occurred or the bridge could be closed, rerouting travelers 60 miles out of the way.

I am not suggesting that the Public Works Committee has failed. On the contrary, their 1991 legislation is a transportation policy landmark. Yet their unwillingness to yield to Jacksonville's special circumstances obliges me to stand with Chairman CARR, ranking member Mr. WOLF, and the entire subcommittee to ensure a safe new bridge for the traveling public.

Ms. ESHOO. Mr. Chairman, much has been said today about the bay area rapid transit project and the Tasman light rail project. Caught up in a House committee dispute these projects have been maligned as a ill-conceived, poorly planned projects that are bad policy.

Mr. Chairman, while I understand that some people fear that their personal power here in Congress may be at stake that is no reason to ignore the facts.

As a person from local government, I worked on the BART extension. The Tasman light rail project is in my district. These transportation projects, in a part of our country that is a major economic engine, are projects where local communities have determined them so important that they have levied local sales taxes on themselves to help pay for them.

At a time when county and local governments are competing with each other for every dollar of assistance the counties, cities, and towns of the bay area worked with unprecedented cooperation in establishing transportation priorities. They then worked with State and Federal governments succeeded in convincing officials that these projects were good transportation policy.

Mr. Chairman, many of the people who for shortsighted political reasons are now criticizing these projects voted to approve them only a few months ago. It is unfortunate that this is the case and I hope that my colleagues will join in voting to reject this strategy and move forward with this legislation.

Mr. DUNCAN. Mr. Chairman, I would like tc express my continuing concerns about a project being funded by this bill.

This bill contains $163,050,000 for the Los Angeles metro rail project.

I want to make the record clear that I continue to question metro rail construction and administrative expenditures that have been made by the Los Angeles County Transportation Commission [LACTC] now called the Los Angeles County Metropolitan Transportation Authority [MTA].

The first 4.4 mile section of the federally funded red line portion of the Los Angeles metro rail system, according to a January 28, 1993 USA Today article, was completed with $200 million in cost overruns.

Recently, the MTA awarded a contract to build high-speed railcars to a foreign-owned company in Germany, when a highly qualified American-owned company had a bid $18 million lower. Although these railcars will not be built with Federal funds these cars will operate on a system where billions of Federal tax dollars have been and will continued to be utilized. I continue to object to this carefree spending attitude.

I am also very concerned about reports in the September 3, 1993, edition of the Los Angeles Times that reveals the concrete tunnels built for the federally funded red line portion of

the metro line were not built to specifications. MTA has terminated the construction manager in charge of this project and at my request Secretary Peña has undertaken an independent review of the tunnel construction. Concerns have been raised that these tunnels will not hold up under stress of an earthquake. The taxpayer paid for 12-inch-thick concrete tunnels and we should not settle for less. We must ensure that these tunnels are safe for the traveling public.

Another example of the carefree spending approach of the MTA was brought to light when the General Accounting Office [GAO] reported that MTA is spending $40,000 per year to supply free coffee to their employees at taxpayers expense. After I raised this issue publicly in the Los Angeles press the MTA ended this abuse of tax dollars. It should not require action by a Member of Congress to eliminate what is an obvious waste of tax dollars. This should have never been approved in the first place.

One California State legislator was so upset by wasteful expenditures such as this that he introduced a bill that would cut off funding to transportation agencies in the State, such as the Los Angeles Metropolitan Transportation Commission, which spends tax dollars on food, beverages, lodging, and entertainment, membership in clubs, and gifts for their employees.

Questions were raised in a March 24, 1993, Los Angeles Times article as to whether it was proper for the LACTC, a public agency, to promote a complex foreign tax shelter by leasing back LACTC railcars to a Japanese investment company in the Cayman Islands. The only beneficiaries of this tax shelter were the Japanese investors and the $370 per hour lawyers hired to put this deal together. It has been reported that taxpayers will lose up to $3.9 million on this deal.

Los Angeles County Councilman Joel Wach criticized this transaction in the March 24, 1993, Los Angeles Times article as "the kind of sleight of hand that has shaken the public's confidence in the Transportation Commission and raised serious questions about how tax dollars are spent."

On June 10, 1993, the MTA voted to spend $112 million for a new MTA headquarters building when Los Angeles has a high office space vacancy rate.

The Federal Government has spent over $1.3 billion on the red line portion of the Los Angeles Metro System and reports say the ultimate cost of the entire transportation network will cost Federal, State, and local taxpayers $183 billion over the next 30 years.

During his Presidency, President Reagan called the proposed Los Angeles subway system a project of "dubious merit."

I applaud the whistleblowers who have come forward and continue to come forward with complaints about this project.

My goal continues to remain one of ensuring that tax dollars are spent wisely and honestly on what has become one of the largest public works projects in U.S. history.

Ms. SNOWE. Mr. Chairman, I rise today in support of two critical programs which were not funded in the 1994 fiscal year Transportation appropriations bill: the Essential Air Service Program and funding for the establishment of long range radar in northern Maine.

The Essential Air Service Program was established as a result of airline deregulation in 1978. Through this program, subsidies are provided to airlines serving many smaller communities which otherwise might not have continued to receive air service as airlines adapted to deregulation.

Mr. Speaker, I represent a very rural district. It is imperative that this program continue to be fully funded. Within the State of Maine, six communities have EAS determinations. Of those six communities, two began receiving subsidized air service in July 1992 and two other communities are at risk of needing subsidies. In fact, one of those at-risk communities may lose air service in the near future. These communities rely heavily on their small community airports, and any decline in service could be devastating.

In addition, I strongly oppose the committee's decision not to provide the Federal Aviation Administration with funds to establish long range radar in northern Maine.

Since 1981, the Federal Aviation Administration has identified a need for improved radar coverage in northern Maine. In fact, just last year, the House Appropriations Subcommittee on Transportation issued a committee report which recognized that northern Maine lacks a long range radar installation which can provide adequate coverage for civilian and other types of aircraft. This project gains even more importance with the scheduled closure of Loring AFB in 1994, which currently provides radar coverage for the region.

A sound infra-structure is critical to a region's economic development and recovery. The decline of radar coverage in northern Maine, and the omission of funds for EAS, will clearly hamper future economic development in the region. Mr. Speaker, Maine's fragile state economy cannot afford further deterioration of its air transportation system.

Mr. EWING. Mr. Speaker, I rise in partial support of the 1994 Transportation appropriations bill. I applaud this bill for demonstrating that Congress can act in a fiscally responsible manner by appropriating almost 5 percent less than the President requested. However, this bill abandons many small communities and towns across the Nation by eliminating funding for the essential Air Service Program. I have always supported this program and feel that it is essential to the transportation needs of people living in areas not served by a large airport. It is my hope that the Senate will provide funding for this valuable program so that service to these communities can be maintained.

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

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

The CHAIRMAN. All time for general debate has expired.

Pursuant to the rule, the amendment printed in section 2 of House Resolution 252 is adopted.

The bill, as amended, is considered as an original bill for the purpose of further amendment.

The amendment printed in section 3 of House Resolution 252 may amend a portion of the bill not yet read for amendment and shall not be subject to a demand for division of the question.

The Clerk will read.

The Clerk read as follows:

H.R. 2750

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of Transportation and related agencies for the fiscal year ending September 30, 1994, and for other purposes, namely:

TITLE I—DEPARTMENT OF TRANSPORTATION

OFFICE OF THE SECRETARY

IMMEDIATE OFFICE OF THE SECRETARY

For necessary expenses of the Immediate Office of the Secretary, $1,173,000.

POINT OF ORDER

Mr. LINDER. Mr. Chairman, I rise to a point of order.

The CHAIRMAN. The gentleman will state his point of order.

Mr. LINDER. Mr. Chairman, I make a point of order against the language appearing in the bill at page 2, line 5 through line 7. This paragraph provides appropriations for programs not authorized by law, and is in violation of House rule XXI, clause 2.

Mr. CARR of Michigan. Mr. Chairman, I might note that this is one of the legislative committees that appears to be very interested in what we have included in certain projects in the bill that they claim are unauthorized. Let the RECORD show that the activities of the Office of the Secretary of Transportation, the heartbeat of the Department, has not been authorized for 10 years. Yet I do not recall a single time during the last decade, including this year, when an authorizing committee has objected to the inclusion of these unauthorized funds in the bill, these funds being for the activities of the Secretary's Office.

Mr. Chairman, I think this is just another example of the selective enforcement of the rules employed by some of our colleagues on authorizing committees. If an item is unauthorized, but they like it, they sort of overlook it. If it is an item they do not like, for whatever reason, they raise points of order.

Mr. Chairman, I concede the point of order.

The CHAIRMAN. The point of order is conceded and sustained.

The Clerk will read.

The Clerk read as follows:

IMMEDIATE OFFICE OF THE DEPUTY SECRETARY

For necessary expenses of the Immediate Office of the Deputy Secretary, $481,000.

POINT OF ORDER

Mr. LINDER. Mr. Chairman, I rise to a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. LINDER. Mr. Chairman, I rise to make a point of order against the language appearing in the bill on page 2, lines 8 through 10. The paragraph provides appropriations for programs not

authorized by law, and is in violation of House rule XXI, clause 2.

Mr. CARR of Michigan. Mr. Chairman, I concede the point of order.

The CHAIRMAN. The point of order is conceded and sustained.

Mr. LINDER. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I would like to engage the chairman in a question and answer colloquy. I have points of order striking the language on the rest of page 2, all of page 3, and all of page 4, for the same reason. If the chairman, the gentleman from Michigan [Mr. CARR], is willing to concede those points of order, it might facilitate moving a little quicker.

Mr. CARR of Michigan. Mr. Chairman, will the gentleman yield?

Mr. LINDER. I yield to the gentleman from Michigan.

Mr. CARR of Michigan. Mr. Chairman, if I could ask the gentleman a question about his point of order, that means for the Office of the Assistant Secretary for Budget and Programs, for the Office of the Assistant Secretary for Governmental Affairs, for the Office of the Assistant Secretary for Administration, the Office of Public Affairs, the Executive Secretariat, the Contract Appeals Board, the Office of Civil Rights, the Office of Small and Disadvantaged Business Utilization, Transportation Planning, Research, and Development, and the Office of Commercial Space Transportation Operations and Research, those are all included in the point of order?

Mr. LINDER. Mr. Chairman, that is correct.

Mr. CARR of Michigan. And none other?

Mr. LINDER. Mr. Chairman, at this point, none other. Those are a series of points of order that I intend to raise. I will have some later in the bill.

Mr. CARR of Michigan. Mr. Chairman, does the request of the gentleman include the Office of General Counsel, the Assistant Secretary for Transportation Policy, and the Office of the Assistant Secretary for Aviation and International Affairs? Is that in this request?

Mr. LINDER. Mr. Chairman, the answer is no. For the Office of Assistant Secretary for Budget Programs, the Office of Assistant Secretary for Governmental Affairs, the Office of Assistant Secretary for Administration, the Office of Public Affairs, the Executive Secretariat, the Contract Appeals Board, the Office of Civil Rights, the Office of Small and Disadvantaged Business Utilization, Transportation Planning, Research, and Development, and the Office of Commercial Space Transportation Operations and Research.

□ 1420

Mr. CARR of Michigan. Mr. Chairman, if the gentleman will continue to yield, I am a little confused then. Is the gentleman also raising a point of order against the General Counsel's Office?

Mr. LINDER. Yes.

Mr. CARR of Michigan. And then the Assistant Secretary for Transportation Policy and the Office of Assistant Secretary for Aviation?

Mr. LINDER. Mr. Chairman, that is correct.

Let me just say that we can do this through individual points of order on each of these two or three lines at a time, or we can agree that the gentleman makes his argument against all the points at once, if he likes, and try and facilitate.

Mr. CARR of Michigan. Mr. Chairman, if the gentleman will continue to yield, I would only say, and I intend to not object to the unanimous-consent request, I would, again, reiterate what I said before. These have been unauthorized for 10 years. We are waiting around to see an authorization. We are trying to help out the process of government.

I would only say that while we are reinventing government, somebody ought to reinvent the Congress. Why do we get ourselves in this situation.

Certainly, it is not the making of our committee. We think it is the responsible thing to do to move forward to try to give the Department some certainty of what they are about to receive in these items.

I, essentially, concede the point of order and on this grouping would not object.

Mr. LINDER. Mr. Chairman, the gentleman's point is well-taken, and he has an ally with me if we are talking about reinventing Congress.

Let me, for clarification, say to the chairman that the points of order include all the language from page 2, line 5 through page 4, line 24. The points of order are all in violation of House rule XXI, clause 2. They provide appropriations for programs not authorized by law.

The CHAIRMAN. The Chair would advise the gentleman from Georgia that the Chair cannot entertain that unanimous-consent request until that portion of the bill has been considered as read. The Chair would entertain a request from the gentleman from Michigan, a unanimous-consent request, to the effect that that portion of the bill be considered as read.

Mr. CARR of Michigan. Mr. Chairman, I ask unanimous consent that the bill until page 4, line 24, be considered as read and printed in the RECORD.

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

There was no objection.

The text of the bill from page 2, line 11 through page 4, line 24 is as follows:

OFFICE OF THE GENERAL COUNSEL

For necessary expenses of the Office of the General Counsel, $7,867,000.

OFFICE OF THE ASSISTANT SECRETARY FOR TRANSPORTATION POLICY

For necessary expenses of the Office of the Assistant Secretary for Transportation Policy, $2,410,000.

OFFICE OF THE ASSISTANT SECRETARY FOR AVIATION AND INTERNATIONAL AFFAIRS

For necessary expenses of the Office of the Assistant Secretary for Aviation and International Affairs, $8,082,000.

OFFICE OF THE ASSISTANT SECRETARY FOR BUDGET AND PROGRAMS

For necessary expenses of the Office of the Assistant Secretary for Budget and Programs, $2,826,000, including not to exceed $40,000 for allocation within the Department for official reception and representation expenses as the Secretary may determine.

OFFICE OF THE ASSISTANT SECRETARY FOR GOVERNMENTAL AFFAIRS

For necessary expenses of the Office of the Assistant Secretary for Governmental Affairs, $2,225,000.

OFFICE OF THE ASSISTANT SECRETARY FOR ADMINISTRATION

For necessary expenses of the Office of the Assistant Secretary for Administration, $33,623,000, of which $6,417,000 shall remain available until expended.

OFFICE OF PUBLIC AFFAIRS

For necessary expenses of the Office of Public Affairs, $1,353,440.

EXECUTIVE SECRETARIAT

For necessary expenses of the Executive Secretariat, $850,000.

CONTRACT APPEALS BOARD

For necessary expenses of the Contract Appeals Board, $602,000.

OFFICE OF CIVIL RIGHTS

For necessary expenses of the Office of Civil Rights, $9,998,000.

OFFICE OF SMALL AND DISADVANTAGED BUSINESS UTILIZATION

For necessary expenses of the Office of Small and Disadvantaged Business Utilization, $934,000: *Provided*, That, notwithstanding any other provision of law, funds available for the purposes of the Minority Business Resource Center in this or any other Act may be used for business opportunities related to any mode of transportation.

TRANSPORTATION PLANNING, RESEARCH, AND DEVELOPMENT

For necessary expenses for conducting transportation planning, research, and development activities, including the collection of national transportation statistics, to remain available until expended, $6,815,000.

OFFICE OF COMMERCIAL SPACE TRANSPORTATION

OPERATIONS AND RESEARCH

For necessary expenses for operations and research activities related to commercial space transportation, $4,400,000, of which $1,500,000 shall remain available until expended.

POINT OF ORDER

Mr. LINDER. Mr. Chairman, I rise to a point of order.

The CHAIRMAN. The gentleman will state his point of order.

Mr. LINDER. Mr. Chairman, I raise the point of order to all of those portions of the bill from page 2, line 5, through page 4, line 24, that they are appropriating without authorization.

The CHAIRMAN. Does the gentleman from Michigan [Mr. CARR] wish to be heard on the point of order?

Mr. CARR of Michigan. Mr. Chairman, I concede the point of order.

The CHAIRMAN. Since that portion of the bill has been read, the point of order is conceded and sustained.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

WORKING CAPITAL FUND

Necessary expenses for operating costs and capital outlays of the Department of Transportation Working Capital Fund not to exceed $92,220,000 shall be paid, in accordance with law, from appropriations made available by this Act and prior appropriations Acts to the Department of Transportation, together with advances and reimbursements received by the Department of Transportation.

PAYMENTS TO AIR CARRIERS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(AIRPORT AND AIRWAY TRUST FUND)

For liquidation of obligations incurred for payments to air carriers of so much of the compensation fixed and determined under section 419 of the Federal Aviation Act of 1958, as amended (49 U.S.C. 1389), as is payable by the Department of Transportation, $15,540,000, to remain available until expended and to be derived from the Airport and Airway Trust Fund: *Provided*, That none of the funds in this Act shall be available for the implementation or execution of programs for the Payments to Air Carriers program in fiscal year 1994: *Provided further*, That none of the funds in this Act shall be used by the Secretary of Transportation to make payment of compensation under section 419 of the Federal Aviation Act of 1958, as amended, in excess of the appropriation in this Act for liquidation of obligations incurred under the "Payments to air carriers" program: *Provided further*, That none of the funds in this Act shall be used for the payment of claims for such compensation except in accordance with this provision.

RENTAL PAYMENTS

For necessary expenses for rental of headquarters and field space and related services assessed by the General Services Administration, $149,605,000: *Provided*, That of this amount, $3,262,000 shall be derived from the Highway Trust Fund, $37,114,000 shall be derived from the Airport and Airway Trust Fund, $576,000 shall be derived from the Pipeline Safety Fund, and $175,000 shall be derived from the Harbor Maintenance Trust Fund; *Provided further*, That in addition, for assessments by the General Services Administration related to the space needs of the Federal Highway Administration, $17,524,000, to be derived from "Federal-aid Highways", subject to the "Limitation on General Operating Expenses".

MINORITY BUSINESS RESOURCE CENTER PROGRAM

For the cost of direct loans, $180,000, as authorized by 49 U.S.C. 332: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That those funds are available to subsidize gross obligations for the principal amount of direct loans not to exceed $4,500,000. In addition, for administrative expenses to carry out the direct loan programs, $220,000.

COAST GUARD

OPERATING EXPENSES

For necessary expenses for the operation and maintenance of the Coast Guard, not otherwise provided for; purchase of not to exceed four passenger motor vehicles for replacement only; payments pursuant to section 156 of Public Law 97-377, as amended (42 U.S.C. 402 note), and section 229(b) of the Social Security Act (42 U.S.C. 429(b)); and recreation and welfare; $2,555,695,000, of which $25,000,000 shall be derived from the Oil Spill Liability Trust Fund; and of which $32,250,000 shall be expended from the Boat Safety Account: *Provided*, That the number of aircraft on hand at any one time shall not exceed two hundred and twenty-three, exclusive of aircraft and parts stored to meet future attrition: *Provided further*, That none of the funds appropriated in this or any other Act shall be available for pay or administrative expenses in connection with shipping commissioners in the United States: *Provided further*, That none of the funds provided in this Act shall be available for expenses incurred for yacht documentation under 46 U.S.C. 12109, except to the extent fees are collected from yacht owners and credited to this appropriation: *Provided further*, That of the funds provided under this head, not less than $8,000,000 in vessel maintenance and overhaul work currently scheduled to be conducted at the Coast Guard Yard is to be awarded based upon a competitive solicitation of both public and private shipyards.

POINT OF ORDER

Mr. LINDER. Mr. Chairman, I have a point of order.

The CHAIRMAN. The gentleman will state his point of order.

Mr. LINDER. Mr. Chairman, I make a point of order against the language appearing in the bill on page 7, line 6, through page 8, line 7. These paragraphs provide appropriations for programs not authorized by law and are in violation of House rule XXI, clause 2.

The CHAIRMAN. Does the gentleman from Michigan [Mr. CARR] wish to be heard on the point of order?

Mr. CARR of Michigan. Mr. Chairman, I do.

I would like to speak and be heard on the point of order.

Again, I would like to direct a question so that I know we are talking about the same thing, not to be vexatious, but would the gentleman give me the starting page and line again.

Mr. LINDER. Mr. Chairman, page 7, line 7, Coast Guard Operating Expenses, all of that language down through line 7 on page 8.

Mr. CARR of Michigan. Being "Coast Guard Operating Expenses."

Mr. LINDER. All that language prior to "Acquisition, Construction Improvements."

Mr. CARR of Michigan. Mr. Chairman, I would merely, in being heard on the point of order, say that this is doubly unfortunate, because in the past example we have had no authorization for 10 years. And we have tried to put things together where they were not by other committees.

In this case, the other committee has acted, I would tell the gentleman from Georgia, and it has passed the House.

Now we are waiting on the Senate, and we are going to be in conference. And these bills are going in tandem. I would hope that the gentleman would not press his point of order on this matter.

Again, we get into reinventing Congress. We are hanging up on technicalities here. It does not make good policy or good procedure, particularly.

Mr. Chairman, I have to concede the point of order.

The CHAIRMAN. Does the gentleman from Pennsylvania [Mr. WALKER] wish to be heard on the point of order?

Mr. WALKER. Mr. Chairman, I do seek to be heard on the point of order.

The chairman of the subcommittee makes a legitimate point with regard to what the House committee has done. The House committee has acted responsibly.

Here is the problem we have run into, though. Over in the Senate, the fact is that authorizers and appropriators sit on the same committees over there. The same person sits on the two committees. And what is happening is that they do not pass the authorization bills. They do everything in the appropriations process. Therefore, we do not see authorization bills being passed.

We have run into it in our committee in an awful lot of instances. So, therefore, either bills are not passed timely, or they are never passed.

The gentleman from Michigan has just mentioned a moment ago that there were lines of items where there has not been an authorization for 10 years. He has done his work, I would say to the House, and put a bill over there.

The question is whether or not we are going to get it. The only pressure that we have to assure that the authorization process works all the way through is to deny the appropriations if they have not met the rules.

It seems to me that that is what the gentleman from Georgia is about doing here. He is attempting not to subvert what the gentleman from Michigan is trying to do in a positive way, but he is sending a signal that if the authorization process does not work, then indeed, the appropriations ought not go forward so that we live within the rules of the House.

I rise in support of what the gentleman from Georgia is doing. He is not doing this with any attempt to be malicious to the Coast Guard or to the work done by the Committee on Appropriations. He is doing this as a way of enhancing the ability of the authorizers to get their work done in the Senate so it is back here in a timely fashion and so we do not run into these problems all the time.

It is a difficult position for him to take. It is one of the tough things that has to be done every once in a while in the Congress. But I congratulate him for making this stand.

It seems to me it enhances, not undermines, the process.

The CHAIRMAN. Does the gentleman from Louisiana [Mr. TAUZIN] wish to be heard on the point of order?

Mr. TAUZIN. Mr. Chairman, in response to my friend, the gentleman from Pennsylvania, the Coast Guard authorization bill has never failed to clear the Senate. It has always come back.

The gentleman does not have to send a message to the Senate. The Senate is going to report the authorization back to us timely, as it does every year. We do not have a problem there.

The problem with the gentleman's point of order is that if he does not withdraw it, the House goes to conference on this bill without its position on Coast Guard spending to be brought to the conference. We have done our work with the Coast Guard authorizing committee, the Committee on Merchant Marine and Fisheries. We have reported the bill out. This House has acted on it.

The Senate always returns the authorizing for the Coast Guard back to this Chamber. That is not a problem. All the gentleman is doing, by raising this point of order, is putting us in some jeopardy.

I am not sure the gentleman is aware of it. The Coast Guard is out today trying to rescue people in an awful Amtrak collision that occurred in Mobile, AL. People were killed.

The Coast Guard has got all kinds of units out there trying to rescue lives right now. We are talking about technicalities today on a point of order.

I understand the gentleman can make it technically under the rules, but I would urge the gentleman, it is not necessary to send this message to the Senate. The authorizing committees for the Coast Guard have always reported their bill back to us. We have done our job on time.

I urge the gentleman not to make this point of order in order to give us a chance to conference with the Senate on the very important points of authorizing the spending for the Coast Guard in this bill.

□ 1430

Let me point out that as it emerged from the Committee on Appropriations, we had real problems with the fight between transportation funding and Coast Guard funding, since the Coast Guard is under this department.

We have worked out those problems, however, with the chairman of the subcommittee. We have resolved them in a way that gives the Coast Guard a great deal of help in meeting its expenses this year. Do not put us in that kind of jeopardy. I ask the gentleman to please consider withdrawing his point of order and letting us go to conference on this bill. The authorization bill has always come back, and it will come back in this very important area of the Nation's services.

The CHAIRMAN. Does the gentleman from Florida [Mr. GOSS] seek recognition on the point of order?

Mr. GOSS. I do, Mr. Chairman,

Mr. Chairman, there is very little I can add to the eloquent words of the chairman of the subcommittee, who has just outlined the situation, except also to urge my colleague and friend, the gentleman from Georgia [Mr. LINDER] to reconsider his point of order.

Not only did we pass the authorization in this House that had a sense-of-Congress attachment to it that allowed us to provide funds for these types of missions that the Coast Guard is called upon for the citizens of America that are really unforeseen. Tragically, we have had this horrible train wreck with Amtrak in the Mobile Bay area. The Coast Guard is there on the scene trying to provide what relief we can.

Before that, it was Haiti, which is what an amendment I have ready to go, if this point of order is withdrawn, concerns. We are trying not to ask something special, but to allow them to go about their business. I would suggest that we really are hung up on a technicality here, and the record of history of the good working relationships between the Chambers and the committees authorizing and appropriating on this would allow the gentleman to withdraw that point of order with honor.

The CHAIRMAN. Does the gentleman from Pennsylvania [Mr. WALKER] wish to be heard on the point of order?

Mr. WALKER. I wish to be heard further on the point of order, Mr. Chairman.

Mr. Chairman, the gentleman from Louisiana [Mr. TAUZIN] makes a good point, but it somewhat baffles me why the point would be against what the gentleman from Georgia [Mr. LINDER] is doing.

If in fact we are going to get an authorization bill back, that authorization bill then will set the policy for the Coast Guard. It does not matter at that point whether the House has gone into the appropriations process with these figures or not. The policy will be set by that authorization bill, regardless of where the money ends up.

If in fact the authorization bill comes back in a timely manner, it will drive the policy of the Coast Guard. I do not think anybody believes that the actions of the gentleman from Georgia [Mr. LINDER] will end up defunding the Coast Guard. It is simply a matter of whether or not authorization drives policy or appropriation drives policy.

The gentleman from Georgia, it seems to me, is putting us in a position where the authorization process will drive the policy, rather than the appropriation process. That, I think, is a fundamental good that we draw out of this. No one, I think, will believe that the gentleman from Georgia will actually end up, in the end, defunding the Coast Guard. Therefore, the question is from where the policy derives.

The CHAIRMAN. Does the gentleman from Louisiana [Mr. TAUZIN] seek recognition?

Mr. TAUZIN. I do, Mr. Chairman.

Mr. Chairman, I think the problem is we are talking about an allocation to the whole transportation sector of this budget. We have worked very closely with the chairman of the Committee on Appropriations to ensure this appropriation within that broad allocation includes sufficient funds for the Coast Guard. It did not, originally.

If this point of order is made against the bill, and if the Coast Guard appropriations section is out of the bill, it opens the door for people to take those funds and reallocate them under transportation to other needs in transportation, which would include other bridges, roads, and other mass transit projects around the country. We do run the risk of deappropriating for the Coast Guard.

I urge the Member not to take that risk. We have put in some good, hard labor here to make sure the Coast Guard got a fair share of this broad transportation legislation. If the gentleman does away with our labor, he leaves it up to the Senate to make those decisions.

I do not know what the Senate is going to do. It could, indeed, reallocate those funds over to very popular transportation projects in somebody's State. That could well happen. I urge the gentleman to give this House some say in that process. The way to do it is by allowing the Coast Guard authorization section to go forward, so we can go to conference and work with the Senate to protect the necessary funding for the Coast Guard.

The CHAIRMAN. The Chair would ask the gentleman from Georgia [Mr. LINDER] if he insists on his point of order.

Mr. LINDER. Mr. Chairman, under the arguments I have heard, and some of them very reasonable, I will withdraw my point of order, and the succeeding ones, on the Coast Guard. I have other point of order to be raised on the bill.

The CHAIRMAN. The point of order is withdrawn.

AMENDMENT OFFERED BY MR. GOSS

Mr. GOSS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. GOSS:

Page 7, line 13, strike "$2,555,695,000" and insert in lieu thereof "$2,560,695,000"; and

Page 22, line 23, strike "$85,550,000" and insert in lieu thereof "$62,000,000".

Mr. GOSS (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

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

There was no objection.

Mr. GOSS. Mr. Chairman, first I would like to start off by thanking and

congratulating my friend and colleague, the gentleman from Georgia [Mr. LINDER], for his, I think, proper and wise decision in this matter. I believe the principle he is standing up for is correct, but I believe the facts in this case for us going forward on this procedure far outweigh this, and there will be no damage done to the principle whatsoever.

Mr. Chairman, the intent of my amendment is clear and simple, even if the math is not. This amendment cuts the unauthorized, unstarted demonstration project account by enough—$23.55 million—to restore $5 million to the Coast Guard's operating expenses account.

On July 29, this body passed by unanimous voice vote an amendment to the Coast Guard authorization bill which stated that we would endeavor to provide adequate funds for all extraordinary missions undertaken by the Coast Guard. We can begin today to fulfill that promise by passing this amendment.

The Coast Guard is the smallest of our armed services, yet its responsibilities are great. We ask the Coast Guard to be responsible for the navigation and safety of our waterways, for maritime law enforcement, for emergency search and rescue, for maritime inspection and licensing, for defense readiness, and much, much more.

On top of these vital functions, since January of this year, and several times in the recent past, a massive Coast Guard deployment has patrolled the windward passage between Haiti and the United States. Operation "Able Manner" has involved an extraordinary commitment of manpower and equipment. While these efforts have successfully saved our States and the Federal Government untold millions of dollars, the cost to the Coast Guard has been great: Nearly $100 million overall. The Coast Guard estimates that the incremental cost—over what the Guard has in its budget for interdiction efforts—of this operation will be $5 million—meaning that other important missions will suffer.

While this amendment alone may not be enough, it will reimburse the Coast Guard for its extraordinary efforts over the past year.

More importantly, my amendment will assert that this body stands behind its own policies and supports the Coast Guard in its many vital missions.

Mr. Chairman, I urge support for this amendment.

Mr. CARR of Michigan. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, first I would like to preface my remarks by making two comments.

One, I would like to thank the gentleman from Georgia [Mr. LINDER] for being open-minded in listening to the arguments on the floor, in good spirit, and recognizing that the rules are here in general to help us, but sometimes get in the way.

Our committee is working very closely with the Committee on Merchant Marine and Fisheries, and we intend, and will be supported by the gentleman's action, to take a bill to the Senate to deal with them on the Coast Guard.

We hope the authorization legislation is done before we must act, but because we face a deadline they do not face, that may be out of phase, but we are working closely. I want to thank the gentleman.

I also want to commend the gentleman from Florida [Mr. GOSS]. I do not know of five conversations I have had with the gentleman from Florida over many years of serving here together where he has not brought up his affection for the Coast Guard.

□ 1440

There is no one, at least that I am aware of, on that side of the aisle who cares more passionately about the Coast Guard, and I reluctantly oppose his amendment. I do so because, simply speaking, the funds are not needed.

I direct the attention of all Members to page 28 of the committee report where it notes that the bill contains $13,770,000 at the total discretion of the Commandant of the Coast Guard to address unforeseen operational contingencies during the year. If it is a high priority for the Coast Guard to pay back other budget activities which were depleted to finance the Haitian interdiction efforts, the funds are available in this bill to do so. We do not need to add funds to the bill for that.

We have had extensive hearings and we have tried to monitor very carefully how much money they need. If there is an unforeseen contingency, we expect that we would be receiving reprogramming requests or, indeed, a supplemental, which is inevitably around the corner every year because of the unforeseen.

The committee did hold extensive hearings. The Coast Guard did not ask the committee for additional funds to address the Haitian interdiction problem. The Coast Guard has unexpected operational needs coming up virtually every year, and because of this they have the flexibility in their appropriation to finance these new priorities without requesting additional appropriations.

As I have said, Mr. Chairman, the Coast Guard did not ask the subcommittee for additional funds for this purpose. The statement of administration policy on our earlier bill did not request more funding for these specific activities. We have received no indication from the Coast Guard or the Secretary of Transportation that they are needed.

We have been fair to the Coast Guard. We have added back, as the gentleman from Louisiana said, $36 million from our earlier bill to provide additional funding.

The defense appropriations bill is expected to include even further operational funding for the Coast Guard. And to put this in perspective, the bill before us includes $2.5 billion for Coast Guard operating expenses, and the gentleman's amendment would only add $5 million, which is less than 1 percent.

As I have indicated, the funding is not needed since the bill already includes a discretionary account for the Commandant to use. And I would further point out that the effect of this amendment is to move money from highways to the Coast Guard. We try to do a very careful balancing act in this transportation bill between the modes, and it would seem to me quite unfair to highway users that they get caught up in a bidding war to see who could do more for the Coast Guard, and who can love the Coast Guard more. It would seem to me that this is exactly the kind of thing that our friends on the Public Works and Transportation Committee should be objecting to, and I hope they do.

I oppose the amendment.

Mr. WOLF. Mr. Chairman, I move to strike the last word, and I rise in opposition to the amendment.

I reluctantly oppose the amendment because Mr. GOSS is a good Member and a good supporter, and I know his concerns.

Let me just reiterate some of the things the chairman said. The chairman read the section in the bill, I would tell the gentleman, where there is a $13,770,000 discretionary increase which is located on page 28 of the committee report. It says:

> The recommendation includes $13,770,000 to provide the Commandant of the Coast Guard resources to address unforeseen operational needs as they arise during the year.

So the money is there. And frankly, if the gentleman's amendment would earmark this, I would be inclined to support him. But by doing this, I think Members should know that we are taking the money away from highway safety. Do we earmark high safety? We could have taken money from demostration projects and put it in highway safety or truck safety. There is not an area of the country that does not have truck safety problems with rotted tires, faulty brakes, and things like that. If you want to put any additional money in, well, let us put it into truck safety, or if we wanted, we could put it in air safety.

So the discretionary ability is here for the Coast Guard to do this, and if there is a need let me just tell the chairman, and the return of Aristide does not help, then I will support the gentleman with regard to a reprogramming. But it just is not needed now,

unless we just want to spend more money.

Mr. GOSS. Mr. Chairman, will the gentleman yield?

Mr. WOLF. I yield to the gentleman from Florida.

Mr. GOSS. Mr. Chairman, I thank the distinguished gentleman from the Commonwealth of Virginia for yielding. I am very much encouraged by the assurances I have from the distinguished chairman and from the gentleman from Virginia to meet the needs of the Coast Guard, and I take those in good faith as they are offered. And I am sure that that is welcome news to all of those who care that the Coast Guard is able to accomplish these many missions that they have.

The reason that I brought this amendment forward today was to make sure that we understand that this is a mission that we sent the Coast Guard on. The United States sent the Coast Guard on this mission. This was a very special mission. It was a special cost, and this sort of falls into a pay-as-you-go thing. We have spent this money. This is well beyond contingencies. This is a special, extra operation that has its own code name. Consequently, we have a price tag. We found out what the incremental cost would be for this special operation and now we have to pay for it.

It seemed to me sensible to suggest that we pay monies that we have on hand for expenditures that we have committed, that we get those bills out of the way before we go out and contract more bills for projects which are yet to be started. That was the rationale behind this.

But with the assurances that I have received from the distinguished leadership of this committee that is so important on this matter, I am somewhat assuaged. I still will press on my amendment and vote "yes." But I thank the gentleman for listening and for giving me this time.

Mr. WOLF. I thank the gentleman.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Florida [Mr. GOSS].

The amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS

For necessary expenses of acquisition, construction, rebuilding, and improvement of aids to navigation, shore facilities, vessels, and aircraft, including equipment related thereto, $310,700,000, of which $20,000,000 shall be derived from the Oil Spill Liability Trust Fund; of which $79,200,000 shall be available to acquire, repair, renovate or improve vessels, small boats and related equipment, to remain available until September 30, 1998; $27,100,000 shall be available to acquire new aircraft and increase aviation capability, to remain available until September 30, 1996; $47,700,000 shall be available for other equipment, to remain available until September 30, 1996; $119,200,000 shall be available for shore facilities and aids to navigation facilities, to remain available until September 30, 1996; and $37,500,000 shall be available for personnel compensation and benefits and related costs, to remain available until September 30, 1994.

(RESCISSION)

Of the funds provided under this heading in Public Law 102-388, $20,000,000 are rescinded.

ENVIRONMENTAL COMPLIANCE AND RESTORATION

For necessary expenses to carry out the Coast Guard's environmental compliance and restoration functions under chapter 19 of title 14, United States Code, $22,100,000, to remain available until expended.

ALTERATION OF BRIDGES

For necessary expenses for alteration or removal of obstructive bridges, $5,940,000, to remain available until expended.

RETIRED PAY

For retired pay, including the payment of obligations therefor otherwise chargeable to lapsed appropriations for this purpose, and payments under the Retired Serviceman's Family Protection and Survivor Benefits Plan, and for payments for medical care of retired personnel and their dependents under the Dependents Medical Care Act (10 U.S.C. ch. 55), $548,774,000.

RESERVE TRAINING

For all necessary expenses for the Coast Guard Reserve, as authorized by law; maintenance and operation of facilities; and supplies, equipment, and services; $64,000,000.

RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

For necessary expenses, not otherwise provided for, for applied scientific research, development, test, and evaluation; maintenance, rehabilitation, lease and operation of facilities and equipment, as authorized by law, $22,500,000, to remain available until expended, of which $4,457,000 shall be derived from the Oil Spill Liability Trust Fund: *Provided*, That there may be credited to this appropriation funds received from State and local governments, other public authorities, private sources, and foreign countries, for expenses incurred for research, development, testing, and evaluation.

BOAT SAFETY

(AQUATIC RESOURCES TRUST FUND)

For payment of necessary expenses incurred for recreational boating safety assistance under Public Law 92-75, as amended, $32,250,000, to be derived from the Boat Safety Account and to remain available until expended.

FEDERAL AVIATION ADMINISTRATION

OPERATIONS

For necessary expenses of the Federal Aviation Administration, not otherwise provided for, including administrative expenses for research and development, establishment of air navigation facilities and the operation (including leasing) and maintenance of aircraft, and carrying out the provisions of the Airport and Airway Development Act, as amended, or other provisions of law authorizing the obligation of funds for similar programs of airport and airway development or improvement, lease or purchase of four passenger motor vehicles for replacement only, $4,568,219,000, of which $2,294,500,000 shall be derived from the Airport and Airway Trust Fund: *Provided*, That there may be credited to this appropriation funds received from States, counties, municipalities, foreign authorities, other public authorities, and private sources, for expenses incurred in the maintenance and operation of air navigation facilities and for issuance, renewal or modification of certificates, including airman, aircraft, and repair station certificates, or for tests related thereto, or for processing major repair or alteration forms: *Provided further*, That, of the funds available under this head, $2,000,000 shall be made available for the Mid-American Aviation Resource Consortium in Minnesota to operate an air traffic controller training program: *Provided further*, That funds may be used to enter into a grant agreement with a nonprofit standard setting organization to assist in the development of aviation safety standards: *Provided further*, That no funds under this head may be used for the implementation, execution or enforcement of section 91.21 of title 14 of the Code of Federal Regulations pertaining to the use of portable electronic devices on aircraft: *Provided further*, That none of these funds shall be available for new applicants for the second career training program.

Mr. OBERSTAR. Mr. Chairman, I move to strike the last word. I do so for the purpose of calling attention to language at the bottom of page 11, line 25. The gentleman from Michigan has included language prohibiting enforcement of a provision of the Code of Federal Regulations concerning portable electronic devices on aircraft. There is no such FAA regulation.

This prohibition on use of electronic devices such as laptop computers and telephone aboard aircraft has been a matter of concern by pilots who have noticed fluctuations in their cockpit instruments, and have raised this issue with the FAA, which has undertaken a study of the issue. And our Subcommittee on Aviation has requested the FAA to pursue the study in some considerable depth, and to report to the committee on its findings when it has concluded a comprehensive assessment of the issue.

But the gentleman, I understand, is attempting to get at the issue, but it is an individual airline-by-airline action, not a Federal regulation, not a Federal aviation regulation. And whether in some respects this action by airlines may be an attempt for commercial purposes to prohibit use of portable electronic devices such as telephones so that, as some have alleged, airlines can force passengers to use their own onboard telephones, I am not prepared to address.

□ 1450

But I appreciate the gentleman's concern about this matter. I just wanted to point out that aim has been taken at the wrong target; it is the airlines, not the FAA, it is not a Federal regulation.

Mr. CARR of Michigan. Mr. Chairman, will the gentleman yield?

Mr. OBERSTAR. I yield to the gentleman from Michigan.

Mr. CARR of Michigan. I thank the gentleman for yielding.

Mr. Chairman, I thank the gentleman for bringing this to the attention of the floor. I had not intended to do that. The gentleman gives a good opportunity here to discuss the issue. The

gentleman is, I think, fundamentally correct, but let me flesh it out a little bit.

This section was passed by the FAA, I believe, in the early 1960's. It was passed at a time when portable devices in planes were tube-type or first-generation transistors, electronics which did not have the integrity that the electronics do today. They were also at a time when the avionics of an airplane were frequently tube or first-generation transistors, and there was a concern.

This section empowers the airlines to do what they are doing today. And it is our intent to focus attention that this section is not up to date, does not contain the best technical advice, was never intended to be applied to today's situation. That is the testimony of the FAA people to myself as I have inquired about this.

We seek here to remove that authority to the airlines to do that. As the gentleman pointed out, in our appropriations bill 3 years ago we provided money for the test the gentleman is talking about, and they have yet to take that test and to complete it. We urged them to do so.

I know the gentleman has a keen interest and has had testimony before this subcommittee, and I look forward to cooperating with the gentleman on it.

Mr. OBERSTAR. Mr. Chairman, we have asked the FAA to give a complete formal report to our committee, and we would be glad to share it with the gentleman when it is done.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

FACILITIES AND EQUIPMENT

(AIRPORT AND AIRWAY TRUST FUND)

For necessary expenses, not otherwise provided for, for acquisition, establishment, and improvement by contract or purchase, and hire of air navigation and experimental facilities and equipment as authorized by the Federal Aviation Act of 1958, as amended (49 U.S.C. App. 1301 et seq.), including initial acquisition of necessary sites by lease or grant; engineering and service testing including construction of test facilities and acquisition of necessary sites by lease or grant; and construction and furnishing of quarters and related accommodations of officers and employees of the Federal Aviation Administration stationed at remote localities where such accommodations are not available; and the purchase, lease or transfer of aircraft from funds available under this head; to be derived from the Airport and Airway Trust Fund, $2,142,000,000, of which $1,945,500,000 shall remain available until September 30, 1996, and of which $196,500,000 shall remain available until September 30, 1995: *Provided*, That there may be credited to this appropriation funds received from States, counties, municipalities, other public authorities, and private sources, for expenses incurred in the establishment and modernization of air navigation facilities.

RESEARCH, ENGINEERING, AND DEVELOPMENT

(AIRPORT AND AIRWAY TRUST FUND)

For necessary expenses, not otherwise provided for, for research, engineering, and development, in accordance with the provisions of the Federal Aviation Act of 1958, as amended (49 U.S.C. App. 1301 et seq.), including construction of experimental facilities and acquisition of necessary sites by lease or grant, $240,000,000, to be derived from the Airport and Airway Trust Fund and to remain available until expended: *Provided*, That there may be credited to this appropriation funds received from States, counties, municipalities, other public authorities, and private sources, for expenses incurred for research, engineering, and development.

GRANTS-IN-AID FOR AIRPORTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(AIRPORT AND AIRWAY TRUST FUND)

For liquidation of obligations incurred for grants-in-aid for airport planning and development, and for noise compatibility planning and programs under the Airport and Airway Improvement Act of 1982, as amended, and under other law authorizing such obligations, $2,200,000,000, to be derived from the Airport and Airway Trust Fund and to remain available until expended: *Provided*, That none of the funds in this Act shall be available for the planning or execution of programs the commitments for which are in excess of $1,500,000,000 in fiscal year 1994 for grants-in-aid for airport planning and development, and noise compatibility planning and programs, notwithstanding section 506(e)(4) of the Airport and Airway Improvement Act of 1982, as amended: *Provided further*, That none of the funds in this Act shall be available for planning, approving, or administering new airport letters of intent signed after the date of enactment of this Act.

AMENDMENT OFFERED BY MR. CLEMENT

Mr. CLEMENT. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. CLEMENT: On page 14, line 9, strike the colon and all that follows through "Act" on line 13.

Mr. CLEMENT. Mr. Chairman, why are we more interested in keeping businesses and local governments from doing business, creating jobs, and creating economic opportunity?

Why are we more interested in hurting our Nation with more rules, more regulations, and more prohibitions?

Congress and the Federal Government should be looking to encourage economic activity. We should be encouraging airports, which generate enormous economic growth to expand and improve their capacity.

Congress should be done more, not less, to help communities grow and to create businesses opportunities.

Regrettably, the bill before us contains a detrimental provision intended to strangle airports, strange communities, and strangle opportunity.

Mr. Chairman, airports at a number of cities across the country have been able to grow and expand and generate economic activities for their citizens using letters of intent.

But other airports will be denied these same opportunities because of the language in the bill.

Rather than encourage growth, the Appropriations Committee has decided to stifle it.

Mr. Chairman, it's time to stop Congress' heavy-handed treatment. It's time to end unnecessary restrictions and prohibitions. It's time to strike this prohibition which would bar the Federal Aviation Administration from using a cost-effective and creative means of assisting airports to expand and generate economic growth in their community.

Since its inception, letters of intent have provided certainty and continuity to airports and the FAA as they try to meet the increasing demands placed on our air travel system.

Because the flow of funds from the airport trust fund is insufficient and unpredictable, airports and the FAA sign letters of intent by which the Federal Government pledges future years' disbursements for airport construction projects.

Using these letters of intent, airport operators are able to go immediately to the capital markets and float bonds to finance the costs of constructing airport improvement projects. Under letters of intent, the FAA reimburses airports at a later date.

The projects financed with letters of intent meet the same eligibility requirements as projects financed with direct grants. The question is not over merit or eligibility of these projects. They are all paid for out of the aviation trust fund. The question is one of the timing of the receipt of Federal funds. By permitting airport operators to go to the capital markets, airports can undertake construction immediately. The alternative under the direct grant program for an airport operator to await receipt of the total amount necessary for a project, or to bid parts of the project as grants are made. In both cases, the overall costs of construction is greater than under LOI's.

These letters have stretched scarce aviation trust fund dollars. They are supported by the airport community and the Public Works Committee because they are efficient financing mechanisms and save costs otherwise resulting from delay.

If letters of intent are barred, much needed airport projects will be delayed, overall project coasts and costs to the airport trust fund will increase, and our local and regional economies slowed.

Mr. Chairman, we also need to reverse Congress' increasing appetite to micromanage. We need to break down barriers, not create them. We need to have confidence in our department and agency administrators.

The language contained in this bill is an inappropriate and unwarranted change of a cost-effective policy. It is opposed by the Department of Transportation. Indeed, Transportation Secretary Peña has said that he would like the Department to continue to have discretion in administering this program.

The prohibition is also opposed by the American Association of Airport Executives. And it is opposed by airports and community leaders looking to generate economic growth.

I urge that this language be deleted. Let us encourage creative ways to improve communities and create jobs.

Let us continue to allow airports and the FAA the flexibility to plan for and to finance airport improvements with letters of intent.

Let us end the heavy-handedness of the Federal Government more interested in strangling opportunity than in creating it.

This is a good move, and that is why it is very necessary for all of us to support this amendment, which would be very beneficial to all concerned. It just comes down to basic common sense and good judgment.

Mr. CARR of Michigan. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I reluctantly oppose my good friend, the gentleman from Tennessee. He accuses me of trying to strangle airports. I assure you there have been occasions when I would like to strangle some of my colleagues; I have never wanted to strangle an airport.

The fact is, Mr. Chairman, that under the funding levels of this bill, approximately 70 percent of FAA's discretionary funds will be set aside for existing letters of intent. Because of the rapid growth of letters of intent in past years, the FAA has very little discretionary funding left. This Congress has even less because what happens, Mr. Chairman, is that there is a tendency on the part of the executive for the purpose of their own reelection campaign, to go out and grant letters of intent to key areas of the country on the election campaign trail, to promise them some kind of permanent victory in the future. What letters of intent do is bind future administrations, they bind future Congresses, they give us less discretion. Those who are concerned about the budget deficit say that one of the reforms we ought to have in the Congress is to have more discretion here in making funding decisions.

□ 1500

We have made entitlements of so many programs and many of them are out of control. Letters of intent amount to nothing more than case-by-case entitlements. We are seeking to curb them.

We do nothing to affect existing letters of intent in the pipeline. We are going to have to live with them. We are going to have to live with those decisions of prior FAA Administrators for whatever reason, but what we are trying to do is return more discretion to the FAA and the Congress so that some of the smaller airports that do not have lobbying clout at the FAA, that cannot press their case for an LOI might have a better chance at getting some of these funds.

If we allow new LOI's to be added to those already in effect, the entire program is basically put on autopilot, with no flexibility for the FAA to award grants based on changing needs.

This may be good for a few airports that get their funding locked in with an LOI, but it is really bad for the majority, for the great majority of airports in the country, which would find the well dry when their needs, need to be addressed.

This provision allows the administration and the FAA more discretion in their ability to award airport grants where they are needed on an annual basis and not simply because somebody somewhere issued a letter of intent for something.

I have heard the question raised that since the FAA is not required to sign letters of intent today, why should we prohibit them from signing new ones? The reality is that there is great pressure on the FAA to sign these multiyear letters-of-intent agreements.

Perhaps they have not been as firm as they could have been in saying no to airports. I know how difficult it is to say no to people, believe you me. After this year, I know that. But saying yes too many times to too many airports has led the FAA to the problem that we have today.

Now, we have heard the statement of LOI supporters that these agreements save money. I can tell you that I have seen no evidence, and we have asked this question, we have seen no evidence that LOI's can save the Federal Government money, even though the procedure has been in place since 1987. If significant savings exist, I am certain that we would have heard about them by now. I am also sure that the FAA would have documented these savings, but they have said nothing.

I have also heard the argument that since these projects are eligible for funding, we should allow them to be funded on a multiyear basis without having to wait for future appropriations, that the projects would be delayed if we waited for annual appropriations.

This is very dangerous thinking, Mr. Chairman. There is virtually an unlimited number of projects, good projects around the country, which could be funded. If we did not have to worry about the annual budget constraints or the budget deficit or LOI's, we could accelerate needed medical research, low-income housing projects, and a whole host of other things, but we have to prioritize.

Now, the gentleman has also said this gives funding certainty. We have asked people on Wall Street, we have spent a lot of time this year with investment bankers and investment counselors in the public sector.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

(By unanimous consent, Mr. CARR of Michigan was allowed to proceed for 3 additional minutes.)

Mr. CARR of Michigan. Mr. Chairman, they have said that they do not pay attention to LOI's because ultimately the funding is not certain. Appropriations can dip below the LOI requirement, so they do not count that for their bond ratings.

Mr. Chairman, I would like to summarize and say that this amendment would tie our hands in future years. It would hinder our ability to reduce the deficit. It contains discretion in the FAA, in the Department of Transportation and in the Congress, and we should leave our options open.

Mr. Chairman, I urge defeat of the amendment.

Mr. WOLF. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, we are only talking about a moratorium here for 1 year. I think it is important to the body and to those who are watching back in their offices to understand, that the use of letters of intent, or LOI's, has grown so rapidly that the resources are almost entirely designated to a few airports, perhaps mostly the airports that all of you do not represent.

Just to give you an example, beginning in fiscal year 1990, letters of intent consumed only 8 percent of the discretionary resources. Today letters of intent use 75 percent. In 3 years, from 8 to 75 percent.

A "Dear Colleague" letter was circulated warning that a number of airports might be hurt by the provision in the bill. The information that the FAA gives us is that this is not true, because there is virtually no money left for new letters of intent. If you voted for the budget deficit reduction package because we had to do something for the deficit, you just cannot give letters of intent if there is no money there.

Last, under our bill, the FAA would have had $191 million of discretionary funding. At $173.1 million, 90 percent is already set aside for LOI's. Therefore, only $18.6 million is available for new ones, and we have a waiting list of $164 million.

Let me just also say, the gentleman from Tennessee should know that Tennessee has the largest letter of intent pending from his own State, which is $68.7 million. I mean, it would take everything. There would be no money left for anything else. It would just go to that one airport down in Tennessee, so anybody in Alabama, Mississippi, Pennsylvania, Massachusetts, California, New York, where would they go? There would be nothing left.

So if we had more money and you could just print it up, you could give these letters of intent out to everyone and everyone would feel good.

What the committee tried to do and the chairman tried to do is the responsible thing. It is what you do in your own budget. You say, "Hold off. We have spent enough. We are going to stop and we are going to examine where we are. It is a 1-year moratorium."

So I understand, I sympathize with the gentleman from Tennessee, but a 1-year moratorium gives the Congress and the FAA the ability to get hold of things. Otherwise, this program will be out of control.

Mr. Chairman, I just urge Members to oppose this amendment and support the committee with regard to the 1-year moratorium where we can get control of the costs.

Mr. MINETA. Mr. Chairman, I rise in support of the amendment offered by my colleague, the gentleman from Tennessee.

Mr. Chairman, I rise in strong support of the amendment by our colleague from Tennessee [Mr. CLEMENT].

The bill prohibits new letters of intent from being issued in the Airport Improvement Program. Letters of intent are long range commitments to airports that better enable long range airport development planning. Letters of intent also make the overall program more cost effective because of better, long range planning and prioritization. This aspect of the Airport Program makes good sense and should be continued. There is no indication that the FAA will overcommit if funding is reduced.

We have heard calls to make the Government more responsive to its customers. This amendment does this, and I urge its adoption.

Now, there have been a couple comments made about the fact this is only for 1 year. The problem is that the consequence of a 1-year prohibition is really in effect long term. Disbursements under letters of intent occur in the fiscal year following the fiscal year in which the letter of intent is signed. So therefore, letters of intent that could have been signed in the fiscal year 1994, the year of the committee's prohibition, but which are not signed until fiscal year 1995, would not receive their first dollar of Federal money until fiscal year 1996. So this really is not a 1-year moratorium. This really becomes a much longer term issue.

Now, there has been a comment also made about the fact that the letters of intent are consuming a larger amount of the FAA discretionary resources.

The facts are that if this is the case, then it is really the subcommittee's own doing. The Subcommittee on Transportation of the Committee on Appropriations decreased the obligation ceiling from $1.8 billion to $1.5 billion.

Now, the consequence was that the LOI's as a percentage of the FAA discretionary resources went from 36 percent in fiscal year 1993 to 75 percent in 1994.

Now, in actual dollar amounts, however, letters of intent payments between fiscal year 1993 and that expected to be made in fiscal year 1994 only went from $139 million to $179 million, or 28 percent.

So the House should not preclude the issuance of LOI's, inasmuch as the Senate Transportation and Appropriations Subcommittee has a higher level of spending authority than the House counterpart. It is expected that the Senate subcommittee will appropriate $1.7 to $1.8 billion for FAA grants and aid, thus keeping LOI's as a percentage of total grants and aid at a level much closer to those of the past years, and, therefore, I urge the adoption of this amendment.

□ 1510

Mr. OBERSTAR. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the amendment offered by the gentleman from Tennessee [Mr. CLEMENT] concerning the letters of intent. I think the gentleman from California [Mr. MINETA] and the gentleman from Tennessee [Mr. CLEMENT] have both explained very well the purpose of letters of intent, which is to expedite the construction of capacity expanding airport projects, major projects, that in addition to the entitlement funds which airports use for runway expansion, and taxiway and other hard side improvements, that discretionary funds allow them to move a little faster on a larger sized project on a discretionary basis that the FAA has used with some very careful thought over the years since they were first permitted letters of intent in 1987. Since that time, very judiciously, the FAA has authorized only 40 such letters of intent that have supported airport construction in the amount of over $2 billion. Those projects could not have been undertaken without the assurance of a dedicated revenue stream that the airport authority could count on.

The gentleman from Virginia has raised objections. The gentleman very well knows that the reasons that the airport authority for National and Dulles was created was so that it would not have to depend year to year on appropriated funds from the Congress to build facilities out of federally controlled and owned operated airports, and so it was semiprivatized so that it, too, would have a bond issue capability that it could depend upon from year to year and not have to worry about running out of money in the midst of a major project. The same thing for other airports around the country.

I want to make it very clear, Mr. Chairman, that these letters of intent have been targeted only to those airports that are significant to the national aviation air space system, that enhance and expand capacity and that are revenue savers, and I say:

> If you have to segment a major multi-million-dollar airport project into little pieces, each of the little pieces is going to cost significantly more than the whole.

Now the committee says, and Members got up to say, that the letters of intent, as a percent of discretionary funds, go up to over 70 percent of the total discretionary funds committed under the LOI. They do not say that the reason the percentage creeps upward is that they cut the discretionary funds in this bill. The administration's request for airport and airways improvement was $1.8 billion. The committee cut a hundred million of that, shifted it over to highways and transit, and then turns around and says:

> Oh, no. Look, fellows, if you continue with letters of intent, look how much of the discretionary fund it's going to chew up. On an average the discretionary fund is around 150 to 175 million of the $1.8 billion that we would have had. It's about 10 percent. But if you chop $300 million, obviously you squeeze down the discretionary pot. If you left the $300 million, then you would have a discretionary fund of somewhere around $450 to $475 million, and letters of intent would be in the range of less than a third of that discretionary fund.

So, do not blame letters of intent for an action that the committee itself has taken to reduce the amount of money for airport improvements.

As my colleagues know, I say the LOI process has been very judiciously used by FAA. It has been very restrained, very cautiously used, and has operated to enhance capacity at key airports and is a process that ought to be retained. If we did not have obligational authority, the highway program, highways, would cost four or five times what they do, but because highway authorities can count on those dollar amounts coming year after year, we can segment projects and get better return on our investment.

Mr. CLINGER. Mr. Chairman, will the gentleman yield?

Mr. OBERSTAR. I yield to the gentleman from Pennsylvania.

Mr. CLINGER. Mr. Chairman, it has been suggested here that this provision of the bill would provide more discretion, more flexibility, to the FAA. It seems to me it actually provides less because it takes away a tool which they have used very effectively to save money, to get more bang for the buck. In other words, we have been able to do more very vitally needed airport projects because of the fact they have the letters of intent where they can frontload.

Mr. OBERSTAR. Mr. Chairman, the gentleman from Pennsylvania [Mr. CLINGER] has stated another facet very well.

Mr. CARR of Michigan. Mr. Chairman, I move to strike the requisite number of words.

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

There was no objection.

Mr. CARR of Michigan. Mr. Chairman, just a few comments.

I think what we are seeing in the very excellent presentation of the gentleman from Minnesota [Mr. OBERSTAR] and our committee is essentially two committees coming at the problem from a different point of view. We would love nothing better than to give top dollar to every account, and we would have loved to give top dollar to the airport improvement program.

We have a problem that the Committee on Public Works and Transportation does not have. We get scored with outlays. We have an outlay problem, and this gets pretty arcane for those listening who may not be tuned into the intricacies of Federal budgeting. But we have only three or four accounts, I would tell the gentleman from Minnesota, which are high outlay rate accounts: Coast Guard operating expenses, FAA operations including air traffic control, and transit operating subsidies. In the outyears, if we get into an outlay problem, the only way we can solve that problem is to go to accounts like these. I am sure that the gentleman would not want us to cut back on air traffic control. I do not think the gentleman wants us to further restrict transit operating expenses, as we had to do this year and we did not want to, or further restrict Coast Guard operating expenses.

We just had a long dialog with the gentleman from Florida, the gentleman from Georgia, and the gentleman from Louisiana among others. The only way our committee can manage these resources is not only just budgeting this year, but looking down the road, and that is why we for 1 year only reduced the AIP program to reduce our outlay congestion 2 or 3 years from now. That is the main reason we did that.

So, Mr. Chairman, the gentleman is correct in identifying some of the linkage between the LOI limitation and the overall amount, but it was not that we were mean-spirited. We have serious fiscal problems from year to year, and we are trying to be as fair as possible to everybody. We believe that the LOI's plus the slow outlay rate of AIP gives us future year problems, and that is what we are trying to solve, and we would surely appreciate the gentleman's help.

Mr. OBERSTAR. Mr. Chairman, will the gentleman yield?

Mr. CARR of Michigan. I yield to the gentleman from Minnesota.

Mr. OBERSTAR. Mr. Chairman, I would have been happy to yield to the gentleman if I had had the time under my discussion, but 3 years ago our authorizing subcommittee entered into an understanding with the Subcommittee on Transportation to remove the trigger on AIP and operations account that prohibited, and I will not go into the details, but that created again a logjam, as the gentleman just described, over operations, and AIP funding under which the gentleman's predecessor, Chairman LEHMAN, we agreed to remove the trigger to increase the amount of funding that would come out of a trust fund for operations to 75 percent in exchange for an agreed upon amount of increase in the AIP program.

□ 1520

We have lived up to that. We took that language out with great debate within the aviation community and the airport community, and we have stuck with it. Those amounts out of trust fund into operations account have grown, as we said they should.

So there is another dimension to the point that the gentleman has raised. I understand the gentleman has a different problem. The gentleman has to deal with the Coast Guard, highways, and automobiles. We are dealing only with the aviation trust fund. We thought we had an agreement that would keep those dollar amounts going up, and that would also accommodate letters-of-intent provisions that have been beneficial for airport development.

Mr. CARR of Michigan. Mr. Chairman, reclaiming my time, I would also note in a similar fashion with Chairman TAUZIN that the gentleman's committee has passed out an authorization bill. The funds that we have in this bill are technically unauthorized again. Again, there is a little disagreement over picking and choosing what rule XXI problem you want, but we do appreciate the gentleman allowing us to proceed with the appropriation, even though his own process is not completed.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, this amendment will strike provisions of the bill which prohibit the FAA from issuing letters-of-intent to help finance airport improvement projects.

Continuation of the FAA's letters-of-intent program is necessary to provide the sure knowledge to airports that the FAA will participate over a multiyear period in major airport construction programs.

Because of the need to raise funds in order to finance construction, bonds must often be issued. An FAA letter-of-intent demonstrates Federal commitment to the project, and in so doing assures the bond community that their funding has the support of the FAA. Therefore, FAA letters of intent help decrease the cost of airport construction.

There is a significant need for more airport development funding in order to prevent a significant deterioration in the ability of our airport system to move air traffic efficiently.

According to the latest FAA survey, more than 23 of this Nation's major airports are unacceptably congested. Additionally, the FAA predicts that passenger enplanements will increase by 60 percent by the year 2004. Simply put, the airport capacity of today will not meet the transportation demands of tomorrow.

Airport congestion costs our economy billions of dollars a year in lost productivity. Unless we work to increase airport capacity, the number of airports with unacceptable delays will continue to grow. Airport construction will not proceed efficiently if the FAA is not permitted to offer letters of intent.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Tennessee [Mr. CLEMENT].

The question was taken; and the Chairman announced that the noes appeared to have it.

RECORDED VOTE

Mr. CLEMENT. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 317, noes 117, not voting 4, as follows:

[Roll No. 448]

AYES—317

Abercrombie	Derrick	Hinchey
Ackerman	Deutsch	Hoagland
Allard	Diaz-Balart	Hoekstra
Andrews (ME)	Dickey	Holden
Applegate	Dicks	Horn
Bacchus (FL)	Dooley	Houghton
Baker (CA)	Doolittle	Hughes
Ballenger	Dornan	Hunter
Barca	Dreier	Hutchinson
Barrett (NE)	Duncan	Hutto
Barrett (WI)	Dunn	Hyde
Bartlett	Edwards (CA)	Inglis
Barton	Edwards (TX)	Inhofe
Bateman	Emerson	Inslee
Becerra	Engel	Jacobs
Beilenson	English (AZ)	Jefferson
Berman	English (OK)	Johnson (CT)
Bilbray	Eshoo	Johnson, E.B.
Bilirakis	Evans	Johnston
Bishop	Everett	Kanjorski
Blackwell	Ewing	Kasich
Bliley	Faleomavaega (AS)	Kennelly
Blute	Farr	Kim
Boehlert	Fields (LA)	King
Boehner	Fingerhut	Kingston
Borski	Fish	Kleczka
Brewster	Flake	Klug
Brooks	Fowler	Kolbe
Browder	Franks (NJ)	Kopetski
Brown (CA)	Frost	Kyl
Brown (FL)	Furse	LaFalce
Bunning	Gallegly	Lambert
Buyer	Gejdenson	Lancaster
Byrne	Gekas	Lantos
Callahan	Gephardt	LaRocco
Calvert	Geren	Laughlin
Cantwell	Gibbons	Lazio
Cardin	Gilchrest	Leach
Castle	Gillmor	Lehman
Clay	Gilman	Levy
Clayton	Gingrich	Lewis (CA)
Clement	Glickman	Lewis (FL)
Clinger	Goodlatte	Lewis (GA)
Clyburn	Goodling	Linder
Coble	Gordon	Lipinski
Collins (GA)	Goss	Lloyd
Collins (IL)	Grams	Machtley
Combest	Gunderson	Maloney
Cooper	Gutierrez	Manton
Coppersmith	Hall (TX)	Manzullo
Costello	Hamburg	Margolies-Mezvinsky
Cox	Hamilton	Markey
Cramer	Hancock	Martinez
Crane	Hansen	McCandless
Crapo	Harman	McCollum
Cunningham	Hastert	McCurdy
Danner	Hastings	McDermott
de la Garza	Hayes	McHale
de Lugo (VI)	Herger	McHugh
DeFazio	Hilliard	McInnis
Dellums		

McKeon
McKinney
McMillan
McNulty
Menendez
Meyers
Mfume
Mica
Michel
Miller (CA)
Miller (FL)
Mineta
Mink
Moakley
Molinari
Montgomery
Moorhead
Morella
Murphy
Nadler
Neal (MA)
Norton (DC)
Oberstar
Olver
Ortiz
Orton
Owens
Oxley
Pallone
Parker
Paxon
Payne (NJ)
Payne (VA)
Petri
Pickett
Pickle
Pombo
Pomeroy
Porter
Portman
Poshard
Pryce (OH)
Quillen
Quinn
Rahall
Ramstad
Rangel
Ravenel
Reed
Reynolds
Richardson
Ridge
Roberts
Roemer
Rogers
Rohrabacher
Romero-Barcelo (PR)
Ros-Lehtinen
Rose
Rowland
Roybal-Allard
Royce
Rush
Sangmeister
Santorum
Sarpalius
Sawyer
Schaefer
Schenk
Schiff
Schroeder
Schumer
Scott
Sensenbrenner
Serrano
Shaw
Shepherd
Shuster
Sisisky
Skaggs
Skeen
Slattery
Slaughter
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Snowe
Solomon
Spence
Spratt
Stark
Stearns
Stenholm
Strickland
Studds
Stump
Sundquist
Swett
Swift
Synar
Talent
Tanner
Tauzin
Tejeda
Thomas (CA)
Thomas (WY)
Thompson
Thornton
Thurman
Torkildsen
Torricelli
Towns
Traficant
Tucker
Underwood (GU)
Unsoeld
Upton
Valentine
Velazquez
Vento
Volkmer
Vucanovich
Walker
Walsh
Waters
Watt
Waxman
Weldon
Wheat
Williams
Wise
Woolsey
Wyden
Young (AK)
Young (FL)

NOES—117

Andrews (NJ)
Andrews (TX)
Archer
Armey
Bachus (AL)
Baesler
Baker (LA)
Barcia
Barlow
Bentley
Bereuter
Bevill
Bonilla
Bonior
Boucher
Brown (OH)
Bryant
Burton
Camp
Canady
Carr
Chapman
Coleman
Condit
Coyne
Darden
Deal
DeLauro
DeLay
Dingell
Dixon
Durbin
Fawell
Fazio
Fields (TX)
Filner
Foglietta
Ford (MI)
Frank (MA)
Franks (CT)
Gallo
Gonzalez
Grandy
Green
Greenwood
Hall (OH)
Hefley
Hefner
Hobson
Hochbrueckner
Hoke
Hoyer
Huffington
Istook
Johnson (GA)
Johnson (SD)
Johnson, Sam
Kaptur
Kennedy
Kildee
Klein
Klink
Knollenberg
Kreidler
Levin
Lightfoot
Livingston
Long
Lowey
Mann
Matsui
Mazzoli
McCloskey
McCrery
McDade
Meehan
Meek
Minge
Mollohan
Moran
Murtha
Myers
Natcher
Neal (NC)
Nussle
Obey
Packard
Pastor
Pelosi
Penny
Peterson (FL)
Peterson (MN)
Price (NC)
Regula
Rostenkowski
Roth
Roukema
Sabo
Sanders
Saxton
Sharp
Shays
Smith (IA)
Stokes
Stupak
Taylor (MS)
Taylor (NC)
Torres
Visclosky
Washington
Whitten
Wilson
Wolf
Wynn
Yates
Zeliff
Zimmer

NOT VOTING—4

Collins (MI)
Conyers
Ford (TN)
Skelton

□ 1542

Messrs. WILSON, MOLLOHAN, MATSUI, ZELIFF, KLINK, BEVILL, GONZALEZ, TAYLOR of Mississippi, CONDIT, PETERSON of Florida, and Ms. PELOSI changed their vote from "aye" to "no."

Mr. ALLARD and Mr. ROGERS changed their vote from "no" to "aye."

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Mr. CARDIN. Mr. Chairman, I move to strike the last word.

Mr. Chairman, today I intend to support the fiscal year 1994 Transportation appropriations bill, because I know the chairman and his subcommittee have labored hard under difficult fiscal circumstances to craft the best possible bill for the Nation.

I will say that I am disappointed with the bill, however. I am particularly concerned with two important transportation projects that were left out of the bill entirely. It is my hope that in working with the Senate in conference these projects might get a second consideration, and the funds found to proceed.

MARC

The first project is modernization and expansion of the Maryland Rail Commuter Service. MARC is a tremendous mass transit success story. Ridership on the lines between Baltimore and Washington, and Washington and western Maryland has more than doubled in recent years. The only thing restricting further growth in ridership is the lack of railcars to carry the commuters, and limited parking at stations.

MARC has tried to make due with some of the oldest rolling stock in the Nation—and regular breakdowns have resulted. Most recently the system purchased 4 locomotives being retired by the Chicago Commuter System. This purchase finally allowed MARC to put 40-year-old self-propelled cars that often caught fire into reserve service. As I ride the system regularly, I can assure my colleagues that MARC is pushing the natural life of every piece of equipment it has.

Parking is also a huge problem. Today the lot at the BWI Airport station is regularly filled by 6:30 a.m. and commuters arriving later must walk half a mile. I hear about this problem each day as Laura Gamble, a member of my staff, makes this hike as a part of her commute to Washington. MARC has hesitated to improve or expand parking, though, as they do not have seats to carry the additional ridership that would result.

Again from personal experience, MARC operates in a region where the roads are clogged and new commuters are joining the rush each day. We all hear the morning traffic reports with constant tieups on 270, 95, and the Baltimore-Washington Parkway. In addition, the entire region has severe air quality problems that require drastic action.

Putting more and better rolling stock on the MARC lines, increasing the reliability of locomotives, and adding parking are the easiest and most direct means to address the congestion on our roads and the pollution of our air. This is the top priority of the Maryland Department of Transportation and I cannot imagine another transit project where small investments would lead directly to such large benefits. Yet, no funds were included in this bill to fulfill the $160 million ISTEA authorization for MARC.

MAGLEV

A second issue of great concern is the lack of any funding for initial development of a maglev train prototype. Many picture these trains as a Buck Rogers, space age dream. They are not. Maglev is ready for prototype development—building on the leading American R&D efforts of firms such as Westinghouse, Grumman, and Bechtel. As these names suggest, maglev is one of the most promising fields for defense conversion. Maglev promises safe, low-cost, energy-efficient, high-speed transportation as never before seen in this Nation.

The administration requested $28 million in fiscal year 1994 to fund the first phase of the maglev prototype authorized under ISTEA. In 1991, the Congressional Office of Technology Assessment, in a report on the viability of a U.S. maglev program, concluded:

> If improved mobility, new transportation alternatives using U.S. technology, and international competitiveness are the goals, then Federal demonstration and implementation programs must be established.

Even more recently the Army Corps of Engineers, following a thorough, critical review of maglev found that:

> * * * Potential economic and public benefits from the U.S. based system are sufficient to justify initiation of phase 1 of a prototype development program.

It is my fear that if we do not act now to begin a consistent, multi-year funding program for a maglev prototype, the United States will suffer, yet again, as another American-invented technology is commercially exploited by foreign competitors.

In voting for the bill today, I hope that as the subcommittee takes this bill to conference, the merits of both the MARC expansion and a maglev prototype will be reconsidered and the necessary funding found for these efforts.

□ 1550

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

AVIATION INSURANCE REVOLVING FUND

The Secretary of Transportation is hereby authorized to make such expenditures and investments, within the limits of funds available pursuant to section 1306 of the Federal Aviation Act of 1958, as amended (49 U.S.C. App. 1536), and in accordance with section 104 of the Government Corporation Control Act, as amended (31 U.S.C. 9104), as may

be necessary in carrying out the program for aviation insurance activities under title XIII of the Federal Aviation Act of 1958.

Mr. OBERSTAR. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I take time at this moment, at the appropriate point in the bill, to refer to language in the accompanying committee report on page 66 which purports to direct the Federal Aviation Administration to make airport improvements grants in the amount of approximately $10 million each for three specifically mentioned projects. This practice of place naming, though not in the bill but in the committee report, is undesirable on policy grounds, and I take this time to insist that the FAA not consider it legally binding.

From the earliest days of the AIP Program there have been attempts by various Members to influence both the authorizing and appropriating committees to designate funds for specific projects in the FAA program. Those demands have been successfully resisted by both committees up until this year's action.

The FAA in the past has made very sound, objective decisions on which projects to fund using criteria in the AIP program. This year's appropriation committee attempts or would have the effect of ending a 20-year policy against place naming.

Three years ago, when we brought my first AIP authorization bill to the House floor, there were no references in the bill or in the committee report to any specific project. The bill that we will soon bring to the House floor again on that same subject follows that practice, no specific project references.

Elsewhere in the committee report I read with great interest a section entitled "Aviation Criteria" which I read to be a list of questions about airport projects, but no answers as to how these questions evolve or can be converted into standards or criteria. I am not expressing an opinion as to whether or not these three projects should be funded. In my judgment, the FAA will fund these three projects because they are important, they are necessary to the Nation's airspace system and to the growth of air traffic in this country. They are good projects. But there is a process within the FAA by which it will consider those projects and make its judgment independently without prodding or direction from the Appropriations Committee.

Mr. CLINGER. Mr. Chairman, will the gentleman yield?

Mr. OBERSTAR. I yield to the gentleman from Pennsylvania.

Mr. CLINGER. Mr. Chairman, I thank the gentleman for yielding and just want to rise in support of the gentleman's comments, and stress the fact that in the history of our committee and the authorizing process we have deliberately stayed away from place naming and designating projects. And we are talking about flexibility, giving flexibility to the FAA to do this. This tends to encroach upon that flexibility, and it takes away that measure that we are all trying to get, which is more flexibility in the FAA to do so.

So I would strongly support the gentleman.

Mr. OBERSTAR. I appreciate the gentleman's support.

There is a publication of the GAO that states clearly the governing legal principle that "restrictions on a lump sum appropriation contained in legislative history are not legally binding on the department or agency unless they are carried into or specified in the appropriations act itself."

Mr. BORSKI. Mr. Chairman, will the gentleman yield for a question?

Mr. OBERSTAR. I yield to the gentleman from Pennsylvania.

Mr. BORSKI. Mr. Chairman, I understand that the gentleman from Minnesota is very concerned that certain airport projects are the subject of specific funding earmarks in the committee report accompanying H.R. 2490. Is the gentleman aware that the project to construct a third parallel runway at Philadelphia International Airport will increase capacity by 40 per cent and is thus tailor-made for funding under the Airport Improvement Program?

Mr. OBERSTAR. Yes, I am aware of that, and that is a splendid project. The Philadelphia airport expansion is important to the national airspace system. It will enhance capacity not only in Philadelphia but nationwide, and it is a classic airport improvement program candidate. It is the very kind of project that the FAA, using its independent judgment and criteria, already considered, I am confident, and will support.

The CHAIRMAN. The time of the gentleman from Minnesota [Mr. OBERSTAR] has expired.

(By unanimous consent, Mr. OBERSTAR was allowed to proceed for 30 additional seconds.)

Mr. OBERSTAR. I am happy to support the gentleman with the FAA in that request, but I just do not like to see specific references to specific projects either in the bill or the committee report. We are not going to do that in our bill. They ought not to do it in this one.

Mr. BORSKI. I thank the gentleman.

Mr. CARR of Michigan. Mr. chairman, I move to strike the last word.

Mr. Chairman, I was not going to say much, but I am constrained to defend the product of the committee.

We had extensive hearings for the first 3 months of the year, and we asked the administration to tell us how they made decisions about how they spent our taxpayers' money. We were pleasantly surprised to find out that the Federal Highway Administration not only has some excellent criteria but also has an excellent way of gathering data and creating a database.

We asked the Federal Transit Administration the same questions, and while in our judgments they were not quite up to snuff with what we would like to see in terms of economic-based investment criteria, they at least have some methodology, some measures. They collect data, they issue reports, and they make judgments based on economic merit. They prioritize projects. They can say which is a good cost-effective project and which is a low performer without regard to the property that is asking for the money.

The greatest disappointment we had was with the FAA Airport Improvement Program. While the FAA facilities and equipment activity did have some economic criteria, some investment criteria supporting their decisionmaking, the Airport Improvement Program had nothing. In fact, the acting Administrator said, "We don't have any. We don't do that. It's not our business, and we don't want to do it."

We think they ought to do it. We think it is good, sound management. We think it is a proper part of reinventing government. And we hope that the new Secretary of Transportation and the new FAA Administrator will try to implement some economic-based investment criteria in their judgment making.

I understand that my good friends from the Public Works and Transportation Committee have an undying, almost genetic affection for formulas and allocations, regardless of whether they happen to sift out in any rational economic investment sense. And we had hoped that the chairman of the committee would have required that the FAA develop some economic investment-based criteria in the reauthorization rather than just these scattered-gun approaches. It is like you are broadcasting grass seed across your lawn. You hope some of them will survive, germinate and actually prove useful. The fact of the matter is broadcast strategies in public dollars tend to waste a lot of money. We cannot do that anymore with our deficit.

So we had hearings. People came to us. We have our rigorous investment criteria. We will use it again. We will do an even better job because we are still learning. We would appreciate the comments of anybody who wants to help us learn and improve the process.

But out of our process these three projects stood out, and I do not think it is altogether clear that if we had not gone through that process and focused the attention on those three airport situations that the FAA would in fact have moved forward. I think they have some affection for those projects, but I do not think they had anywhere near the priority that they have today. So I think we have done the country a service.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

AIRCRAFT PURCHASE LOAN GUARANTEE PROGRAM

The Secretary of Transportation may hereafter issue notes or other obligations to the Secretary of the Treasury, in such forms and denominations, bearing such maturities, and subject to such terms and conditions as the Secretary of the Treasury may prescribe. Such obligations may be issued to pay any necessary expenses required pursuant to any guarantee issued under the Act of September 7, 1957, Public Law 85-307, as amended (49 U.S.C. 1324 note). None of the funds in this Act shall be available for activities under this head the obligations for which are in excess of $9,970,000 during fiscal year 1994. Such obligations shall be redeemed by the Secretary from appropriations authorized by this section. The Secretary of the Treasury shall purchase any such obligations, and for such purpose he may use as a public debt transaction the proceeds from the sale of any securities issued under the second Liberty Bond Act, as now or hereafter in force. The purposes for which securities may be issued under such Act are extended to include any purchase of notes or other obligations issued under the subsection. The Secretary of the Treasury may sell any such obligations at such times and price and upon such terms and conditions as he shall determine in his discretion. All purchases, redemptions, and sales of such obligations by such Secretary shall be treated as public debt transactions of the United States.

FEDERAL HIGHWAY ADMINISTRATION

LIMITATION ON GENERAL OPERATING EXPENSES

Necessary expenses for administration, operation, including motor carrier safety program operations, and research of the Federal Highway Administration not to exceed $462,961,000 shall be paid in accordance with law from appropriations made available by this Act to the Federal Highway Administration together with advances and reimbursements received by the Federal Highway Administration: *Provided*, That not to exceed $166,460,000 of the amount provided herein shall remain available until expended: *Provided further*, That, notwithstanding any other provision of law, there may be credited to this account funds received from States, counties, municipalities, other public authorities, and private sources, for training expenses incurred for non-Federal employees.

HIGHWAY-RELATED SAFETY GRANTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(HIGHWAY TRUST FUND)

(INCLUDING TRANSFER OF FUNDS)

For payment of obligations incurred in carrying out the provisions of title 23, United States Code, section 402 administered by the Federal Highway Administration, to remain available until expended, $10,000,000 to be derived from the Highway Trust Fund: *Provided*, That not to exceed $100,000 of the amount appropriated herein shall be available for "Limitation on general operating expenses": *Provided further*, That none of the funds in this Act shall be available for the planning or execution of programs the obligations for which are in excess of $10,000,000 in fiscal year 1994 for "Highway-Related Safety Grants".

RAILROAD-HIGHWAY CROSSINGS PROJECTS

For necessary expenses of certain railroad-highway crossings projects as authorized by section 163 of the Federal-Aid Highway Act of 1973, as amended, to remain available until expended, $12,828,000.

FEDERAL-AID HIGHWAYS

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

None of the funds in this Act shall be available for the implementation or execution of programs the obligations for which are in excess of $17,198,000,000 for Federal-aid highways and highway safety construction programs for fiscal year 1994.

□ 1600

AMENDMENT OFFERED BY MR. MINETA

Mr. MINETA. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. MINETA: Page 17, line 19, strike "$17,198,000,000" and insert "$17,482,663,000".

Mr. MINETA. Mr. Chairman, as the Members of this House are well aware, the core of the dispute here has been $284 million in unauthorized funding which, under this bill, would not move through the normal highway program allocations to all the States, but would instead be directed to specific projects in a few States.

Under the bill 1 State would get a third of these funds, 40 States would receive less funding than if these same dollars were simply distributed through the basic highway program allocation enacted into law just 2 years ago, and 27 States would get none of these funds at all.

That is not fair to the people all over this country who pay gas taxes for the purpose of getting the road improvements they need. That is not fair to the people all over this country who have legitimate needs for highway improvements and highway safety projects.

The funding for these projects is not authorized. These projects have not even been considered in a public markup session in any committee. And they are in this bill contrary to the rules of the House. I don't find that acceptable, and most of the Members of this House don't find that acceptable.

As I have indicated to all the Members, I am striking all the unauthorized highway projects in this bill by points of order. The total funding involved is $284 million. And as I have committed to the Members of this House, I am offering this amendment to restore that amount to the basic highway program, simply by raising the obligation ceiling for Federal-aid highways and highway safety construction programs by the $284 million.

The result of my amendment would be that these funds, instead of being distributed to only a few States, would be distributed to all States.

This is the way to be fair to all who have paid the taxes, and to all who have highway needs. Forty States will do better under my amendment than they would under the earmarked projects in the bill. There can be no question but that my amendment will provide a fairer distribution of these tax dollars and will therefore reflect better on this institution.

I urge all Members to support my amendment.

Mr. CARR of Michigan. Mr. Chairman, I rise in opposition to the amendment.

I do so only to take a few minutes to talk about the nub of the controversy between our committees.

I will oppose this amendment. I will not call for a rollcall vote, and I hope that the other side will not either. I am under no illusion about how the vote will go. I think Members are anxious to move on. We have a few more things to do in this bill, and we need to conclude and, hopefully, conclude tonight in an expeditious fashion because we are going to have the President here and we are anxious to listen to him.

But I merely want to point out that the nub of the controversy here has to do with whether you like or you see shortcomings in the highway allocation formula in ISTEA. The chairman of the Committee on Public Works and Transportation has made the assertion, and many have joined him in the assertion, that somehow or other the formula in ISTEA is fair and therefore anything that tinkers with that formula or moves some of the money around is unfair and that what everybody ought to do is support his efforts to put money back into the formula because that will be more fair.

I would just ask the Members to give pause and examine this particular item that I am about to read. If ISTEA formulas are fair, then why does the State of Massachusetts, which ranks 13th in population, 10th in road miles, and 16th in vehicle miles traveled, rank 2d in the amount of formula money under ISTEA? If you are from Massachusetts, you are getting a real good deal, and I can appreciate why you would want to reallocate everything back that you could into the ISTEA formula.

Consider my own State of Michigan: Michigan is the 8th largest State by population, has the 7th longest system of roads, is 8th in the amount of motor vehicle miles traveled, and yet the State of Michigan gets the 11th ranking, we rank 11th in ISTEA funding. From our State's point of view, that is not very fair. Putting money back into the ISTEA formula is to give an advantage to those communities that have already, by virtue of their own political expertise, locked in their advantage for a full 6 years.

Some of our States have needs too. That is a little bit of what this argument between the committees is about.

The other thing is that, without regard to the sincerity and the hard work of the members of the Committee on Public Works and Transportation, when they examined the legislation 3 years ago they saw an America that

has changed since that time. We now have Members coming to us who have been elected since ISTEA was originally passed, saying, "We have got a bridge that is falling down, we have population movement that we couldn't foresee. We even have," and get this, "we even have a cost increase or a need to accelerate a project which was in fact authorized in ISTEA but for which ISTEA didn't give us enough money. Would you, on your Appropriations Committee, give us enough money to complete our project or to accelerate our projects?" So, as the gentleman from Tennessee said on a different issue, "The community could spend its money more wisely and in a more economically efficient manner."

But it seems to me that, rather than allow good policy to take place for the benefit of the customers and the users and the owners of this Government, we get hung up in rules which were designed in another time to solve another problem to try to fence off little jurisdictions between our committees. And that is really where we are—that is the nub of the argument.

We believe the Committee on Public Works and Transportation has an awesome responsibility. We honor their work. They set in motion an architecture which will last for a long number of years.

On the other hand, we all know that situations change. We live in a changing world. There are changing patterns, and nothing changes faster than transportation. So the Committee on Appropriations has tried, knowing that we would exercise an extraordinary procedure, to do something that make sense. We have accepted standards which the Committee on Public Works and Transportation did not accept when they put their projects together. So we thought we would get the approval of the Public Works Committee and some partnership with them in continuing this.

So I oppose the amendment. Again I will not be very vigorous about this. I know that the membership wants to move on.

□ 1610

Mr. SHUSTER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in strong support of the amendment offered by the distinguished chairman of the Committee on Public Works and Transportation.

This amendment simply says that the funds which were put in the highway trust fund will be distributed by the formula that was agreed upon by the Congress to the various States; so every State becomes a multimillion-dollar winner if we adopt this amendment.

I would also say to my good friend, the gentleman from Michigan, that I agree with him that things change and, indeed, I think we on the Public Works and Transportation Committee are going to have to find a way to be more responsive to the changes that he refers to.

Up until 1978, the surface transportation legislation that we dealt with was dealt with on a 2-year basis. Then we went to the longer, the 5-year, the 6-year basis.

I believe our committee should reconsider going back to the 2-year legislation in the future and this Member will certainly be exploring that possibility, because I think it gives us the opportunity to address the very real problems that the distinguished gentleman from Michigan has referred to here.

I would also point out in reference to the formula and Massachusetts appearing to be such a great winner under the formula, that the reason Massachusetts under ISTEA got the money that it got was not because of its position relative to the percentage formula of distribution, but rather because this Congress has said time and time again that the Interstate System should be completed and the funds required to complete it should be provided. Massachusetts was one of the last States to complete the Interstate System, and therefore the reason Massachusetts got so much money in ISTEA was not because of the percentage formulas in the various categories, but rather because Massachusetts finally was going to complete the interstate, and so they got a big slug of money at the tail end, whereas many of our States, Michigan, Pennsylvania, and other States, got much more money for interstate completion on the front end.

If you take away the cost to complete the interstate, Massachusetts not only would not be second in the funds, but simply applying the various percentage formulas in the various categories, primary, secondary, et cetera, Massachusetts would have been way down.

Indeed, once the interstate is completed, Massachusetts will fall down somewhere in the middle.

So I think referring to the funds they received in ISTEA really does not totally present the whole picture.

For all those reasons, I think we have work to do on the Public Works and Transportation Committee, and I certainly intend to try to be helpful in making us more responsive in terms of compressing the time.

Mr. Chairman, I urge my colleagues to support the amendment of the gentleman from California. It makes every State a multimillion-dollar winner.

Mr. COLEMAN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, like the chairman of my subcommittee, I did not plan to speak on this issue, either, but it is interesting to me to hear our colleagues all of a sudden decide they have nearly $300 million and they want to spend it. Interesting. How quickly we forget.

If we are going to take the $284 million—is that the number? I think that is the number that the gentleman from California [Mr. MINETA] is talking about, the amendment of the gentleman from Tennessee [Mr. CLEMENT] that passed recently, as you know, argued about the letters of intent. We rejected the idea we would not inhibit those.

I suppose now we really have a serious outlay problem. I am very concerned about that as a member of the Appropriations Committee and would only suggest that perhaps we ought not to put the $300 million in. Let them go ahead and strike, if he is successful in striking the project to spend $284 million, rather than $300 million, and save the money.

You know, we are not talking about peanuts here. It is interesting to me to hear people all of a sudden decide that, well, we are the Public Works Committee, we will spend the $300 million, not worrying about outlay problems and budgetary requirements, restrictions in the Budget Act, and by the way, members of the Public Works Committee also voted for or against earlier this year.

It seems to me that perhaps passing this particular amendment would be a grand mistake.

I would hope that for reasons of complying with the Budget Act that we save the $300 million. Let us do that instead.

Mr. RAHALL. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, the distinguished gentleman from Michigan, the chairman of the Subcommittee on Transportation of the Committee on Appropriations, has put a great deal of commendable work into this legislation and into transportation policy.

The distinguished gentleman from California, my chairman of the Committee on Public Works and Transportation, is to be most strongly commended for his patience, for his tenacity, and for his attention to the legislative process. That is the issue today.

Chairman MINETA has fully explained his effort to restore the $284 million to the States in funding that would have gone to the projects that are points of order on this bill. Forty-one States will gain additional funding from Chairman MINETA's amendment.

Chairman CARR has mentioned the fact that things have changed since ISTEA. I totally agree with him in that observation; but the insinuation is that the Committee on Public Works and Transportation has been idle since passage of ISTEA. Nothing could be further from the truth.

We held 5 days of extensive oversight hearings this year on the implementation of ISTEA. We have heard from

transportation officials and groups across the country as to whether or not and what parts of ISTEA are working most effectively and whether a correction bill should be in order. Will a technical correction bill be in order? Yes.

Will the Committee on Public Works and Transportation undertake such an effort? Yes. We will be undertaking such an effort.

I remind the gentleman from Michigan that we undertook such an effort last year and passed a technical corrections bill out of this House, only to see it fall by the wayside in the other body.

So it is not like we are sitting idle and not undertaking responsibilities to examine changes that have occurred since ISTEA was implemented.

In addition to oversight on ISTEA, we have had a number of other issues on our agenda this year. Now that perhaps staff attention and the Members' attention can be diverted back to the technical corrections, we can move even more quickly after passage of this Transportation appropriations bill.

Looking down the road, under ISTEA we have a requirement that an estimated 155,000 mileage system be submitted to Congress by the 18th of December of this year by the Secretary. This will be a followup to the post-Interstate System. This system of highways will be known as NHS, National Highway System.

Congress must act on this highway system by September of 1995, or all interstate maintenance funding would be cut off to the States.

So that will be a major vehicle for us not only to look at what we have done in ISTEA, but to look at overall transportation policy.

ISTEA is a complex bill. It is truly an Intermodal Surface Transportation Efficiency Act, and as such we cannot rush quickly into changes, but rather time is needed to see that it is working, to see what parts may need change.

To our Members, to our new Members especially who have been elected since the implementation of ISTEA, I say we are listening to you and we hear the changes that need to be made, especially in your respective districts. It is not like we are throwing those comments out, going in one ear and out the other. We are listening and we are going to take your concerns into consideration. When we do, perhaps maybe not in a technical corrections bill, it will be when we enact the National Highway System, the next major highway bill to go through this body.

So again, Mr. Chairman, I urge adoption of Chairman MINETA's amendment. I say to my colleagues, this is about process. This Member, as chairman of the Surface Transportation Subcommittee is certainly not against demonstration projects. That is not what I am up here arguing with the appropriators about, but it is about the process and it is about whether projects are authorized or not, whether they have received the proper congressional scrutiny. That is what this whole exercise is all about.

Mr. Chairman, I urge adoption of the amendment.

Mr. PRICE of North Carolina. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, the amendment before us anticipates the striking of the highway projects in the Transportation Appropriations bill. A great deal has been said about the process by which those projects were proposed and approved. I want to talk about that for just a few minutes, because there has been a good deal of misunderstanding about exactly what the Subcommittee on Transportation did.

As a matter of fact, these projects have been extensively reviewed, much more extensively, much more carefully this year than in previous years. Our subcommittee took testimony from Members about the projects. Members had to provide economic criteria for their projects to make certain that each project was a sound investment.

Now the Intermodal Surface Transportation Efficiency Act, with its contract authority for hundreds of demonstration projects: that was a 6-year authorization, and the question is: What if a pressing need appears after that bill is passed? The answer until this year has been that our subcommittee, the Transportation Appropriation Subcommittee, was free to respond.

One of the two North Carolina projects in the bill, for example, the Neuse River Bridge, has deteriorated rapidly over the last 2 years and has a sufficiency rating of 5 on a scale of 50. Our subcommittee is trying to help North Carolina begin that $70 million project.

Now my colleagues might say, "Well, why doesn't North Carolina just apply for discretionary bridge funds?" The answer is that the authorizing committee has decided to treat donor States with bridge problems unfairly. Any minimum allocation State that receives discretionary bridge funds has those funds subtracted from their minimum allocation for the next year.

It is that simple. It is a zero-sum game. With that kind of provision, the authorizers are thumbing their noses at the donor States saying, "If you have bridge needs, you can just wait until we get around to a new authorization bill."

Mr. Chairman, this is unfair to donor States like North Carolina, and Texas, and California, and Michigan, and Florida, and Indiana, to name just a few.

Now how is it that the Committee on Public Works and Transportation authorizes projects? Let us talk about that for a minute. It is a unique arrangement, and I think it is a troubling arrangement.

When the Committee on Public Works and Transportation authorizes a project, it provides contract authority for it also. They talk a lot about authorizing on appropriations bills. Well, let us talk about appropriating on authorization bills! In simple terms, these highway demos, all $6 billion of them, are authorized and appropriated from the start, one fell swoop. The Appropriations Committee has no way to review these projects and make adjustments due to fiscal constraints or problems with the projects.

Let us say a project runs into an environmental problem, for example. They will have their money sitting there unobligated for years.

I ask, "Why shouldn't you make adjustments in the funding level to meet changing circumstances?" Often we might want to reduce funding. In this bill, for example, we brought in $64 million in rescissions for moribund projects, and our friends have stricken that on a point of order. They do not want to face that problem, and they do not want the Appropriations Subcommittee to face it either.

In other instances, Mr. Chairman, we might want to increase spending because of a project's urgency, but we are not allowed to. So the money just sits there while our roads remain unbuilt and our employment rate remains unacceptably high. It is simply bad financial management, this Public Works process. The Joint Committee on Organization of the Congress simply must review the contract authority process and help us find some way to deal with it.

Now we fund a relatively small number of highway projects in our appropriations bill, and that is one way to deal with this problem. It is not a total solution, but it is one way.

For example, another North Carolina project in this bill, U.S. Highway 64, is in my district. That is a $30 million project, not the largest of projects as highway demonstrations go. The Committee on Public Works and Transportation in ISTEA did provide some money for this project, all of $5.3 million! North Carolina unfortunately was not one of the blessed eight States, the eight States that received almost 50 percent of the $6 billion spent in ISTEA for highway demo projects. Therefore, to help make this important project a reality, other Federal funds were needed. It was not that this project lacked merit. The Committee on Public Works and Transportation recognized that in providing some money for it. It is just that the money was not anywhere near an adequate amount.

So, we got witnesses to come in, we applied the economic criteria, and we passed muster, and the Appropriations Subcommittee has provided some additional funding for this project. I submit to my colleagues that this ought to be in this bill. It ought to stay in this bill.

It is the sort of thing we ought to be doing year to year in our annual appropriations bill, and it is unclear to me why the Public Works and Transportation Committee has suddenly abandoned the division of labor we have had for many years.

The year-to-year funding process is a needed corrective to multiyear authorizations. This funding is more flexible, more targeted, and more accountable, and I would suggest to my colleagues that to simply strike these projects and to fall back on contract authority is inefficient and wasteful.

This year-to-year funding of highway projects pales in comparison to what the Committee on Public Works and Transportation does through its contract authority. At the same time it is a way to correct some of the deficiencies in that process, target that funding, make it more flexible, and make certain that it is adequately utilized. I urge rejection of the amendment.

Ms. NORTON. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, the struggle over the Transportation Appropriations bill has not been a matter of personalities, but of different views of process, each of which has enjoyed some support at one time or the other in the practices of this body. The view taken by the gentleman from California [Mr. MINETA], however, simply must he upheld to maintain the integrity of the House authorization process. The House authorization process. The House authorization process, this process involving most of the Members of this House, is central to our operations.

As to the practices of the other body, if I may say so, I know few Members of this House who regard the Senate as a model for this body.

More than process is at stake, however: $284 million, which, under legislation passed by the Congress, belongs to every State is at stake. This large amount would have been significant at any time. It is especially significant this year when the stimulus package failed, when business has increased its productivity by laying off workers, when we are closing military bases, when we are downsizing the Federal Government, and when we will be voting for health care reform and eliminating jobs in that sector, when we have cut every major program in the Government and when we have extracted from the President a pledge to do even further cuts.

Precisely because the Congress recognized that fights over funding would develop among the States, we long ago devised a formula for the allocation of transportation funds to the States. If one does not like the formula, use the process: Come to the committee and help us change the formula.

This formula assures that objective factors, including the number of vehicles traveled on the highway system, and population density, and not political considerations, power, relationships or other subjective factors will govern. We will all lose eventually if we tamper with this careful methodology. Moreover, it would be criminal to allow these funds to go unused even in a time of deficit reduction or to allow them to be used for other purposes.

There is consensus among economists that transportation projects are the most efficient way to stimulate the economy, yet we have done amazingly little pump-priming. We see the result in the current unemployment rate of 6.7 percent, and 12.5 percent in the black community, and in an infrastructure that cries out for our attention.

In the 19th century and early 20th century this country guaranteed economic growth by investing its public funds in a magnificent infrastructure. We renewed its vitality over the years. In the most recent period, however, we have squandered our initial investment by allowing bridges, highways, and water projects to be deteriorated so much that it will cost billions more to revive them now than if we had done ordinary maintenance and made timely and necessary additions.

The fairest and most efficient use of the $284 million is for the Basic Highway Program. There is money under the allocation formula for every State in this bill, and there is no State that does not need this money for transportation-related purposes today. The rational and equitable approach is to go back to the status quo ante and treat these funds as we would have had this fight been unnecessary.

Mr. Chairman, I urge, and strongly urge, support of the amendment offered by the gentleman from California [Mr. MINETA].

Mr. SHARP. Mr. Chairman, will the gentlewoman yield?

Ms. NORTON. I yield to the gentleman from Indiana.

Mr. SHARP. Mr. Chairman, the gentlewoman from the District of Columbia [Ms. NORTON] has articulated the statement that we have got a formula here that will distribute the funding on an equitable and rational basis, on the basis of objective factors, and I regret to say that my State has been a donor State all along, and, while we did get——

Ms. NORTON. Reclaiming my time, Mr. Chairman, I say to the gentleman, If your State is treated unfairly, it has been treated unfairly by the entire Congress. This committee would be open, I am certain, to looking at any unfairness in the formula. It is unfair to use a process——

Mr. SHARP. With due respect to the gentlewoman, and there are many Members on this committee, and I agree with her that the committee is quite open and in 3 years will take up the formula issue, but I will also say we all know that in this Chamber, whether it is the gentlewoman's committee, my committee, or the entire House, that formula was based on the power distribution in this country, not just on factors.

□ 1630

What has happened is through the appropriations process, and, I might add, through the generosity of your committee, which endorsed projects like some of us have in this bill, we have gotten at least some more equitable distribution.

Ms. NORTON. Mr. Chairman, reclaiming my time, who is to say that your distribution is more equitable than the one that the committee has allocated?

Mr. NADLER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the amendment offered by the distinguished chairman of the Public Works Committee.

Let every Member of this House be clear on what we are voting on here. This vote is not about projects. This vote is not simply about dollars, although 41 States would have gotten shortchanged under the bill as reported. This is not a referendum on the worthiness of any particular unauthorized project. This vote is not even about a turf fight between committee chairs.

What we are really being asked to decide is whether the Congress of the United States, and the President, can set transportation policy for this country and see that policy implemented. That fundamental principle is being challenged today.

This Nation's competitiveness has been hobbled by our neglect of our transportation infrastructure, and by the failure to think and plan comprehensively for our Nation's transportation needs. This failure has cost us jobs. The monumental achievement of ISTEA was that we turned a corner and began to fill that gap.

We must not move backward. We need comprehensive planning for our infrastructure. I urge my colleagues to support the gentleman's amendment and preserve this Nation's ability to set comprehensive transportation policy.

Mr. COLEMAN. Mr. Chairman, will the gentleman yield?

Mr. NADLER. I yield to the gentleman from Missouri.

Mr. COLEMAN. Mr. Chairman, the only question I have and one of the reasons I got up and said anything at all, is it bothers me a lot that it is now being decided by the House that the Committee on Appropriations did not get enough money through ISTEA. In fact, we were $284 million short, if I understand the argument of the gentleman. Is that the belief of the Members of the House that have spoken,

such as the gentleman from New York, from the Committee on Public Works and Transportation? Were we short $284 million for ISTEA?

Mr. NADLER. Mr. Chairman, reclaiming my time, I could answer that question for myself as a Member of the House, but not on behalf of the Committee on Public Works and Transportation, obviously. I prefer that there would be full funding of ISTEA. That was the pledge of the President during his campaign, and I would hope we would come as close to that as possible.

Now, as far as I understand what happened, the administration proposed its budget, the committee did what it did, and the Committee on Appropriations then came along and said, "Well, we will spend on transportation the same amount of money, but we will take out of ISTEA $305 million and put it in other specific projects in nine States." I do not think the Committee on Appropriations was trying to reduce the amount spent on transportation. They were simply trying to substitute some projects.

Now, I agree with what I take to be both the conclusion of the Committee on Public Works and Transportation and the Committee on Appropriations as to the appropriate amounts to be spent on transportation. I would simply hope that this amendment passes, so it is put back into transportation.

Mr. COLEMAN. Mr. Chairman, if the gentleman will yield further, I think it needs to be said that the Committee on Appropriations does not set the allocation for transportation. We did that in the House, in the Budget Act. I hope that everyone does not believe that the Committee on Appropriations sits around and says, "This is how much we are going to spend on transportation as a function of the United States Government," or, "This is how much we are going to spend on defense as a function of the United States Government." That is not done by the Committee on Appropriations.

Mr. Chairman, I certainly hope the gentleman understands that that was not our decision. In fact, I want to reiterate, one of the major problems we are going to have, because we have already agreed we are going to do letters of intent, now we want to add $284 million to this section. If some of the projects are not struck, I guess we are going to have a problem again with outlays of a pretty substantial sum. I just wanted to warn the gentleman that that will be a problem, and, in fact, if Members are for deficit reduction, they will vote no.

Mr. NADLER. Mr. Chairman, reclaiming my time, I think the fact is most of those projects are going to be struck because they violate the rules of the House. I think those projects which were not protected are going to be struck. They violate the rules of the House. The argument really is an argument against the rules of the House, which is not appropriate here now.

Mr. Chairman, I urge adoption of the amendment.

Mr. McCLOSKEY. Mr. Chairman, I rise to strike the requisite number of words.

Mr. Chairman, much has been said, and I think has been alluded to by several Members already, and I think all of us basically know how this is going to go. I might say I think it is obvious to everyone that this is one of the more unenviable times in House history in our legislative experience where we have severe conflicts, if you will, between friends and leaders, and, quite frankly, sometimes between competing committees, unfortunately, that overall are very important to our President and to future existence.

But I am very concerned, quite frankly, about not only the people I represent in Indiana, but also people that are represented by other Members, as to all the projects that very likely will be struck today.

I think Chairman MINETA talked about equity and the idea that an overall unearmarked allocation is the fairest thing for the American people. But as the gentleman from Indiana [Mr. SHARP] raised, and I wish the gentleman from California [Mr. MINETA] would speak to this in a little bit, because I am very concerned about communications today, not just making a point, but Indiana is a donor State.

Mr. Chairman, the other thing I want to point out is probably no one has helped me more in my concern for Indiana, the Indianapolis-Evansville highway, than the gentleman from California [Mr. MINETA], who made this a priority upgrade, put it in ISTEA, and cooperated with some $26 million in authorization previously.

Basically what happened, with the help of the gentleman from Michigan [Mr. CARR], is the $9 million ultimately that would help this project that has been endorsed by the gentleman from California [Mr. MINETA], even promoted by him, in essence would be put on a little bit faster track, in an area which is not only a donor State, but which has truly severe unemployment and underemployment. We need those jobs.

Mr. Chairman, when I heard the opening statement of the gentleman from California [Mr. MINETA], as I sat in my office trying to handle three or four different sets of constituents coming in, I was, quite frankly, sincerely concerned for the thrust, where the gentleman said, in essence, our efforts are unfair to the American people.

I understand that authorization-appropriations process and competition. But where do me and 59 other Members and all the millions of people we represent stand in this process as far as the future, wanting more action on priority projects that the gentleman has been in agreement with, over the next 4 years, before the next 4 years runs around?

Mr. MINETA. Mr. Chairman, will the gentleman yield?

Mr. McCLOSKEY. I yield to the distinguished chairman, the gentleman from California.

Mr. MINETA. Mr. Chairman, I think the kind of pleas that Indiana, that the gentleman from Indiana [Mr. McCLOSKEY], the gentleman from Indiana [Mr. SHARP], the gentleman from Indiana [Mr. HAMILTON], the gentleman from Indiana [Mr. MYERS], and other Members of the Indiana delegation have raised, who have talked about this, in ISTEA we worked very, very closely with all of the Members. As I recall, we went from 72 cents on the dollar in terms of the formula distribution prior to ISTEA, and we went very significantly to 85 cent on the dollar.

Mr. McCLOSKEY. Mr. Chairman, reclaiming my time, that is true. But we are still a donor State. Some people get more than a dollar, do they not?

Mr. MINETA. Mr. Chairman, if the gentleman will yield further, under the minimum allocation program, we made sure that States like Indiana were brought up very, very much. So we recognize that there are inadequacies.

□ 1640

There are also a lot of States that got a lot of interstate moneys in the early years of the Interstate Defense Highway Program, after it was signed into law by President Eisenhower. So a lot of those, I think, figures, if we look at the total time from 1956 to 1991, we will find that there has been a very equitable share that has been coming back. And we will work with the gentleman and others to make sure this happens.

Mr. McCLOSKEY. Mr. Chairman, we know that historically. But what is our immediate future, then, come spring, as far as sincere efforts to push projects?

Mr. MINETA. Mr. Chairman, if the gentleman will continue to yield, earlier the subcommittee chair of the Subcommittee on Surface Transportation indicated that there would be two things that would be coming to us very quickly. One is the technical corrections bill and, then, the second would be something relating to the National Highway System. That we hope to be able to do, work on, I think, sometime in the early part of 1994.

But I also have to, I think, reflect on the fact that the ISTEA legislation did pass by a vote of 372 to 47. I think at the time we had good, strong support for it.

There is no question that there may be some tweaking that has to be done, and we will do that in the course of the deliberations of the technical corrections and the NHS legislation.

Mr. COPPERSMITH. Mr. Chairman, I move to strike the requisite number of

words, and I rise in support of the amendment offered by the gentleman from California [Mr. MINETA].

Mr. Chairman, I rise in support of the amendment offered by Chairman MINETA. In my opinion, this amendment corrects the appropriation of highway funding in H.R. 2750, the 1993 surface transportation appropriations bill for fiscal year 1994.

As Chairman MINETA has noted, H.R. 2750 earmarks $284 million for 57 projects in 24 States. States not blessed with a special earmarked project must fight for a share of the significantly decreased pot of discretionary money left over.

This amendment corrects this situation by redistributing the $284 million according to the formula established by the Intermodal Surface Transportation Efficiency Act of 1991 [ISTEA]. Under ISTEA's funding formula, 41 States, including those 26 that received no special earmarks in this bill, will see their share of highway funding increase. For example, Arizona will receive some $3.7 million more under ISTEA's more equitable distribution system. Many other States will do much better under the existing formula.

Regardless of whether your State gains or loses, however, you should support this amendment if you support fairness. We should not crimp transportation funding in 26 States in order to prefer specific projects in favored States. As we seek to reinvent government, we should not allow bringing home the bacon to dominate the legislative process. This amendment redistributes transportation funding across the Nation according to the established ISTEA formula approved by Congress. It is the right thing to do.

I urge you to support Chairman MINETA's amendment.

Mr. PETRI. Mr. Chairman, I support the amendment offered by the chairman of the Public Works and Transportation Committee which will return to our regular highway program the funding for the unauthorized highway projects which have been stricken from the bill.

Since the unauthorized projects that have been deleted on points of order were funded through the trust fund, it is logical and appropriate that these funds be restored to our highway program and distributed to all the States. Indeed, this has been the expectation of most Members since the debate began on these particular projects a few months ago.

Allowing these trust funds to be spent on our basic highway program and distributed through established formulas to all the States is the right thing to do, and I urge my colleagues to support this amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California [Mr. MINETA].

The question was taken; and on a division (demanded by Mr. MINETA) there were—yeas 8, nays 16.

RECORDED VOTE

Mr. MINETA. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 281, noes 154, not voting 3, as follows:

[Roll No. 449]

AYES—281

Abercrombie
Ackerman
Andrews (ME)
Andrews (NJ)
Applegate
Bacchus (FL)
Bachus (AL)
Baker (CA)
Baker (LA)
Ballenger
Barca
Barlow
Barrett (WI)
Bartlett
Bateman
Becerra
Beilenson
Berman
Bevill
Bilbray
Bishop
Blackwell
Blute
Boehlert
Boehner
Borski
Brewster
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Bunning
Byrne
Callahan
Calvert
Cantwell
Clay
Clement
Clinger
Clyburn
Coble
Collins (GA)
Collins (IL)
Condit
Coppersmith
Costello
Cramer
Cunningham
Danner
de Lugo (VI)
Deal
DeFazio
DeLauro
Dellums
Derrick
Deutsch
Diaz-Balart
Dickey
Dicks
Dooley
Doolittle
Duncan
Dunn
Edwards (CA)
Emerson
Engel
English (AZ)
English (OK)
Eshoo
Everett
Ewing
Faleomavaega (AS)
Farr
Fawell
Fields (LA)
Filner
Fingerhut
Fish
Flake
Ford (MI)
Ford (TN)
Frank (MA)
Franks (CT)
Franks (NJ)
Gallegly
Gallo
Gejdenson
Geren
Gilchrest
Gilman
Gingrich
Glickman
Goodling
Gordon
Grandy
Gunderson
Gutierrez
Hamburg
Hancock
Hansen
Harman
Hastert
Hayes
Hefley
Herger
Hilliard
Hinchey
Hoagland
Hoekstra
Hoke
Holden
Horn
Huffington
Hughes
Hunter
Hutchinson
Hutto
Hyde
Inglis
Inhofe
Inslee
Istook
Jefferson
Johnson (CT)
Johnson (GA)
Johnson, E. B.
Johnston
Kanjorski
Kennedy
Kennelly
Kim
King
Kingston
Kleczka
Klein
Klug
Kolbe
Kopetski
Kreidler
Kyl
LaFalce
Lambert
Lantos
LaRocco
Laughlin
Lazio
Levy
Lewis (GA)
Linder
Lipinski
Lloyd
Lowey
Machtley
Maloney
Mann
Manton
Margolies-Mezvinsky
Markey
Martinez
Matsui
McCandless
McCrery
McCurdy
McDermott
McHale
McKeon
McKinney
McNulty
Meehan
Menendez
Meyers
Mfume
Mica
Michel
Miller (CA)
Mineta
Minge
Mink
Moakley
Molinari
Mollohan
Montgomery
Moorhead
Morella
Murphy
Nadler
Neal (MA)
Norton (DC)
Oberstar
Obey
Olver
Owens
Oxley
Pallone
Parker
Paxon
Payne (NJ)
Payne (VA)
Pelosi
Petri
Pickle
Pomeroy
Portman
Poshard
Quillen
Quinn
Rahall
Rangel
Ravenel
Reed
Reynolds
Richardson
Ridge
Roberts
Rohrabacher
Ros-Lehtinen
Rose
Rostenkowski
Roth
Roukema
Rowland
Roybal-Allard
Rush
Sanders
Sangmeister
Schenk
Schiff
Schroeder
Schumer
Scott
Sensenbrenner
Serrano
Shays
Shuster
Skelton
Slattery
Slaughter
Smith (NJ)
Smith (OR)
Snowe
Spence
Spratt
Stark
Strickland
Studds
Stump
Sundquist
Swett
Swift
Synar
Talent
Tanner
Tauzin
Taylor (MS)
Tejeda
Thomas (CA)
Thomas (WY)
Thompson
Thornton
Thurman
Torkildsen
Torres
Torricelli
Towns
Traficant
Tucker
Underwood (GU)
Unsoeld
Valentine
Velazquez
Volkmer
Vucanovich
Waters
Waxman
Wheat
Williams
Wise
Woolsey
Wynn
Young (AK)
Zeliff

NOES—154

Allard
Andrews (TX)
Archer
Armey
Baesler
Barcia
Barrett (NE)
Barton
Bentley
Bereuter
Bilirakis
Bliley
Bonilla
Bonior
Boucher
Brooks
Bryant
Burton
Buyer
Camp
Canady
Cardin
Carr
Castle
Chapman
Clayton
Coleman
Combest
Cooper
Cox
Coyne
Crane
Crapo
Darden
de la Garza
DeLay
Dingell
Dixon
Dornan
Dreier
Durbin
Edwards (TX)
Evans
Fazio
Fields (TX)
Foglietta
Fowler
Frost
Furse
Gekas
Gephardt
Gibbons
Gillmor
Gonzalez
Goodlatte
Goss
Grams
Green
Greenwood
Hall (OH)
Hall (TX)
Hamilton
Hastings
Hefner
Hobson
Hochbrueckner
Houghton
Hoyer
Jacobs
Johnson (SD)
Johnson, Sam
Kaptur
Kasich
Kildee
Klink
Knollenberg
Lancaster
Leach
Lehman
Levin
Lewis (CA)
Lewis (FL)
Lightfoot
Livingston
Long
Manzullo
Mazzoli
McCloskey
McCollum
McDade
McHugh
McInnis
McMillan
Meek
Miller (FL)
Moran
Murtha
Myers
Natcher
Neal (NC)
Nussle
Ortiz
Orton
Packard
Pastor
Penny
Peterson (FL)
Peterson (MN)
Pickett
Pombo
Porter
Price (NC)
Pryce (OH)
Ramstad
Regula
Roemer
Rogers
Romero-Barcelo (PR)
Royce
Sabo
Santorum
Sarpalius
Sawyer
Saxton
Schaefer
Sharp
Shepherd
Sisisky
Skaggs
Skeen
Smith (IA)
Smith (MI)
Smith (TX)
Solomon
Stearns
Stenholm
Stokes
Stupak
Taylor (NC)
Upton
Vento
Visclosky
Walker
Walsh
Washington
Watt
Weldon
Whitten
Wilson
Wolf
Wyden
Yates
Young (FL)
Zimmer

NOT VOTING—3

Collins (MI)
Conyers
Shaw

□ 1706

Messrs. VENTO, DE LA GARZA, LANCASTER, CANADY, MCMILLAN, CRAPO, ZIMMER, and ROYCE changed their vote from "aye" to "no."

Mr. HOKE, Mrs. VUCANOVICH, and Messrs. EVERETT, CUNNINGHAM, QUILLEN, OLVER, ISTOOK, MOLLOHAN, DOOLITTLE, and TEJEDA changed their vote from "no" to "aye."

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Mr. CARR of Michigan. Mr. Chairman, I ask unanimous consent that the bill through page 20, line 3, be considered as read, printed in the RECORD, and open to amendment at any point.

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

There was no objection.

The text of the bill from page 17, line 22 through page 20, line 3 is as follows:

(RESCISSION)

(HIGHWAY TRUST FUND)

Of the amounts made available for Federal-aid highways pursuant to provisions of

the Surface Transportation Assistance Act of 1982, $1,596,386 are rescinded.

(RESCISSION)

(HIGHWAY TRUST FUND)

Of the amounts made available for Federal-aid highways pursuant to provisions of the Surface Transportation and Uniform Relocation Assistance Act of 1987, $54,014,000 are rescinded.

(RESCISSION)

(HIGHWAY TRUST FUND)

Of the funds made available for the functional replacement of publicly-owned facilities located within the proposed right-of-way of Interstate Route 170 in Public Law 96-131, $200,000 are rescinded.

(RESCISSION)

(HIGHWAY TRUST FUND)

Of the funds made available under this heading in Public Law 100-71, $364,180 are rescinded.

(RESCISSION)

(HIGHWAY TRUST FUND)

Of the authority made available for the intersection safety demonstration project in Public Law 100-457, $3,059,960 are rescinded.

(RESCISSION)

(HIGHWAY TRUST FUND)

Of the authority made available for bridges on Federal dams pursuant to 23 U.S.C. 320, $9,478,139 are rescinded.

FEDERAL-AID HIGHWAYS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(HIGHWAY TRUST FUND)

For carrying out the provisions of title 23, United States Code, that are attributable to Federal-aid highways, including the National Scenic and Recreational Highway as authorized by 23 U.S.C. 148, not otherwise provided, including reimbursements for sums expended pursuant to the provisions of 23 U.S.C. 308, $18,000,000,000 or so much thereof as may be available in and derived from the Highway Trust Fund, to remain available until expended.

RIGHT-OF-WAY REVOLVING FUND

(LIMITATION ON DIRECT LOANS)

(HIGHWAY TRUST FUND)

During fiscal year 1994 and with the resources and authority available, gross obligations for the principal amount of direct loans shall not exceed $42,500,000.

MOTOR CARRIER SAFETY GRANTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(HIGHWAY TRUST FUND)

For payment of obligations incurred in carrying out the provisions of section 402 of Public Law 97-424, $68,000,000, to be derived from the Highway Trust Fund and to remain available until expended: *Provided*, That none of the funds in this Act shall be available for the implementation or execution of programs the obligations for which are in excess of $65,000,000 for "Motor Carrier Safety Grants".

The CHAIRMAN. Are there any points of order against the provisions contained in that section of the bill?

POINTS OF ORDER

Mr. MINETA. Mr. Chairman, based on the section of the bill contained in the unanimous-consent request by the distinguished chairman of the subcommittee, I have three points of order.

The CHAIRMAN. The gentleman will state his points of order.

Mr. MINETA. Mr. Chairman, I make a point of order on page 17, line 22, rescission, highway trust fund; a point of order on page 18, line 1, rescission, highway trust fund; and page 18, line 22, rescission, highway trust fund.

Mr. Chairman, I raise a point of order against these provisions. These provisions violate clause 2 of rule XXI because they would rescind their respective amounts in trust fund contract authority, not general fund appropriations, for the costs of designing and constructing certain facilities that are enumerated in the bill.

□ 1710

As I have said, a similar point in all of these, these are highway trust fund contract authority. While they are a form of direct spending, we are authorizing and rescinding highway trust fund contract authority, and that is not within the jurisdiction of the Committee on Appropriations. Thus I am asking for inclusion of the rescission provision as it relates to these three points of order and feel that this is legislation in an appropriations bill and would be subject to the point of order.

The CHAIRMAN. The Chair is going to ask if other Members desire to be heard on the point of order.

Does the gentleman from Michigan [Mr. CARR] seek recognition?

Mr. CARR of Michigan. Yes, Mr. Chairman. I wish to be heard on the point of order.

In the interest of time I want to thank the gentleman from California. What we have done here is try to expedite the business of the House. We have read several sections of the bill, and the gentleman has combined three points of order. I would like to respond to each one of them, in turn.

The first point of order, occurring on page 17, the paragraph the gentleman wishes to strike, would rescind slightly more than $1.5 million of funds made available in the Surface Transportation Act of 1982. Now I would like the Members of the House to listen to this. This is a rescission of funds available in a 1982 Surface Transportation Act. The two projects involved here have been completed, and the money is just sitting there. This is the important matter that the gentleman from North Carolina [Mr. PRICE] spoke to so eloquently a few moments ago.

In the first point of order we seek to recover funds in this bill that are just sitting in the pipeline.

Again, this is the point that the gentleman from North Carolina so eloquently addressed. Prior authorization bills created funding priority for special projects. Now, in the main, a lot of those projects are being completed or pursued. But in our investigation, in our hearings, with the help of the General Accounting Office, we have discovered some dead demo money. This is money that is in the pipeline that is not going anywhere, it cannot go anywhere. The first point of order that the gentleman from California made, on page 17, this is $1.5 million made available in the Surface Transportation Act of 1982, all the way back to 1982. It involves two projects. The two projects that are mentioned, one in California, one in Pennsylvania, have been completed. They are done, they are finished. These funds cannot flow to those projects. They are completed.

But the money, $1.5 million, is locked up because it cannot be spent for any other purpose, by definition of the authorization act.

So, in our bill we sought to recover some of that money, get it to work, get it to where it is needed, get it to where people have the need for jobs.

And so I would ask for the Chair to rule on the point or order. We believe that we ought to be able to recover this money, put it to work, and not rest on the technicalities of the rules of the House, however nice they might be. They simply are not working for the customers and owners of this Government.

On the second point of order, Mr. Chairman, I would like to say that the paragraph would rescind $54 million of funding provided in the Surface Transportation and Uniform Relocation Assistance Act of 1987. We are not talking about ISTEA, we are talking about ISTEA's predecessors. We took this action because these projects either had no obligations or obligations of less than 25 percent since the enactment of more than 5 years ago. The authority for the basic highway program available is usually 4 years; these have gone 5 years. The projects cannot get any more than 25 percent of their funding obligated within 5 years. We think that money should be reprioritized, put it on projects that can go today instead of being stuck, in dead demo money. We would ask the Chair to rule on that.

On the third point of order, we basically concede a point of order as a technical violation of the House rules, but before getting off my feet, I want to let the Members know that the first $10 million of authority for the bridges on Federal dams program was provided for in the 1946 Highway Act. Subsequent acts have increased the total to $65 million. The Federal Highway Administration indicates that all valid requirements for this program have been satisfied. Indeed, earlier this year when the FHWA financial officials were asked for candidate programs that were no longer needed and could be cleaned up where residual authority could be returned, they cited this program. We would really ask that the chairman of the Public Works and Transportation Committee not insist on his point of order, particularly on this one. This is a dead money that is stuck in the pipelines; it is not working for the people.

Mr. WOLF. Mr. Chairman, will the gentleman yield?

Mr. CARR of Michigan. I do not have the time.

The CHAIRMAN. Does the gentleman seek to be heard on the point of order?

Mr. WOLF. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I just want to ask the gentleman, is it not true that there is one project in here, which is State Road 4, in Maryland, $2.1 million that is there, and yet the State of Maryland did not know that they had it and so they went out and spent their own money and the project is finished?

Mr. CARR of Michigan. That is right.

Mr. WOLF. So the project is finished, and $2.1 million there, and no one can do anything with it.

Mr. CARR of Michigan. And unless the gentleman would relent on this point of order, we cannot recover that money.

Mr. MINETA. If I may be heard further, Mr. Chairman, I understand what our very fine friend from Michigan is saying, and I recognize, yes, there are provisions from 1982 and 1987 legislation, and they are legitimate points, and I know he has strong feelings about it.

However, it seems to me what we are talking about here really does not go to the question that is being raised by the Chair, because I acknowledge that there is a certain legitimacy about what he is mentioning. The only issue, the only issue before the Chair right now is whether or not this provision is in violation of the House rules. The fact is that for the reasons I have stated, the provisions that I have outlined here are in violation of rule XXI, that these are authorizing or rescinding highway trust fund contract authority, and that this is not within the jurisdiction of the Committee on Appropriations, and so therefore I insist on my point of order.

□ 1720

The CHAIRMAN. The Chair is ready to rule.

Under clause 2(b) of rule XXI, the Appropriations Committee may only recommend rescissions of appropriations that were contained in prior appropriations acts, but not rescissions of contract authority that is contained in other laws.

Therefore, each of the points of order raised are sustained.

Are there other points of order against that part of the bill?

If not, are there amendments to that portion of the bill?

The Clerk will read.

The Clerk read as follows:

BALTIMORE-WASHINGTON PARKWAY

For necessary expenses, not otherwise provided, to carry out the provisions of the Federal-Aid Highway Act of 1970 and section 1069 of Public Law 102-240 for the Baltimore-Washington Parkway, to remain available until expended, $16,000,000.

SURFACE TRANSPORTATION PROJECTS

(HIGHWAY TRUST FUND)

For up to 80 percent of the expenses necessary for certain ongoing highway and surface transportation projects that improve safety, reduce congestion, or otherwise improve surface transportation, $92,610,000, to be derived from the Highway Trust Fund and to remain available until September 30, 1997.

POINT OF ORDER

Mr. MINETA. Mr. Chairman, I raise a point of order against this provision.

The CHAIRMAN. The gentleman will state his point of order.

Mr. MINETA. Mr. Chairman, I raise a point of order against page 20, lines 10 through 17.

This provision violates clause 2 of rule XXI because it would appropriate approximately $92,610,000 for unauthorized highway demonstration projects and because it contains legislative provisions. As such, this provision is subject to a point of order for a number of reasons.

First, the language of the bill is not project specific. Projects are listed in the report. The report represents no more than congressional intent.

The statutory language which is controlling appropriate funds to control these funds is for "certain ongoing highway and surface transportation projects."

Under this language, the Secretary of Transportation could pick and choose which projects to fund, arguably including unauthorized projects. Thus, this provision could support an unauthorized appropriation.

Second, the provision appropriates funds to "remain available until September 30, 1997."

This period of availability is beyond the fiscal year to which the appropriation bill applies and is not authorized in law.

Third, this provision appropriates money out of the highway trust fund contrary to section 9503(c)(1) of the Internal Revenue Code. That sections provides that the highway trust fund may only be used to fund programs authorized in the Highway Acts of 1956, 1982, 1987; and 1991.

Thus, because this provision provides funding from the highway trust fund for projects not authorized by one of these laws, it has the effect of changing existing law and therefore is in violation of rule XXI.

Fourth, Mr. Chairman, this provision does not come within the exception to rule XXI, clause 2(a) for continuation of "appropriations for Public Works and objects which are already in progress."

Again, because the provision is not project specific, it cannot be demonstrated that the funds would only be used on projects meeting the exception.

In any case, it is clear from the precedents that the exception is narrowly construed and has been applied only to Federal projects. As applied specifically to highways, the precedents have required that the United States actually hold title to the road.

The projects referred to in the committee report do not meet this test.

The precedents also make clear that "an appropriation for a public work in excess of a fixed limit of cost is not in order."

Specifically, the exception for continuation of a public work in progress is not available to appropriate in excess of such a fixed limit.

For example, ISTEA provided contract authority for fixed amounts for projects. This does not authorize additional appropriations for those projects and the exception cannot be used to appropriate additional amounts.

Thus, for the reasons enumerated above, page 20, lines 10 through 17, constitute a violation of rule XXI and is subject to a point of order.

The CHAIRMAN. Does the gentleman from Michigan [Mr. CARR] seek recognition on the point of order?

Mr. CARR of Michigan. Yes, Mr. Chairman. I wish to be heard on the gentleman's point of order.

The CHAIRMAN. The gentleman from Michigan is recognized.

Mr. CARR of Michigan. Mr. Chairman, the gentleman in this particular point of order is arguing the bill provides funds in excess of the amounts authorized, and as such violates clause 2, rule XXI.

This is an important point of order and an important challenge. I would ask my friends and colleagues in the House to pay careful attention.

In the particular section that the chairman is objecting to, all of the projects in this particular section were authorized.

What is being objected to is that the amounts exceed seemingly what might have been authorized by ISTEA.

But here is where we have a problem in dealing with ISTEA in all its imperfections. ISTEA authorized a number of demonstration projects, over 500 I guess, 500 demonstration projects and it authorized an amount of money for those 500 projects; but if you add up what it takes to build all those projects and you add up the amount of money that was given to those projects, they do not give enough money to build the projects; so essentially ISTEA gets projects pregnant, but does not give them enough money for birth and delivery.

I believe at the time I was around, I talked to the people who were involved and I cannot quite believe that the Public Works and Transportation Committee intended that we will give projects enough to get started, but not really enough to give them any kind of an efficient construction period or even perhaps completion, that somehow or other money from God or the sky is going to rain down and get these projects completed.

So it falls to the Appropriations Committee, because Members come and say, "Chairman CARR, I have got an ISTEA authorized project."

I say, "Fine. What can we do?"

Well, they say, "We don't have enough money, or ISTEA requires a payout over 6 years to come in equal lump sums of 18.4 percent."

Does anyone in this room know a highway that builds itself at the rate of 18.4 percent a year? None of them do.

Typically you will have the first year will be design, 10 percent. The next year will be some construction. That will get you up to 40 percent. The next year will be another slug of construction of 40 percent, and then you have some finishing costs, maybe another 10 percent. That is how highways are built; but ISTEA in its infinite wisdom granted 500 demonstration projects out there, and then pays the money out so slowly so that States cannot effectively use it.

So what happens? One of two things happen. Either the money sits clogged up in the pipeline and they never really accumulate enough money to really get underway with the project, and that money then cannot be used on other projects that are ready to go, or the project extends so long that cost estimates get out of line.

Now, the people in the Public Works and Transportation Committee back 3 years ago could not project what the costs of the finishing of a project would be, so we end up with this massive, massive problem.

Let me give you an example here. This is one that just astounds me. It happens to come from my own State. The project happens to be in the district of Congressman BONIOR, the majority whip.

ISTEA authorized the M-59 project, but it was very important. The Public Works and Transportation Committee apparently thought it was very important to authorize that project; but the committee provided only $5.4 million for fiscal year 1992 through 1997 for this particular project.

Now, the fact of the matter is that this project is going to cost $175 million. If you pay it out at the rate that ISTEA pays this out, this project will take over 100 years to complete. That is not efficient in anybody's book.

So is it any wonder that the people affected came to the Appropriations Committee and said, "Well, can't you help us accelerate this project? Can't we build it at a more efficient rate, this project which the Public Works and Transportation Committee apparently thinks is a good project and authorized?"

So we try to help those kinds of situations in this particular section.

It really boggles my mind that standing on the thin rules of niceties of rules of the House that we are going to end up doing something stupid across the land in terms of the investment of our hard-earned transportation dollars.

So in the alternative, I would ask the gentleman if he would not kindly reconsider offering the point of order on this provision, and in the alternative ask for a ruling of the Chair against the point of order.

The CHAIRMAN. Does any other Member wish to be heard on the point of order?

Mr. ORTON. I do wish to be heard on the point of order, Mr. Chairman.

The CHAIRMAN. The gentleman from Utah [Mr. ORTON] is recognized.

□ 1730

Mr. ORTON. Mr. Chairman, I thank both committee chairs of the Committee on Public Works and Transportation and the Appropriations Subcommittee on this particular issue. I would just like to ask the chairman of the Committee on Public Works and Transportation to reconsider insisting on this point of order, and let me just describe for my colleagues very briefly a situation in my district.

I was not here when ISTEA was passed. In fact, when ISTEA was passed, there is an area in my district, in southern Provo, UT, which had been growing at a fairly good speed, but no unforeseen problems there. We do have an interstate freeway interchange down there. But subsequent to passage of ISTEA a little company named Novell, and all of my colleagues probably recognize the name because most of them use the software in their computer systems in their offices, but Novell began to expand quickly and rapidly, and the city of Provo developed an industrial park in that area. Thousands of jobs moved into the area, so now we have thousands of commuters going to this particular area in my district, and they have to travel on the freeway interstate system. The exchange is inappropriately designed for that amount of traffic. There needs to be a redesign of the interchange. The people now are driving up through the city of Provo which is causing Utah County in Provo to be in nonattainment of the Clear Air Act, costing tens of thousands of dollars of costly cleanup. If we could redesign this particular area, which this demonstration project would do, it not only effectively and efficiently moves the traffic more safely, but it also helps us clean up the environmental problem. That issue, that problem, was not foreseen when we passed ISTEA. This project is an authorized project. This project is in the middle of funding. We have funded it in the past, and now, because of the rules of the House and the debate, discussion, over who is going to decide when and how much money is going to be funded, we are at risk now of pulling all of the funding from that project.

Mr. Chairman, the people in my district care less about the niceties of the rules of the House than they care about jobs, than they care about the environment, and than they care about getting these projects appropriately funded on time, and so I have great respect, and I have great admiration, for both of the chairmen, but I would ask the gentleman from California [Mr. MINETA] if he would reconsider this point of order although it may be technically correct. I fear that the application of this point of order will cause great disruption, will be inefficient, will show the public in my district that we have a very difficult time in actually conducting the affairs of the people of this country.

So, with that I would ask the chairman of the Committee on Public Works, the gentleman from California [Mr. MINETA], to reconsider.

Mr. MINETA. Mr. Chairman, again there are merits to what has been talked about both by the distinguished chair of the Appropriations Subcommittee on transportation, as well as our fine colleague, the gentleman from Utah [Mr. ORTON]. Again, if it were of that high priority, it seems to me the State would be willing to step forward as well on the Utah project. But it seems to me the issue again before us here is whether or not this provision is in violation of the House rules, and, Mr. Chairman, I am going to have to insist on my point of order.

The CHAIRMAN. The Chair is prepared to rule.

For these reasons stated: One, that authorization levels in existing law [ISTEA] are exceeded in the distribution of the lump sum figure; two, that the availability of funds beyond the fiscal year 1994 is provided contrary to existing law; and, that three, the "work in progress" exception in clause 2(a) rule XXI is not applicable to funding out of the highway trust fund, the point of order made by the gentleman from California is sustained.

The Clerk will read.

The Clerk read as follows:

ONGOING HIGHWAY PROJECTS

(HIGHWAY TRUST FUND)

For up to 80 percent of the expenses for certain ongoing highway, road, and bridge projects that improve safety, reduce congestion, or otherwise improve transportation methods, $6,300,000, to be derived from the Highway Trust Fund and to remain available until September 30, 1997.

POINT OF ORDER

Mr. MINETA. Mr. Chairman, I raise a point of order against the provision.

The CHAIRMAN. The gentleman will state his point of order.

Mr. MINETA. Mr. Chairman, I raise a point of order against page 20, lines 18–25. This provision violates clause 2 of rule 21 because it would appropriate approximately $6.3 million for unauthorized highway demonstration projects and because it contains legislative provisions. As such, this provision is subject to a point of order for a number of reasons:

First, the language of the bill is not project specific. Projects are listed in the report. The report represents no more than congressional intent. The statutory language which is controlling appropriates funds for certain ongoing highway and surface transportation projects. Under this language, the Secretary of Transportation could pick and choose which projects to fund, arguably including unauthorized projects. Thus, this provision could support an unauthorized appropriation.

Second, the provision appropriates funds to remain available until September 30, 1997. This period of availability is beyond the fiscal year to which the appropriations bill applies and is not authorized in law.

Third, this provision appropriates money out of the highway trust fund, contrary to section 9503(c)(1) of the Internal Revenue Code. That section provides that the highway trust fund may only be used to fund programs authorized in the Highway Acts of 1956, 1982, 1987, and 1991. Thus, because this provision provides funding from the highway trust fund for projects not authorized by one of these laws, it has the effect of changing existing law and therefore is in violation of rule 21.

Fourth, this provision does not come within the exception to rule XXI, clause 2(a), for continuation of appropriations for public works and objects which are already in progress.

Again, because the provision is not project specific, it cannot be demonstrated that the funds would only be used on projects meeting the exception.

In any case, it is clear from the precedents that the exception is narrowly construed and has been applied only to Federal projects. As applied specifically to highways, the precedents have required that the United States actually hold title to the road. The projects referred to in the committee report do not meet this test.

The precedents also make clear that an appropriation for a public work in excess of a fixed limit of cost is not in order. Specifically, the exception for continuation of a public work in progress is not available to appropriate in excess of such a fixed limit. For example, ISTEA provided contract authority of fixed amounts for projects. This does not authorize additional appropriations for those projects and the exception cannot be used to appropriate additional amounts.

Thus, for the reasons enumerated above, page 20, lines 10 to 17, constitute a violation of rule 21 and is subject to a point of order.

The CHAIRMAN. Do other Members desire to be heard on the point of order?

Mr. LIGHTFOOT. Mr. Chairman, I would like to be heard in opposition to the point of order.

The CHAIRMAN. The gentleman from Iowa is recognized.

Mr. LIGHTFOOT. Mr. Chairman, the language in question is funding for two ongoing highway projects. One of the projects is in my district to continue funding of the four laning of the Highway 330 corridor between Des Moines, IA, and Marshalltown, IA.

Mr. Chairman, both projects funded in this section are authorized and ongoing. There is an impression that the only way one can authorize a project is by having it listed as a demonstration project in a highway bill. Despite this belief of the Public Works Committee, most road projects are authorized through respective State's highway plans. Otherwise, every federally funded road construction project in this country would have to be named in a highway bill. We know that is not the case. And I can assure the chairman that both projects in this section of the bill are prominent parts of their respective State highway plans.

Rule 21 clause 2(a) creates an exception to funding unauthorized projects in order to continue appropriations for public works and objects which are already in progress.

Both the Federal Highway Administration and the Iowa Department of Transportation have classified the Iowa Highway 330 corridor project as an "Ongoing Project." It is my understanding the other project contained in this section is also considered an ongoing project by the Federal Highway Administration and Virginia Department of Transportation.

Precedents established by this House have defined the term "public works and objects already in progress" to mean tangible matters like buildings and roads. In addition, this House has previously established that: "A public work to come within terms of the rule must be actually in progress according to the usual significance of the words." The Iowa Highway 330 corridor has already been four laned from Des Moines to Bondurant. Clearly, the precedents established by this House qualify these projects for appropriation.

Those raising this point have argued that House precedents have established that a general system of roads on which some work has been done can not be admitted as work in progress. However, Mr. Chairman, these are specific roads in dire need of being completed, not a general system of roads on which some work has been done.

The subcommittee on transportation appropriations required Marshall county and the State of Iowa to answer a long and detailed series of questions on the merit of this project. And I am pleased to say this project had one of the highest cost-benefit ratios of any submitted. This project is not busy work. This is funding to help jump start an important project with a majority State and local funding.

Let me also say to my colleagues that these funds are even more necessary in light of the millions of dollars in damage that this road suffered during the summer flooding in Iowa.

No one's district is immune from these emergencies and I urge that this point of order not be sustained.

□ 1740

Mr. CARR of Michigan. Mr. Chairman, I rise to be heard on the point of order. Pending that, I would like to announce that this will be the final matter for today. It will be my intention after we conclude this matter to move that the Committee rise. There will be no more votes, so the Chamber can be prepared for the President's appearance tonight.

Mr. Chairman, I would like to rise in support of the gentleman's opposition to the point of order. I think it is well founded.

Once again, I want to say that we have put these projects through some rigorous analysis. Maybe not the analysis that they need to fit pristine rule XXI considerations. But I would join the gentleman in opposing the point of order.

The CHAIRMAN. The Chair is prepared to rule on the point of order raised by the gentleman from California [Mr. MINETA].

The gentleman makes the point of order that the funds appropriated in the paragraph entitled "Ongoing Highway Projects" are unauthorized, and thus in violation of clause 2 of rule XXI. The gentleman from Iowa [Mr. LIGHTFOOT] has argued that although the funds may be unauthorized, they are in order under the exception to clause 2 of rule XXI, which allows unauthorized appropriations to continue funding public works and objects which are already in progress, referred to as the "works-in-progress exception."

The Chair will sustain the point of order for two reasons in addition to extended accountability beyond the fiscal year:

First, the Chair must take note of the precedents demonstrating a tendency in this century to narrow the range of projects to which the works-in-progress exception applies. One such precedent—recorded in volume 7 of Cannons Precedents at section 1150—is particularly salient. There, the Chair held the construction of a road, although an extension of roads already built, not to be in continuation of a public work.

As the gentleman from Iowa [Mr. LIGHTFOOT] has explained, one project funded by this paragraph is for an extension to a road in various phases of construction. No actual work has begun on the phase of the road funded by this paragraph. Thus, the precedent cited above is directly on point, and the Chair is compelled to sustain the point of order.

Second, the legal authority for expending highway trust funds is outlined in section 9503(c) of the Internal

Revenue Code. That section states in positive terms that highway trust fund monies shall be available where authorized by specific enumerated acts. The paragraph in question circumvents that requirement. Deschler's Precedents, volume 8, chapter 26, section 8.9, stands for the proposition that the works-in-progress exception may not be invoked to circumvent existing law. The Chair further notes that the works-in-progress exception has historically been applied only in cases of general revenue funding.

Therefore, the Chair sustains the point of order.

Mr. CARR of Michigan. Mr. Chairman, I wish to thank Members for their cooperation in today's debate.

Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker pro tempore [Mr. COPPERSMITH] having assumed the chair, Mr. BOUCHER, 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. 2750) making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1994, and for other purposes, had come to no resolution thereon.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1985

Mr. FROST. Mr. Speaker, I ask unanimous consent to have my name removed from cosponsorship of H.R. 1985.

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

There was no objection.

THE AMERICAN HEALTH SECURITY ACT

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

Mr. GENE GREEN of Texas. Mr. Speaker, tonight the President will unveil his plan to reform our Nation's health care system. As a Member who campaigned on this issue I would like to commend the President and the First Lady on their efforts and urge all Members to approach this issue with an open mind and in a bipartisan manner.

The plan addresses:

Universal access by providing a means of coverage for all citizens.

The rising cost of prescription drugs is addressed by providing all Americans coverage, including senior citizens who do not have coverage now.

Individuals will have flexibility in choosing their own health care provider.

Just this morning I received a letter from one of my constituents along with his premium notice that is going up nearly 10 percent at one time, after a 9.5 percent increase in July. This small business person says it better than any of us that we simply "can't continue like this."

The President has heard this plea and I hope Congress has heard it on a bipartisan basis, because we do not get sick as Republicans or Democrats. It is Americans who get ill.

The President's health care plan represents a good start and I urge my colleagues to keep the reality of the uninsured in mind and remember that we are all paying now and will continue to pay more if we do nothing.

I include for the RECORD a copy of the letter my constituent received.

IMPORTANT POLICYHOLDER NOTICE

On August 1, 1993 or on the date to which your premiums are paid, if this is later, a 9.9% rate increase will be placed into effect on your policy. The enclosed is your notice of this rate increase. We suggest that you retain this notice by placing it with your policy.

Many of you who receive this letter received a similar notification in late May that a 9.5% rate increase was being placed into effect on July 1, 1993.

If you took the time to read the May 26, 1993 notice, you would have quickly noted that this "communication" sounded rather negative. The reason for this was we were not certain, at that time, that a 9.5% rate increase would be sufficient. However, we wanted to keep your premium rates as low as possible, and we had hoped that a higher rate increase would not be necessary. We now find that an additional rate increase is mandatory.

The rates we charge only mirror what physicians are charging for their services, what drug companies are charging for medicines and what hospitals are charging for diagnostic tests and treatment. When the preceding charges increase, the premiums we charge must be increased. Now, you may ask, "What is going to be done with the increased revenues from my higher premiums?" Our answer to this is that this money is going to the "same place" that your premium dollars have gone in the past—to pay the ever increasing charges of services by hospitals, physicians, and drug companies.

In simple terms, the cost of your insurance is increasing because the amount we are paying in claims has increased.

We recently received a letter from the Texas Chamber of Commerce which stated, in part, that in Texas "health care coverage cost an average of $5,891 per family in 1991. . . .". Obviously, this cost is much higher now. So you see even with this rate increase, for most of you, the cost of your insurance coverage is still very low. Remember, if you were to cancel your policy, no one will win—you will still need insurance and the Company will lose a valued policyholder. Please do not cancel your policy before you call and discuss such a decision with us.

□ 1750

REPORT ON RESOLUTION PROVIDING FOR FURTHER CONSIDERATION OF H.R. 2401, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 1994

Mr. MOAKLEY, from the Committee on Rules, submitted a privileged report (Report. No. 103-252) on the resolution (H. Res. 254) providing for the further consideration of the bill (H.R. 2401), to authorize appropriations for fiscal year 1994 for military personnel strengths for fiscal year 1994, and for other purposes, which was referred to the House Calendar and ordered to be printed.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

THE SPEAKER pro tempore (Mr. COPPERSMITH). The Chair desires to make an announcement.

After consultation with the majority and minority leaders, and with their consent and approval, the Chair announces that tonight when the two Houses meet in joint session to hear an address by the President of the United States, only the doors immediately opposite the Speaker and those on his left and right will be open.

No one will be allowed on the floor of the House who does not have the privilege of the floor of the House.

Due to the large attendance which is anticipated, the Chair feels that the rule regarding the privilege of the floor must be strictly adhered to.

Children of Members will not be permitted on the floor, and the cooperation of all Members is requested.

RECESS

The SPEAKER pro tempore. The Chair declares the House in recess until approximately 8:40 p.m. for the purpose of receiving in joint session the President of the United States.

Accordingly (at 5 o'clock and 50 minutes p.m.) the House stood in recess until 8:40 p.m.

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at 8 o'clock and 41 minutes p.m.

JOINT SESSION OF THE HOUSE AND SENATE HELD PURSUANT TO THE PROVISIONS OF HOUSE CONCURRENT RESOLUTION 144 TO HEAR AN ADDRESS BY THE PRESIDENT OF THE UNITED STATES

The Speaker of the House presided.

The Doorkeeper, the Honorable James T. Molloy, announced the Vice President and Members of the U.S. Senate, who entered the Hall of the

House of Representatives, the Vice President taking the chair at the right of the Speaker, and the Members of the Senate the seats reserved for them.

The SPEAKER. The Chair appoints as members of the committee on the part of the House to escort the President of the United States into the Chamber:

The gentleman from Missouri [Mr. GEPHARDT];

The gentleman from Michigan [Mr. BONIOR];

The gentleman from Maryland [Mr. HOYER];

The gentleman from California [Mr. FAZIO];

The gentlewoman from Connecticut [Mrs. KENNELLY];

The gentleman from South Carolina [Mr. DERRICK];

The gentleman from Illinois [Mr. MICHEL];

The gentleman from Georgia [Mr. GINGRICH];

The gentleman from Texas [Mr. ARMEY];

The gentleman from Illinois [Mr. HYDE];

The gentleman from Arkansas [Mr. DICKEY]; and

The gentleman from Arkansas [Mr. HUTCHINSON].

The VICE PRESIDENT. The President of the Senate, at the direction of that body, appoints the following Senators as a committee on the part of the Senate to escort the President of the United States into the House Chamber:

The Senator from Maine [Mr. MITCHELL];

The Senator from Kentucky [Mr. FORD];

The Senator from Arkansas [Mr. PRYOR];

The Senator from Massachusetts [Mr. KENNEDY];

The Senator from Michigan [Mr. RIEGLE];

The Senator from New York [Mr. MOYNIHAN];

The Senator from West Virginia [Mr. ROCKEFELLER];

The Senator from South Dakota [Mr. DASCHLE];

The Senator from Pennsylvania [Mr. WOFFORD];

The Senator from California [Mrs. FEINSTEIN];

The Senator from Kansas [Mr. DOLE];

The Senator from Wyoming [Mr. SIMPSON];

The Senator from Mississippi [Mr. COCHRAN];

The Senator from Mississippi [Mr. LOTT];

The Senator from Oklahoma [Mr. NICKLES];

The Senator from Texas [Mr. GRAMM];

The Senator from South Carolina [Mr. THURMOND];

The Senator from Oregon [Mr. PACKWOOD];

The Senator from Rhode Island [Mr. CHAFEE]; and

The Senator from Kansas [Mrs. KASSEBAUM].

The Doorkeeper announced the ambassadors, ministers, and Chargé d'Affaires of foreign governments.

The ambassadors, ministers, and Chargé d'Affaires of foreign governments entered the Hall of the House of Representatives and took the seats reserved for them.

The Doorkeeper announced the Cabinet of the President of the United States.

The members of the Cabinet of the President of the United States entered the Hall of the House of Representatives and took the seats reserved for them in front of the Speaker's rostrum.

At 9 o'clock and 7 minutes p.m., the Doorkeeper announced the President of the United States.

The President of the United States, escorted by the committee of Senators and Representatives, entered the Hall of the House of Representatives, and stood at the Clerk's desk.

[Applause, the Members rising.]

The SPEAKER. Members of the Congress, I have the high privilege and the distinct honor of presenting to you the President of the United States.

[Applause, the Members rising.]

HEALTH CARE REMARKS—ADDRESS BY THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 103–137)

The PRESIDENT. Mr. Speaker, thank you very much.

Mr. Speaker, Mr. President, Members of Congress, distinguished guests, my fellow Americans. Before I begin my words tonight, I would like to ask that we all bow in a moment of silent prayer for the memory of those who were killed and those who have been injured in a tragic train accident in Alabama today.

(A moment of silent prayer was observed.)

Amen.

My fellow Americans, tonight we come together to write a new chapter in the American story. Our forebears enshrined the American dream: life, liberty, the pursuit of happiness. Every generation of Americans has worked to strengthen that legacy to make our country a place of freedom and opportunity, a place where people who work hard can rise to their full potential, a place where their children can have a better future.

From the settling of the frontier to the landing on the Moon, ours has been a continuous story of challenges defined, obstacles overcome, new horizons secured. That is what makes America what it is and Americans what we are.

Now we are in a time of profound change and opportunity. The end of the cold war, the information age, the global economy have brought us both opportunity, and hope, and strife, and uncertainty. Our purpose in this dynamic age must be to make change our friend and not our enemy. To achieve that goal we must face all our challenges with confidence, with faith and with discipline, whether we are reducing the deficit, creating tomorrow's jobs and training our people to fill them, converting from a high-tech defense to a high-tech domestic economy, expanding trade, reinventing government, making our streets safer, or rewarding work over idleness. All these challenges require us to change.

If Americans are to have the courage to change in a difficult time, we must first be secure in our most basic needs. Tonight I want to talk to you about the most critical thing we can do to build that security.

This health care system of ours is badly broken, and it is time to fix it.

Despite the dedication of literally millions of talented health care professionals, our health care is too uncertain and too expensive, too bureaucratic and too wasteful. It has too much fraud and too much greed. At long last, after decades of false starts, we must make this our most urgent priority, giving every American health security, health care that can never be taken away, health care that is always there. That is what we must do.

On this journey, as on all others of true consequences, there will be rough spots in the road and honest disagreements about how we should proceed. After all, this is a complicated issue. But every successful journey is guided by fixed stars, and if we can agree on some basic values and principles, we will reach this destination and we will reach it together.

So tonight I want to talk to you about the principles that I believe must embody our efforts to reform America's health care system: security, simplicity, savings, choice, quality, and responsibility.

When I launched our Nation on this journey to reform the health care system, I knew we needed a talented navigator, someone with a rigorous mind, a steady compass, a caring heart. Luckily for me and for our Nation, I did not have to look very far.

Over the last 8 months, Hillary and those working with her have talked to literally thousands of Americans to understand the strengths and the frailties of this system of ours. They met with over 1,100 health care organizations. They talked with doctors and nurses, pharmacists and drug company representatives, hospital administrators, insurance company executives and small and large businesses. They spoke with self-employed people. They talked with people who had insurance and people who did not.

They talked with union members, and older Americans, and advocates for our children.

The First Lady also consulted, as all of you know, extensively with governmental leaders in both parties, in the States of our Nation, and especially here on Capitol Hill.

Hillary and the task force received and read over 700,000 letters from ordinary citizens. What they wrote and the bravery with which they told their stories is really what calls us all here tonight. Every one of us knows someone who has worked hard and played by the rules and still been hurt by this system that just does not work for too many people, but I would like to tell you about just one.

Kerry Kennedy owns a small furniture store that employs seven people in Titusville, FL. Like most small business owners, he has poured his heart and soul, his sweat and blood into that business for years. But over the last several years, again like most small business owners, he has seen his health care premiums skyrocket, even in years when no claims were made. And last year he painfully discovered he could no longer afford to provide coverage for all his workers because his insurance company told him that two of his workers had become high risks because of their advanced age. The problem was that those two people were his mother and father, the people who founded the business and still work in the store.

This story speaks for millions of others. And from them we have learned a powerful truth: We have to preserve and strengthen what is right with the health care system, but we have got to fix what is wrong with it.

We all know what is right. We are blessed with the best health care professionals on Earth, the finest health care institutions, the best medical research, the most sophisticated technology.

My mother is a nurse. I grew up around hospitals. Doctors and nurses were the first professional people I ever knew and learned to look up to. They are what is right with this health care system.

But we also know that we can no longer afford to continue to ignore what is wrong. Millions of Americans are just a pink slip away from losing their health insurance, and one serious illness away from losing all their savings. Millions more are locked into the jobs they have now just because they or someone in their family has once been sick and they have what is called a preexisting condition.

And on any given day over 37 million Americans, most of them working people and their little children, have no health insurance at all.

And in spite of all this, our medical bills are growing at over twice the rate of inflation, and the United States spends over a third more of its income on health care than any other nation on Earth, and the gap is growing, causing many of our companies in global competition severe disadvantage.

There is no excuse for this kind of system. We know other people have done better. We know people in our own country are doing better. We have no excuse. My fellow Americans, we must fix this system, and it has to begin with congressional action.

I believe as strongly as I can say that we can reform the costliest and most wasteful system on the face of the Earth without enacting new broad-based taxes. I believe——

I believe it because of the conversations I have had with thousands of health care professionals around the country, with people who are outside this city but are inside experts on the way this system works and wastes money.

The proposal that I describe tonight borrows many of the principles and ideas that have been embraced in plans introduced by both Republicans and Democrats in this Congress. For the first time in this century, leaders of both political parties have joined together around the principle of providing universal, comprehensive health care. It is a magic moment, and we must seize it.

I want to say to all of you, I have been deeply moved by the spirit of this debate; by the openness of all people to new ideas and argument and information. The American people will be proud to know that earlier this week when a health care university was held for Members of Congress, just to try to give everybody the same amount of information, over 320 Republicans and Democrats signed up and showed up for two days just to learn the basic facts of the complicated problem before us.

Both sides are willing to say, "We have listened to the people. We know the cost of going forward with this system is far greater than the cost of change."

Both sides I think understand the literal ethical imperative of doing something about the system we have now.

Rising above these difficulties and our past differences to solve this problem will go a long way toward defining who we are and who we intend to be as a people in this difficult and challenging era. I believe we all understand that.

And so tonight let me ask all of you, every Member of the House, every Member of the Senate, each Republican and each Democrat, let us keep this spirit and let us keep this commitment until this job is done. We owe it to the American people.

Now, if I might, I would like to review the six principles I mentioned earlier and describe how we think we can best fulfill those principles.

First and most important, security. This principle speaks to the human misery, to the costs, to the anxiety we hear about every day, all of us, when people talk about their problems with the present system.

Security means that those who do not now have health care coverage will have it, and for those who have it, it will never be taken away. We must achieve that security as soon as possible.

Under our plan every American will receive a health care security card that will guarantee a comprehensive package of benefits over the course of an entire lifetime, roughly comparable to the benefit packages offered by most Fortune 500 companies. This health care security card will offer this package of benefits in a way that can never be taken away.

So let us agree on this, whatever else we disagree on: Before this Congress finishes its work next year, you will pass and I will sign legislation to guarantee this security to every citizen of this country.

With this card, if you lose your job or you switch jobs, you are covered. If you leave your job to start a small business, you are covered. If you are an early retiree, you are covered. If someone in your family has unfortunatley had an illness that qualifies as a preexisting condition, you are still covered. If you get sick or a member of your family gets sick, even if it is a life-threatening illness, you are covered. And if an insurance company tries to drop you for any reason, you will still be covered because that will be illegal.

This card will give comprehensive coverage. It will cover people for hospital care, doctor visits, emergency and lab services, diagnostic services like Pap smears and mammograms and cholesterol tests, substance abuse, and mental health treatment.

And equally important, for both health care and economic reasons, this program for the first time will provide a broad range of preventive services, including regular check-ups and well baby visits.

It is just common sense. We know, any family doctor will tell you that people will stay healthier and long-term costs to the health system will be lower if we have comprehensive preventive services. You know how all of our mothers told us that an ounce of prevention was worth a pound of cure? Our mothers were right.

And it is a lesson, like so many lessons from our mothers, that we have waited too long to live by. It is time to start doing it.

Health care security must also apply to older Americans. This is something I imagine all of us in this room feel very deeply about.

The first thing I want to say about that is that we must retain the Medicare Program. It works to provide that kind of security.

But this time, and for the first time, I believe Medicare should provide coverage for the cost of prescription drugs.

Yes, it will cost some more in the beginning. But again, any physician who deals with the elderly will tell you that there are thousands of elderly people in every State who are not poor enough to be on Medicaid but just above that line and on Medicare, who desperately need medicine, who make decisions every week between medicine and food. Any doctor who deals with the elderly will tell you that there are many elderly people who don't get medicine, who get sicker and sicker and eventually go to the doctor, and wind up spending more money and draining more money from the health care system than they would if they had regular treatment in the way that only adequate medicine can provide.

I also believe that, over time, we should phase in long-term care for the disabled and the elderly on a comprehensive basis.

As we proceed with this health care reform, we cannot forget that the most rapidly growing percentage of Americans are those over 80. We cannot break faith with them. We have to do better by them.

The second principle is simplicity. Our health care system must be simpler for the patients and simpler for those who actually deliver health care: our doctors, our nurses, our other medical professionals.

Today we have more than 1,500 insurers with hundreds and hundreds of different forms. No other nation has a system like this. These forms are time-consuming for health care providers, they are expensive for health care consumers, they are exasperating for anyone who has ever tried to sit down around a table and wade through them and figure them out.

The medical industry is literally drowning in paper work. In recent years the number of administrators in our hospitals has grown by four times the rate that the number of doctors has grown. A hospital ought to be a house of healing, not a monument to paperwork and bureaucracy.

Just a few days ago the Vice President and I had the honor of visiting the Children's Hospital here in Washington, where they do wonderful, often miraculous things for very sick children. A nurse named Debbie Feinberg told us that she is in the cancer and bone marrow unit, and the other day a little boy asked her just to stay at his side during his chemotherapy. And she had to walk away from that child because she had been instructed to go to yet another class to learn how to fill out another form for something that didn't have a lick to do with the health care of the children she was helping.

That is wrong, and we can stop it, and we ought to do it.

We met a very compelling doctor named Lilian Beard who said that she did not get into her profession to spend hours and hours, some doctors up to 25 hours a week, just filling our forms. She told us she became a doctor to keep children well and to help save those who got sick. We can relieve people like her of this burden.

We learned, the Vice President and I did, that in the Washington Children's Hospital alone the administrators told us that they spend $2 million a year, in one hospital, filling out forms that have nothing whatever to do with keeping up with the treatment of the patients. And the doctors there applauded when I was told and I related to them that they spend so much time filling out paperwork that, if they only had to fill out those paperwork requirements necessary to monitor the health of the children, each doctor on that one hospital staff, 200 of them, could see another 500 children a year. That is 10,000 children a year.

I think we can save money in this system if we simplify it. And we can make the doctors and the nurses—and the people that have given their lives to help us all be healthier—a whole lot happier, too, on their jobs.

Under our proposal there would be one standard insurance form, not hundreds of them. We will simplify also, and we must, the Government's rules and regulations because they are a big part of this problem.

This is one of those cases where the physician should heal thyself.

We have to reinvent the way we relate to the health care system along with reinventing Government. A doctor should not have to check with a bureaucrat in an office thousands of miles away before ordering a simple blood test; that is not right, and we can change it.

And doctors, nurses, and consumers should not have to worry about the fine print. If we have this one simple form, there will not be any fine print. People will know what it means.

The third principle is savings. Reform must produce savings in this health care system; it has to. We are spending over 14 percent of our income on health care; Canada is at 10; nobody else is over 9. We are competing with all these people for the future. And the other major countries, they cover everybody, and they cover them with services as generous as the best company policies here in this country.

Rampant medical inflation is eating away at our wages, our savings, our investment capital, our ability to create new jobs in the private sector and this Public Treasury. You know the budget we just adopted had steep cuts in defense, a 5-year freeze on the discretionary spending so critical to reeducating America, and investing in jobs and helping us to convert from a defense to a domestic economy. But we passed the budget which has Medicaid increases of between 16 and 11 percent a year over the next 5 years and Medicare increases of between 11 and 9 percent in an environment where we assume inflation will be at 4 percent or less.

We cannot continue to do this. Our competitiveness, our whole economy, the integrity of the way the Government works, and ultimately our living standards depend upon our ability to achieve savings without harming the quality of health care.

Unless we do this, our workers will lose $655 in income each year by the end of the decade. Small businesses will continue to face skyrocketing premiums, and a full third of small businesses now covering their employees say they will be forced to drop their insurance. Large corporations will bear bigger disadvantages in global competition, and health care costs will devour more and more and more of our budget.

Pretty soon all of you, or the people who succeed you, will be showing up here and writing out checks for health care and interest on the debt and worrying about whether we have got enough defense, and that will be it, unless we have the courage to achieve the savings that are plainly there before us.

Every State and local government will continue to cut back on everything from education to law enforcement to pay more and more for the same health care.

These rising costs are a special nightmare for our small businesses, the engine of our entrepreneurship and our job creation in America today. Health care premiums for small businesses are 35 percent higher than those of large corporations today, and they will keep rising at double-digit rates unless we act.

So how will we achieve these savings? Rather than looking at price controls or looking away as the price spiral continues, rather than using the heavy hand of Government to try to control what is happening or continuing to ignore what is happening, we believe there is a third way to achieve these savings:

First, to give groups of consumers and small businesses the same market bargaining power that large corporations and large groups of public employees now have. We want to let market forces enable plans to compete. We want to force these plans to compete on the basis of price and quality, not simply to allow them to continue making money by turning people away who are sick or old or performing mountains of unnecessary procedures.

But we also believe we should back this system up with limits on how much plans can raise their premiums year in and year out, forcing people again to continue to pay more for the same health care without regard to inflation or the rising population needs.

We want to create what has been missing in this system for too long and

what every successful nation who has dealt with this problem has already had to do: to have a combination of private market forces and a sound public policy that will support that competition but limit the rate at which prices can exceed the rate of inflation and population growth if the competition does not work, especially in the early going.

The second thing I want to say is that, unless everybody is covered—and this is a very important thing—unless everybody is covered, we will never be able to fully put the brakes on health care inflation. Why is that? Because when people do not have any health insurance, they still get health care; but they get it when it is too late, when it is too expensive, often from the most expensive place of all: the emergency room.

Usually by the time they show up, their illnesses are more severe and their mortality rates are much higher in our hospitals than those who have insurance. So they cost us more.

And what else happens? Since they get the care but they do not pay, who does pay? All the rest of us. We pay in higher hospital bills and higher insurance premiums. This cost shifting is a major problem.

The third thing we can do to save money is simply by simplifying the system, what we have already discussed. Freeing the health care providers from these costly and unnecessary paperwork and administrative decisions will save tens of billions of dollars.

We spend twice as much as any other major country does on paperwork. We spend at least a dime on the dollar more than any other major country. That is a stunning statistic, and it is something that every Republican and every Democrat ought to be able to say: "We agree that we are going to squeeze this out; we cannot tolerate this. This has nothing to do with keeping people well or helping them when they are sick."

We should invest the money in something else.

We also have to crack down on fraud and abuse in the system. That drains billions of dollars a year. It is a very large figure, according to every health care expert I have ever spoken with.

I believe we can achieve large savings, and that large savings can be used to cover the unemployed, uninsured, and will be used for people who realize those savings in the private sector to increase their ability to invest and grow, to hire new workers or to give their workers pay raises, many of them for the first time in years.

Now, nobody has to take my word for this; you can ask Dr. Koop. He is up here with us tonight, and I thank him for being here.

Since he left his distinguished tenure as our Surgeon General, he has spent an enormous amount of time studying our health care system, how it operates, what is right and wrong with it. He says we could spend $200 billion every year, more than 20 percent of the total budget, without sacrificing the high quality of American medicine.

Ask the public employees in California who have held their own premiums down by adopting the same strategy that I want every American to be able to adopt, bargaining within the limits of a strict budget.

Ask Xerox which saved an estimated thousand dollars per worker on their health insurance premium.

Ask the staff of the Mayo Clinic, who we all agree provides some of the finest health care in the world. They are holding their cost increases to less than half the national average.

Ask the people of Hawaii, the only State that covers virtually all of their citizens and have still been able to keep costs below the national average.

People may disagree over the best way to fix this system. We may all disagree about how quickly we can do what, the thing that we have to do; but we cannot disagree that we can find tens of billions of dollars in savings in what is clearly the most costly and the most bureaucratic system in the entire world. And we have to do something about that, and we have to do it now.

The fourth principle is choice. Americans believe they ought to be able to choose their own health care plans and keep their own doctors. And I think all of us agree.

Under any plan we pass, they ought to have that right. But today under our broken health care system, in spite of the rhetoric of choice, the fact is that that power is slipping away from more and more Americans. Of course it is usually the employer, not the employee, who makes the initial choice of what health care plan the employee will be in. And if your employer offers only one plan, as nearly three-quarters of small- and medium-size firms do today, you are stuck with that plan and the doctors that it covers.

We propose to give every American a choice among high quality plans. You can stay with your current doctor, join a network of doctors and hospitals, or join a health maintenance organization. If you do not like your plan, every year you will have the chance to choose a new one.

The choice will be left to the American citizen, the worker, not the boss, and certainly not some Government bureaucrat.

We also believe that doctors should have a choice as to what plans they practice in; otherwise citizens may have their own choices limited.

We want to end the discrimination that is now growing against doctors and to permit them to practice in several different plans. Choice is important for doctors, and it is absolutely critical for our consumers. We have got to have it in whatever plan we pass.

The fifth principle is quality. If we reform everything else in health care but fail to preserve and enhance the high quality of our medical care, we will have taken a step backward, not forward.

Quality is something that we simply can't leave to chance. When you board an airplane, you feel better knowing that the plane had to meet the standards designed to protect your safety, and we can not ask any less of our health care system.

Our proposal will create report cards on health plans, so that consumers can choose the highest quality health care providers and reward them with their business. At the same time, our plan will track quality indicators so that doctors can make better and smarter choices of the kind of care they provide.

We have evidence that more efficient delivery of health care doesn't decrease quality. In fact, it may enhance it. Let me just give you one example of one commonly performed procedure, the coronary bypass operation.

Pennsylvania discovered that patients who were charged $21,000 for this surgery received as good or better care as patients who were charged $84,000 for the same procedure in the same State. High prices simply don't always equal good quality.

Our plan will guarantee that high quality information is available in even the most remote areas of this country, so that we can have high quality service, linking rural doctors, for example, with hospitals, with high-technology urban medical centers. And our plan will ensure the quality of continuing progress on a whole range of issues by speeding research on effective prevention and treatment measures for cancer, for AIDS, for Alzheimer's, for heart disease, and for other chronic diseases.

We have to safeguard the finest medical research establishment in the entire world, and we will do that with this plan. Indeed, we will even make it better.

The sixth and final principle is responsibility. We need to restore a sense that we are all in this together and that we all have a responsibility to be a part of the solution.

Responsibility has to start with those who profit from the current system. Responsibility means insurance companies should no longer be allowed to cast people aside when they get sick. It should apply to laboratories that submit fraudulent bills, to lawyers who abuse malpractice claims, to doctors who order unnecessary procedures. It means drug companies should no longer charge three times more for prescription drugs made in America here in the United States than they charge for the same drugs overseas.

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In short, responsibility should apply to anybody who abuses this system and drives up the cost for honest, hard-working citizens, and undermines confidence in the honest, gifted health care providers we have.

Responsibility also means changing some behaviors in this country that drive up our costs like crazy, and without charging them we will never have the system we ought to have. We will never. Let me just mention a few, and start with the most important.

The outrageous costs of violence in this country stem in large measure from the fact that this is the only country in the world where teenagers can walk the streets at random with semiautomatic weapons and be better armed than the police.

Let us not kid ourselves. It is not that simple.

We also have higher rates of AIDS, of smoking and excessive drinking, of teen pregnancy, of low birth weight babies, and we have the third worst immunization rate of any nation in the Western Hemisphere. We have to change our ways if we ever really want to be healthy as a people and have an affordable health care system, and no one can deny that.

But let me say this, and I hope every American will listen, because this is not an easy thing to hear. Responsibility in our health care system is not just about them. It is about you. It is about me. It is about each of us.

Too many of us have not taken responsibility for our own health care and for our own relations to the health care system. Many of us who have had fully paid health care plans have used the system whether we needed it or not, without thinking what the costs were. Many people who use this system do not pay a penny for their care, even though they can afford to.

I think those who do not have any health insurance should be responsible for paying a portion of their new coverage. There can not be any something for nothing, and we have to demonstrate that to people. This is not a free system.

Even small contributions, as small as a $10 copayment when you visit a doctor, illustrate that this is something of value. There is a cost to it. It is not free.

And I want to tell you that I believe that all of us should have insurance. Why should the rest of us pick up the tab when a guy who does not think he needs insurance or says he can not afford it gets in an accident, winds up in an emergency room, gets good care, and everybody else pays? Why should the small business people who are struggling to keep afloat and take care of their employees have to pay to maintain this wonderful health care infrastructure for those who refuse to do anything?

If we are going to produce a better health care system for every one of us, every one of us is going to have to do our part. There can not be any such thing as a free ride. We have to pay for it. We have to pay for it.

Tonight I want to say plainly how I think we should do that. Most of the money would come, under my way of thinking, as it does today, from premiums paid by employers and individuals. That is the way it happens today.

But under this health care security plan, every employer and every individual will be asked to contribute something to help here.

This concept was first conveyed to the Congress about 20 years ago by President Nixon, and today a lot of people agree with the concept of shared responsibility between employers and employees, and that the best thing to do is to ask every employer and every employee to share that. The Chamber of Commerce has said that, and they are not in the business of hurting small business. The American Medical Association has said that.

Some call it an employer mandate, but I think it is the fairest way to achieve responsibility in the health care system, and it is the easiest for ordinary Americans to understand, because it builds on what we already have and what already works for so many Americans. It is the reform that is not only easiest to understand but easiest to implement in a way that is fair to small business, because we can give a discount to help struggling small businesses meet the cost of covering their employees.

We should require the least bureaucracy or disruption and create the cooperation we need to make the system cost-conscious even as we expand coverage, and we should do it in a way that does not cripple small businesses and low-wage workers. Every employer should provide coverage, just as three-quarters do now. Those who pay are picking up the tab for those who do not today. I do not think that is right.

To finance the rest of reform, we can achieve new savings, as I have outlined, in both the Federal Government and the private sector through better decisionmaking and increased competition. And we will impose new taxes on tobacco.

I do not think that should be the only source of revenues. I believe we should also ask for a modest contribution from big employers who opt out of the system, to make up for that those who are in the system pay for medical research, for health education centers, for all of the subsidies to small business, for all of the things that everyone else is contributing to.

But between those two things, we believe we can pay for this package of benefits and universal coverage and a subsidy program that will help small business. These sources can cover the cost of the proposal that I have described tonight.

We subjected the numbers in our proposal to the scrutiny of not only all the major agencies in Government. I know a lot of people don't trust them, but it would be interesting for the American people to know that this was the first time that the financial experts on health care in all the different Government agencies had ever been required to sit in a room together and agree on numbers. It had never happened before.

But obviously that is not enough, so then we gave these numbers to actuaries from major accounting firms and major Fortune 500 companies who have no stake in this, other than to see that our efforts succeed. So I believe our numbers are good and achievable.

Now what does this mean to an individual American citizen? Some will be asked to pay more. If you are an employer and you are not insuring your workers at all, you will have to pay more. But if you are a small business with fewer than 50 employees, you will get a subsidy. If you are a firm that provides only very limited coverage, you may have to pay more, but some firms will pay the same or less for more coverage.

If you are a young single person in your twenties, and you are already insured, your rates may go up somewhat because you are going to go into a big pool with middle-aged people and older people, and we want to enable people to keep that insurance even when someone in their family gets sick. But I think that is fair, because when the young get older they will benefit from it, first; and, second, even those who pay a little more today will benefit 4, 5, 6, 7 years from now by our bringing health care costs closer to inflation. Over the long-run we can all win, but some will have to pay more in the short run.

Nevertheless, the vast majority of the Americans watching this tonight will pay the same or less for health care coverage that will be the same or better than the coverage they have tonight. That is the simple reality.

If you currently get your health insurance through your job, you still will. And for the first time, everybody will get to choose from among at least three plans to belong to.

If you are a small business owner who wants to provide health insurance to your family and your employees but you cannot afford it because the system is stacked against you, this plan will give you a discount that will finally make insurance affordable.

If you are already providing insurance, your rates may well drop because we will help you as a small business person join thousands of others to get the same benefits big corporations get at the same price they get those benefits.

If you are self-employed, you will pay less, and you will get to deduct from your taxes 100 percent of your health care premiums.

If you are a large employer, your health care costs will not go up as fast, so that you will have more money to put into higher wages, and new jobs, and to put into the work of being competitive in this tough global economy.

Now, these, my fellow Americans, are the principles on which I think we should base our efforts: security, simplicity, savings, choice, quality, and responsibility. These are guiding stars that we should follow on our journey toward health care reform.

Over the coming months you will be bombarded with information from all kinds of sources. There will be some who will stoutly disagree with what I have proposed, and with all other plans in the Congress for that matter. And some of the arguments will be genuinely sincere and enlightening; others may simply be scare tactics by those who are motivated by the self-interests they have in the waste the system now generates, because that waste is providing jobs, incomes, and money for some people.

I ask you only to think of this when you hear all these arguments: Ask yourself whether the cost of staying on this same course is not greater than the cost of change. And ask yourself when you hear the arguments whether the arguments are in your interests or someone else's.

This is something we have got to try to do together.

I want also to say to the Representatives in Congress you have a special duty to look beyond these arguments. I ask you instead to look into the eyes of the sick child who needs care, to think of the face of the woman who has been told not only that her condition is malignant, but not covered by her insurance, to look at the bottom lines of the businesses driven to bankruptcy by health-care costs, to look at the for-sale signs in front of the homes of families who have lost everything because of their health-care costs.

I ask you to remember the kind of people I have met for the last year and a half: the elderly couple in New Hampshire that broke down and cried because of their shame at having an empty refrigerator to pay for their drugs; a woman who lost a $50,000 job that she used to support her six children because her youngest child was so ill that she could not keep health insurance and the only way to get care for the child was to get public assistance; a young couple that had a sick child and could only get insurance from one of the parents' employers that was a nonprofit corporation with 20 employees, and so they had to face the question of whether to let this poor person with the sick child go or raise the premiums of every employee in the firm by $200.

And on and on and on.

I know we have differences of opinion, but we are here tonight in a spirit that is animated by the problems of those people and by the sure knowledge that, if we can look into our hearts, we will not be able to say that the greatest Nation in the history of the world is powerless to confront this crisis.

Our history and our heritage tell us that we can meet this challenge. Everything about America's past tells us we will do it.

So I say to you, "Let us write that new chapter in the American story. Let us guarantee every American comprehensive health benefits that can never be taken away."

You know, in spite of all the work we have done together and all the progress we have made, there are still a lot of people who say it would be an outright miracle if we passed health care reform.

But, my fellow Americans, in a time of change you have to have miracles; and miracles do happen. I mean, just a few days ago we saw a simple handshake shatter decades of deadlock in the Middle East. We have seen the walls crumble in Berlin and South Africa. We see the ongoing brave struggle of the people of Russia to seize freedom and democracy. And now it is our turn to strike a blow for freedom in this country, the freedom of Americans to live without fear that their own Nation's health-care system will not be there for them when they need it.

It is hard to believe that there was once a time in this century when that kind of fear gripped old age, when retirement was nearly synonymous with poverty, and older Americans died in the street. That is unthinkable today because over a half century ago Americans had the courage to change, to create a Social Security system that ensures that no Americans will be forgotten in their later years.

Forty years from now our grandchildren will also find it unthinkable that there was a time in this country when hard-working families lost their homes, their savings, their businesses, lost everything simply because their children got sick or because they had to change jobs. Our grandchildren will find such things unthinkable tomorrow if we have the courage to change today.

This is our chance. This is our journey. And when our work is done, we will know that we have answered the call of history and met the challenge of our time.

Thank you very much and God bless you all.

[Applause, the Members rising].

JOINT SESSION DISSOLVED

The SPEAKER. The Chair declares the joint session of the two Houses now dissolved.

Accordingly, at 10 0'clock and 6 minutes p.m., the joint sessions of the two Houses were dissolved.

The Members of the Senate retired to their Chamber.

MESSAGE OF THE PRESIDENT REFERRED TO THE COMMITTEE OF THE WHOLE HOUSE ON THE STATE OF THE UNION

Mrs. KENNELLY. Mr. Speaker, I move that the message of the President be referred to the Committee of the Whole House on the State of the Union and ordered printed.

The motion was agreed to.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. SHAW (at the request of Mr. MICHEL), from 4 p.m. today, on account of personal reasons.

Miss COLLINS of Michigan (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. WOLF) to revise and extend their remarks and include extraneous material:)

Mrs. BENTLEY, for 60 minutes each day, on October 12, 13, 14, 15, 18, 19, 20, 21, 22, 25, 26, 27, 28, and 29.

Mr. CRAPO, for 30 minutes, on September 24.

(The following Members (at the request of Mr. MINETA) to revise and extend their remarks and include extraneous material:)

Mr. STARK, for 5 minutes, today.

Ms. NORTON, for 60 minutes, on September 29.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mr. WOLF) and to include extraneous matter:)

Mrs. MEYERS of Kansas.

Mr. DREIER.

Mr. GINGRICH, in two instances.

Mr. CRANE.

Mr. BEREUTER.

Mr. STUMP.

Mr. PACKARD.

Mr. SMITH of Texas.

Ms. MOLINARI.

(The following Members (at the request of Mr. MINETA) and to include extraneous matter:)

Mrs. LLOYD.

Mr. HAYES, in two instances.

Mr. WISE, in two instances.

Mr. HAMILTON, in two instances.

Mr. FAZIO.

Mr. LEVIN, in three instances.

Mr. NEAL of Massachusetts.

Mr. TEJEDA.

Mr. SLATTERY.

Mr. STOKES.
Mr. TRAFICANT.
Mr. BONIOR.
Mr. WYNN.
Mr. BROWN of Ohio, in three instances.
Mr. DEUTSCH.
Mr. COPPERSMITH.
Mr. MATSUI.

ENROLLED BILL SIGNED

Mr. ROSE, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 168. An act to designate the Federal building to be constructed between Gay and Market Streets and Cumberland and Church Avenues in Knoxville, Tennessee, as the "Howard H. Baker, Jr. United States Courthouse."

BILLS, RESOLUTIONS, AND A JOINT RESOLUTION PRESENTED TO THE PRESIDENT

Mr. ROSE, from the Committee on House Administration, reported that that committee did on the following dates present to the President, for his approval, bills, resolutions, and joint resolution of the House of the following titles:

On September 10, 1993:

H.R. 2010. A bill to amend the National and Community Service Act of 1990 to establish a Corporation for National Service, enhance opportunities for national service, and provide national service educational awards to persons participating in such service, and for other purposes.

On September 15, 1993:

H. Res. 249. Resolution electing the Honorable G.V. (Sonny) Montgomery Speaker pro tempore during any absence of the Speaker until September 15, 1993.

On September 21, 1993:

H.J. Res. 220. Joint resolution to designate the month of August as "National Scleroderma Awareness Month," and for other purposes.

H.R. 873. Resolution to provide for the consolidation and protection of the Gallatin Range.

ADJOURNMENT

Mrs. KENNELLY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 o'clock and 7 minutes p.m.), the House adjourned until tomorrow, Thursday, September 23, 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:

1916. A letter from the Comptroller of the Department of Defense, transmitting notification that up to $11.0 million is proposed to be obligated to assist the Republic of Ukraine for civilian nuclear reactor safety upgrades; to the Committee on Appropriations.

1917. A letter from the Secretary of Housing and Urban Development, transmitting the Fiscal Year 1992 Annual Report for the Homeownership and Opportunity for People Everywhere [HOPE 2] program for multifamily rental developments, pursuant to Public Law 101-625, section 431 (104 Stat. 4172); to the Committee on Banking, Finance and Urban Affairs.

1918. A letter from the Acting Chairman, Federal Deposit Insurance Corporation, transmitting a report required by section 918 of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989, pursuant to 12 U.S.C. 1833; to the Committee on Banking, Finance and Urban Affairs.

1919. A letter from the Board of Governors, Federal Reserve System, transmitting the Board's annual report on the assessment of the profitability of credit card operations of depository institutions, pursuant to 15 U.S.C. 1637; to the Committee on Banking, Finance and Urban Affairs.

1920. A letter from the Auditor, District of Columbia, transmitting a copy of a report entitled, "Review of the Retained Earnings of the District of Columbia Water and Sewer Enterprise Fund", pursuant to D.C. Code Section 47-117(d); to the Committee on the District of Columbia.

1921. A letter from the Secretary of Education, transmitting Notice of Final Funding Priority—Services for Children with Deaf-Blindness Program, pursuant to 20 U.S.C. 1232(d)(1); to the Committee on Education and Labor.

1922. A letter from the Secretary of Education, transmitting Notice of Final Funding Priority—Secondary Education and Transitional Services for Youth with Disabilities Program, pursuant to 20 U.S.C. 1232(d)(1); to the Committee on Education and Labor.

1923. A letter from the Commissioner, National Center for Education Statistics, transmitting the fifth annual report on dropout and retention rates entitled, "Dropout Rates in the United States: 1992"; to the Committee on Education and Labor.

1924. A letter from the Secretary of Education, transmitting a draft of proposed legislation entitled, "Cohort Default Rate Simplification Act of 1993"; to the Committee on Education and Labor.

1925. A letter from the Secretary of Health and Human Services, transmitting a copy of the 1992 edition of "Health, United States, 1992 and Healthy People 2000 Review", pursuant to 42 U.S.C. 242m(a)(2)(D); to the Committee on Energy and Commerce.

1926. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting notification of a proposed license for the export of major defense equipment and services sold commercially to Singapore (Transmittal No. DTC-40-93), pursuant to 22 U.S.C. 2776(c); to the Committee on Foreign Affairs.

1927. A letter from the Director, Defense Security Assistance Agency, transmitting a copy of Transmittal No. C-93 which relates to enhancements or upgrades from the level of sensitivity of technology or capability described in section 36(b)(1), AECA certification 90-65 of 10 September 1990, pursuant to 22 U.S.C. 2776(b)(5); to the Committee on Foreign Affairs.

1928. A letter from the Legion of Valor of the United States of America, Inc., transmitting a copy of the Legion's annual audit as of April 30, 1993, pursuant to 36 U.S.C. 1101(28), 1103; to the Committee on the Judiciary.

1929. A letter from the Administrator, Small Business Administration, transmitting the annual report for Fiscal Year 1992, pursuant to 15 U.S.C. 639(b); to the Committee on Small Business.

1930. A letter from the Secretary of Veterans Affairs, transmitting a draft of proposed legislation to amend title 38, United States Code, to delete a requirement that the Under Secretary for Health in the Department of Veterans Affairs be a doctor of medicine; to the Committee on Veterans' Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. STUDDS: Committee on Merchant Marine and Fisheries. H.R. 2151. A bill to amend the Merchant Marine Act, 1936, to establish the Maritime Security Fleet program, and for other purposes; with an amendment (Rept. 103-251). Referred to the Committee of the Whole House on the State of the Union.

Mr. FROST: Committee on Rules. H. Res. 254. A resolution providing for further consideration of the bill (H.R. 2401) to authorize appropriations for fiscal year 1994 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 1994, and for other purposes (Rept. 103-252). Referred to the House Calendar.

Mr. FORD of Michigan: Committee on Education and Labor. H.R. 1036. A bill to amend the Employee Retirement Income Security Act of 1974 to provide that such act does not preempt certain State laws; with an amendment (Rept. 103-253). Referred to the Committee of the Whole House on the State of the Union.

Mr. MURTHA: Committee on Appropriations. H.R. 3116. A bill making appropriations for the Department of Defense for the fiscal year ending September 30, 1994, and for other purposes (Rept. 103-254). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. DREIER:

H.R. 3115. A bill to improve access, affordability, and competition in health care, through the implementation of flexible savings accounts and malpractice reform, and for other purposes; jointly, to the Committees on Ways and Means, Energy and Commerce, and the Judiciary.

By Mr. MURTHA:

H.R. 3116. A bill making appropriations for the Department of Defense for the fiscal year ending September 30, 1994, and for other purposes.

By Mr. BARLOW:

H.R. 3117. A bill to initiate planning and design for a replacement facility at Fort Campbell, KY for the purpose of providing educational opportunities for military personnel and their dependents; to the Committee on Appropriations.

By Mr. EVANS (for himself, Mr. LEACH, Mr. LIPINSKI, and Mr. SANGMEISTER):

H.R. 3118. A bill concerning treatment of the Centennial Bridge, Rock Island, IL,

under title 23, United States Code; to the Committee on Public Works and Transportation.

By Mrs. LLOYD:

H.R. 3119. A bill to establish a coordinated strategy of health promotion and disease prevention activities through the Public Health Service; to the Committee on Energy and Commerce.

By Mr. MCHALE (for himself, Mr. ANDREWS of New Jersey, Mr. BACHUS of Alabama, Mr. BAESLER, Mr. BARCIA of Michigan, Mr. BARLOW, Mr. BARRETT of Wisconsin, Mr. BORSKI, Mr. BROWN of Ohio, Ms. DANNER, Mr. DEUTSCH, Mr. DIAZ-BALART, Mr. DOOLITTLE, Mr. EVANS, Mr. FROST, Mr. PETE GEREN of Texas, Mr. GREENWOOD, Mr. GUTIERREZ, Mr. HOKE, Mr. HOLDEN, Ms. NORTON, Mr. INSLEE, Mr. JOHNSTON of Florida, Mr. JOHNSON of Georgia, Mr. KANJORSKI, Mr. KLEIN, Mr. KLINK, Mr. KNOLLENBERG, Mr. KREIDLER, Mr. LANCASTER, Mr. MENENDEZ, Mr. MCCLOSKEY, Mr. MCINNIS, Mr. MEEHAN, Mr. MINGE, Mr. MURPHY, Mr. MURTHA, Mr. ORTON, Mr. POMEROY, Mr. QUINN, Mr. ROYCE, Mr. SANTORUM, Ms. SCHENK, Mr. SHUSTER, Mr. SKELTON, Mr. STUPAK, Mr. SWETT, Mr. TALENT, Mr. TAYLOR of Mississippi, Mr. TEJEDA, Mr. TUCKER, and Mr. UNDERWOOD):

H.R. 3120. A bill to assure the rights of victims of crime; to the Committee on the Judiciary.

By Mr. SLATTERY (for himself, Mr. GREENWOOD, Mr. PALLONE, and Mr. QUILLEN):

H.R. 3121. A bill to amend the Public Health Service Act to provide for the conduct of expanded studies and the establishment of innovative programs with respect to traumatic brain injury, and for other purposes; to the Committee on Energy and Commerce.

By Mr. STUMP (for himself, Mr. SMITH of New Jersey, Mr. BILIRAKIS, Mr. HUTCHINSON, and Mr. LINDER):

H.R. 3122. A bill to amend title 38, United States Code, to revise and improve the long-term care programs of the Department of Veterans Affairs; to the Committee on Veterans' Affairs.

By Mr. DE LA GARZA (for himself, Mr. ROBERTS, Mr. ENGLISH of Oklahoma, Mr. COMBEST, and Mr. BOEHNER):

H.R. 3123. A bill to increase the interest rates electric and telephone borrowers pay under the lending programs administered by the Rural Electrification Administration and otherwise restructure the lending programs carried out by that Administration; to the Committee on Agriculture.

By Mr. ACKERMAN:

H.J. Res. 264. Joint resolution designating the month of March 1994 as "Chronic Fatigue Syndrome Awareness Month"; to the Committee on Post Office and Civil Service.

By Ms. MCKINNEY:

H. Con. Res. 149. Concurrent resolution concerning United States support for President Jean-Bertrand Aristide upon his return to Haiti as its President; to the Committee on Foreign Affairs.

By Mrs. BENTLEY (for herself, Mr. SPRATT, Mr. BONILLA, Mr. SKEEN, and Mr. STUMP):

H. Con. Res. 150. Concurrent resolution expressing the sense of the Congress that the President, with the advice and consent of the Senate, should post-humously advance Rear Adm. Husband E. Kimmel to the grade of admiral on the retired list of the Navy and Maj. Gen. Water C. Short to the grade of lieutenant general on the retired list of the Army; to the Committee on Armed Services.

MEMORIALS

Under clause 4 of rule XXII,

244. The SPEAKER presented a memorial of the House of Representatives of the State of Texas, relative to authorizing the Department of Agriculture to sell processed, previously-redeemed, discontinued, and nolonger negotiable food stamps to the public for numismatic purposes; to the Committee on Agriculture.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII,

Mr. BILIRAKIS introduced a bill (H.R. 3124) to authorize the Secretary of Transportation to issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade of the United States for the vessel RBOAT; to the Committee on Merchant Marine and Fisheries.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 14: Mr. SANDERS.

H.R. 59: Mr. STUPAK.

H.R. 145: Ms. DANNER.

H.R. 147: Mr. COX.

H.R. 302: Mrs. MALONEY, Mr. CAMP, and Mrs. LLOYD.

H.R. 349: Mr. WYNN, Mr. GORDON, and Mr. TORRES.

H.R. 425: Mr. BISHOP.

H.R. 427: Mr. BISHOP, Mr. DEFAZIO, and Ms. PRYCE of Ohio.

H.R. 441: Mr. PORTMAN.

H.R. 455: Mr. DUNCAN and Mr. PRICE of North Carolina.

H.R. 509: Mr. CAMP.

H.R. 562: Mr. INHOFE.

H.R. 563: Mr. INHOFE.

H.R. 769: Mrs. ROUKEMA.

H.R. 796: Mr. LEACH, Mr. CARDIN, and Ms. FURSE.

H.R. 814: Mr. ROEMER, Mr. MCKEON, and Mr. KREIDLER.

H.R. 830: Mr. DICKS, Mr. HOLDEN, and Mr. GOSS.

H.R. 831: Mr. COX.

H.R. 833: Mr. ANDREWS of Maine, Mr. PAYNE of New Jersey, and Mr. REED.

H.R. 883: Mr. BARTLETT of Maryland, and Mr. MCCRERY.

H.R. 898: Mr. KOPETSKI, Mr. BOEHLERT, Mr. ROSE, Mr. FAZIO, Mr. MINETA, Mr. SMITH of Oregon, Mr. TEJEDA, Mr. SARPALIUS, and Mr. UNDERWOOD.

H.R. 911: Mrs. ROUKEMA, Mr. GILCHREST, Mr. DUNCAN, and Mr. FLAKE.

H.R. 962: Mr. SAWYER, Mr. FINGERHUT, and Mr. MANN.

H.R. 972: Mr. SCHIFF.

H.R. 1126: Mr. PORTMAN.

H.R. 1322: Mr. LEWIS of Florida, Mr. MCMILLAN, Mr. SPENCE, Mr. HOUGHTON, Mr. YOUNG of Alaska, Mr. QUILLEN, and Mr. CALLAHAN.

H.R. 1391: Mr. TRAFICANT, Mr. BACCHUS of Florida, Mr. LANTOS, Mr. CLAY, and Mr. DEUTSCH.

H.R. 1392: Mr. COX.

H.R. 1504: Mr. PAYNE of Virginia and Mr. DOOLEY.

H.R. 1533: Mr. BACCHUS of Florida, Mr. HASTINGS, Ms. ESHOO, Ms. WOOLSEY, Mrs. MINK, Mr. DORNAN, and Mr. HOBSON.

H.R. 1622: Mr. COX.

H.R. 1796: Mr. RICHARDSON, Mr. GEJDENSON, Mr. HALL of Ohio, Mr. PAYNE of Virginia, Mr. ZIMMER, Mr. BOUCHER, Mr. MCCLOSKEY, Mr. SMITH of Iowa, and Mr. SKEEN.

H.R. 1921: Mr. JACOBS.

H.R. 1980: Mr. STENHOLM and Mr. ORTON.

H.R. 1987: Ms. NORTON.

H.R. 2043: Mr. SKAGGS.

H.R. 2221: Mr. CANADY, Mr. CRANE, Mr. DEAL, Mr. HANSEN, Mr. MANN, and Mr. POSHARD.

H.R. 2268: Mr. EMERSON.

H.R. 2357: Mr. LANTOS.

H.R. 2370: Mr. BISHOP.

H.R. 2438: Mr. CANADY.

H.R. 2444: Mr. RAMSTAD, Mr. FISH, Mr. COX, Mr. SUNDQUIST, Mr. SHAYS, Mr. KOLBE, and Mr. DEAL.

H.R. 2488: Mr. MATSUI and Mr. SANDERS.

H.R. 2572: Mr. SANDERS.

H.R. 2612: Mr. LANTOS and Mr. EDWARDS of California.

H.R. 2641: Mr. BILBRAY.

H.R. 2831: Mr. MATSUI, Mr. FAZIO, Mr. COX, Ms. WOOLSEY, Mr. STARK, Ms. ESHOO, Mr. EDWARDS of California, Mr. BEILENSON, Mr. BERMAN, Mr. WAXMAN, Mr. BECERRA, Ms. ROYBAL-ALLARD, Ms. HARMAN, and Mr. BROWN of California.

H.R. 2855: Mr. JEFFERSON.

H.R. 2877: Mr. HINCHEY.

H.R. 2879: Mr. KNOLLENBERG.

H.R. 2898: Mr. SANDERS.

H.R. 2903: Mr. EMERSON, Mr. CANADY, and Mr. SOLOMON.

H.R. 2913: Mr. BARTON of Texas, Mr. SUNDQUIST, Mr. COBLE, Mr. INGLIS of South Carolina, Mr. KNOLLENBERG, Mr. GREENWOOD, Mr. HYDE, Mr. RAVENEL, Mr. GALLEGLY, Mr. BACHUS of Alabama, Mr. BLUTE, Mr. EWING, Mr. ROYCE, Mr. SCHIFF, Mr. SHAYS, Mr. WOLF, Mr. COX, Mr. BURTON of Indiana, Mr. GILCHREST, Mr. WELDON, Mr. MCDADE, Ms. FOWLER, Mr. TALENT, Mr. FIELDS of Louisiana, Mr. HANSEN, Mr. BALLENGER, Mr. RAMSTAD, Mr. BARTLETT of Maryland, Mr. KING, Mr. HUTCHINSON, Mr. SOLOMON, Mr. SANTORUM, Mr. DIAZ-BALART, Mr. SPENCE, Mr. MCCANDLESS, Mr. CANADY, and Mr. FAWELL.

H.R. 2936: Mr. HOEKSTRA, Mr. VISCLOSKY, and Mr. EWING.

H.R. 2938: Mr. HOEKSTRA, Mr. VISCLOSKY, and Mr. EWING.

H.R. 3030: Mr. BAKER of Louisiana, Mr. ROHRABACHER, Mr. POMBO, Mr. BATEMAN, and Mr. BOEHNER.

H.R. 3031: Mr. BAKER of Louisiana, Mr. ROHRABACHER, Mr. POMBO, Mr. BATEMAN, Mr. BOEHNER, and Mr. ANDREWS of New Jersey.

H.J. Res. 79: Mr. KLEIN.

H.J. Res. 113: Mr. SKELTON.

H.J. Res. 155: Mr. LIVINGSTON, Mr. SPRATT, Mr. SKELTON, Mr. REYNOLDS, Mr. YOUNG of Alaska, Mr. TAUZIN, Mr. RICHARDSON, Mr. HOAGLAND, Mr. SERRANO, Mr. LEHMAN, Mr. SMITH of Iowa, Mr. WYNN, Mr. PACKARD, Mrs. MEEK, Mr. FRANK of Massachusetts, Mr. MONTGOMERY, Mr. MEEHAN, Ms. MALONEY, Mr. DIAZ-BALART, Mr. FILNER, Ms. MCKINNEY, Mr. OBERSTAR, Mr. GLICKMAN, and Mr. LAROCCO.

H.J. Res. 178: Mr. FILNER, Mrs. MEEK, Mr. CLEMENT, Mr. MCCLOSKEY, Mr. GREENWOOD, Mr. NADLER, Mr. MURTHA, Mr. YATES, Mr. HUTTO, Mr. BERMAN, Mr. STUDDS, Mr. PAYNE of Virginia, Mr. MENENDEZ, Mr. WELDON, Mr. DARDEN, Mrs. LLOYD, and Mrs. COLLINS of Illinois.

H.J. Res. 194: Mr. BARRETT of Wisconsin, Mr. SANDERS, Mr. REYNOLDS, Mr. BROWN of

Ohio, Mr. ARCHER, Mr. ANDREWS of New Jersey, Mr. LIVINGSTON, Mr. LAZIO, Mr. MCCRERY, Mrs. BENTLEY, Mr. MANN, Mr. RICHARDSON, Mr. BACCHUS of Florida, Mr. BROWN of California, Mr. OBERSTAR, Mr. BREWSTER, Mr. BARCA of Wisconsin, Mr. TEJEDA, Mr. HINCHEY, Mr. COOPER, Mr. COX, Mr. ROMERO-BARCELO, Mr. JEFFERSON, Ms. WOOLSEY, Mr. ANDREWS of Maine, Mr. FALEOMAVAEGA, Mr. CALLAHAN, Mr. DICKEY, Mr. GLICKMAN, Mr. DICKS, Mr. GILLMOR, Mr. BAESLER, Mr. RAMSTAD, Mr. JOHNSTON of Florida, Mr. LANTOS, Mr. KLINK, Mr. SABO, Mr. EWING, Mr. SARPALIUS, Mr. JOHNSON of South Dakota, Mr. STARK, Mr. SMITH of Texas, Mr. SAWYER, and Mr. KANJORSKI.

H.J. Res. 197: Mr. MACHTLEY, Mr. ROBERTS, Mr. FRANKS of Connecticut, Mr. KLECZKA, Ms. SNOWE, Mr. REED, Mr. VOLKMER, and Mr. MEEHAN.

H.J. Res. 198: Mr. SCHAEFER and Mr. HANSEN.

H.J. Res. 251: Mr. BALLENGER, Mr. SOLOMON, Mr. BAKER of Louisiana, and Mr. FAWELL.

H.J. Res. 257: Mr. SOLOMON.

H.J. Res. 260: Mr. KASICH, Mr. KREIDLER, Mrs. MINK, and Mr. MATSUI.

H. Con. Res. 104: Mr. BACCHUS of Florida.

H. Con. Res. 110: Mr. STUMP, Mr. SLATTERY, Mr. PASTOR, and Mr. STRICKLAND.

H. Con. Res. 116: Mr. TALENT, Mr. SOLOMON, and Mr. LEVY.

H. Con. Res. 141: Mr. ARCHER and Mr. PAXON.

H. Con. Res. 147: Mr. KLUG and Mr. FINGERHUT.

H. Res. 134: Mr. DICKEY.

H. Res. 148: Mr. PORTMAN.

H. Res. 242: Mr. KNOLLENBERG.

H. Res. 243: Mr. KNOLLENBERG.

H. Res. 244: Mr. KNOLLENBERG.

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. 1985: Mr. FROST.

EXTENSIONS OF REMARKS

TRIBUTE TO "McD," ROBERT F. McDERMOTT, ON HIS RETIREMENT AS CEO OF USAA

HON. LAMAR S. SMITH

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 22, 1993

Mr. SMITH of Texas. Mr. Speaker, I rise to honor a man known throughout the San Antonio area simply as "McD." McD is Robert F. McDermott, one of the most public-spirited and patriotic Americans I have ever known. After a half-century of remarkable accomplishments as a military and corporate and civic leader, General McDermott stepped down as head of USAA, our 21st largest diversified financial services company, on September 1, 1993. On October 6, San Antonio will honor McD at an event titled: "Celebrating 25 Years of Vision in San Antonio: 25 Years of McD."

Who and what is this man so many have come to love and revere? His biography gives clues but perhaps not the complete answer. The son of a musician, he attended the renowned Boston Latin School. An accomplished musician himself—he even played his trombone here in Washington with a visiting band in the late 1930s—he also was captivated by flight, inspired by Lindbergh, and the military. He entered West Point, graduated in 1943 and flew P–38 fighters in 61 missions over Europe.

During those war years, he met and married another McDermott, Alice, a Connecticut teacher but no relation. They were to have three sons and two daughters and then 13 grandchildren. The love of McD's life, Alice died in 1990 but remains his hero.

After a West Point faculty tour, McD later became the new Air Force Academy's first dean and, at 39, the youngest military flag rank officer at the time in 1959. He has been called the "Father of the Air Force Academy" for the innovations he brought to the academy, many later adopted by the sister service academies.

With five children to educate, McD retired from the Air Force in 1968 to join USAA, then a small auto insurer for military officers. Declining more lucrative offers, he saw USAA as an unique opportunity for service. McD transformed a small company with $207 million in assets owned and managed into a financial services giant with more than $31 billion. It was a remarkable 25 years.

Concurrently, McD, retaining his unmistakable Boston accent, consciously metamorphosed into a San Antonian and Texan. His civic accomplishments, focusing on doing things for people, boggles the mind, particularly when added to the enormous expansion and diversification he masterminded at USAA. Initiatives aimed at health, education, bricks and mortar and, above all, children, are only some of the elements of his remarkable legacy. He did it by applying the inimitable McD vision, zeal and persuasiveness. He already has been honored many times over—even a section of Interstate 10 that runs by USAA headquarters now bears his name.

But his extraordinary 50-year career only suggests what really motivates McD. The essence lies perhaps in his own words, as he addressed a USAA management meeting on July 22, 1993 when he announced that he was stepping down as CEO. In his reflections, he identified his compass. It was not "bigger and better" for the sake of bigger and better. Rather, it was a moral lesson he learned in Sunday School. As he put it: "* * * we learned that Christ, during his time, had summed up the Ten Commandments in a positive way, instead of 'Thou shall not * * *,' which most of the commandments started with. He said there are two commandments and, stating them in a positive way, he said, 'Thou shall love thy God, and thou shall love thy neighbor as thy self.' For years after that, I tried to probe the deeper meaning of those two simple commandments and what it would mean to me in my life."

That McD has lived the "Golden Rule" is indisputable. And he has already reaped rewards of that unusual commitment. As he told USAA executives: "* * * my psychic income is the highest of anybody in San Antonio or in the insurance industry."

What then is McD? He is many things, among them citizen, soldier, pilot, musician, father, grandfather, teacher, leader, innovator, and patriot. But to me he is what I would call simply a 20th century renaissance man, that rare individual, a model for us all.

He will continue giving of his talents as he steps down from USAA's helm. Who knows what the years to come will bring from this wonderful man? It has been a privilege to know him and work with him. We are all the better for his good works.

TRIBUTE TO CHIEF J. SNIZEK

HON. SHERROD BROWN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 22, 1993

Mr. BROWN of Ohio. Mr. Speaker, I rise before you today to pay tribute to a distinguished civil servant from South Amherst, OH. Chief Thomas J. Snizek, who is retiring at the end of September, he has served his community for nearly a half century. It is an honor to have someone of his caliber in Lorain County.

In 1946, Mr. Snizek began his service as a special deputy marshal with the South Amherst department. Only 3 years later he was promoted to the status of deputy marshal, and it was from this position that he rose to the honor of police chief in 1953.

Chief Snizek is a member of both the American and the Ohio Police Hall of Fame. In the American Hall of Fame he has the additional distinction of holding the Medal of Honor. Chief Snizek is also an honorary police officer in Reims, France.

Chief Snizek has been an invaluable asset to the South Amherst police department. His keen sense of public service has been a hallmark of his 47 years in law enforcement, and 40 years as the department's police chief.

Mr. Speaker, it is with great pride that I ask you and my fellow Members of Congress to join me in recognizing Chief Snizek for his many years of service to the South Amherst police department. I am proud to represent Chief Snizek in Congress, and it is a privilege for me to honor him in this small way as his remarkable career in law enforcement comes to a close.

SCARE TALK ABOUT NAFTA

HON. NEWT GINGRICH

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 22, 1993

Mr. GINGRICH. Mr. Speaker, I encourage all my colleagues to read the following editorial by Robert J. Samuelson exposing the alarmist scare-tactics currently being used to drum up unfounded opposition to the North American Free Trade Agreement. I hope that this will be helpful in unclouding the debate about NAFTA.

SCARE TALK ABOUT NAFTA

On NAFTA, Jay Leno got it about right. NAFTA is shorthand for the North American Free Trade Agreement—a free trade pact between the United States and Mexico. Last week, Leno wandered out of his studio to ask people on the street what they think of it. Think of it? Hey, they have hardly heard of it. A typical response went: "Nafta? How do you spell that?" As Leno discovered, Americans aren't lying awake worrying about NAFTA.

All of which makes the strident opposition of so many congressional Democrats mystifying. They're not only against it. They're determined to defeat it and humiliate President Clinton, who backs the agreement. Hello, anybody home? Yes, George Bush originally negotiated NAFTA, but he's gone to Texas; this guy Clinton is your president. The opposition is all the more perplexing, because the case against NAFTA is so weak.

What we're being told is that free trade with Mexico would devastate the U.S. economy. With its low wages, Mexico would unleash a flood of cheap imports into our markets. There would be a mass exodus of U.S. factory jobs, as hordes of American companies fled across the border. "Save Your Job, Save Our Country: Why NAFTA Must Be Stopped—Now" is the book by Ross Perot and Pat Choate that captures the worst fears. Many unions make similar arguments.

All this is scare talk. To understand why, you need to grasp NAFTA's basics. They boil down to three propositions.

(1) Contrary to anti-NAFTA rhetoric, the trade agreement would probably boost U.S. jobs. But the impact on jobs—whether good or bad—would be small.

The idea that Mexico will hijack our industrial base is a myth. "If this fear were realistic, it would already have happened," as economist Gary Hufbauer of the Institute for International Economics puts it. Mexico's wages have long been lower than ours, and most of its exports already enter our market without any tariff. (The average tariff; 1.9 percent.) If companies were going to flee, they would have done so years ago. They haven't fled for lots of reasons: American workers are more productive than Mexican workers; Mexico's transportation and communications systems are less efficient; U.S. companies need to be close to U.S. customers.

Our economy is 20 times the size of Mexico's. Mexico simply isn't capable of flooding us with cheap goods. Nor can it absorb enough of our exports to generate dramatic U.S. job increases. Still, most of the import barriers that would come down under NAFTA would be Mexico's against our products. Its tariffs average about 10 percent. This is one reason most experts think NAFTA initially would raise U.S. exports and jobs. Recent experience is encouraging. Since the mid-1980s, Mexico has unilaterally cut its steep tariffs and quotas. Annual U.S. exports soared from $12 billion to $41 billion between 1986 and 1992. A $5 billion trade deficit became a $5 billion trade surplus.

(2) NAFTA is an exercise in enlightened foreign policy—an effort to make Mexico richer and thereby, a better neighbor.

Both Presidents Bush and Clinton have bought the promise of NAFTA, which is the brainchild of Mexican President Carlos Salinas de Gortari. For Salinas, NAFTA represents a way to consolidate radical changes in Mexico's economic policies. He has tried to dismantle elaborate economic controls. Many state-owned companies have been sold. Tariff reductions have been dramatic. The goal is to spur economic growth by creating a climate that attracts investment and opens Mexico to global competition.

So far, Salinas has enjoyed modest success. Since 1989 Mexico has lured about $42 billion in new foreign investment. Meanwhile, its economy has grown consistently for six years, a contrast with the stagnation of the early 1980s. NAFTA would make Mexico's low tariffs and relaxed restrictions on foreign investment harder to undo by encasing them in a treaty. Salinas's economic policies have also had a political edge. Trying to cooperate with the United States, he has abandoned anti-American rhetoric.

(3) If NAFTA works, huge gains for the United States would emerge gradually over 10 or 15 years.

A prosperous, stable and democratic Mexico would simply be a better neighbor than a poor, unstable and undemocratic Mexico. Higher economic growth would ultimately reduce illegal immigration into the United States. Mexicans could stay home and get jobs. It would be easier to cooperate with Mexico on issues ranging from the environment to drug traffic. Finally, a more prosperous Mexico would help some mature U.S. industries. Autos are a good example. Mexico has about eight cars per 100 people; we have about 57 per 100. A richer Mexico would buy more cars, and many of these would be designed and built in the United States.

The obsession with jobs obscures what NAFTA is really about: the remaking of Mexico. Some U.S. industries would lose under NAFTA; others would gain. But the potential losses are tiny compared with job disruptions that are caused by business cycles or new technologies. The real cloud over NAFTA is that it may not remake Mexico, as Mexican political scientist Jorge Castaneda argues in "Foreign Affairs." Mexico might not attract ample foreign investment. Joblessness might rise, because inefficient Mexican firms can't withstand foreign competition. Salinas's modest political reforms, designed to end one-party rule, might stall. Corruption, as Castaneda notes, remains widespread.

But NAFTA is the gamble that Mexico's leaders have made, and no one has advanced a better idea. The question for Americans is whether the alternative—conducting U.S.-Mexican relations without the agreement—is good policy. it isn't. Defeating NAFTA might stunt Mexico's economic development. It would also represent an enormous setback to U.S.-Mexican relations, because Mexico's leaders have staked so much on NAFTA.

The alarmism about jobs is actually an assault on the president's authority to make foreign policy. The economic logic against NAFTA is weak as is the political logic. Congressional opposition is a wrecking operation. It has little popular appeal. Jay Leno knows this, but do congressional Democrats?

RURAL HEALTH CARE

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 22, 1993

Mr. HAMILTON. Mr. Speaker, I would like to insert my Washington Report for Wednesday, September 15, 1993, into the CONGRESSIONAL RECORD:

RURAL HEALTH CARE

President Clinton is expected to unveil his health care reform package sometime this fall. I will be particularly interested to see how the President's plan will affect rural communities in Indiana and around the country. Rural community leaders have struggled to maintain health services that are badly needed by local residents and critical to long-term economic development. Businesses are reluctant to locate to communities without physicians and a nearby hospital. Keeping health services available in rural America, however, is proving to be increasingly difficult. Young physicians are choosing urban practices in increasing numbers and are declining opportunities to practice the primary care specialties most needed in rural areas: family medicine, internal medicine and pediatrics.

ACCESS TO MEDICAL CARE

Rural America suffers from limited access to medical care. Small rural communities in this country have only about half as many physicians per capita as larger ones. Two thirds of all of the country's rural counties either have no physician or are so short of a sufficient number that they are classified as Health Professions Shortage Areas (HPSAs). Likewise, during the 1980's 10% of the nation's rural hospitals closed their doors and the closures are continuing unabated during the present decade. Hospitals with less than 100 beds and low occupancy rates have been particularly vulnerable.

Exacerbating the problem is the fact that rural populations generally are older and poorer than their urban counterparts. They are 25% more likely to report that they suffer from a chronic disease than the rest of the population. Rural people need more access to health care but, at present, they are less likely to get it.

EXPERIENCE IN INDIANA

Eleven of the Indiana counties of the 9th District are classified as HPSAs, in whole or in part: Franklin, Ohio, Switzerland, Jennings, Scott, Brown, Crawford, Spencer, the central part of Ripley, the southwest part of Washington, and the southeast portion of Harrison. When the Indiana State Department of Health surveyed rural residents in 1991 about their views on health care in their communities, 21% expressed concern about the shortage of physicians. Securing physicians for such communities can be very difficult. Professional recruiters often charge $20,000, or more, with no guarantee of success.

Indiana rural hospitals have fared much better than those of the nation as a whole. Close to 200 rural hospitals have shut down nationwide over the past five years, but only one of these was in Indiana (the George Ade Hospital in Brook). Prudent Hoosier hospital management and strong support for local hospitals have kept our rural hospitals open so far, but most rural hospitals in Indiana continue to face a difficult financial situation.

FEDERAL EFFORTS

During the past ten years Congress has approved a number of initiatives to help rural communities secure physicians and keep rural hospitals open. The National Health Service Corps, which assigns physicians and other health professionals to HPSAs in return for a free medical education, has been revitalized. 13 of these physicians now serve in Indiana. Medicare payments to primary care physicians, the bulk of those serving rural areas, have been increased at the expense of payments to specialists. Additional 10% Medicare bonuses are paid to physicians who serve HPSAs.

In addition, many reimbursement increases to rural hospitals under Medicare have been made. While payments to urban hospitals are still higher for the same procedure, the differences have been greatly narrowed. Higher payments also are made to several special categories of rural hospitals, including large rural referral centers, small hospitals that serve isolated rural towns, hospitals that use some of their beds for nursing care some of the time, and hospitals that serve a particularly high percentage of Medicare patients. Over half of the nation's rural hospitals now have received financial assistance under a federal Transition Grant program that helps hospitals and the communities they serve adjust the service mix of the hospital to better serve local needs. I supported these programs, and others like them, and will continue to press for improvements in rural health care.

STATE EFFORTS

Many states play important roles in improving access to health services in rural areas. Some pay higher rates to rural physicians (Kentucky) or rural hospitals (Oregon) under their Medicaid programs, which provide health services to the poor. Some establish and operate clinics in rural areas (North Carolina) or set up medical practices and recruit physicians (Wisconsin). The University of Minnesota sends many third year medical students out to rural medical practices to understudy family physicians for nine to twelve months. These students go on to primary care careers in rural Minnesota in most cases.

PRIVATE INITIATIVES

Governments can help solve this problem, but they can not do it alone. For example, unless local citizens have enough confidence in their local physicians and hospitals to use them, instead of driving to the city for health care, they are likely to lose them. Health providers play an important role as well. Rural hospitals that form consortiums to benefit from economies of scale are more likely to survive. So are those which are innovative in finding expertise in management. Sometimes this means hiring a health care management company to manage the hospital—as the Perry and Jennings county hospitals have done.

CONCLUSION

We are in a period in Washington in which most health care issues have been placed on hold, pending introduction of the President's health care reform proposal. The White House health care reform task forces paid considerable attention to rural issues and I am quite hopeful that the proposal President Clinton will introduce later this month will help extend services to rural areas. When the proposal is submitted, I will seek the consultation of physicians, other health care professionals and users of health care to help determine its merits. The nation's governors are very concerned that health care reform allow considerable flexibility to the states so that a state like Hawaii that already guarantees health care to most residents will not have to start all over again. I believe that state experiments to make affordable health care available should be encouraged and agree with the need for flexibility in national health care reform, particularly to meet rural needs.

TRIBUTE TO LARRY GREGORY, FIREFIGHTER

HON. SANDER M. LEVIN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 22, 1993

Mr. LEVIN. Mr. Speaker, I rise today to pay tribute to a dedicated firefighter, Larry Gregory, as he prepares to retire from public service. His commitment to the safety of his neighbors in Sterling Heights, MI, deserves recognition and praise.

Almost 25 years ago, in September 1969, Mr. Gregory was hired by the Sterling Heights Fire Department. He was reinstated in February 1981 and continued his service as acting sergeant from 1986 until 1988.

Mr. Gregory has always gone beyond the call of duty to reach out to the community. He participated in the Fire Department Explorers Program throughout the 1980's as a counselor. He also assisted with Fire Department Open Houses and Community Service Day Programs.

Mr. Gregory will retire on November 10 of this year to enjoy his retirement with his wife, Catherine, and four sons. I extend my wishes for a healthy and happy retirement.

YELTSIN MOVES TO END CHAOS

HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 22, 1993

Mr. HOYER. Mr. Speaker, yesterday, President Boris Yeltsin cut the Gordian knot that has paralyzed Russian politics for over a year: he suspended the constitution, disbanded the Russian parliament, and called for new parliamentary elections in December. Technically speaking, this act was illegal, as Yeltsin himself acknowledged. But he forcefully made the argument that he acted in the spirit of democracy by breaking the letter of the law.

Last April, large majorities of voters in Russia voiced their support of President Yeltsin and his policies, while calling overwhelmingly for new parliamentary elections. Basing his mandate on that referendum, as well as his June 1991 victory as Russia's first ever democratically elected president, Yeltsin has moved to realize the will of Russia's electorate.

President Clinton and the leaders of the Western democracies have backed Yeltsin's action, recognizing that the situation in Russia is extraordinary, historic and worrisome. The overwhelming power of an unrestrained executive branch, and the absence of popular representation and checks and balances, have been the cause of many of Russia's misfortunes over the centuries. So under other, ordinary circumstances, the West, and especially this body, the United States Congress, would applaud the assertiveness shown by the Russian Congress of People's Deputies in its ongoing struggle with President Boris Yeltsin—a strong personality who sometimes behaves erratically.

But the primary reason for continued Western backing for Yeltsin is our perception of the divergent goals pursued by the contending branches of power. Yeltsin is explicitly pro-American, pro-Western, pro-market, and has pursued a relatively restrained policy toward the other former Soviet Republics. There are grounds for concern about implementation of these policies, but compared to what we could expect from the Russian Parliament, Yeltsin's objectives are more promising of democratic and economic reforms being implemented and succeeding. The Parliament has accused the West of seeking to undermine and weaken Russia. It urges a much more hardline approach to the other former republics. As for economic reform, the Parliament opposes Yeltsin's privatization program, and largely reflects the views of the Communist Party nomenklatura and managers of large industrial enterprises and collective farms. Moreover, the Russian Parliament—while not uniformly reactionary or pro-Communist, as is often claimed—nevertheless represents the political realities of 1990, before the lifting of the Communist Party's monopoly. Its members do not have the obvious legitimacy Yeltsin enjoys, they do not reflect the political realities of today's Russia, and under the current leadership, the Parliament has done everything in its power to undercut Yeltsin and his programs.

The result has been what a Washington Post article last Saturday aptly called "irrelevant chaos." But Mr. Speaker, Russia—with its thousands of nuclear warheads and pivotal position in world politics—cannot afford "irrelevant chaos," and neither can the United States afford such conditions in Russia. It is imperative for the people of Russia, and for our own interests, that a democratically elected government implement necessary reforms and keep Russia on a pro-Western track. Boris Yeltsin's courageous and admittedly risky move yesterday, we hope, will lead to precisely that outcome.

New parliamentary elections are now scheduled for December 12. Members of the current parliament should be allowed to run for office. If they win, we should honor their victory as an expression of the democratic process—and President Yeltsin will have to, as well. Meanwhile, we look forward to that vote, and are wishing success to the people of Russia.

TRIBUTE TO THE FIRST EVANGELICAL CHURCH OF LORAIN, OH

HON. SHERROD BROWN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 22, 1993

Mr. BROWN of Ohio. Mr. Speaker, I rise before you today to recognize the achievements of the First Evangelical Lutheran Church of Lorain, OH. During the month of September 1993, this remarkable church will celebrate over 90 years of service to the community.

Established in 1899, the First Evangelical Lutheran Church was originally a mission church with services in both German and English. In 1903 the mission was reorganized, and a constitution and by-laws were adopted.

Following reorganization, the present church property was purchased along with an old schoolhouse which was moved to the property and used as the place of worship. In 1924 the present church was erected, with only a slight setback when it was struck by a tornado during construction.

The First Evangelical Lutheran Church has been a bedrock of fortitude and support for the community since its inception in 1899. Through programs such as the Senior Taxi Service, and Meals on Wheels, this church has worked to improve the lives of many people. In addition, the church has taken part in the sponsorship of a refugee family from Laos, and the regular donation of food to the area's needy families.

During this month of September 1993, the First Evangelical Lutheran Church of Lorain has paused to honor and praise the deep and abiding Christian commitment of its many past and present members. Over the years this church has been blessed with members who have given unselfishly to provide valuable human services where the need continues to be so great.

Two individuals who exemplify the generous giving that First Evangelical Lutheran Church has become known for are the Rev. Linwood H. Chamberlain, Jr., and the Rev. Jimmy W. Madsen. Their efforts have done much to enhance the cultural, spiritual, and educational development of Lorain area residents.

Mr. Speaker, it is with great pride that I ask you and my fellow Members of Congress to

join me in recognizing the First Evangelical Lutheran Church to join me in recognizing the First Evangelical Lutheran Church of Lorain and its many members. As they celebrate their 90-year anniversary, let us remember the church's true commitment to enhancing the dignity and nurturing the spirit of all people.

WE CAN LEARN FROM EXCHANGE

HON. NEWT GINGRICH

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 22, 1993

Mr. GINGRICH. Mr. Speaker, I believe that one of the most effective ways for the United States to help Russia and the Commonwealth of Independent States make the difficult transition to democracy and capitalism is to establish direct and personal relationships between Americans and the people of Russia, Ukraine, and the other Republics.

This summer, residents of the Sixth District of Georgia hosted some 100 Russians in their homes to show them what freedom and life in America is all about. I urge my colleagues to read the following article about what we can learn from this exchange and to support the efforts of organizations like Freedom Exchange which are dedicated to bringing people to the most dynamic Nation on Earth and encouraging them to take freedom, democracy, and free markets back with them in the effort to establish a more united, peaceful world.

[From the Gwinnett Post-Tribune, Aug. 18, 1993]

WE CAN LEARN FROM EXCHANGE

This summer some residents of the Sixth District have been involved in an experiment that is an important step toward global peace and prosperity.

This year's pilot program of Freedom Exchange brought 140 young Russian business people and professionals to the United States to show them the basics of freedom and the free enterprise system.

The largest group of these Russian visitors are here in the Sixth District. These 100 young men and women are working side by side with American business people to learn the basics of capitalism: how to attract customers, advertising, marketing, and customer service.

Several families and business people have told me that they are learning as much about Russia and Russians as our guests are learning about America. This is a two way program of two people learning about each other.

This is what some of the hosts are saying:

"The people in this program seem to be the upcoming movers and shakers in Russia. What they learn here will make some important changes," said Karen Hills of the North Fulton Chamber of Commerce in Roswell.

"We are learning a lot about each other, but at the same time I realize how often we take for granted what we have and how fortunate we are," said Donna Row, an East Cobb real estate agent.

"I see a young group of people who can change the system in Russia. There is hope, but only with assistance from us," said Charlie Bowers, a Roswell businessman.

"We are both learning. I am learning factual things, he (the Russian intern) is learning impressions. The thing that we are learning the most is that we are not different," said Rosalee Hopkins, owner of Bianco Hopkins & Associates in Norcross.

Just as the Freedom Exchange is a learning experience for both sides, I think there is much we can learn from today's Russia.

Recently, I traveled to Russia and was impressed with the dramatic scale of change I saw. Their flag has changed, the name of their country has changed, all the old rules are gone.

We Americans have to respect and recognize what an enormous human risk the people of Russia are taking, and we have to ask ourselves, if they are this prepared to change their country, how much are we prepared to change our country?

It seems that we are preaching one thing to President Yeltsin and the Russians and practicing another in Washington. In Russia we are saying, "You need less bureaucracy, you need less red tape, you need more incentives, you need more privatization, you need more decentralization, get power out of Moscow back to the local communities, get power away from the bureaucracy back to the marketplace, have the marketplace set prices and set incentives."

Why then, if we say wage and price controls do not work in Russia, do we think they could work to improve health care in the United States?

In Russia we are seeing what happens when a government doesn't control its budget. To keep the Russian currency from collapsing, the government is calling in old rubles and replacing them with new ones. Four years ago the official exchange rate was 18 Russian rubles to an American dollar. This spring the ruble was worth about half a cent and losing value at one percent a day. By the end of this month a ruble—unless it was printed this year—will be worthless.

If the Russian people who have lived for 70 years under Communism can be expected to learn about market incentives, privatization, decentralization, free markets, private property, then why can't we Americans in Baltimore, New York, Detroit, Philadelphia and Atlanta, also be asked to learn? If they can privatize apartments in Moscow, why can't we find a way to privatize public housing in America?

Our government has indicated a real interest in what happens here with Freedom Exchange. They see this as an experiment which if it works, will be expanded dramatically next year to have at least 10,000 Russians visiting across all of America.

These men and women of Russia decided to take time out of their lives to learn more about freedom and more about America. The host families are sharing of their homes, their time and their lives.

These are the types of relationships we must foster if our children and grandchildren are to live in a united, peaceful world.

REINVENTING GOVERNMENT

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 22, 1993

Mr. HAMILTON. Mr. Speaker, I would like to insert my Washington Report for Wednesday, September 22, 1993 into the CONGRESSIONAL RECORD:

REINVENTING GOVERNMENT

The Clinton Administration has embarked on an ambitious effort to "reinvent" government—overhauling the executive branch to make federal programs work better and cost less. Following the efforts of various states and businesses, the aim is to replace a large bureaucracy and its bloated chains of command with a more entrepreneurial, decentralized government with power and accountability shifted more to workers. The goal is to make government leaner and more customer-oriented, and to help restore public confidence in government. Based upon a National Performance Review headed by Vice President Gore, the Administration's reform effort proposes hundreds of specific recommendations, ranging from eliminating half of federal management jobs to changing the way the government buys computers. President Clinton has made reinventing government one of his top priorities.

MAIN THEMES

The report, which is very tough on government, criticizes the way government hires people, buys things, centralizes decisionmaking, duplicates programs, and uses outdated procedures. It recommends lengthening the federal budget process from one year to two, minimizing congressional restrictions on federal agencies, cutting federal personnel regulations, giving managers more flexibility in hiring and firing, decentralizing decisionmaking, updating procurement procedures, cutting government regulations in half, adopting measurable performance goals for programs, closing unnecessary field offices, consolidating some agencies, and opening up federal monopolies like the Government Printing Office.

The plan would save an estimated $108 billion over five years, primarily through eliminating some 252,000 federal jobs—12% of the civilian, nonpostal workforce—as well as through procurement reform and upgrading government technology. About half of the recommendations can be implemented by the President by executive action. The rest would need the specific approval of Congress.

POSITIVE FACTORS

Although there have been about a dozen major executive branch reform efforts this century, several factors suggest that this attempt could be more successful. First, the effort to cut back the government bureaucracy is being undertaken by a Democratic President—which means the recommendations have been met with less initial skepticism—and he will be working with a Democratic-controlled Congress. Second, the Gore task force was staffed by those working within government rather than outsiders, and the report has received support from federal employee unions because it aims to free workers to better it aims to free workers to better do their jobs. Third, President Clinton strongly believes in the reinventing government effort. He undertook similar reforms while Governor. Fourth, the report—one of the best government reports I have read—has strong bi-partisan support. Fifth, there is a widespread recognition that in this era of federal belt-tightening, programs must be shown to operate efficiently if they are to survive. Finally, Americans are clearly upset about overall government performance, and the basic themes of this effort resonate well with the public.

CRITICISMS

Yet skeptics argue that there are several problems with the overall reinventing government effort. First, the report focuses on how government agencies can perform their tasks better, rather than asking the more basic question of whether the agencies should still be performing those tasks at all.

Second, much of the reinventing government effort boils down to less oversight of executive branch employees—by reducing management, employee regulations, and congressional oversight. What some see as red tape, others see as political and financial safeguards. A backlash could emerge, for example, if favoritism creeps back into personnel decisions and government purchases, or if newly empowered mid-level employees make decisions costing taxpayers millions of dollars. Third, deep personnel cuts could come from popular departments and agencies. If carried out proportionately, three-fourths of the cuts would come from the Departments of Defense, Veterans Affairs, Treasury (which includes federal law enforcement), Health and Human Services (which handles social security and medicare), and Agriculture. Fourth, some say that the executive branch is not grossly overstaffed. The 3 million federal civilian workforce (including 800,000 postal workers) basically has not grown over the past twenty years. Indeed, it has shrunk from 3.5% of all civilian employment in 1970 to 2.6% in 1990. The real growth in government employment has been at the state and local levels, where jobs have grown from 10 million to 15 million since 1970. Finally, it is difficult to apply the lessons of businesses and the states to the federal government. Some state experiments have not worked well, and the success of large businesses in "reinventing" themselves has been mixed. Moreover, lessons are not easily transferred to the federal government because of its sheer size and lack of competitors, and because its goals are not easily quantifiable and its "customers" often make quite conflicting demands.

OVERALL ASSESSMENT

The process of reinventing the federal government will certainly not be easy. Many powerful constituencies would be affected by the changes. Neither politicians nor bureaucrats give up turf easily, and government entities tend to grow inexorably. Serious roadblocks to the major recommendations could arise in Congress, not just because Members might protect constituents or pet programs, but also because of genuine disagreements with the executive branch over program goals and the proper oversight role of Congress.

Yet I believe that the overall direction being recommended by the Administration is correct. We need a government that is smaller and smarter. We must follow the example of corporate America which for years has been "downsizing" and becoming "lean". Although some of the specific proposals will need careful scrutiny, the broad themes—that government should be more innovative, allow its manages to manage, be more responsive to its customers, and give more attention to results—are right on target.

But for recommendations to become reality, it is crucial that President Clinton demonstrate clearly that he is serious about the effort. He must quickly sign executive orders to implement various recommendations that he can carry out himself. He must show that he will put his power and prestige behind pushing other recommendations through Congress. And he must make it clear to all that he is in this for the long haul—frequently updating the American people on what has been accomplished so far and what remains to be done. The reinventing government effort will take many years, and it will take serious, constant presidential leadership. The report is an important first step, but implementation and followthrough will be crucial.

TRIBUTE TO DONALD SITKO, FIREFIGHTER

HON. SANDER M. LEVIN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 22, 1993

Mr. LEVIN. Mr. Speaker, I rise today to pay tribute to Donald Sitko, a devoted husband, father, and Firefighter. Firefighters such as Lieutenant Sitko put their lives on the line to protect citizens from danger. They are truly a cornerstone of the community.

This year, Lieutenant Sitko ends a long career with the Sterling Heights Fire Department. He began his public service in 1970, and worked for the safety of the community for 23 years. In 1989, he was promoted to lieutenant, at which post he served until his reirement.

As a firefighter, Lieutenant Sitko risked his life to save the lives of neighbors and friends as well as complete strangers. He extended his help to the entire community through the fire department open houses.

Donald Sitko spent his career ensuring a safe existence for others. As he prepares to retire in the company of his wife Christine, and his daughter Jennifer, I wish him the same security and peace that he has provided for his community.

ENVIRONMENTAL AND ENERGY STUDY CONFERENCE ELECTIONS

HON. ROBERT E. WISE, JR.

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 22, 1993

Mr. WISE. Mr. Speaker, as outgoing House chairman of the Environmental and Energy Study Conference, I would like to announce the election this morning of our colleague JAN MEYERS as House chair and TONY BEILENSON as vice chairman of the study conference, to serve for the duration of this Congress.

Senator JOHN MCCAIN was reelected Senate chairman, and Senator JOE LIEBERMAN was elected Senate vice chairman.

The officers were elected by the study conference's executive committee. The committee was elected earlier this week by the full study conference membership.

Those serving on the executive committee from the House are Representatives GARY L. ACKERMAN, ANTHONY C. BEILENSON, GEORGE E. BROWN, JR., JIM COOPER, PETER A. DEFAZIO, DEAN A. GALLO, PORTER J. GOSS, STEVE GUNDERSON, LARRY LAROCCO, BOB LIVINGSTON, JAN MEYERS, FRANK PALLONE, JR., MEL REYNOLDS, CARLOS A. ROMERO-BARCELÓ, DAN SCHAEFER, GERRY E. STUDDS, MIKE SYNAR, PETER G. TORKILDSEN, BARBARA F. VUCANOVICH, and myself.

Those who will serve on the executive committee for the Senate are Senators JOHN H. CHAFEE, CHRISTOPHER J. DODD, PATRICK LEAHY, JOE LIEBERMAN, JOHN MCCAIN, BOB PACKWOOD, and CLAIBORNE PELL.

The study conference is the largest legislative service organization in Congress, with a membership of more than 270 House Members and 89 Senators. The conference provides us with objective analysis of environmental, energy and natural resources issues and provides forums and briefings for Senators and House Members to discuss these issues with representatives of the administration, the science community, and interest groups. The conference does not take political positions. It was founded in 1975.

The conference is an important resource that helps improve the effectiveness and efficiency of our offices. By pooling modest membership fees to support a staff of 10 specialists, we receive far more information than we would be able to compile in our own offices at the same cost.

I am pleased that the conference's value to Congress is widely recognized. For example, National Journal described the conference's weekly bulletin as "indispensable," and Newsday called the conference's work "invaluable."

I congratulate the new study conference officers and, as an executive committee member, I look forward to assisting them in their efforts.

A TRIBUTE TO JOHNSON'S BOOKSTORE FOR 100 YEARS OF EXCELLENCE

HON. RICHARD E. NEAL

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 22, 1993

Mr. NEAL of Massachusetts. Mr. Speaker, I would like to pay tribute today to Johnson's bookstore, which has been serving the citizens in Springfield, MA. This year, Johnson's is celebrating it's 100th birthday. The store was brought into existence in 1893, by Henry R. Johnson and his brother Clifton Johnson. Within a few years Johnson's bookstore evolved into the landmark it is today on 1379 Main Street.

Johnson's is not only a bookstore, it offers much more. The Johnson brothers began by supplying the consumer with bookkeeping equipment and stationery. Today as a result of their hard work and dedication, the store has grown tremendously. When you walk through the front of the store you will find books, office supplies, stationery, greeting cards, framed pictures, leather goods, and toys. Just when you think you have covered all corners of the store, there is yet another section. In the other section of the store, built in 1914, you will find the antique department and the secondhand bookshop. As seen, the store is able to satisfy the needs of any customer who enters.

In addition to the store's quality of merchandise, there are always friendly and knowledgeable sales people to answer any questions you might have. These people are the third and fourth generation of the Johnson family, who are continuing to carry on the legacy of Johnson's.

Mr. Speaker, as an avid reader, I have always appreciated a good bookstore. Libraries and bookstores are places where knowledge is shared and passed on to new readers. At Johnson's, leisurely browsing is always encouraged. I am proud to have this fine bookstore in my hometown and I salute the owners and employees of Johnson's bookstore on 100

years of quality service. I wish them another 100 years of success.

CSCME: A MIDDLE EAST SECURITY FRAMEWORK

HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 22, 1993

Mr. HOYER. Mr. Speaker, the recent mutual recognition agreement between Israel and the Palestine Liberation Organization is a historic step forward. Having fundamentally altered the politics of the Middle East, it makes the possibility of a broader security framework a reality. I believe that a Conference on Security and Cooperation in the Middle East [CSCME], modeled on the Conference on Security and Cooperation in Europe [CSCE], could make a significant and constructive contribution to that end. It offers a process by which barriers to trade, travel, and communication can be discussed and removed; in which old hatreds and passions can be channeled into constructive dialogues between states and peoples; and within which regional stability can be established.

In particular, several aspects of the CSCE are directly applicable to the Middle East: first, the built-in follow-up process; second, the CSCE's status as a political, rather than legal, framework; third, consensus decisionmaking; fourth, the broad and interrelated issues it covers; and fifth, its comprehensive membership.

As you know, Mr. Speaker, the CSCE—also known as the Helsinki process—is an ongoing, multilateral forum now involving 53 states, including the United States and Canada. The process was born with the signing of the Helsinki Final Act on August 1, 1975. In hindsight, the Helsinki Final Act's three sets of provisions—on military security, economic and environmental cooperation, and human contacts and humanitarian affairs—represent a masterful balance between competing interests and objectives.

The Final Act initiated an ongoing dialogue in a bitterly divided, post-war Europe which had accumulated the largest concentration of armaments in the history of humanity. The follow-up process mandated by the Final Act brought contending blocs to the negotiating table to address the issues which divided them by reviewing implementation and expanding the scope of their cooperation.

Even critics of the CSCE would agree that the political commitments undertaken by the participating states to implement objectives in the areas of military security, economic cooperation and the environment, and human rights and humanitarian concerns and the discussions that revolved around the implementation of those commitments helped spur change in the former Warsaw Pact. And dialogue in the CSCE is not restricted to states; it involves their peoples to a very large degree. Ordinary citizens and nongovernmental organizations took up the moral debate and the notion of accountability and injected them back into the political realm of the CSCE. These aspects of the CSCE—political dialog and public participation—are critical in the Middle East.

The CSCE's rule of consensus is the natural and necessary counterpart to this dialog. Diverse and divided countries must be assured that the issues of critical importance to their national security and, indeed, their very existence, will not be threatened by merely taking part in a discussion. For this reason, the CSCE assures its participants that decisions will not be imposed upon them by a majority vote. Logically, there is a stronger basis for seeking compliance with commitments when they have been freely undertaken. In a process where even the smallest country has an equal vote, no state can refuse to implement a commitment on the grounds it was simply outvoted. For these reasons, a CSCME should also incorporate consensus as the basis for making decisions.

In particular, the 10 principles of the Helsinki Final Act that guide relations between States exemplify the careful equilibrium necessary to give participating states a vested interest in the process, despite the barriers which have divided them. While Principle I provides for the sovereign equality of states and Principle VI mandates nonintervention internal affairs, Principle VII requires respect for human rights and fundamental freedoms, and instilled in citizens the idea that states were accountable to the governed as well as to each other. While Principle IV speaks of the territorial integrity of states, Principle VIII recognizes the right to self-determination of peoples, and Principle I states that borders can be changed peacefully and in accordance with international law.

Even with the tremendous changes that Europe has undergone in the last several years, the wide range of issues covered in the CSCE continues to give every player some stake in the game. The agenda for a CSCME must likewise be shaped to reflect the issues which are of particular concern to the region. But in addition to other questions of special relevance to the Middle East, the original CSCE principles might serve as a useful outline for opening discussions on a CSCME. Based on more than 18 years of experience, I would argue that these principles have proved their worth. These concepts will take on increasing importance as the peoples of the Middle East demand more accountability from their leaders and as states do so from each other.

A Middle East security framework, in which all the states work together to reduce the likelihood of conflict, has resonant and far-reaching appeal. Such a framework need not depend upon an exact convergence of values or an overall balance of power. A Conference on Security and Cooperation in the Middle East can encourage regional security through arms control, verification, confidence- building, and crisis prevention, just as the Helsinki Final Act provides for confidence-building measures in recognition of the integral interrelationship between the political and military aspects of security.

Both the United States and Russia could play an important role in seeing that a CSCME process is initiated because both share interest containing radical Islamic fundamentalism, stemming terrorism, and securing peace and security in the region. Boris Yeltsin's reformist government well understands the benefits of CSCE. The presence of a multilateral forum for discussion provides an outlet for grievances and a framework for conflict resolution. It must also be remembered that currently in the state of Israel are well over half a million Jews from the former Soviet Union. Though they fought for years to leave their homeland, they nevertheless maintain ties with Russia that can now attract and anchor Russian engagement in an ongoing CSCME process.

Of course, there are no guarantees that a CSCME could solve the complex and explosive problems confronting the Middle East. Meetings and documents can change nothing by themselves if the political will of the participating States is in question. But we are now at an historic juncture where long-absent political will may suddenly exist. We have just witnessed an agreement which has made the conditions for a long-term peace better that they have ever been before. In such a climate, a CSCE-type process can bring strength in its persistence, in its relentless determination to foster continued political will among its participating States and, just as important, among their citizens. The United States should be prepared to remain engaged in the process and to sustain what may be a new order in the Middle East.

Once implacable enemies, the PLO and Israel have now set the stage to live side by side in peace. At the White House signing, Prime Minister Yitzhak Rabin sadly noted that for many the ceremony has come too late. But weary of hate and revenge that have claimed so many lives, Israel and the PLO took a step toward creating a new order in the Middle East. The establishment of a Conference on Security and Cooperation in the Middle East would provide an opportunity to bring healing and reconciliation to a region badly in need of both.

TRIBUTE TO ELYRIA HIGH SCHOOL FOOTBALL PROGRAM

HON. SHERROD BROWN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 22, 1993

Mr. BROWN of Ohio. Mr. Speaker, I rise before you today to recognize the achievements of the Elyria High School football program. On September 24, 1993, the school will hold a celebration day to mark 100 years of football at Elyria High School.

Beginning in 1893, as the Crimson and White, the Elyria High School team, now known as the Pioneers, has maintained a rich tradition in football. The many dedicated players, coaches, and fans that have been a part of this program have set the precedence of excellence and commitment that continues today.

Not only has Elyria High continued a football tradition that has fallen from many school curriculums in our country, but they have done it with many notable achievements.

Among the Pioneer's distinguished alumni is Mr. Vic Janowicz. Playing for the Pioneers in 1945–47. Mr. Janowicz went on to become a Heisman Trophy winner. In 1989 the Pioneers achieved another honor when they earned the title of Erie Shore Conference Champs.

Mr. Speaker, it is with great pride that I ask you and my fellow Members of Congress to

join me in recognizing the Elyria High School football program. Through the efforts of many, Elyria High has carried on a remarkable football tradition for the last 100 years. It is my sincere hope that this legacy will continue with yet another impressive performance by the 1993–94 Elyria High team.

THE VETERANS' LONG-TERM CARE ACT OF 1993

HON. BOB STUMP

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 22, 1993

Mr. STUMP. Mr. Speaker, I rise to introduce the Veterans' Long-Term Care Act of 1993. This legislation will clearly identify a population of veterans for whom the Department of Veterans Affairs must provide essential long-term care services.

The Committee Veterans' Affairs on which I serve as ranking minority member has for the past 2 years been grappling with the urgent need to reform the VA's system of eligibility for health care services. The issue of eligibility reform for veterans' health care has been put on hold until we know what health reform for the Nation will be. There is no reason why the provisions of this bill cannot ultimately become part of a larger eligibility reform measure for veterans. However, this bill will ensure that the long-term care needs of veterans will be met regardless of what is contained in the national health reform package for all Americans. If we don't act now to preserve an essential mission for the VA in the Nation's health system, we run the risk of losing the VA system altogether.

While virtually all of the Nation's 27 million veterans are eligible for care in the VA, due to years of underfunding, the VA is only able to care for about 2.7 million veterans annually, or about 10 percent of the total veteran population. VA's current eligibility criteria for access to health care services have been imposed over the years to help VA contend with its perennially inadequate budget. As a result, the system is a patchwork approach to health care delivery with a series of differing criteria establishing priority to inpatient care and outpatient care. To make matters worse, there are no established criteria for the provision of long-term care. The legislation I am introducing today will specifically address eligibility and priority for long-term care services.

The VA must have a clearly identified long-term care mission. The aging of the veteran population has put demands on the VA system which will not be met by President Clinton's national health plan. In 1990, there were 7 million veterans 65 years or older; by 2000, that number will rise to 9 million. Of these, 1.3 million veterans will be over 85. Health care utilization rises with age and the VA is simply not in a strong position to meet the needs of aging veterans. Put another way, consider the fact that 11 percent of the total U.S. population are over age 65 comprising 24.5 percent of the veteran population.

Currently, aging veterans account for 38 percent of hospital stays, 32 percent of ambulatory care visits, and 80 percent of all nursing home admissions. Yet according to the Paralyzed Veterans of America in their recent report, Strategy 2000, the VA has accommodated only about 20 percent of the market share—the rest of veterans' long-term care needs have been met through State veterans' homes, community nursing homes utilizing Medicaid, or private payment for care. Of the near $15 billion a year VA health care budget, VA only spends approximately 10 percent on long-term care programs.

Essentially, this legislation will change that trend and ensure that VA place more emphasis on programs which meet the true needs of the veterans it serves. It does so first, by clearly identifying a long-term care mission for the VA, as well as those veterans mandated to receive long-term care services, and then follows through with a series of measures designed to enhance the provision of these services. Support of this legislation will affirm my colleagues recognition that the veterans of your districts must have access to a comprehensive array of long-term care services specifically designed to meet their needs regardless of what ultimate array of health benefits will be contained in any future health reform bill approved by this body for all Americans. After all is said and done, no one can argue with the point that veterans who have served their country honorably are a cherished population.

The VA has over the years developed an extensive network of nursing homes, domiciliaries, adult day health-care programs, hospital-based home care programs, long-term psychiatry programs and various noninstitutional alternatives for care. Many of VA's long-term care programs have evolved due to the very nature of war-incurred disabilities and the life-long need for health-related services. Not only are the numbers of veterans aging at a rate which doubles that of the rest of the population, but many are aging with the additional burden of permanent and in some cases catastrophic disabilities. Nowhere other than in today's VA facilities is it more apparent that the cost of a strong national defense continues long after the final shots are fired.

The bill I am proposing today has very few PAYGO implications. The bill provides mandatory free long-term care services to certain veterans with service-connected disabilities and very poor and permanently disabled veterans. I must stress that the bill does not seek to deny access to long-term care services to any veterans. Rather, it requires the Secretary of Veterans Affairs to establish a mechanism for the collection of premiums and copayments to allow access to other veterans based on their ability to pay. The bill is purposely flexible in this regard in that it does not specify the amount of such premiums and copayments. Rather, the bill gives appropriate responsibility to the Secretary to devise a fee schedule which will maximize the provision of services and at the same time help the Government defray the expense. As my colleagues know, long-term care is frequently the most costly of all health-related services. It is my belief that veterans who have the ability to contribute to the cost of their care, if given the choice, would gladly participate in exchange for the kind of insurance this bill provides.

Many have talked about the need for the VA to become more competitive with the private sector if VA is to survive in the aftermath of implementation of a national health plan. Years of underfunding have eroded VA's ability to provide care in a timely and customer-oriented manner. Many believe that given the choice veterans would gladly opt for service in the private sector. Mr. Speaker, no Member of this body is more in tune with the desires of the veterans community than those of us who sit on the Veterans' Affairs Committee. In hearing after hearing, veterans have strongly supported the maintenance of a separate and independent health care system for veterans. One reason frequently cited in arguing for the preservation of VA health care is the agency's ability to provide cost-effective, yet innovative, state-of-the-art long-term care. The VA just doesn't provide enough of it.

The inclusion of a comprehensive long-term care benefit for veterans will help prevent a recurrence of the Canadian experience. When national health reform took place in Canada in 1968, the separate system for Canadian veterans disappeared. No one had the demise of Canadian veterans hospitals in mind, as I am sure my colleagues do not today, it simply was subsumed by the larger national system. What's more, it is unlikely that any national plan would be able to provide the types of costly, specialized services veterans need and deserve without busting the budget. VA has for a long time operated in a cost-controlled environment. VA has a long history of managed care. Inclusion of long-term care benefits provided through VA would not only increase the agency's competitiveness in attracting veterans, it would ensure that the care is provided in a cost-effective manner.

The bill contains a number of funding mechanisms which will help offset the cost of long-term care. In a 1992 GAO report, it was reported that in fiscal year 1990, VA offset through copayments less than one-tenth of 1 percent of its costs to provide nursing home and domiciliary care in VA and community facilities. In comparison, GAO looked at eight State programs that charged for care and the offsets ranged from 4 to 43 percent of operating costs. GAO concluded that if VA had offset similarly, its yearly cost recoveries would have been between $43 and $464 million. Yet in fiscal year 1991, about 55 percent of the veterans discharged from VA long-term care were considered unable to pay. Of these, only 17 percent would be automatically eligible for free long-term care services as mandated in the bill. The remaining 38 percent would be subjected to premiums and copayments as required by the bill and established by the Secretary in return for guaranteed access. Such receipts would result in a PAYGO plus and help VA defray the cost of long-term care. However, the success of this bill will depend on the Secretary's ability to balance the amounts of premiums and copayments charged to veterans with the actual costs of care. The program would need to function as a well-administered insurance program augmented by annual appropriations for those highest priority veterans to whom the VA would continue to provide free care as it now does.

Also included in the legislation is an effort to allow VA more flexibility in contracting with non-VA providers, such as community nursing

homes. The bill provides authority for the Secretary to contract for needed long-term care services in the community when VA facilities are geographically inaccessible, lack sufficient capacity, or when it would be more economical to contract for such care. The planning aspects of the bill direct the Secretary when assessing the need for new long-term care facilities, to take into consideration other Government facilities in the area and facilities available in the community so as to avoid duplication of existing long-term care capacity.

Finally, the bill contains an innovative new authority for the VA to establish veterans' continuing care centers. These centers would be established with another Federal agency, a State or private corporation or nonprofit organization and would be collocated with VA medical centers, outpatient clinics, or nursing homes. They would function as an additional level of care between institutionalzation and home care. Currently, VA can provide home care, but it limits that care to veterans who live within a certain specified distance from the medical center. Many veterans live too far away from the medical center to qualify and must either give up their independence and enter a nursing home, find an alternative mode of care, or go without care.

The establishment of continuing care centers would allow veterans to get needed health care while still living in a home setting. VA would be authorized to enter into a partnership with an entity which would construct individual, handicap-accessible housing units on VA grounds for use by the veteran, as well as his or her spouse or primary caregiver. What is particularly unique about this arrangement is that the veteran would enter into a rental agreement and lease the unit. In addition, VA would be authorized to establish a primary care team to oversee the health care services provided to the veteran. I believe these centers would become a truly desirable alternative to institutional care by allowing the veteran to maintain his or her independence while still being able to easily access the VA health care system.

This program is targeted to veterans who would otherwise require hospitalization or nursing home placement. The veteran would be provided through the participating entity a package of benefits such as meal service, homemaking services or transportation. Such services would be included in the monthly fee paid by the veteran to the participating entity. The VA would facilitate access to health services for the veteran.

Many veterans are faced with long-term rehabilitation following spinal cord injuries, extensive burns and many other disabilities. Often the veteran is placed in the hospital or nursing home, the most costly forms of care, in order to receive such rehabilitation. Additionally, he or she must face the separation from home and family during a difficult and long-term recovery. Continuing care centers would allow the veteran to live with a loved one or primary caregiver who will share in the responsibility of caring for the veteran and maintains maximal independence of the veteran. It is a win-win situation for the VA in terms of saving money by not having to provide more costly forms of care and also for the veteran. I am particularly interested in VA pursuing a contract with HUD so that subsidized housing units of this type could be made affordable to lower income veterans.

This bill offers a comprehensive, yet cost-effective package of long-term care benefits for our Nation's veterans. In this era of health reform, it is essential for Congress to function as guardians of the health care benefits promised to veterans long ago. This bill will preserve that promise. It sends a strong message to the veteran of this Nation that the country will continue to honor its obligation to care for that veteran throughout his or her lifetime. I urge my colleagues to support this bill.

SALUTE TO GLORIA IMAGIRE AND WINSTON ASHIZAWA

HON. ROBERT T. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 22, 1993

Mr. MATSUI. Mr. Speaker, I rise today to salute Mrs. Gloria Imagire and Mr. Winston Ashizawa for their undivided support and continued leadership. On September 18, 1993, the Asian Community Center will be honoring these two outstanding individuals at the seventh annual fundraiser for the Asian Community Nursing Home.

The Asian Community Nursing Home is guided and supported by the Asian Community Center and has been a successful and valuable caretaker for many senior citizens in Sacramento. Their dedicated staff, volunteers, and supporters have made this organization one of the most respectable nursing homes in the State. This year two individuals have been chosen as exemplary leaders of these successfully run enterprises.

Mrs. Gloria Imagire was a member of the Asian Community Center board of directors from the time of the first planning meeting in the summer of 1971 through 1992. Her tenure on the board saw the development of numerous service projects, including Asian Resources, Asian Pacific Community Counseling, and Health for All. Over the years, she chaired various committees, including the building committee for the nursing home project, which entailed an active role in the review of sites and designs.

Mr. Winston Ashizawa has served on the Asian Community Center board since 1972. In that time, he has been an active member, serving as both a chairman for numerous committees as well as board vice president. His work was instrumental in the establishment of the Asian Community Nursing Home, for which he attended many city council and board of supervisor meetings to testify for the need of such a facility. Mr. Ashizawa was involved in the fundraising, building, equipment purchasing, and design committees for the nursing home project.

Mr. Speaker, the Sacramento community is proud of the commitment from Gloria Imagire and Winston Ashizawa. I ask that my colleagues join me in saluting these outstanding leaders and their tireless dedication to the Asian Community Center and the Asian Community Nursing Home.

RAISING THE THRESHOLD FOR APPRAISALS FROM $100,000 TO $250,000 WILL NOT ALLEVIATE THE CREDIT CRUNCH

HON. PETER DEUTSCH

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 22, 1993

Mr. DEUTSCH. Mr. Speaker, before I came to Congress in January, I practiced real estate and land use law. As a result, I had the opportunity to work frequently and closely with licensed real estate appraisers, and came to appreciate the importance of the work of real estate appraisers in the real estate purchase and lending process. The proposal by Federal bank regulators to raise the mandatory appraisal threshold from $100,000 to $250,000 will eliminate appraisals for most residential real estate transactions, endanger consumers and taxpayers, and will not alleviate the credit crunch. I urge the regulators to reconsider this proposal in favor of the program put forth by the Appraisal Institute.

I, therefore, commend to Federal bank regulators, and my colleagues, the following article by Bernard J. Fountain, MAI, SRA, the president of the Appraisal Institute. The Appraisal Institute is a professional organization that represents approximately 32,000 appraisers and appraiser candidates nationwide, and which advances appraisal reform.

THEY'RE AT IT AGAIN

(By Bernard J. Fountain)

Taxpayers beware. Here we go again.

No one ever said that cleaning up after the savings and loan mess would be easy. But one might have assumed that Federal agencies charged with regulating the nation's banks and thrifts would not so soon repeat past mistakes.

Yet, banking regulators, with the blessing of the Clinton administration, have mistakenly concluded that the need for professional, independent appraisal of residential property values somehow conflicts with the need to streamline burdensome banking regulations. In their misguided effort to provide relief to America's financial institutions, these regulators propose to remove upwards of 90 percent of home mortgage transactions from the scrutiny of a state licensed or certified appraiser.

Who then would be responsible for determining the fair market value of most residential property? The answer could easily be someone within the very bank or thrift that is doing the lending, a situation that all but invites fraud and abuse.

Before I detail the pitfalls of this foolhardy scenario, some history is in order.

Under the banner of regulatory reform, the Reagan administration eased many restrictions on banks and S&Ls.

In this deregulatory atmosphere, many lenders regarded an appraisal as a mere formality, necessary but meaningless paperwork or a rubber stamp, not a vital safeguard against making unsound loans. Faulty appraisals were performed on some property by untrained, inexperienced people who overinflated real estate values. Some appraisers were more responsive to the banks that hired them than to a code of professional ethics. Later overvalued properties on the books of banks and thrifts caused serious losses when defaults occurred, and the financial institutions could only recoup a fraction of the loan amount.

The combination of loose regulation and no uniform standards for appraisal professionals was part of the recipe for economic disaster.

A House subcommittee reported in 1985 "that appraisal abuses and deficiencies have, in varying degrees, contributed to hundreds of millions of dollars in losses, hundreds of weakened and/or failed institutions and hundreds of enforcement actions." Between 1981 and 1984, House investigators discovered that Fannie Mae and Freddie Mac—those quasi-governmental agencies that invest in home mortgages—experienced "significant appraisal problems and associated losses." In just one nine-month period, for example, Freddie Mac forced 70 participating lenders to repurchase more than 300 mortgages for unacceptable, inadequate, or missing appraisals—at an estimated cost of $15.2 million. And when Fannie Mae sold 4,307 properties acquired through default, the aggregate sales price was $63.2 million less than their original appraised value.

To remedy this deteriorating situation, Congress enacted appraisal reform legislation in 1989, setting up a system to require appraisers to satisfy educational and experience standards. Appraisers currently perform their work subject to state enforcement and industry standards.

The Appraisal Institute, along with consumer groups, mortgage insurers and secondary market investors, fought for these reforms and applauded their enactment. Today we are appalled that federal regulators would undermine reform before it has even had a chance to work.

The purchase of a home is, for most consumers, the most important financial transaction they ever make. Yet the $250,000 threshold proposed by the regulators denies the benefits of appraisal reform to an estimated nine of every ten homebuyers. It denies them protection from paying a price for their home unjustified by the market. It makes them vulnerable to shady practices by some lending institutions single-mindedly pursuing loan origination fees and other upfront payments regardless of the consequences.

For taxpayers, the $250,000 threshold threatens to bring back some of the nightmares of the S&L crisis. An Institute for Strategic Development (ISD) study found that small dollar loans backed by faulty appraisals can, in the aggregate, pose significant portfolio risk even to large financial institutions. With virtually all of a bank or thrift's home mortgage portfolio and a large percentage of commercial loans at risk of being improperly appraised, we could see an increase in bank and thrift failures, and even another taxpayer bailout.

For banks and thrifts, this high threshold relieves no burdens and provides no benefits. Use of a licensed and certified appraiser better protects their portfolios.

The Savings & Community Bankers of America, in its comments to the Federal regulators, argued that it would be the institutions most inclined to make risky loans that would take advantage of a lower threshold. "We can envision prominent advertisements proclaiming 'No Appraisals Required! Loans up to $250,000—No Appraisal Fees.'"

These community bankers know the value of good appraisals and do not want to do anything to weaken their underwriting process.

Unfortunately, other banking groups do not agree. They have argued to Federal regulators that the current appraisal rules are causing needless expenses and needless delays for homebuyers and small business people because of a shortage of qualified appraisers. However, these arguments are just plain wrong.

The cost of an appraisal is only a very small part of the total fees and costs associated with a real estate transaction. And the current system doesn't increase costs. A survey by the Consumer Federation of America indicates that appraisal costs have not risen. Further, the supply of licensed and certified appraisers is plentiful—the latest count is nearly 80,000 and increasing. In fact, new licensing procedures "should spur an increase in the supply of appraisers, helping to reduce prices," says the Institute for Strategic Development.

The $250,000 threshold is not regulatory relief; it's regulatory recklessness. Homeowners, taxpayers and responsible financial institutions should join with the Appraisal Institute in demanding a withdrawal of this damaging proposal. If the federal regulators don't regain their senses, Congress should act swiftly to save them from their reckless appeasement of the institutions they are charged with overseeing.

RETAIN THE TRADE EMBARGO TO VIETNAM

HON. SUSAN MOLINARI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 22, 1993

Ms. MOLINARI. Mr. Speaker, last week President Clinton decided to ease the economic embargo against Vietnam. Myself and 60 other House colleagues addressed a letter dated September 13, 1993, to the President, requesting him not to repeal the embargo.

Given the President's decision, our bipartisan letter was not taken into consideration. The President further eased the trade embargo with Vietnam by allowing American companies to bid for construction and development projects in Vietnam that are financed by the International Monetary Fund and other global lending institutions. Earlier, in July the President refused to attempt to block other nations from paying off Vietnam's $140 million foreign debt, and with Hanoi's debt paid, Vietnam will be eligible for loans from the World Bank and the Asian Development Bank.

Despite recent attempts to portray itself as open and cooperative with the United States, Hanoi has been less than forthcoming with information concerning the remains of missing Americans, and often manifests selective cooperation. For instance, there have been 92 individual discrepancy cases where a live American was in Hanoi's hands. Yet, no explanation was provided for these disparities.

The easing of economic sanctions to allow foreign aid and business investment in Vietnam, strips any remaining so-called sanctions to a level of noneffectiveness. Any assistance from the International Monetary Fund would include U.S. tax dollars. I do not believe that most tax payers would be pleased to know their hard-earned money is going to support Hanoi. Easing the trade embargo leaves the Socialist Republic of Vietnam [SRV] with no incentive to provide us with detailed status information on those soldiers Missing in Action [MIA]/Prisoners of War [POW] who were known to have been living but not repatriated during Operation Homecoming in 1973. With the collapse of the Soviet Union and concomitant aid to Vietnam, the effectiveness of economic sanctions would have increased, thereby providing a greater incentive for Hanoi to be sincere in its interaction with the United States. President Clinton however, succeeded in his desire not to permit an increased effect of economic sanctions toward Hanoi.

Vietnam is a nation riddled and acclaimed for numerous and egregious human rights abuses, and the Clinton administration claims to be a champion of such rights. But when all is said and done, the Clinton administration ultimately displays symbolism over substance. The issue at hand is humanitarian, and economic sanctions are the sole mechanism available to us to force the Socialist Republic of Vietnam to accurately account for all those who served there.

This shameful act by President Clinton flies in the face of all those who valiantly served this great Nation, and the families many of our brave soldiers were never to see again. In 1864, in a letter expressing his grief for the loss of a Union soldier, President Lincoln wrote, "So costly a sacrifice upon the altar of freedom." In 1993, President Clinton has cheapened the brave service of our soldiers to such an insignificant level, it defies description. Unlike President Lincoln, Bill Clinton could care less about the loss of American servicemen. And unlike the veterans who so rightly demonstrated against the President's attendance at the Vietnam War Memorial, he will not silence the voice of this Congresswoman.

My colleagues, we have a special obligation to our missing servicemen and their families. Those persons who served this great Nation and sacrificed their lives for it are owed a special obligation from us. We must work with Vietnam to bring about their immediate return. However, due to Hanoi's history of displaying uncooperative and even obstructive behavior, the United States must maintain a full economic embargo, so as to ensure future cooperation. To ease economic sanctions in light of the current situation would break faith with those who valiantly served their country and their families, and thereby amount to nothing more than a rank obscenity.

I urge my colleagues who have not joined us in our message to the President, to make their voices known, if not for themselves, then for those we have the duty to represent.

CONGRESS OF THE UNITED STATES,
Washington, DC, September 13, 1993.

President WILLIAM J. CLINTON,
The White House,
Washington, DC.

DEAR PRESIDENT CLINTON: We, a coalition of Members of Congress who are concerned about the status of American soldiers who fought during the Vietnam War are requesting that you do not lift the trade embargo to Vietnam on September 14, 1993.

We ask you to consider that there have been ninety-two individual discrepancy cases where a live American was on Hanoi's hands. Yet, Hanoi has not explained what has happened to them. In addition, one-hundred and eight eyewitnesses have asserted that they saw Americans in captivity in Southeast Asia as recently as 1993. Some eyewitnesses have reported that approximately fifty Americans have died while in captivity in

Hanoi, yet their bodies have not been returned to the United States.

A decision to ease trade sanctions against Vietnam will give Hanoi access to loans from multilateral lending institutions. Lifting the trade embargo would leave the Socialist Republic of Vietnam (SRV) with no incentive to provide us with detailed status information on those soldiers Missing In Action (MIA)/(Prisoners of War (POW) who were known to have been living but not repatriated during Operation Homecoming in 1973. The issue here is humanitarian and the only mechanism available to us to force the SRV to accurately account for all those who served in Vietnam is through economic sanctions.

Although the SRV has promised to make an effort to determine the fate of those American soldiers who are missing in action, their inability to explain the disposition of the remains, is unsettling. According to the Acting Deputy Assistant Secretary of Defense, Edward W. Ross, "At a minimum . . . the Vietnamese have yet to fully account for the remains of the eleven individuals where photographs from Vietnamese archives have confirmed death."

This indicates that their cooperation is selective and that perhaps the Vietnamese are not prepared to make a good-faith effort to resolve the situation.

In his statement, Mr. Ross indicated that he felt a special obligation to our missing servicemen and their families. We agree that these servicemen are owed a special obligation and that we must work with the SRV to bring about their immediate return. However, because of the SRV's history of uncooperative and even obstructive behavior we believe that the United States must maintain the trade embargo, so as to insure their future cooperation. This economic vehicle is the only way to successfully accomplish our humanitarian goal.

I appreciate the careful consideration and concern that you have shown by not making a quick or hasty decision on this matter. While deliberating over this decision we urge you to also consider and have concern for the millions of American families of Vietnam Veterans who continue to be haunted by the fate of their loved ones.

Susan Molinari, Jerry Solomon, Olympia Snowe, John Linder, Peter Visclosky, Frank Pallone, Floyd Spence, Douglas Applegate, Mike Crapo, Steve Buyer, Herbert C. Klein, Scott Klug, Spencer Bachus, Marge Roukema, Jim Talent, Bill Young, Peter King, Jack Quinn, Rich Baker, Duncan Hunter, Roscoe Bartlett, William Lipinski, Ileana Ros-Lehtinen, Austin Murphy, Mike Bilirakis, Leslie Byrne, Rick Santorum, Ed Royce, Peter G. Torkildsen, Jim Ramstad, Charles Wilson, Bob Dornan, Thomas W. Ewing, Dana Rohrabacher, Ron Machtley, Corrine Brown, Craig Thomas, John T. Doolittle, Benjamin A. Gilman, E. (Kika) de la Garza, Curt Weldon, Steve Schiff, Jerry Lewis, Jim Traficant, Tom DeLay, Charles T. Canady, Frank R. Wolf, Dean A. Gallo, Bill Goodling, Porter Goss, Mac Collins, Ron Klink, Gene Green, John Duncan, Jim Saxton, Frank McCloskey, Jim Bacchus, John McHugh, Tom Lewis, Dana Rohrabacher.

TRIBUTE TO FREDERICK D. PAWLOWSKI ON HIS RETIREMENT AS A FIREFIGHTER

HON. SANDER M. LEVIN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 22, 1993

Mr. LEVIN. Mr. Speaker, I rise today to pay tribute to a devoted public servant, Frederick D. Pawlowski. Mr. Pawlowski's dedicated service as a firefighter in Sterling Heights, MI, merits special notice as he retires.

Mr. Pawlowski leaves behind a legacy of leadership in the Sterling Heights Fire Department. In 1966, he began his career in the former township of Sterling Heights as a "pipeman," as firefighters were then called. He was promoted to sergeant in January 1971, and later to fire inspector in October 1974. From 1984 to 1986, he served as acting fire marshal, and was promoted to fire marshal in 1990.

From June 5, 1990, until his retirement this year, Mr. Pawlowski served tirelessly as the fire marshal of the city of Sterling Heights. At every level of his career, he assisted with the basic training of new firefighters in order to pass on his skills and knowledge. He also coordinated Fire Prevention Week open houses to pass on fire safety practices to the public. His commitment to the safety of the community is recognized and respected by his superiors, his colleagues, and the community.

As Mr. Frederick D. Pawlowski leaves his position as fire marshal to spend more time with his wife, Marge, his six children, and two stepchildren, I extend my sincere wishes for a healthy and happy retirement.

TRIBUTE IN HONOR OF CAPT. JACK DEAN ON THE OCCASION OF HIS RETIREMENT FROM THE TEXAS RANGERS

HON. FRANK TEJEDA

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 22, 1993

Mr. TEJEDA. Mr. Speaker, the Texas Rangers enjoy a long and distinguished history as one of this Nation's most formidable law enforcement agencies. Their heroism and bravery in the face of seemingly insurmountable odds is legendary. Officially established in 1835 to assist a nascent Texas gain independence and protect its frontier, the rangers grew into the States premier police corps. Although rangers no longer ride the open brush country to enforce the laws of an unruly West, they continue their tradition of excellence as an arm of the Texas Department of Public Safety. It is with great honor that I pay tribute today to a modern Texas Ranger, Capt. Jack Dean, who is retiring after serving more than 30 years as a Texas lawman.

Born a year after the 100th anniversary of Texas' independence, Jack Dean has carried on the ranger tradition by devoting his adult life to the protection of the public. Standing more than 6 feet tall, he, like other rangers, continues to carry his saddle with him wherever he goes. Admired by his colleagues, he has earned the respect of people of diverse backgrounds and interests. Integrity and honor remain his watchwords.

Jack Dean's tenure in law enforcement took him literally to the four corners of the State of Texas. He cut his teeth in the 1960's as a Texas State Trooper, serving in the East Texas city of Tyler and the West Texas town of Pecos. He joined the ranks of the Texas Rangers in 1970 and was stationed in the border city of McAllen. His promotion to sergeant in 1974 took him to Waco in North Central Texas. In 1978, Dean earned his gold captain's badge and relocated to San Antonio, the heart of Central Texas. On September 24, 1993, the Texas Rangers will honor Capt. Jack Dean on his retirement, a bittersweet moment for him and the Texas law enforcement community.

As captain, Dean supervised 15 Texas Rangers in the demanding 39-county region of South Texas, his official duties were equally challenging: the protection of life and property, the suppression of riots and insurrections, the apprehension of fugitives from justice, and the investigation of major crimes and public corruption. Throughout the years, his dedication and skill earned him more than 30 commendations for meritorious performance. In more straightforward terms, Jack Dean saved lives, fought corruption, and defended public safety.

Captain Dean pursued a path of professional growth that serves as an example to all. He has undertaken more than 2,000 hours of training at various institutions, including the Federal Bureau of Investigation Academy's courses on special weapons and terrorism. What he learned, he shared with others as an instructor at the Texas Department of Public Safety Academy and other law enforcement organizations. Dean left his mark on the Texas Department of Public Safety, serving on committees overseeing the department's swat teams and revising ranger recordkeeping and statistical reporting. He took an active role in the local community with service on the San Antonio Crime Commission and the San Antonio Police Academy Building Committee.

The Texas Rangers helped shape Texas history, and Capt. Jack Dean continues that great tradition. While the number of cattle rustlers has diminished, the need for excellent law enforcement has not. Jack Dean provided the demanding qualities expected of a Texas Ranger, and his dedication to law enforcement, and to the people he served so well, will not soon be forgotten.

PLANNED PARENTHOOD OF METROPOLITAN WASHINGTON HONORED ON ITS 25TH ANNIVERSARY IN PRINCE GEORGES COUNTY

HON. ALBERT RUSSELL WYNN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 22, 1993

Mr. WYNN. Mr. Speaker, I rise today to pay tribute to Planned Parenthood of Metropolitan Washington [PPMW]. For a quarter of a century, this organization has established a proud

tradition of service in Prince Georges County, MD, which I represent. During the 25 years of service, they have been a strong advocate for and provider of reproductive health care in the county.

From a solid base of volunteer support built in the early years, PPMW's reproductive health, public advocacy, and education programs have grown to serve over 3,000 Prince Georgians in 1993. Today, PPMW is the largest private provider of high-quality, low-cost family planning, gynecological care, and HIV testing in the county.

In 1992, PPMW led the successful campaign to secure voter approval of a Maryland statute safeguarding a woman's right to choose abortion. Prince Georges County volunteers donated countless hours to educating their fellow citizens about the need for access to safe and legal abortion services in Maryland.

Planned Parenthood of Metropolitan Washington works in close collaboration with the department of health, public schools, hospitals, criminal justice system, churches, and community agencies throughout the county. These partnerships enable PPMW to expand its programs and continue to play an important role in the lives of Prince Georges County citizens.

Mr. Speaker, I am proud to represent such a dedicated group of professionals, and I wish them many more years of success and service in Prince Georges County and throughout the metropolitan area.

WOMEN'S HEALTH INFORMATION ACT OF 1993

HON. MARILYN LLOYD

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 22, 1993

Mrs. LLOYD. Mr. Speaker, today I am introducing legislation, the Women's Health Information Act of 1993, to improve the dissemination of health information and education to the consumer.

Mr. Speaker, a recent General Accounting Office [GAO] study on how well the Federal Government, through the Public Health Service [PHS] and the National Institutes of Health [NIH], is meeting its mandate to develop and to disseminate health information to midlife and older women has revealed that the PHS under DHHS has no overall strategy to identify information needed to ensure that the agencies are communicating vital research results to women and to health care professionals.

It was found that the eight agencies within the PHS and the 14 institutions under NIH are not coordinated in their efforts, have separate goals, budgets, and levels of interest in public information. When it comes to making sure that enough of the health promotion materials are available, no one really knows if they have printed a sufficient number. There does not seem to be a process to eliminate and to estimate how many pamphlets will be needed, how many have been sent out, or how many are still available in inventory. Each does not necessarily know what the others are doing. Therefore, consumers must be motivated, patient, and persistent in order to make the required number of phone calls to separate agencies to locate information on her desired topic.

In general, the average consumer relies on her health care professional and the media to obtain health information. Because there are so many different agencies and institutes within the Federal Government, the average consumer, who may or may not be well educated, would find it difficult to know where and whom to call for information. This bill improves that role by developing one office that is knowledgeable about which agencies and institutions are conducting specific research and who publishes which brochures about specific health topics.

Mr. Speaker, this bill would establish a coordinated strategy of health promotion and disease prevention activities through the PHS. It would establish a clearinghouse on women's health to compile, archive, and disseminate information concerning women's health and to publish a yearly summary of such materials to be made available upon request. It will establish a toll-free hotline and assess demand for publications and costs on an annual basis, and develop publications as needed.

Finally, the bill will study and evaluate the overall effectiveness of health communications and shall include an analysis of efforts regarding researching underserved population.

It's been proven many times that health promotion can change behavior and prevent disease, disability, and premature institutionalization in later life. But how effectively is information being disseminated to the general public, to health care professionals, and in particular women. The American public wants an efficient and effective use of their tax dollars and they deserve it from every agency in the Federal Government.

Mr. Speaker, I urge my colleagues to join me in supporting the Women's Health Communications Act of 1993 which will establish a one-stop-shop for health promotion and education.

TRIBUTE TO BOB WISE OF WEST VIRGINIA FOR HIS LEADERSHIP OF THE ENVIRONMENTAL AND ENERGY STUDY CONFERENCE

HON. JAN MEYERS

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 22, 1993

Mrs. MEYERS of Kansas. Mr. Speaker, as House chair of the Environmental and Energy Study Conference, I would like to express the conference's gratitude to our colleague from West Virginia, BOB WISE. BOB has just concluded 8 years as an officer of the study conference.

BOB first was elected the study conference's House vice chairman in 1985. He was reelected to a second term and then was elected House chairman in 1989. BOB was re-elected to that post in 1991.

We have been very fortunate to have BOB guiding the conference over many years. He has approached his leadership role with a dedication to the highest standards in every aspect of the conference's work.

BOB has done an excellent job in recommending ways the conference can most effectively meet the informational needs of Members. That National Journal has described the conference's objective analysis of environment, energy and natural resource issues as indispensable is in no small part a tribute to BOB.

The conference does not take political positions, and BOB has been a careful steward in ensuring the conference's complete independence from any and all outside groups. He has been a forceful spokesman for the conference on the House floor.

The conference has benefited greatly from BOB'S quiet good judgment. He has given generously of his time in advising the conferencee on issues large and small. He has been gracious in dealing with the inevitable but thankless tasks involved in guiding an organization such as this.

BOB has made an invaluable contribution to the development of study conference services for Members. His chairmanship has resulted in an unprecedented level of Member services, which, not surprisingly, has resulted in record memberships and record funding.

BOB has done a superb job as chairman and vice chairman of the study conference. He is regarded with genuine affection by his colleagues and the conference's staff, and we will miss his day-to-day involvement with the conference work.

We are grateful that BOB will continue to serve on the conference's executive committee and we still will have the benefit of his advice.

On behalf of the study conference's members and staff, our thanks to BOB for a job very well done.

U.S. GRAIN SHIPPERS GOUGE TAXPAYERS

HON. DOUG BEREUTER

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 22, 1993

Mr. BEREUTER. Mr. Speaker, the United States merchant marine continues to gouge American taxpayers by submitting bids two to four times world rates for shipping United States food aid donations to Russia. Even more egregious is the fact that these greedy benefactors of United States food aid do not have to justify their inflated bids to the American public. Instead, their cargo preference subsidies are paid quietly through U.S. Department of Agriculture accounts.

Fortunately, for those who wish to examine the U.S. merchant marine's indirect pipeline to the U.S. Treasury, the following provisions from the September 16, 1993, Journal of Commerce article are, certainly, worthwhile reading.

[From the Journal of Commerce, Sept. 16, 1993]

ONLY THREE U.S. CARRIERS BID TO HAUL FOOD AID—RATES QUADRUPLE FOREIGN PRICES

(By Stephanie Nall)

WASHINGTON.—After the maritime industry won a high-profile battle this spring for the

right to carry 75% of food aid shipments to Russia, only three U.S.-flag ships have entered the bidding—leaving about 88% of the cargo for foreign-flag ships.

Russia and the U.S. Department of Agriculture last week sought bids to purchase corn and soybean meal and to ship the commodities as part of a much-publicized $700 million loan aid package granted earlier this year.

Coastal Carriers Corp. submitted bids last week of $89.95 a ton for two 32,000-ton U.S.-flag container barge units to carry corn from a U.S. Gulf port to the Russian port of Novorosisk.

That was about four times the rates foreign-flag carriers sought for the same shipments.

But the Department of Transportation's Maritime Administration ruled the rates fair and reasonable after the Department of Agriculture asked for a ruling.

The third bid—submitted by Liberty Shipping Group, Ltd.—was for 48,000 tons at $49.53 a ton. All three of the U.S.-vessel bids were accepted, but the remainder of the 772,000 tons of corn will be carried on foreign-flag vessels at rates of $21.95 to $23.98 a ton.

Another U.S.-flag line submitted three bids ranging from $99 to $104 a ton, but withdrew them to accept a bid to carry other government cargo.

Had it not been withdrawn, the USDA would have accepted it as well, an official said.

In June, the Senate passed a non-binding resolution to limit U.S.-flag rates on shipments to Russia to no more than double the world market level.

That resolution was stripped before the appropriations bill was signed into law, but some senators are upset that Marad officials aren't using world competition as a yardstick in determining whether a rate is fair or reasonable.

"These recent U.S.-flag bids of four times the market rate demonstrate two things," Sen. Chuck Grassley, R-Iowa, said Wednesday.

"It underscores the continued arrogance and political smugness of the U.S.-flag merchant marine. . . . It provides clear evidence just how useless Marad's fair and reasonable rate regulation is. Even the 'Buy America' laws protect American taxpayers by allowing foreign products and services to be purchased if U.S. bids are 6% over the foreign bids," Sen. Grassley said.

TRIBUTE TO THE IDORA PARK HISTORICAL SOCIETY

HON. JAMES A. TRAFICANT, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 22, 1993

Mr. TRAFICANT. Mr. Speaker, I rise here today to pay tribute to a group of hard-working individuals in my 17th Congressional District. I want to commend the Idora Park Historical Society for the job they have done and continue to do in cleaning up the old Idora Park grounds.

Recently, this fine collection of concerned citizens decided to fix up old Idora Park. This organization, which is not made up of wealthy citizens, invested time and sweat equity into the project of cleaning up the facility. Let me tell you something, that was no easy task.

Mr. Speaker, in 1984, a devastating fire ravaged its main roller coaster, destroying several attractions. The park closed soon after that. For years, the neglected buildings deteriorated and the weeds began to grow. At one point in its history Idora Park was the best regional amusement park in northeast Ohio. The wildcat roller coaster was listed as one of the ten best in the country. Many special events were held in the grand ballroom.

That all ended with the fire in 1984. But now the park is beginning to take on its old shine again. Working on weekends with their own tools, the Idora Park Historical Society is close to renovating the old ballroom. They plan to tackle the carousel and roller coasters next.

Mr. Speaker, part of their plan was to make the approved list for the National Register of Historical Places. This goal has recently been achieved. With this listing, the society can now apply for tax provisions and qualifications for grants.

Mr. Speaker, I want to congratulate the Idora Park Historical Society on this the first of many victories I know they will have on their road to restoring the historical heritage of Idora Park.

POTTER STEWART

HON. SAM COPPERSMITH

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 22, 1993

Mr. COPPERSMITH. Mr. Speaker, I join with my colleagues in support of Mr. PORTMAN's bill to designate a Federal courthouse in Cincinnati in honor of Justice Potter Stewart. Other speakers have described Justice Stewart's career, so I do not want to repeat those details. Instead, I want to focus on a few aspects of this man's life and urge my colleagues to join in honoring him.

Potter Stewart attended college and law school at Yale University, but after receiving his education, returned to his hometown to serve his community. He entered local politics, gaining election to and serving on the Cincinnati City Council, including vice mayor. He shares that honor with my friend and colleague, DAVID MANN, who now serves in this House but formerly served as mayor of Cincinnati. Justice Stewart served as a model of giving back to the community through public service at the lowest, but most important, level of government.

Justice Stewart then served for 4 years as a judge on the U.S. Court of Appeals for the Sixth Circuit, followed by 23 years as a Justice of the U.S. Supreme Court. Throughout his career on the bench, he showed great intelligence, craftsmanship, and judicial temperament, gaining the well-deserved respect of his judicial colleagues, legal scholars, and lawyers.

I had the opportunity to meet Justice Stewart personally shortly after his retirement from the Supreme Court, when he came to Yale Law School for a speech and a dinner. I also knew Justice Stewart's brother, Zeph Stewart, who was a professor of classics at Harvard. Thus, in addition to Justice Stewart's professional accomplishments, I can speak, in a very small way, to his personal qualities as well.

During his life, Justice Stewart feared that a sentence from his concurring opinion in the Jacobellis case would overpower all his other contributions and perhaps even appear on his tombstone. Indeed, this bill will allow visitors to DAVID MANN's district looking for the Federal courthouse to know it when they see it. Nonetheless, in light of his love for the law, his long and distinguished service as a judge, and his loyalty to his community, I urge my colleagues to support this honor for Justice Potter Stewart.

A TRIBUTE TO THE AIDS MEMORIAL QUILT ON DISPLAY IN SACRAMENTO

HON. VIC FAZIO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 22, 1993

Mr. FAZIO. Mr. Speaker, I rise today to pay tribute to the Names Project AIDS Memorial Quilt, "A Personal Journey," which will be on display in Sacramento, CA, from September 24 through 26.

Acquired immune deficiency, or AIDS, has reached epidemic proportions in our country. To date, there have been more than 118,000 AIDS diagnosed cases in the United States, resulting in the tragic loss of 70,500 individuals. In California alone, over 60,000 cases of AIDS have been reported and more than 37,000 deaths, proving the urgent need for education in HIV awareness and prevention.

The AIDS quilt display is designed to build a powerful, positive, creative symbol of remembrance and hope, but more importantly, it acts as a teaching tool to educate young and old in a compassionate and caring way.

With this in mind, a pilot project aimed at young people has been added. "Kids Day at the Quilt" will tell the HIV/AIDS story through direct participation in the quilt display in conjunction with school site education programs.

"Kids Day at the Quilt" is being cosponsored by the Sacramento display host committee, the California Department of Education Capital Region Health Kids Center, and the California Department of Health Service Office of AIDS. It is supported by the California State PTA, religious leaders, and area organizations. Over 700 schools in 10 counties have been asked to participate.

Mr. Speaker, I am very proud to nationally acknowledge the important role and objectives of the Names Project and the AIDS Memorial Quilt have in educating people across the country about this deadly disease. I ask my colleagues in the House of Representatives to join me today in commending the community of Sacramento for providing this opportunity to view the quilt and experience firsthand the profound expressions of love and loss from AIDS which this unique memorial bears.

TRIBUTE TO ALBERT BRYLEWSKI, JR.

HON. DAVID E. BONIOR

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 22, 1993

Mr. BONIOR. Mr. Speaker, I rise today to pay tribute to my longtime and dear friend, Mr.

Albert Brylewski, Jr. Al will be leaving the Michigan Employment Security Commission after working there for over 30 years and establishing an outstanding record.

I know Al to be a man of great character and integrity. Al cares deeply about workers and their jobs. He has offered me wise advice over the years on these issues. Al has specifically counseled me on reforming the delivery system for workers' benefits. His knowledge and suggestions have been extremely valuable to me in my career.

Al helped countless Michigan workers during his service at the MESC. One of his most rewarding duties was the time he spent working on the Trade Readjustment Act. The Trade Readjustment Act was established to give benefits to workers who lost their jobs because of foreign competition. Al ran the office that managed the Trade Readjustment Act in Michigan. Among the many activities he supervised was the hiring of 500 temporary workers to assist with processing the many claims of displaced workers. Thousands of displaced workers were helped, thanks to Al's commitment and dedication.

Al has always maintained an open-door policy. In fact, during the difficult times for the automobile companies in Michigan, there was one occasion when the number of applicants for T.R.A. assistance was so large that their sheer number and force actually broke down his door. Al worked unceasingly to help all of those in need.

Al and I share a Polish heritage. We both attended St. Florian's Elementary School in Hamtramck, MI. I know Al is deeply devoted to his family. He and his wife Gerri have two wonderful children, Jim and Sharon. I am proud that his son Jim was an intern in my office in Washington, DC. Jim now has a fine position with the Detroit Tigers. Their lovely daughter, Sharon, is now a successful dental hygienist. The family has always been unusually close and caring and has been kind enough to welcome me often into their home.

Throughout my years in politics, the Brylewski family has been enormously helpful to me. They have always offered their support and shared their time and energy. I am grateful to Al and the family for their loyalty and friendship.

Al has been involved in many community activities. He is currently the vice chairman of the Macomb economic growth alliance. He is a past member of the board of directors for the Job Training Partnership Act. He is also the MESC's representative on the Director's Environmental Committee.

I ask my colleagues to join me in saluting Mr. Albert Brylewski, Jr. He is a valued member of our community and a true friend. I know Al will now turn his talents and convictions towards other worthwhile pursuits. I look forward to sharing more enjoyable times together.

COMPETITIVE AFFORDABLE HEALTH CARE REFORM ACT OF 1993

HON. DAVID DREIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 22, 1993

Mr. DREIER. Mr. Speaker, I am encouraged by the introduction of President Clinton's health care reform plan, which proposes a system of managed competition and health care affordability. The President's plan provides a good framework for developing a bipartisan consensus in Congress on a state-of-art health care system that can be a model for other countries.

However, I believe there are a number of problems with the President's plan which must be addressed. Health reforms must improve people's access to quality care without destroying the current strengths of the system. For example, the majority of individuals with employer-provided benefits are satisfied with their current health insurance plans. And yet, the President proposes to terminate without exception all existing insurance plans causing severe disruption in people's coverage.

The President also proposes significant cuts in many people's access to health care. Medicare would be slashed by pushing senior citizens into HMO's where they won't be able to choose their own physical or hospital. Treatment and tests would be rationed, only generic drugs would be issued in most cases, any patients would be forced to see nurses instead of doctors in many instances.

Consumer choices are severely limited under the President's plan. People will only be allowed to obtain insurance through the one government-run regional monopoly in the form of one-size-fits-all benefits package. Individuals who wish to continue treatment by a doctor not in their plan, or to purchase private health insurance, will in effect have to pay twice for such coverage.

The President's plan also needs to be adjusted to lessen the blow to our fragile economy. The President proposes over $700 billion in new Federal spending, to be administered by over 100 new Federal bureaucracies. This will be financed by $105 billion in new taxes, in addition to the 10 percent payroll tax and a corporate assessment tax. Combined with the costly new coverage mandates imposed on small businesses, millions of people are expected to lose their jobs under the President's plan. We can not afford to lose more jobs in California.

In addition, Mr. Speaker, the President's plan does not adequately address two primary reasons cited by President Clinton for health care reform: to control skyrocketing health care costs and to reduce the Federal deficit. Under the President's plan, total health care spending is projected to rise faster over the next several years than it would under the current system. In fact, without the new taxes and the assumed greater efficiency under a government-run system, the President's plan would add another $65 billion to the national debt.

As a result, Mr. Speaker, today I am introducing an alternative to the President's health care reform plan. The Competitive Affordable Health Care Reform Act will make health care more affordable and accessible to all consumes without costly new mandates and without creating new, inefficient government bureaucracies. This legislation will encourage the development of flexible savings accounts [FSA], which individuals can use to purchase insurance coverage, pay health care expenses directly, or withdraw as taxable income at the end of the year. These accounts are fully portable, so that individuals do not have to worry about loss of coverage if they change jobs or become unemployed.

Currently, section 125 of the Internal Revenue Code permits employers to offer their employees a flexible spending account plan, whereby pre-tax funds may be set aside to cover the employee's health care and dependent care expenses. The employee decides at the beginning of each year how many dollars to set aside for direct medical expenses, and how many dollars to allocate towards insurance premiums, child care, and other fixed benefits. As written, the Code requires that any unused FSA funds at the end of each year must revert back to the employer, or be rebated to all employees as a group. Thus, moneys set aside for direct expenses which are not accrued by the end of the year are effectively lost to that employee.

Unfortunately, this mandated "Use It or Lose It" rule has the perverse effect of inducing employees, just before the end of each year, to overconsume otherwise unnecessary health care, so as not to lose their set-aside funds. Extra checkups, five pairs of glasses, ultra-deluxe tooth caps—employees have every incentive to try to find creative—though inefficient—ways of spending their extra FSA funds at the end of the year.

The Competitive Affordable Health Care Reform Act gives employees the option of withdrawing any excess funds as taxable income at the end of the year, or rolling the funds over into the following year's FSA fund. Employees are thereby given an incentive to conserve health care resources, and to increase their health care savings over time. Increased Federal revenues from taxes on the withdrawn FSA income could then be used to finance health care reform for the uninsured or underinsured.

The Competitive Affordable Health Care Reform Act also continues deductibility of current employer health care plans, provides a health care refundable tax credit for the uninsured, and allows self-employed individuals to deduct 100 percent of their health care expenses up to a maximum level. This plan builds on the current strengths of our system, while providing universal coverage and insurance portability.

To controls costs, the Competitive Affordable Health Care Reform Act initiates a number of legal and regulatory reforms. Attorneys fees and jury awards will be reduced, out-of-court settlements through alternative dispute resolution will be encouraged, and hospitals and insurers will be able to use standardized claims and reporting forms. The 800 plus State and Federal anti-competitive health care regulations and mandates will be replaced, and consumers will be given access to easy to understand health care costs forms and value

information to make their own coverage choices.

Mr. Speaker, giving our Government full control of 14 percent of our economy is not a cure for our health care system. People need more information, more choice, more freedom, and better incentives. I look forward to working with President Clinton to build a true market-oriented system, without turning the management of our health care over to another government bureaucracy.

THE HEALTH CARE MANDATE WILL CREATE LOSS OF JOBS

HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 22, 1993

Mr. CRANE. Mr. Speaker, the Clinton administration has a misconception about the effects of mandates in health care reform. Without a doubt, mandates requiring employers to pay for their workers' health insurance expenses will translate directly into higher labor cost. As a result, many employers will have to cut back on employee wages and hours in order to stay in business. The hardest hit by health care mandates will be the low-wage jobs that will be eliminated. In his article, "The Price of a Health Care Mandate," Carlos Bonilla outlines the effects of health care mandates on businesses. I submit Mr. Bonilla's article, which appeared in the August 20, 1993, issue of the Wall Street Journal, to my colleagues' attention and urge them to keep it in mind as we consider these important matters in the future.

THE PRICE OF A HEALTH CARE MANDATE

(By Carlos Bonilla)

Speaking to the American Hospital Association earlier this month, Hillary Rodham Clinton questioned why companies that do not provide health insurance to their employees should be allowed to "get what amounts to a free ride." Mrs. Clinton—who headed the White House Health Care Task Force—demonstrated with this comment that she had no idea at all how health care is actually financed in America.

Mrs. Clinton has confused employment-based health insurance with employer-paid health insurance. In fact, there is no such thing as employer-paid health insurance. All workers who receive health insurance through their place of employment pay for that coverage, either directly through deduction from their paychecks or indirectly through lower wages. The absence of a health insurance deduction on a pay stub by no means makes this an expense paid for by employers.

Because of this confusion, Mrs. Clinton has failed to ask the question that belongs at the core of any discussion of a health care mandate: What will be the impact on employment of a federally mandated wage increase of approximately $5,000—the employer's share of the cost of providing health insurance coverage (for a worker with dependents) that the administration is proposing?

THE O'NEILLS' ESTIMATE

June O'Neill and David O'Neill, both professors of economics at Baruch College, City University of New York, have the answer in a study prepared for the Employment Policies Institute. Recognizing that a mandate requiring employers to pay their workers' health insurance expenses translates directly into an increase in labor costs, the O'Neills estimate that this increased cost will lead to the loss of 3.1 million jobs.

These lost jobs will not be scattered randomly across the economy. They will be heavily concentrated in just seven industries. More than 75% of the lost jobs will be in industries such as restaurants, other sectors of retail trade and construction.

Although seemingly unrelated, these seven industries share one common trait: They are all employers of large numbers of low-wage, and therefore more often uninsured, workers. The disproportionately large concentration of job losses in these industries relative to the economy as a whole reflects the concentration of low-wage workers in these sectors. Labor costs would rise by more than 19% in the restaurant industry with a health care mandate. Costs would rise by more than 33% in private household services and by more than 15% in agriculture.

An external increase in labor costs, such as the Clinton mandate would impose, is not a major issue in higher-wage industries. In these industries, any costs that arise will be quickly shifted back onto payrolls—not necessarily through an immediate reduction in wages (although some of that will no doubt happen) but more often from an erosion in wage increases until the compensation package is brought back into line.

This cannot happen as readily for low-wage jobs. Cutting a planned 5% wage increase on a $40,000 job by half shifts $1,000 of the mandate onto a worker's wages in just one year. In this example, a complete shifting of the mandate's cost can be accomplished in five years—an employer cost has been converted into an employee cost. But it would take 15 years of such shifting to accomplish the same for a minimum-wage job. Moreover, faster shifting through an immediate reduction in the earnings of low-wage workers is blocked by the minimum wage. And even without the minimum-wage constraint, a serious institutional constraint comes into play: Who would work at a $10,000-a-year job only to see cash wages halved to $5,000? A Blue Cross card won't pay the rent.

In low-wage jobs, the only means to reduce labor costs is to reduce labor. And when labor costs are a high percentage of total operating costs, as they are in the most affected industries, the effect will be large job losses. Job losses are not related to the size of the firm. Although the administration has spoken often of its intention to accommodate small business, business size is a crude determinant: Many "small" businesses, such as law firms and venture capital firms, are much better suited to absorb higher labor costs than some of the largest companies providing mostly entry-level jobs.

Clearly, a mandate on a restaurant with 100 employees—many of them part-timers working for relatively low wages—has a very different impact than a mandate on General Motors, yet both are likely to be viewed as capable of absorbing the new mandate. As a consequence, low-wage workers, the portion of the work force that a mandate aims to help, will suffer the bulk of the job losses from a mandate.

President Clinton has vowed to the American people to "end welfare as we know it." His prescription appears to rely heavily on a familiar remedy: Two years of education and training for adult recipients, after which they would be expected to find a job and cease reliance on government assistance. The president's premise, at least according to the campaign rhetoric, is to help public assistance recipients find not only a job but a "good" job. The question before us is whether the president's definition of a good job—one that appears to include a generous mandated health benefits package—effectively eliminates the prospects of obtaining any job at all.

Many of the people seeking to move from welfare to work are qualified only for lower-wage positions. They can move up the ladder only if they are given the opportunity to work. But a mandate is insensitive to the labor market. It would vastly increase the cost of hiring these workers, thereby becoming a latent disincentive to hire the typical single mother on welfare.

These individuals cannot pay for benefits by trading wages. They pay with their jobs.

President Clinton seems to have taken note of some of the problems a mandate would impose on low-wage industries Speaking to the nation's governors Monday, the president stated that a mandate had the potential to place low-wage industries "in deep trouble." The president went on to offer the hope that a mandate's costs would be capped at about 7% of payroll.

Caps on the mandate's cost, if they are actually realized, will reduce the job loss estimates presented here. But it is still premature to bank on caps, at least at the level discussed by the president. Too much of the financing for health reform hinges on predicted savings from the delivery of health care, savings that have proved elusive to more than one president. Moreover, the president's hope to cap the mandate cost at 7% may be hopelessly unrealistic. Recent estimates have placed the cost of health care reform at between 10% and 12% of payroll. A cap at 7% would leave the president many billions of dollars short of the revenue he needs for reform just months after passing a large tax increase. Caps on mandates may very well experience the same fate as the middle-class tax cut.

SAME MISTAKEN ASSUMPTION

Yet job losses will continue, even with the president's admission that accommodation needs to be made for the needs of law-wage workers and industries. These losses will arise because the president is proceeding on the same mistaken assumption as Mrs. Clinton: that is employers who pay for benefits out of profits instead of workers out of wages.

The nation's economists agree. This spring the Survey Center at the University of New Hampshire polled members of the American Economics Association regarding their views on health care mandates. (The association is the leading professional body for American economists.) Eighty percent of economists responded that a health-care mandate would result in lost jobs for lower wage workers. The O'Neills have quantified that loss.

In his speech to the nation's governors, the president warned the public to stop believing that health care is "paid for by the tooth fairy." He would do well to heed his own advice.

HONORING DR. PETER CORONA

HON. WILLIAM P. BAKER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 22, 1993

Mr. BAKER of California. Mr. Speaker, Dr. Peter Corona has contributed 42 years of

service to the public school system of California and has impacted the lives of thousands of individuals. He has served as a teacher, coach, vice principal, principal, business manager, assistant superintendent, superintendent, community college teacher and State university teacher.

Corona served as a superintendent of schools for a span of 34 years and has been an educational leader in school districts ranging in size from a small hamlet of 150 students to a district covering seven cities with 33,000 students.

Dr. Corona's breadth of experience includes schools in rural, suburban and inner-city urban America, working with various ethnic groups including large numbers of African-Americans, Hispanics, Asians, Native Americans, and Caucasians.

He has achieved a long and distinguished list of awards for community service accomplishments and leadership in professional organizations. His awards include: Bringing the All American City Award to the City of Montebello; being selected Man of the Year for Emeryville; America's Superintendent of the Month by the American Association of School Administrators; One Thousand Notable Americans; Who's Who in America; and Who's Who in the World.

Peter Corona lectured internationally and has been published widely. His accomplishments have been documented with considerable positive recognition. His administrative leadership style has been discussed in public administration and educational courses in a number of college and universities in California.

Corona has established a reputation for having left each of his school districts in better financial shape. He exemplifies the type of educational leadership America needs today.

As a Member of the U.S. House of Representatives, I commend Dr. Peter Corona for his varied deeds of leadership, goodwill, and for the mark he has made on the educational community and the many lives he has touched. It is hoped that his spirit of commitment will continue to be emulated by those who follow in his footsteps.

THE TRAUMATIC BRAIN INJURY ACT OF 1993

HON. JIM SLATTERY

OF KANSAS

HON. JAMES C. GREENWOOD

OF PENNSYLVANIA

HON. FRANK PALLONE, JR.

OF NEW JERSEY

HON. JAMES H. (JIMMY) QUILLEN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 22, 1993

Mr. SLATTERY. Mr. Speaker, I am pleased to be joined today by my colleagues, Representative GREENWOOD of Pennsylvania, Representative PALLONE of New Jersey, and Representative QUILLEN of Tennessee in reintroducing the Traumatic Brain Injury Act of 1993.

We have each sponsored legislative bills regarding this issue earlier this year and have come together today to jointly place our bipartisan efforts behind one single initiative which we hope will be considered by Congress and enacted into law.

Every 15 seconds someone in the United States sustains a head injury and 98 percent of these individuals will survive the accident. According to the National Head Injury Foundation [NHIF], a survivor of a severe brain injury typically faces 5–10 years of intensive medical and related services at an annual cost of approximately $86,000. Estimated lifetime costs to care for a traumatic brain injury survivor can exceed $4,000,000.

Half of all traumatic brain injuries are caused by car accidents. Among children, abuse accounts for 64 percent of all infant head injuries, while 50,000 head injuries occur each year as a result of bicycle accidents. This act will encourage development of national standards for bicycle helmets.

The legislation we are introducing today will also help raise public awareness of the serious risks and tragic consequences of head injuries and will designate a Federal agency to oversee and promote projects to prevent traumatic brain injury and to assist in rehabilitation efforts across the Nation.

This legislation also will assist States in creating advisory boards to coordinate citizen participation in community traumatic brain injury programs and will create a registry to advance epidemiologic research efforts across the Nation.

Additionally, our legislation calls for major studies to be conducted on the causes and prevention of brain injury. More importantly, this legislation emphasizes the discovery and use of unique ways to prevent injury and heighten individual responsibility. It is important that we find effective ways to encourage people to act responsibly, without establishing the adversarial relationships that are created by government mandates like helmet laws.

Currently there are no national standards for motorcycle helmets, and in some instances it has been documented that a poorly designed helmet can be more dangerous in an accident than no helmet at all. Our legislation encourages Federal, State, and local health agencies to take a more comprehensive approach to preventing traumatic brain injury by looking deeper into the root causes of these injuries.

I am pleased that the State of Kansas was the first State to submit and receive approval on a Title XIX Home and Community-Based Services Waiver to provide services to people with head injuries in their own home. I am hopeful that our legislation will encourage other States to develop home care programs for traumatic brain injury survivors and will create a nationwide network for survivors and their families and friends.

The Traumatic Brain Injury Act, which emphasizes prevention and treatment options, will help these individuals and their families cope with the debilitating and lifelong consequences of these tragic accidents.

I encourage my colleagues to cosponsor this important legislation and I look forward to the speedy enactment of the Traumatic Brain Injury Act of 1993.

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, September 23, 1993, may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

SEPTEMBER 24

10:00 a.m.

Labor and Human Resources

To hold hearings on the nominations of F. William McCalpin, of Missouri, John G. Brooks, of Massachusetts, Edna Fairbanks Williams, of Vermont, LaVeeda Morgan Battle, of Alabama, Ernestine P. Watlington, of Pennsylvania, Maria Luisa Mercado, of Texas, Thomas F. Smegal, Jr., of California, Nancy Hardin Rogers, of Ohio, Douglas S. Eakeley, of New Jersey, John T. Broderick, Jr., of New Hampshire, and Hulett Hall Askew, of Georgia, each to be a Member of the Board of Directors of the Legal Services Corporation.

SD–430

SEPTEMBER 27

2:00 p.m.

Commerce, Science, and Transportation

To hold hearings on the nomination of Diane Blair, of Arkansas, to be a Member of the Board of Directors of the Corporation for Public Broadcasting.

SR–253

Foreign Relations

To hold hearings on the nominations of Carol J. Lancaster, of the District of Columbia, to be Deputy Administrator of the Agency for International Development, Margaret V. W. Carpenter, of California, to be Assistant Administrator for Asia of the Agency for International Development, and John Roggen Schmidt, of Illinois, for the rank of Ambassador during his tenure of service as the Chief U.S. Negotiator of the Uruguay Round.

SD–419

SEPTEMBER 28

9:30 a.m.

Agriculture, Nutrition, and Forestry

To hold hearings on proposed legislation to reorganize the Department of Agriculture.

SR–332

Commerce, Science, and Transportation
Aviation Subcommittee
To hold hearings on proposed legislation to authorize funds for programs of the Airport Improvement Act.
SR–253

10:00 a.m.
Finance
To hold hearings with the Committee on Labor and Human Resources on S. 491, to provide health care for every American and to control the cost of the health care system.
SR–325

Labor and Human Resources
To hold hearings with the Committee on Finance on S. 491, to provide health care for every American and to control the cost of the health care system.
SR–325

2:00 p.m.
Foreign Relations
To hold hearings on the nominations of Alan John Blinken, of New York, to be Ambassador to Belgium, Parker W. Borg, of Minnesota, to be Ambassador to the Republic of Iceland, Richard A. Boucher, of Maryland, to be Ambassador to the Republic of Cyprus, Swanee Grace Hunt, of Colorado, to be Ambassador to the Republic of Austria, Thomas A. Loftus, of Wisconsin, to be Ambassador to Norway, William Dale Montgomery, of Pennsylvania, to be Ambassador to the Republic of Bulgaria, and Thomas Michael Tolliver Niles, of Kentucky, to be Ambassador to Greece.
SD–419

Labor and Human Resources
Employment and Productivity Subcommittee
To hold hearings on S. 1361, to establish a national framework for the development of School-to-Work Opportunities systems in all States.
SD–430

SEPTEMBER 29

9:30 a.m.
Environment and Public Works
To hold hearings on Robert W. Perciasepe, of Maryland, to be Assistant Administrator for the Office of Water, Lynn R. Goldman, of California, to be Assistant Administrator for the Office of Prevention, Pesticides and Toxic Substances, Elliott P. Laws, of Virginia, to be Assistant Administrator for the Office of Solid Waste and Emergency Response, and Jean C. Nelson, of Tennessee, to be General Counsel, all for the Environmental Protection Agency.
SD–406

10:00 a.m.
Foreign Relations
To hold hearings on the nominations of Marian C. Bennett, of the District of Columbia, to be Inspector General, U.S. Information Agency, Tobi Trister Gati, of New York, to be Assistant Secretary of State for Intelligence and Research, and Daniel L. Spiegel, of Virginia, to be U.S. Representative to the European Office of the United Nations, with the rank of Ambassador.
SD–419

Labor and Human Resources
To hold hearings on certain provisions of S. 491, to provide health care for every American and to control the cost of the health care system.
SD–430

2:00 p.m.
Foreign Relations
To hold hearings on the nominations of Roger R. Gamble, of Virginia, to be Ambassador to the Republic of Suriname, Peter F. Romero, of Florida, to be Ambassador to the Republic of Ecuador, and William Lacy Swing, of North Carolina, to be Ambassador to the Republic of Haiti.
SD–419

SEPTEMBER 30

10:00 a.m.
Foreign Relations
To hold hearings on the nominations of Edward Joseph Perkins, of Oregon, to be Ambassador to Australia, and Richard W. Teare, of Ohio, to be Ambassador to Papua New Guinea and to serve concurrently as Ambassador to Solomon Islands and to the Republic of Vanuatu.
SD–419

Foreign Relations
To hold hearings on the nomination of Carol Bellamy, of New York, to be Director of the Peace Corps.
S–116, Capitol

OCTOBER 6

9:30 a.m.
Agriculture, Nutrition, and Forestry
Business meeting, to mark up proposed legislation to reorganize the Department of Agriculture.
SR–332