SENATE—*Tuesday, October 5, 1993*

(Legislative day of Monday, September 27, 1993)

The Senate met at 9:30 a.m., on the expiration of recess, and was called to order by the Honorable HARLAN MATHEWS, a Senator from the State of Tennessee.

PRAYER

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

Let us pray:

* * * *hope thou in God* * * *.—Psalm 42:5.

Almighty God, Lord of history and Ruler of the nations, we pray for the President and the Congress. The tremendous pressure of domestic affairs—the economy, health care, violence and crime—are compounded by international crises which demand attention: Bosnia, Somalia, and now the explosion in Russia, cannot be ignored. In their fallibility, leadership needs to look to God.

The words of President Washington when he called the Nation to a Day of Thanksgiving in 1789 are relevant: "It is the duty of all nations to acknowledge the Providence of Almighty God, to obey His will, to be grateful for His benefits, and humbly to implore His protection and favor."

May the leadership of our Nation look to divine providence for guidance and wisdom.

We pray in His name who is the Way, the Truth, and the Life. 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 bill clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, October 5, 1993.

To the Senate:

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

ROBERT C. BYRD,
President pro tempore.

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

RESERVATION OF LEADER TIME

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

DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES APPROPRIATIONS ACT, 1994

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will now resume consideration of H.R. 2750, which the clerk will report.

The assistant legislative clerk read as follows:

A 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 Senate resumed consideration of the bill.

Pending:

D'Amato (for Bond) amendment No. 1014, to make funds available to repair and rebuild airports damaged as a result of the Midwest floods of 1993.

The ACTING PRESIDENT pro tempore. The Senator from Virginia [Mr. WARNER] is recognized to offer an amendment.

Mr. WARNER. Mr. President, parliamentary inquiry. Is it necessary for the Senator from Virginia to ask that the pending business be laid aside?

The ACTING PRESIDENT pro tempore. I am informed that it is not necessary.

Mr. WARNER. I thank the distinguished Presiding Officer.

Mr. President, I am prepared to go forth with the amendment. For the moment, I see the absence of the managers of the bill. Accordingly, 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. LAUTENBERG. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. LAUTENBERG. Mr. President, we are ready to resume debate on the transportation appropriations bill for 1994. I put an inquiry to the Chair to make sure we have a prescription for where we start here.

I assume we are now open to amendment, as we were when we concluded business last night?

The ACTING PRESIDENT pro tempore. The Senator is correct. Amendment No. 1014 has temporarily been laid aside so the Senator from Virginia may offer an amendment.

The Senator from Virginia is recognized.

AMENDMENT NO. 1015

(Purpose: To strike reference to minimum allocations under title 23, United States Code)

Mr. WARNER. Mr. 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 Virginia [Mr. WARNER] proposes an amendment numbered 1015.

On page 54, line 14, beginning with "under", strike out all through "Code" on line 15.

Mr. WARNER. Mr. President, I would like to begin my discussion of this amendment by referring my colleagues to the CONGRESSIONAL RECORD dated August 5, 1992, page S11533. At that time the Senate was considering this same basic subject, ISTEA, and actions by the Appropriations Committee which parallel in many respects the actions taken by the subcommittee on appropriations which are the subject of the pending bill.

I would like to read from that RECORD because this frames precisely the argument by the Senator from Virginia. It was covered by the Senate over a year ago.

At that time, the Senator from Missouri [Mr. BOND] offered the amendment. He started as follows:

Mr. President, I thank the chairman and the ranking member. The amendment I have sent to the desk is on behalf of myself. * * *

And he listed others, including the Senator from Virginia.

Our amendment, Mr. President, would simply return the minimum allocation under the highway program to the current law. For the first time since the program's creation, the committee bill places it under the so-called obligations ceiling, thereby restricting the funding available to the minimum obligation States.

That is precisely parallel in every respect to what has been done by the committee in the current bill. The Senator from Virginia is doing the same thing, asking the Senate to return ISTEA to the exemption from the obligation ceiling.

This bill places that account under the ceiling, although for only 3 months, whereas last year it was for a full year. But this raises two fundamental questions which I will address in my remarks momentarily.

Question No. 1, why was it done? Time and time again the Senate has battled this issue. It is the famous donor versus donee State issue.

Why, why must it be done again, when last year, although the Bond

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

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

amendment received only 45 votes—and I will ask unanimous consent to have printed in the RECORD following my remarks certain documentation with respect to Senate action on that matter last year.

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

(See exhibit 1.)

Mr. WARNER. Why must we revisit once again here today a parallel action, albeit only for 3 months? The system is working. States are planning, doing their highway work. Why? Why? Why?

As near as I can determine, it was the judgment of, primarily, the distinguished ranking member, the Senator from New Jersey, and others, of a need to take highway funds and put them into general accounts for mass transportation. But he can best speak for himself. That is the first point I will raise.

Point No. 2 is, if the Senate allows this to continue—and I must say, we only had 45 votes last year. They can, under the rules, raise a point of order requiring 60 votes. In all probability, that will defeat the amendment of the Senator from Virginia. But if I am defeated in this effort, then it establishes a precedent, a precedent for future action in future years by this same subcommittee on appropriations.

I say to my colleagues from the donor States, let us not let that happen. Last year the Bond amendment failed, achieving only 45 votes. But those Senators who supported Senator BOND wrote a letter dated August 5, 1992, to the Honorable FRANK R. LAUTENBERG, and signed it. The letter said as follows:

> As you head into conference on the DOT appropriations bill, we would like to inform you that we will be forced to discuss at great length—

That is a euphemism for filibuster—

> any conference report that does not remove the minimum allocation from under the obligation ceiling and fully fund the program.
>
> We understand the constraints which your subcommittee faces; however, we believe fulfilling the commitments made in the Intermodal Surface Transportation Efficiency Act of 1991 require that this action be taken.

Mr. President, I am happy to inform the Senate that the conference committee did strike the very language parallel in form to the language I am seeking to strike today. We, for 1 more year, operated under what is referred to as current law. The Senator from Virginia intends to lead the same effort if this amendment fails today.

Mr. President, I ask unanimous consent the letter of August 5, 1992, be printed in the RECORD following my remarks.

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

(See exhibit 2.)

Mr. WARNER. Mr. President, I rise again to bring to the Senate's attention yet another attempt by the Appropriations Committee to change the minimum allocation program.

I alert all my colleagues from the donor States to pay careful attention to this debate and the importance of this amendment. If donor States do not defeat this attack on the minimum allocation program, the future of this program to guarantee that each State receives a 90-percent return of their highway dollars is in jeopardy. I point out it is in jeopardy.

The opposition to my amendment will be able to clearly show in all probability we might not lose money. Donor States will reach the 90-percent return. But we will have established a principle allowing the subcommittee on appropriations and then the full Committee on Appropriations to have a precedent established that this account was brought from current law under the obligation ceiling, and that could be repeated again next year, for perhaps a longer time, and the year after. That is what we are fighting for: Principle; principle. Let that one word "principle" guide colleagues today as they determine their vote.

Once again, this debate is concerned with providing fairness and equity to the donor States. The donor States number less, as we all well know, than donee States. That is why this battle has gone on year after year. After extensive debate during the consideration of the Intermodal Surface Transportation Efficiency Act of 1991, and again in 1993 on the transportation appropriations bill, I regret the Appropriations Committee again proposes to make legislative changes.

I would like to add here, I was a member of the conference on the ISTEA bill because of my service, that I take pride in, on the committee of this body that has overall jurisdiction. So I have some knowledge, corporate knowledge, of how these attempts have been made through the years. That is why I urge my colleagues today to join with me to put an end to this thing. Let us once and for all let the donee/donor States live with this law, which was so carefully debated in past years, and not make a change in law.

The Environment and Public Works Committee has overview of this and the ISTEA. Regrettably, we do not have the votes on that committee. This is the only forum—right here on the floor—where we have been able to maintain some equity and fairness for the donor States.

The amendment I offer today simply would strike from the bill the limitations on obligating minimum allocation funds for the first quarter of the fiscal year. The amendment simply would return the treatment of this program to current law—leave it as it is—as authorized by the ISTEA.

Mr. President, I recognize that the managers of the bill will soon assert that this amendment will have a significant impact on funding highway programs in this fiscal year. I respectfully dispute that and will address it once it is raised.

This amendment does not provide any additional funding for the Minimum Allocation Program. The amendment spends the same amount of money on the Minimum Allocation Program as the committee bill. The chairman, however, may indicate that supporting my amendment would result in the loss of highway funds for every State. I submit, however, that any offset for removing the restrictions on the Minimum Allocation Program should not be charged to other highway programs.

It is clear that the restrictions on minimum allocation gave the committee additional obligation authority to provide substantial increases for Amtrak operating expenses, the Intelligent Vehicle Highway System Program, new subway and light rail projects, and high-speed rail. That is where the funds have gone. So when you hear from your Governors and from those cabinet officers in your respective States who are responsible for the highway programs, they will tell you, they will confirm that this is where the money has gone, and it is up to each of you to determine whether or not that is in your State's best interest, this shifting of funds or the potential ability—that is the principle—the potential ability of the Appropriations Committee in years hence to shift those funds from roads to mass transit programs.

Mr. President, I support these mass transit programs, as we all do, but we should have a voice—every Member of this Chamber—with respect to his or her State as to the priority of the highway versus the mass transit funds. By maintaining the current law, the voice is retained by the individual Members and the individual States, but if this precedent is established, then much of that discretion leaves us individually and collectively and flows to the Appropriations Committee.

I do not believe, however, that those States that are already disadvantaged because of an egregious—and it is—and antiquated formula used to allocate highway dollars should bear the added burden imposed by the committee's limitation.

Let me be clear once again, the only effect of the Warner amendment is to remove the committee's restrictions on donor States using these funds in the first quarter of the fiscal year. The opposition may claim that the committee's restrictions on the Minimum Allocation Program will have no impact on our States because historically States have not obligated large amounts from this program in the first quarter. But I say respectfully in response to this argument, I ask the

chairman that if States traditionally obligate less in the first 3 months of the fiscal year than the $302 million cap provided in the bill, what is the real intention? What is the real intention? If in reality the amendment has virtually no impact on donor States, why is this provision needed at all? If there is no intention by the Appropriations Committee to change the minimum allocation statute to begin to bring this program under the obligation ceiling, why is this provision needed in the committee bill?

Mr. President, Senators representing donor States should be concerned about this provision, and they must ensure that the Minimum Allocation Program remains an unrestricted program for our States.

To understand the reason for this amendment today, it is important to recall why the minimum allocation issue is so critical to donor States. It is simply an issue of fairness and equity. During the extensive Senate debate and the contentious conference, of which I was a member, on ISTEA in 1991, the Congress recognized the percentage of highway funds returned to all States should be 90 percent. That is the floor.

The Congress also continued in ISTEA the statutory exemption—that is the key thing—exemption from minimum allocation, which provides that it would be outside of the obligation ceiling. This exemption is necessary because of the specific purposes of the program to reduce the inequity in the apportionment formulas between donor and donee States.

To ensure that all States receive a minimum of 90 percent, the Federal Highway Administration must be allowed to provide whatever funding is needed to bring States up to the minimum level. Minimum allocation has been the only guarantee since 1982 to give States a reasonable expectation of the percentage of return they will receive annually from the highway trust fund.

This program is essential to enable States to plan—that is the key, to plan. It takes a lot of planning, years in advance in most cases in our States, to do these highway programs. How can you plan if this is removed from under the ceiling?

So, Mr. President, I yield the floor, and I am anxious to hear the response of the managers and others to this amendment.

EXHIBIT 1

[Rollcall Vote No. 170 Leg.]

YEAS—39

Bentsen, Bond, Boren, Bumpers, Chafee, Coats, Cochran, Cranston, Danforth, DeConcini, Dole, Durenberger, Ford, Fowler, Glenn, Graham, Gramm, Heflin, Kassebaum, Kasten, Kohl, Levin, Lott, Lugar, Mack, McCain, McConnell, Metzenbaum, Nickles, Nunn, Packwood, Pryor, Riegle, Robb, Sanford, Sasser, Seymour, Shelby, Warner.

NAYS—57

Adams, Akaka, Baucus, Biden, Bingaman, Bradley, Breaux, Brown, Bryan, Burns, Byrd, Cohen, Conrad, Craig, D'Amato, Daschle, Dixon, Dodd, Domenici, Exon, Garn, Gorton, Grassley, Harkin, Hatfield, Hollings, Inouye, Jeffords, Johnston, Kennedy, Kerrey, Kerry, Lautenberg, Leahy, Lieberman, Mikulski, Mitchell, Moynihan, Murkowski, Pell, Pressler, Reid, Rockefeller, Roth, Rudman, Sarbanes, Simon, Simpson, Smith, Specter, Stevens, Symms, Thurmond, Wallop, Wellstone, Wirth, Wofford.

NOT VOTING—4

Burdick, Gore, Hatch, Helms.

So the amendment (No. 2884) was rejected.

EXHIBIT 2

U.S. SENATE,
Washington, DC, August 5, 1992.

Hon. FRANK R. LAUTENBERG,
U.S. Senate,
Washington, DC.

DEAR FRANK: As you head into Conference on the DOT Appropriations bill, we would like to inform you that we will be forced to discuss at great length any conference report that does not remove the minimum allocation from under the obligation ceiling and fully fund the program.

We understand the constraints which your subcommittee faces, however, we believe fulfilling the commitments made in the Intermodal Surface Transportation Efficiency Act of 1991 require that this action be taken.

Sincerely yours,

Bob Graham, David L. Boren, Don Nickles, John Warner, Howard M. Metzenbaum, David Pryor, Carl Levin, Larry E. Craig, Strom Thurmond, Connie Mack, Warren B. Rudman, Chuck Robb, Sam Nunn, Trent Lott, Dennis DeConcini, Alan Cranston, Wyche Fowler, Mitch McConnell, Bob Packwood, Dale Bumpers, Don Riegle, Herb Kohl, Jesse Helms.

Fritz Hollings, Alan J. Dixon, Kit Bond, Phil Gramm, Dan Coats, Conrad Burns, Pete V. Domenici, Richard G. Lugar, Jack Danforth, Steve Symms, Hank Brown, John Seymour, Malcolm Wallop, Al Simpson, Wendell Ford, John Glenn, Thad Cochran, Lloyd Bentsen, Bob Kasten, John McCain, Richard Shelby, Howell Heflin.

Mr. LAUTENBERG addressed the Chair.

The ACTING PRESIDENT pro tempore. The Senator from New Jersey.

Mr. LAUTENBERG. Mr. President, I heard very clearly the distinguished Senator's concerns, and the message is a little complicated. But I would like to start off by dealing with one question that the Senator raises. We have had lots of debate here about the minimum allocation; that which is returned to States based on the gasoline taxes they submit and the equity of those formulas.

This is a debate that has rung through these halls time and time again. I want to assure the Senator that there is no decline, no reduction in the minimum allocation that his State or other States get. That is established. The formula, the structure that the Senator makes reference to on the quarterly obligation, relates to the cash-flow problem.

I point out, as I have in private to the Senator, that if we proceed to strike the limitation on the first quarter distribution, we are looking at an increase in cost of some $30 to $35 million, and we would have to try to then reduce the obligation of the Federal highway ceiling by $190 million to accommodate that cash-flow outlay.

Senator WARNER's amendment would strike section 310(D)(1) of the bill. This section, as presently constructed, places a first-quarter obligation ceiling on programs. It is similar to legislation that has been carried in the transportation bill in the past, last year in particular. I refer the Senator to subsection (B) of section 310, which imposes, as he is aware, the first-quarter obligation ceiling on the regular Federal Aid to Highways Program.

The section in question, subsection (D), imposes that ceiling on the rest of the Federal Aid to Highways Program, including the Minimum Allocation Program. It does not reduce the annual minimum allocation commitment.

All Senators, particularly the Senator from Virginia, have always made us aware of the need to be responsive to their States' needs and to be fair and equitable in distributions that we have. We try to maintain that position.

We do share a committee together, the Environment Committee, and the Senator correctly points out that we worked very hard, he in particular, I as well, on establishing the ISTEA bill which substantially changed the structure of our transportation activities in the country. It also at that point raised the minimum allocation from 85 to 90 percent.

So I wish to assure the Senator from Virginia this is not an overall obligation ceiling on the minimum allocation program. It is simply a benchmark, a first quarter control, and is exactly the same as the first quarter control that is imposed on the regular Federal Aid Highway Program. The Senator ought not to be concerned that this committee is trying to make any inroads on the minimum allocation. There is no subterfuge, no fancy footwork to in any way reduce the minimum allocation.

More important than that, though, I tell the Senator that the Federal Highway Administration estimates that his amendment removing the first quarter obligation control will increase the outlays associated with this bill by $30 million to $35 million.

Now, if Senator WARNER's amendment is accepted, I will at final passage, in conformance with the Senate rules that require the bill to remain within its 602(b) allocation, have to offer an amendment reducing the Federal aid highway's obligation ceiling by $190 million. That is the only way we can conform to the change the Senator is proposing.

I do not want to do that. We have all worked very, very hard to eke out, to

squeeze out every drop of resource that we can get, and it is not an easy task, neither is it intended nor is it arbitrary in any way. The obligation ceiling presently in this bill is at a historic high—$18.02 billion. But if Senator WARNER persists and the amendment is adopted—and we hope that that will not be the case—I will have to counter the increased outlays associated with his amendment.

I hope the Senator will withdraw the amendment. I assure him that it is not my intention to restrict the minimum allocation obligation to restrict States' use of those presently or to impose an overall cap on the program. I believe that imposing this first quarter obligation ceiling is within my jurisdiction since it is the Appropriations Committee which is charged with the outlays not only for the minimum allocation program but for ISTEA demos, emergency relief program, the regular Federal Aid Highway Program.

The Senator pointed out that some of these funds might be alternatively used for other programs, and in fact they are distributed over a whole array of programs over a wide number of transactions affecting transportation development in the country and over every State in the country. The Senator's State, Virginia, is a recipient of some very hard work to provide money for WMATA, which its citizens use to come to work and to travel back and forth. That is squeezed almost like blood out of a stone. It is very tough.

Now, if the Senator would have us reduce that so we can go ahead and distribute this money earlier than the formula calls for, well, then perhaps an appropriate amendment will be due if his amendment succeeds. And I look to him to take the lead on that and cut WMATA's allocation by $190 million. That will wipe them out.

Mr. President, the mission here is not to pull tricks, no sleight of hand. It is designed like any business that operates with a plan must work, and that is what is the cash flow for the year? What are your outlays going to be? When do you expect them to happen? So you can plan. I know that is an unusual characteristic around here, planning. It is not a foreign word. It is part of our vocabulary. It does not seem to be part of the act.

But that is the way this program developed. This has nothing to do with the request made by the Senator from Missouri [Mr. BOND]. That was a minimum allocation discussion.

As far as I know, we are not revisiting that.

I oppose, in case it is not apparent, Senator WARNER's amendment. If this amendment is offered on the basis of the experiences of the past, I assure the Senator he has nothing to fear in this 1994 bill. I hope he withdraws the amendment. If not, I will have to oppose him, ask for the yeas and nays on the amendment, raise a budget point of order because under the rules any increase in outlays has to be accompanied by offsets. If I fail to defeat the amendment, then I will have to offer the amendment that I described reducing the Federal aid highway obligation by $190 million.

I yield the floor.

The PRESIDING OFFICER (Mr. DORGAN). The Chair recognizes the Senator from Virginia.

Mr. WARNER. Mr. President, to assist our colleagues following this debate—and, indeed, my good friend, the Senator from New Jersey, has expressed the complication of what is taking place here, and I agree—I would like to see if we can focus on two questions.

The Senator is correct. You will have to make an amendment if I were to prevail to add just those funds. But I think in fairness you should tell our colleagues that you could reduce other accounts. You do not have to go to the highway account if you have to restore some funds. You could do it in other ways. As a matter of fact, you could go to those pockets, those deep pockets into which you put the added money by virtue of the bill as it is drawn today, primarily in the Northeast corridor.

I take judicial notice of the fact that my two good friends, the managers of the bill, have some affiliation with the Northeast corridor. I mean no disrespect to them at all. If I were in their position, I think I would do the same thing. But you have the discretion, I say to the Senator, to go into the highways.

I say to you, you have the discretion, if my amendment were to prevail, to get it anywhere within your bill. So I pose the question: Am I not correct?

Mr. LAUTENBERG. Did I miss the question of the Senator?

Mr. WARNER. Well, I had attempted to phrase it, but I will rephrase it.

Mr. LAUTENBERG. I missed the last sentence, Mr. President.

Mr. WARNER. That is all right, Mr. President.

Mr. LAUTENBERG. I missed the last sentence. If the Senator would repeat it. I had all the sentences before that. I have them permanently locked.

Mr. WARNER. The question is simply this. I concede that if the Warner amendment carries, you will have to make adjustments——

Mr. LAUTENBERG. Right.

Mr. WARNER. Dollarwise in the amounts obligation and outlays as stated to the Senate.

Mr. LAUTENBERG. Right.

Mr. WARNER. But you seem to indicate to the Senate you could only go to one pocket, basically highway funds, to get those dollars for adjustment. I say to you, Do you not have full discretion to go to any number of pockets, including those deep pockets which have been so generously filled by my colleagues from the Northeast corridor affecting mass transit and other areas?

Mr. LAUTENBERG. I remind the Senator I heard that portion of his comments.

Mr. WARNER. Well, the question is, Do you not have complete discretion to go to a variety of pockets?

Mr. LAUTENBERG. The committee has discretion. The subcommittee has a review process, a development process, as the good Senator knows, where we review all of the transportation obligations that this country is trying to fill.

We are as delinquent as could be in things like commuter service, transit service. This is not to say that our highways are right. If the Senator maybe would like to raise the gas tax by a buck a gallon we could do these jobs, fix those. Would the Senator propose something——

Mr. WARNER. Mr. President, the Senator answered my question when he said yes. The committee has the discretion. That is all I wanted to point out to the Senate.

Mr. LAUTENBERG. Mr. President, I do have the floor, I think. If not, I ask for the floor.

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

Mr. LAUTENBERG. I heard him yield.

Mr. WARNER. Mr. President, the colloquy on my first question has been completed. The Senator answered it. Yes. This action gives the discretion to the distinguished chairman and ranking member of the subcommittee to make recommendations to their subcommittee and then to the full committee of appropriations. That answers my question.

But I come back for the second question. Let us narrowly focus this debate. Why must we do this? Why must we establish a principle for the first 3 months of bringing it under the obligation ceiling? Why must we do that?

Mr. LAUTENBERG. Mr. President, just so that we are clear, I thought that the Senator from Virginia had asked to raise a question. I do not want to get stuck in a parliamentary debate here. I am happy to answer it. But when the Senator says that after one word answer, yes, that he is satisfied, then I would submit the Senator is not familiar with the programs that we have.

We have an obligation under ISTEA to do as much as we can to take care of the transportation needs of the country. It includes relieving congestion. It includes making sure Amtrak goes through Virginia. They are looking at high-speed rail. We are looking at their commuter service based on service from WAMTA which I described. They get almost $200 million a year. Sure. There are other programs that we can take things from. Perhaps the Senator would like to recommend we slice the Coast Guard by a couple hundred million dollars. That sounds like a place that we might want to reach.

I am being facetious, obviously, because there are many, many valuable services that are performed under the transportation bill. We have an obligation to review them fairly.

I frankly must tell you that I do not understand what this fuss is about because in fact there is no loss of funds under the minimum allocation. This is a change in distribution. This is a lot of money that lies dormant in accounts that have been obligated and not yet spent. I am not talking particularly about Virginia because I do not know otherwise. I would be happy to discuss that.

But the fact is we have tried to be fair and balanced. This has been a very contentious issue. In ISTEA we sat down and revolutionized transportation policy in this country. We said for a State like Virginia, perhaps, or another State, if they choose to use all of their highway money one way, that is their prerogative.

If they choose to use some of it for transportation, for transit needs, that is their prerogative. We tried for the first time to have a degree of flexibility in the way funds were used.

The good Senator, the distinguished Senator from Virginia, makes reference to the fact that we feed the Northeast corridor. Mr. President, the Northeast corridor does include New Jersey; it includes New York; it includes Connecticut; it includes Massachusetts; it includes Rhode Island. It includes about a third of the population of the country.

Is the Senator from Virginia saying that no matter how many people use this facility, no matter how many people travel through it, the fact is that we ought not to upgrade the safety, we ought not to make it more efficient, we ought not to deal with the problems? The Senator has been on Amtrak. He knows what that equipment looks like. Most of the passenger load is in that area. We do not ask the passengers whether they come from New Jersey or New York. It is available. It is part of a national asset.

So, yes, we do have prerogatives. We do have options. We do have choices. So has every other subcommittee in appropriations. That is the nature of things. We made a tough decision. We scrubbed these numbers until they were whistle clean. And we came up with $2.7 billion more for highways this year than we did last year.

And the Senator from Virginia's constituents as a result will benefit from improved highway facilities.

The Senator is absolutely right. So it is simply a question of whether or not after all the arduous effort that has gone on before, that he would change the formula and have us reallocate, redistribute, the $190 million it will take to accommodate this.

I hope not. I think that we bared this situation fairly thoroughly. I do not know whether other Senators intend to speak. We are not—Mr. President, I want to make it clear—we are not for any who are listening or paying attention to the discussion, any of the other Senators, we are not putting minimum allocation under the obligation ceiling. We are only putting a first quarter control on spending, cash flow.

The minimum allocation program is exempt from an obligation ceiling for the year. Virginia will be able to obligate all of the $72 million it receives under the MA program, minimum allocation program.

Mr. President, I yield the floor.

Mr. WARNER. Mr. President, narrowly focusing the argument, the position of the Senator from Virginia and the purpose of the amendment is to maintain the current law which has been in existence since 1982, leaving this program outside the obligation ceiling. I say most respectfully, the Senator from New Jersey, the manager, the chairman of this subcommittee, by virtue of this 90-day provision it has the effect of bringing under the ceiling. It is as simple as that. That is the debate. And it is an effort to bridge the minimum allocation program in a de facto manner under the discretion of the appropriations committee contrary to what we have had for years since 1982.

I yield the floor.

Mr. THURMOND addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from South Carolina [Mr. THURMOND].

Mr. THURMOND. Mr. President, I rise today to support the amendment offered by the distinguished Senator from Virginia, Senator WARNER.

I am pleased to be a cosponsor of this amendment which would remove the restrictions on the use of minimum allocation funds.

Mr. President, I would like to express great concern about the unfair treatment of donor States in this appropriations bill. Historically, donor States have paid far more in taxes than they have received in transportation construction. In fiscal year 1992, South Carolina received only 80 cents, I repeat, 80 cents from every dollar that our citizens paid into the highway trust fund.

Mr. President, the changes to the minimum allocation funding in this appropriations measure is not only unfair, it is also a direct attempt to circumvent the provision debated and agreed to in ISTEA, which is the Intermodal Surface Transportation Efficiency Act. The minimum allocation program ensures that donor States receive not less than a 90-percent rate of return on the tax payments made to the highway trust fund. The minimum allocation program is essential in maintaining some level of funding equity among the States.

This bill limits first quarter obligations for the minimum allocation fund to 15 percent of the total amount available to States. Mr. President, this would cause a $2.5 million reduction in funding that would otherwise be available to the South Carolina Department of Transportation in the first quarter of the next fiscal year. While I realize that the committee bill does not reduce the total amount appropriated under this program, I do recognize it as another penalty against donor States. South Carolina ranked last in Federal gas tax returns in 1992. We should not be further penalized by temporarily withholding any of this funding.

Mr. President, donor States have made sacrifices since the inception of the Federal Interstate Highway System in order to create an efficient National Highway System. I believe that we have fulfilled this mission and it is not time for donor States to be able to improve their own road networks. I strongly oppose any attempts to make changes to the minimum allocation program.

Mr. WARNER. Mr. President, I thank my colleague, and I ask unanimous consent that the following Senators be made original cosponsors of the pending amendment: Senators THURMOND, GRAHAM of Florida, COATS, LUGAR, BOREN, HOLLINGS, HELMS, and FAIRCLOTH.

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

Mr. WARNER. Mr. President, I would like to read at this time from page S11541 of the CONGRESSIONAL RECORD of August 5, 1992, when the Bond amendment—which I feel is similar in concept and parallel in objective—was voted on by the Senate.

Those Senators supporting the Bond amendment were as follows: Senator BENTSEN, Senator BOND, Senator BOREN, Senator BUMPERS, Senator CHAFEE, Senator COATS, Senator COCHRAN, Senator CRANSTON, Senator DANFORTH, Senator DECONCINI, Senator DOLE, Senator DURENBERGER, Senator FORD, Senator FOWLER, Senator GLENN, Senator GRAHAM, Senator GRAMM, Senator HEFLIN, Senator KASSEBAUM, Senator KASTEN, Senator KOHL, Senator LEVIN, Senator LOTT, Senator LUGAR, Senator MACK, Senator MCCAIN, Senator MCCONNELL, Senator METZENBAUM, Senator NICKLES, Senator NUNN, Senator PACKWOOD, Senator PRYOR, Senator RIEGLE, Senator ROBB, Senator SANFORD, Senator SASSER, Senator SEYMOUR, Senator SHELBY, and the Senator from Virginia, Senator WARNER.

As I stated earlier, a supplement letter was signed by this basic group, together with five other Senators, whose names I will add momentarily to the list of those that have supported the action in 1992.

Mr. President, I further ask unanimous consent that Senator DANFORTH be listed as a cosponsor to the pending amendment.

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

Mr. LAUTENBERG. Mr. President, I would like to point out, if I may, to our good friend from South Carolina, that

this does not change the overall ceiling on the minimum allocation; that whatever South Carolina was going to get, they will get. Though it is fair to the Senator from Virginia to confirm the fact that the first-quarter distribution is going to be at a slower pace.

That is true for all States. There is no one being singled out. There is no discrimination in place, or intended. The fact is that this process was developed to permit us to deal with as many requirements as we had for transportation. That means all transportation programs. Obviously, highways dwarfs all other programs by virtue of the sums of money that are allocated to highways. There is no attempt to make adjustments between one or to favor one type of transportation mode over another.

This country needs a balanced transportation network. Some may agree a little more about transit; some insist that highways are a better way to go. We tried in ISTEA—and, again, the good Senator from Virginia was there—to strike a balance and to provide the flexibility that I talked about moments earlier. The minimum allocation adjustments were made. They were increased at that time from 85 to 90 percent. That is the way they stand. A debate about that is, I guess, always in order. But this is an appropriations bill. What we are doing is we are meeting the obligation ceiling as laid out by formulas in conjunction with the Federal Highway Administration.

South Carolina, Virginia, and New Jersey will get their full highway obligation commitment. South Carolina will get $4.6 million this year. It is a minimum allocation figure. That is what South Carolina is going to get.

Virginia is going to get the $72.3 million that it was allotted under the formula. There is no reduction in the minimum allocation for the year. If one takes the first quarter, it does not meet the timetable that one might associate with the minimum allocation. But when the year is over, everybody will have had an obligation that meets their—there is no cap on the obligation ceiling; it is a minimum allocation.

So that is where we stand, Mr. President. My colleague, the ranking member, looks as if he has something to say, and I yield the floor.

The PRESIDING OFFICER. The Senator from New York is recognized.

Mr. D'AMATO. Mr. President, I think it is important to understand that nobody wants to attempt to say what States can or cannot draw down. We are in a fiscal bind. As a result of this control—it is a device by which to control cash flow—every State will get every single penny that it is entitled to. We do not reduce any, but for the first quarter we ask you to stay within this limit. If you stay within that limit, it gives us the ability to manage our flow under the allocation formulas, under that which we are given in our budget, to provide an additional $188 million.

Let me tell you what takes place if the amendment of the Senator from Virginia is agreed to. We would have to go back and cut 188 million dollars' worth of programs. Is that what you want to do? If you want to, that is what we will do. If we want to argue about States rights, we have no argument with that. But this is a practical fact, a practical impact. The impact is that we will reduce programs—highway programs, essential programs—by $188 million.

The period of time we talk about, as a practical matter—and I heard the Senator from Virginia give reference to this, and he is absolutely right—is during the period of time when we are not obligating in spending those moneys, in any event. So if we were really impeding States, et cetera—you say you should not be doing this. They can let the contracts out. They know with certainty that they are going to get every single penny.

The fact of the matter is that you do not generally begin to use those moneys until after the first quarter of the fiscal year, in any event.

So what we are doing here is arguing something that sounds like really somehow we have a detrimental impact on States and we should not be doing it when, indeed, in managing the cash flow we provide $188 million more to States that they otherwise would not get for transportation needs.

I do not want to go back to the drawing board and figure out whose $188 million is going to be lost, because I want to tell you something. Everybody has projects that are necessary, that are deserving, and we do not have sufficient funds to fund it all. There are bridges that are necessary.

You see us battling, pushing, shoving to find out where does the money come from, and we just do not have it all.

So if the Senator is successful in this amendment, the principle that says this is the States' money, they can draw down upon it at any time, we say look for the first quarter only 15 percent, he carries the day, and we lose $188 million in necessary brick and mortar in infrastructure, bridges, roads, and highways. I think that would be a shame.

For that reason, I will be opposing the Senator's amendment.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. I thank my colleague for his comments.

Mr. President, the Senator from Virginia does not wish in any way to be dilatory at this point in time on this amendment. There are a number of Senators who have joined as cosponsors. There are a number of Senators who had taken a part in the debate in 1992 on an issue which I believe is parallel in almost every respect to the one raised by the pending amendment of the Senator from Virginia.

So I just simply say I urge those colleagues who wish to address this issue to do so and do so in a timely manner, because I would be happy to ask for the yeas and nays at the appropriate point here and proceed to allow the Senate to make a determination as to what its will is on this amendment.

I have just received a communication that Senator KOHL desires to be an original cosponsor, and I ask unanimous consent that he be so listed.

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

Mr. WARNER. Mr. President, I also wish to advise my colleagues that the Secretary of Transportation of Virginia, Mr. Milliken, has communicated with secretaries of transportation in the donor States. That communication essentially follows the lines of the debate that the Senator from Virginia has framed this morning. But he has put them all on alert that, in his judgment, as a seasoned administrator of a State highway program and one who has worked in this area for much of his lifetime, this provision currently in this bill is precedent setting and the provision will allow the Appropriations Committee, if it is adopted by the Senate, to control the minimum allocation account in the years to come. It is simple as that.

I yield the floor.

The PRESIDING OFFICER. The Senator from New York.

Mr. D'AMATO. Mr. President, let me make another point here.

Why should we have any controls? Why do we not throw out the whole kit and caboodle?

The distinguished friend and great friend and Senator from Virginia points to this one program. It is $2.117 billion, and that is a lot of money. We are trying to get cash management here, cash flow.

But the basic highway program also has a control and that is $18 billion, $18 billion, and we have a control. We say you cannot spend more than 25 percent. The reason we do that again is that you simply could not—first of all, your budget outlays would be such that we would have to reduce the overall highway program by billions of dollars. If we did not have a cash flow, we would actually lose tremendous amounts of money.

Here we are attempting to set a formula so that in the fullness of time every State will actually benefit, including Virginia, as a result of this. Otherwise, what we are going to have is a reduction across the board of $188 million out of the $2 billion, roughly, that this amendment addresses.

So it is not that we have singled out these States, the donor States. We have not. There is a control system whereby we say the first quarter there

is a cash control for the rest of the States and the rest of the programs called the basic highway program. That is infrastructure, maintenance, bridges, surface transportation, and the Federal Land Highway Program. They all flow under the same and similar kind of restriction that says they can only spend 25 percent of their money during the first quarter.

Absent that, it would cost us, in terms of the total amount of money we are able to allocate for road and highway construction, probably close to $1 billion we would lose. Does that make sense? I do not think so, just in the name of saying we are going to give States more independence to operate this.

I am for States rights, but again this is management of moneys which we have a responsibility to see that we leverage and get the most for our taxpayers. I think that is where we are.

So it is a rather simple matter, and I would hope that we do not becloud it with this issue that somehow we are taking money and straining the use of dollars to a State when they are going to get every single penny under the formula, every penny.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. LAUTENBERG. Mr. President, I just wanted to respond to one reference the Senator from Virginia makes repeatedly, and that is to use the debate in 1992 as a point of reference to point out that this is an extension of the same argument and, therefore, we have an unresolved problem. I point out with all due respect that debate was not about this subject. That debate had to do with whether or not the minimum allocation was, in essence, fair or unfair.

I point out that there was extended debate. The side that I was on prevailed in that debate. But when we went to conference, we made adjustments to try to accommodate the donor States.

That had little to do with whether or not there is a cash distribution or obligation resource distribution one quarter to the next.

The Senator from New York pointed out we are talking about 15 percent in this first quarter. Sure, everyone knows that 15 percent is not one-fourth of 100, but it was designed to give us the maximum flexibility to extend the spare resources that we have to cover as many situations as we can. Some have faster spendout programs; some are slower. Highways are relatively slow unless they are maintenance and rehab funds.

So, I think, Mr. President, it is fair to say that we have a bill here that is already overdue, that we can hang on to for extended periods if we would like to.

If there is an issue, and every Senator has a right to disagree with the conclusions that the committee came to, then I think, Mr. President, in fairness we ought to move to try to resolve it. If there is a vote going to be called for, then we ought to try to move it. If not, then this debate will simply linger on.

We have heard the arguments. They do not get better; they often get louder, and it does not bring any light; it brings heat.

I hope that we will be able to resolve this issue one way or the other.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, I repeat my willingness to cooperate with the managers of this bill and to expedite the work of the Senate.

It is not the intention of the Senator from Virginia to bring this matter continuously up and be dilatory. So I alert those colleagues who may wish to speak to this matter from the perspective of the Senator from Virginia to come to the floor as soon as convenient. Otherwise, I will simply ask for the yeas and nays, and we will proceed with a vote.

I point out that this provision which the Senate Subcommittee on Appropriations has placed in their bill is not in the House bill and will be a conference item.

So, while we may not muster the votes today to support the position of the Senator from Virginia, I would suggest that a strong vote in support of my amendment would make this a more credible conference item, and that in a manner similar to the manner in which we handled the 1992 debate, namely, banded together and indicated a willingness to speak at length on the conference bill is a course of action we are likely to take.

The distinguished manager of the bill from New Jersey pointed out that accommodations were made following the 1992 debate. That accommodation is plain and simple. The provision was stricken in conference from the bill. You might call that accommodation. I say it was clearly a reaction by the conferees to the minority here in the Senate from the donor States that made their case very clear.

Mr. President, at this time I wish to add to the list of Senators who support this. I read from page S11541 of the CONGRESSIONAL RECORD of August 5, 1992, those 39 Senators who supported the Bond amendment. Then when the letter went forward the Senator from Alaska [Mr. MURKOWSKI]; the Senator from Montana [Mr. BURNS]; the Senator from Idaho [Mr. CRAIG]; the Senator from Wyoming [Mr. WALLOP]; and Senator DIXON joined bringing that number up to 44. That was the total number of Senators who signed the letter. Of course, that letter is in the RECORD.

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.

Mr. LAUTENBERG. 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. COATS. Mr. President, I know I should not be surprised to be debating the minimum allocation requirement again. But I am disappointed that this committee is again attempting to restrict highway funds designated through the highway trust fund for donor States.

The issue of minimum allocation is extremely important to donor States. These are the States who have for many years been making large contributions into the highway trust fund but have not been receiving adequate return for these taxes.

Mr. President, it really is an issue of fundamental fairness. The highway trust fund was established in 1956 as a way to fund the Interstate Highway System. However, its original purpose is virtually complete since almost all of the Interstate Highway System is now open to traffic. But States like Indiana continue to pay taxes into the trust fund without receiving an adequate return.

In 1982 it was recognized that there were essential inequities in the highway trust formulas. It was decided that these donor States should receive, at a minimum, 85 percent back after the disbursements under the highway trust fund formula were made. Although still inadequate, this was an attempt to increase the number of the dollars going back to donor States.

Just 2 years ago, when considering the reauthorization of the Intermodal Surface Transportation Efficiency Act, the donor States fought hard to completely overhaul the highway trust fund formulas. In my opinion, these are outdated and unfair. We lost this battle.

But after many months of heated discussions and lengthy debate, it was agreed at the end that donor States would receive an increase in their minimum allocation to 90 percent. This was a deal which was agreed to and voted on in 1991.

But once again, the framers of the appropriations bill have violated the spirit of this agreement by seeking to limit the funds available to minimum allocation States. We saw it happen last year when they moved to put the minimum allocation funds under the budget ceiling, thus reducing the amounts promised to donor States. And we are seeing it again now as they try to limit the funds donor States can access.

Mr. President, this move demonstrates that the committee does not intend to honor the commitment made.

The Senator from Virginia's amendment would restore the commitment made to donor States by removing any restriction. His amendment is about fairness and honoring deals. I urge my colleagues to vote in support of his amendment.

Mr. KOHL. Mr. President, I want to join my colleague Senator WARNER in expressing my objections to the portion of the fiscal year 1994 Transportation appropriations bill which reneges on the agreements made with donor States such as mine.

Two years ago, when the Senate debated the Intermodal Surface Transportation Efficiency Act [ISTEA], one of the most hotly contested issues was funding equity among States. At that time, I joined with my colleagues in opposing any continuation of transportation funding allocations that did not treat States equitably. In recognition of the these concerns, ISTEA reaffirmed the commitment made to donor States through the Minimum Allocation Program [MAP] of the Surface Transportation Assistance Act [STAA] of 1982. This program compensates States that pay more into the highway trust fund than they receive in highway grants. The importance of restoring equity in transportation funding was so integral to the STAA and ISTEA, that these laws clearly exempted the MAP from the obligation ceiling. This promise was absolutely necessary to assure that the equity achieved for donor States would not eroded through the appropriations process.

Last year's transportation appropriation bill ultimately kept the important promises made to donor States. In spite of the fact that the Senate fiscal year 1993 Transportation appropriations bill included the MAP under the obligation ceiling, the conference report ultimately excluded the MAP from the obligation ceiling.

Mr. President, this year's Senate Transportation appropriation bill once again attempts to renege on the promise made to donor States. But unlike last year, this year's bill attempts to whittle away at the guarantee made to donor States in a much more subtle manner. Instead of simply placing the MAP under the obligation ceiling as last year's bill did, this year's bill starts to place unauthorized funding restrictions on the MAP program, by limiting the funds allowed to be obligated under the Minimum Allocation Program in the first quarter of fiscal year 1994 to 15 percent of the total fiscal year 1994 appropriation for that program.

This requirement is in direct conflict with the promise made to donor States through the Minimum Allocation Program of ISTEA. This requirement sets the dangerous precedent of placing additional funding restrictions on a program which has been explicitly exempted from these restrictions by current law.

I believe it is fair to say that many of the donor State Senators would never have supported passage of the ISTEA bill if they had not been guaranteed that the MAP program would be insulated from erosion through the appropriation process. To go back on that agreement, as this appropriations bill does, is to reopen that debate, and in my opinion, it is irresponsible. I urge my colleagues to vote in favor of the Warner amendment.

Mr. FAIRCLOTH. Mr. President, I stand to speak in favor of Senator WARNER's amendment, of which I am a cosponsor, to strike language amending ISTEA. The bill before us, as currently written, is unacceptable to North Carolina, Virginia, and the other so-called donor States.

I was not here during the debate over the Transportation bill in 1992, but I was North Carolina Highway Commissioner for 8 years in the 1960's, and I know what it is like to be a donor State. It is not an enviable position to be in. North Carolinians do not like paying taxes any more than anyone else in the country—and they sure do not like getting back less than they paid in.

But from what I see, a lot of progress was made in ISTEA to bring some common sense and equity to the highway program. Prior to ISTEA, North Carolina was getting back about 75 cents to the dollar of Federal gas tax receipts. Now we are getting about 87.5 cents, not the 90 percent we are supposed to be getting, but a good deal better than things were a few years ago.

Now, after all this progress has been made, we see in the bill before us a small provision—some say inconsequential—which restricts the amount a State can spend of its minimum allocation to 15 percent in the first fiscal quarter.

"No big deal," we are told, "Your State will still get its money." Well, as a former highway commissioner, I can tell you it is a big deal.

After States like North Carolina fought long and hard to get back a reasonable portion of their contributions to the Federal highway fund, we are not going to take lightly any tinkering around with the manner by which we get our fair share.

Mr. President, as I said, I was not here when we last debated the minimum allocation issue. But it seems to me that the whole point of that debate was to provide donor States like North Carolina with a certain amount, one they could count on, in exchange for their willingness to foot the bill for States on the receiving end.

By restricting the amount a State can spend of its fair share, I think the Senate reneges on that agreement. If it is not a big deal, then let us just vote in favor of the Warner amendment and be done with the issue. Now is not the time to tinker with ICE–TEA, and now is not the time to encroach on the rights of donor States to receive their fair share in an appropriate and timely manner.

Mr. President, I ask unanimous consent that a letter from Secretary Sam Hunt, of the North Carolina Department of Transportation, be inserted into the RECORD.

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

STATE OF NORTH CAROLINA,
DEPARTMENT OF TRANSPORTATION,
Raleigh, NC, October 4, 1993.

Hon. LAUCH FAIRCLOTH,
Hart Senate Office Building,
Washington, DC.

DEAR LAUCH: As you know, the "donor" states have worked together for several years to protect our interests in the federal transportation appropriation process. An important part of that work may be threatened.

The Senate Transportation Appropriations bill amends the Intermodal Surface Transportation Efficiency Act (ISTEA) to restrict the amount of Minimum Allocation funds that can be spent in the first quarter. While this may not have a short term practical effect on our programming, it could set a dangerous precedent toward bringing the entire Minimum Allocation program under the obligation ceiling.

Minimum Allocation funds currently are outside the obligation ceiling, and bringing them under the ceiling would reduce the amount the donor states would receive, compounding further the disparity between donor and donee states. While the above bill does not specifically move the Minimum Allocation funds under the ceiling, it could be a step in that direction.

I am told that Senator Warner and others may propose an amendment to strike the bill language referencing section 157 of title 23, which would alter the MA program. I would urge you to support any effort to retain the full effectiveness and intent of the Minimum Allocation Program.

I appreciate your help and support. If you have questions or require additional information, please call Ms. Hannah Byron in North Carolina's Washington Office.

With warmest personal regards,

Sincerely,

SAM HUNT.

Mr. FEINGOLD. Mr. President, I am voting with the Senator from Virginia [Mr. WARNER] on his motion to waive the Budget Act so that his amendment to strike the provisions inserted into the appropriations bill which alter the statutory guarantee that highway trust fund States receive at least 90 percent of their contribution can be considered on the merits because I oppose the action taken by the Appropriations Committee in this regard. Wisconsin is, of course, a donor State and sends more highway tax money to Washington than it receives back from the highway fund.

I am very disappointed that the Senator from Virginia did not include in his amendment an offset so that a budget waiver would not have been required. However, all of the parties in

this debate have made it clear that if the amendment of the Senator from Virginia prevails, an amendment would immediately be offered to reduce other accounts in the bill to bring it below the budget ceiling. With that understanding, I support the motion to waive the Budget Act with regard to the Warner amendment because I believe his amendment is clearly correct on the merits and I want to send as strong a signal to the conferees that this inequity should be corrected in conference.

Mr. LAUTENBERG. Mr. President, we have had a good airing of the amendment from the Senator from Virginia. I believe that this would cause us to change the structure of the bill.

Therefore, Mr. President, I raise the point of order under section 602(c) of the Budget Act, as amended, that the amendment provides outlays that are in excess of the subcommittee's 602(b) allocation under the fiscal year 1994 concurrent resolution on the budget and is not in order.

Mr. President, we await the decision of the Chair.

The PRESIDING OFFICER. The Senator has made a point of order. The Chair is prepared to rule.

The Senator from Virginia is recognized.

Mr. WARNER. Mr. President, I move to waive the Budget Act with respect to this 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 were ordered.

Mr. WARNER. Mr. President, I ask the Senator from Virginia [Mr. ROBB], be added as a cosponsor.

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

Mr. WARNER. Mr. President, I wish to inform my colleagues that the Senator from Virginia feels he has expressed in the course of this debate, some 1½-plus hours, all the points I wish to raise. It would not be my intention to appeal the order of the chair. Therefore, this vote now framed will be the vote that would be dispositive of this issue.

Mr. President, the leadership has communicated with the floor and has indicated it would be most convenient for the Senate as a whole, I think, to vote at 11:15. Am I correct on that?

Mr. LAUTENBERG. That is correct. We ask unanimous consent to do that.

Mr. WARNER. Therefore I advise the managers the Senator from Virginia would have no objection should they seek to lay this amendment aside and proceed to other business with that understanding, and therefore I ask unanimous consent the Senator from Virginia may have a vote on the point of order at the hour of 11:15.

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

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. LOTT. Mr. President, I ask I be allowed to proceed for 5 minutes as in morning business.

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

The Senator from Mississippi is recognized for 5 minutes.

SOMALIA

Mr. LOTT. Mr. President, the United States is a country with a great heritage of supporting floundering democracies, and a heart which reaches out to people in need. In December of last year, President Bush, acting out of compassion for the tens of thousands of starving people, sent America on a mission to Somalia. It was a mission of peace and it was a mission of compassion.

That mission has been carried forward by the present administration. It is also a mission that has been completed. With its completion the time has come for the United States to leave Somalia. We should not continue to mortgage the lives of Americans for a country with no government and a people who refuse to assume responsibility for their own destiny.

Under no circumstances should the United States remain in Somalia, only to place more American lives at risk. The newly emerging policy toward Somalia is a growing monster which is out of control and is now eating our own. Our policy no longer seeks to end the starvation and hunger which struck thousands, perhaps millions, over the last 2 years in Somalia. No longer do we simply pursue a cessation of fighting in order to allow the free flow of food. We are now trying to create a peace, where no peace exists. We are also learning you cannot make peace when armed bandits and two-bit hoods are intent on disrupting the peace.

President Clinton's policy toward Somalia is based on the United Nations Security Council resolution 814, which is very different from our original mission to stop the starvation and allow food convoys to reach the Somali people. The Clinton policy as it now appears seeks to recreate a country, a country which has no civil authority, no national economy, and no functioning government.

Our ambassador to the United Nations has suggested we must now raise Somalia from a failed state into an emerging democracy.

My question is, Why? Why is that our role, our responsibility? Is it in our national security interest to do that?

While the administration's goal may be laudable, why is it our responsibility—our responsibility—to restore peace and a government to Somalia? Where is our national interest which compels the United States to create this U.N. notion of Utopia? Why must the United States squander our national treasure of America's best men and women to create peace in a land where peace is not wanted? It is not America's responsibility. We have no national security interests at stake.

Now is the time for the United States to leave.

As I am sure with most Members of the Senate, I have been receiving lots of calls from back home asking, What are we doing? I talked this morning to the mother of two young Marines. She is saying my young sons are not over there yet but they may have to go. Why? What is our goal? What is our responsibility there?

American military forces are ill suited for this mission. Our forces are designed, equipped, trained and maintained to fight and to win in combat. If you give our forces a military objective they will meet that objective. But they are not trained to pacify unruly mobs. Americans have no desire to see their men and women degraded, killed, and defiled by lawless reprobates who drag the bodies of Americans through the streets to be kicked and spat upon.

The American people will not stand for this. We have met our mission. The time has come to leave Somalia. I see no U.S. security interest which requires the United States to remain. If the President believes such a national security interest exists and requires our presence, he needs to explain it to the American people, needs to come to the Congress, tell us what the goals are, let us debate it. I believe we will follow the Commander in Chief's lead. But right now the situation is totally intolerable.

Beyond the issue of Somalia, we need to examine the underlying assumptions guiding the administration and all of us, frankly, to the conclusion that we must remain in Somalia. The Clinton administration appears dedicated to sending the U.S. military into dangerous seas of multinational peacekeeping in an effort to elevate the status of the United Nations into a guardian arbiter of the new world order.

Key to this new vision of the world is creation of a new world army whose singular purpose is to enforce the whims of the arcane United Nations Security Council. The administration's effort to create a new vision for the U.S. military is embodied, I fear, in a new Presidential directive, called PDD–13. Under PDD–13, the United States becomes the trainer and bill payer of an effort to create a military

command structure for the Secretary General of the United Nations. That, too, I believe, is unacceptable.

Only 2 weeks ago the Senate extensively debated the merits of placing U.S. military forces under the command and control of the United Nations.

While lively and animated, the debate did not resolve the proper role for U.S. military in the United Nations. It would be nice if the Congress had the luxury of time to debate this issue in the calm, deliberative Halls of the U.S. Senate. Unfortunately, the events in Somalia over the last 10 days have forced this issue. Now is the time for the Congress and the Nation to examine this policy, in conjunction with the Clinton administration, of whether or not, and under what conditions, we would ever allow U.S. forces to be totally under U.N. command.

MORTON HALPERIN'S ROLE

The Clinton administration's pointman on crafting the U.S. military role in this new world, is Dr. Morton Halperin, the nominee for the position of the Assistant Secretary of Defense for Peacekeeping and Democracy. Mr. Halperin is widely recognized to be the architect of PDD–13. Mr. Halperin is awaiting confirmation and I propose that Mr. Halperin become the calayst which begins the debate regarding the Clinton effort to multinationalize the U.S. military. We must examine Mr. Halperin's role in drafting PDD–13. What are his views regarding this Somalia experiment which is now costing American lives on a daily basis?

The administration's incremental effort in Somalia requires that we debate the administration's policy now. Yesterday, the Clinton administration announced that 7 more helicopters, 4 M–1 tanks, 14 Bradley fighting vehicles, 2 AC–130 gunships, and 250 more people will be going to Somalia. Yet, the administration continues their commitment to placing U.S. troops under U.N. command, continues to follow the same rules of engagement and continues to place U.S. lives at risk. If the President remains committed to staying in Somalia, we must dramatically increase our United States presence. Nothing short of total occupation by U.S. forces—under U.S. command—is acceptable. My preference is that the United States leave Somalia.

Mr. President, I will just conclude with this. We have already spent well over $1 billion—I understand perhaps over $1.5 billion—in Somalia. Over 20 Americans have been killed and hundreds have been wounded. The famine in Somalia has essentially been eradicated. This year's harvest is adequate to feed the country. Our humanitarian mission in Somalia is complete. Our mission has been accomplished. We should declare victory and get out. Remaining in Somalia only will cost more U.S. lives, squander U.S. power, and commit the United States to an unending quagmire from which we cannot easily withdraw. This is an unacceptable situation, Mr. President.

I yield the floor.

(Disturbance in the visitors' galleries.)

The PRESIDING OFFICER. The Chair advises the galleries that it is not permissible for the galleries to express approval or disapproval for what is going on in the Senate.

Mr. LOTT. I suggest the absence of a quorum.

The PRESIDING OFFICER (Mrs. BOXER). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES APPROPRIATIONS ACT, 1994

The Senate continued with the consideration of the bill.

The PRESIDING OFFICER. The question is on agreeing to the motion to waive. The yeas and nays have been ordered. The clerk will call the roll.

The bill clerk called the roll.

Mr. FORD. I announce that the Senator from Alabama [Mr. HEFLIN] is necessarily absent.

Mr. SIMPSON. I announce that the Senator from Kentucky [Mr. MCCONNELL] is necessarily absent.

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

The yeas and nays resulted—yeas 35, nays 63, as follows:

[Rollcall Vote No. 303 Leg.]

YEAS—35

Bennett	Ford	McCain
Bond	Glenn	Metzenbaum
Boren	Graham	Nickles
Chafee	Gramm	Nunn
Coats	Hatch	Riegle
Coverdell	Helms	Robb
Danforth	Hollings	Sasser
DeConcini	Hutchison	Shelby
Dole	Kohl	Thurmond
Durenberger	Levin	Wallop
Faircloth	Lugar	Warner
Feingold	Mathews	

NAYS—63

Akaka	Dodd	Leahy
Baucus	Domenici	Lieberman
Biden	Dorgan	Lott
Bingaman	Exon	Mack
Boxer	Feinstein	Mikulski
Bradley	Gorton	Mitchell
Breaux	Grassley	Moseley-Braun
Brown	Gregg	Moynihan
Bryan	Harkin	Murkowski
Bumpers	Hatfield	Murray
Burns	Inouye	Packwood
Byrd	Jeffords	Pell
Campbell	Johnston	Pressler
Cochran	Kassebaum	Pryor
Cohen	Kempthorne	Reid
Conrad	Kennedy	Rockefeller
Craig	Kerrey	Roth
D'Amato	Kerry	Sarbanes
Daschle	Lautenberg	Simon
Simpson	Specter	Wellstone
Smith	Stevens	Wofford

NOT VOTING—2

Heflin	McConnell

The PRESIDING OFFICER. On this vote the yeas are 35, the nays are 63. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

The adoption and enactment into law of the pending Warner amendment would provide for budget outlays at least $30 million in excess of the appropriate allocation of such outlays reported under subsection 602(b) of the Congressional Budget Act of 1974 for the Subcommittee on Transportation and the Related Agencies in connection with the concurrent resolution on the budget for fiscal year 1994, in violation of sections 602(c) and 302(f) of the Congressional Budget Act.

Therefore, the point of order is well taken and the amendment falls.

Mr. LEAHY addressed the Chair.

The PRESIDING OFFICER. The Senator from Vermont is recognized.

SOMALIA

Mr. LEAHY. Madam President, I have listened over the last 12 weeks to the words of the distinguished Senator from West Virginia [Senator BYRD], regarding Somalia. I must admit I have taken his remarks home, and I have listened to them on the floor. We sit virtually next to each other on the floor, and I have listened to him speak on this subject. I have read what he said afterward, even to the extent of taking some of his remarks back to my home in Vermont where I could read them outside the beltway.

I told the distinguished Senator from West Virginia that had his original resolution on Somalia gone forward, I intended to vote for it. There was a compromise on the then-agreed-upon resolution that was passed. And I agreed with the Senator from West Virginia and the distinguished majority leader, the minority leader, and everybody else involved who put the compromise together, under the conditions at that time. But I also listened yesterday when Senator BYRD was speaking, and I went back this morning, and dug out some comments I made on December 1. That is December 1, 1992.

I spoke then of the troops going into Somalia. I said that U.S. forces were part of the U.N.-mandated military operation and they were going to be replaced as soon as possible by a U.N. peacekeeping force. I said some U.S. forces might be part of that U.N. force, but I expected most of the U.S. forces to be withdrawn as soon as their humanitarian mission was done.

Last December, I said there was a clear and attainable strategy for these forces. We were going in with overwhelming power to secure ports and airfields, to secure safety of the food distribution operation.

I said they were not going in to fight the warlords or pacify the entire country. Let me repeat that. Last December, I said it was not our purpose to fight the warlords or pacify the entire country, but to end the famine.

I also said I believed that the United Nations must also be responsible for providing leadership in developing a political solution to the anarchy that would simply reappear the moment the troops left.

Last December, I urged the President to press the United Nations to accept that responsibility as soon as possible.

Then, Madam President, in my remarks a year ago, I said I was very concerned that we not go in there without knowing how we are going to get out. Somalia must not be allowed to become another Lebanon where our Marines met with disaster.

I supported the original goal of United States intervention, to feed the starving Somali people, to stop the killing. At the time, though, I was deeply troubled about what would happen after the famine was ended. I called at that time for a U.N. peacekeeping force, with them taking over the peacekeeping responsibility as soon as the humanitarian part had ended.

Unfortunately, I do not think the United Nations has carried out its peacekeeping and peacemaking duties as well as we had hoped. In fact, it has failed to achieve vital goals such as restoration of minimal government services. This has forced a very sizable U.S. force to remain much longer than anybody in the Congress or anybody in the American public expected them to.

The U.N. role still remains unclear. Unfortunately, the mission of the U.S. forces also remains unclear, and deaths of Americans are rising.

Somalia is becoming an intolerable and totally unacceptable situation. With the humanitarian mission completed, and no agreement on a new mission, I cannot support U.S. troops being in a situation of hostilities without an authorization of Congress.

This is the position I took in April 1975, as the most junior Member of the United States Senate, regarding Vietnam. I said it in actions in Beirut and in the Persian Gulf, that American troops, except in an absolute emergency situation, should not be put in a situation of long-term hostilities without a very clear Presidential declaration of why they are there, what their goals are, and then with a congressional resolution backing that mission.

This is what we did in the Persian Gulf war. I think that the fact that there was so much Congressional support after that resolution, far more support than there was before, reflected the fact that the Congress and the American people had debated it and voted on it.

Now, if the administration can present a clear mission for the United States forces as part of a realistic, well-defined U.N. policy for restoring government in Somalia, let them do that and let us vote on it. But absent such a clear statement of the mission of the U.S. forces, without a well-defined exit strategy when we can say they accomplished their job and can come home, I cannot vote for such an authorization. It is not fair to our troops. It is contrary to the warmaking powers of the Congress.

Madam President, there is one thing we must learn and we must understand, especially as we stand here as the one superpower of the world, if we are going to use the warmaking powers of this country, that our Constitution is very clear how that shall be done.

The President has a major defining role as Commander in Chief, and I would not in any way suggest that that role be taken from any President. But the Constitution also gives a very clear role to the Senate and the House of Representatives.

In Somalia neither of those roles have been carried out. It started out as a humanitarian mission, and it has turned into something completely different. It is very possible we may have a defining statement of why we are there, what our goals are, and what will cause us to leave. But as of this moment we do not have that.

We must have it, and then we must vote on it. We must stand up and be willing to vote on it. We must be willing to state our position on it and be willing to face the American people.

I do not know what that vote will be. I do not know what the administration statement might be. But without it, American troops must come back out of Somalia. It is as clear as that. If American troops are going to stay in Somalia under these kinds of hostilities, then there has to be a vote of Congress saying that we understand their purposes, we agree with their purposes, and we vote for them to stay there.

I want to see that kind of debate. I want us to hear the justification provided by the President for retaining U.S. troops. I want to hear a clear explanation of what the U.N.'s role will be, because frankly I have not been impressed with the United Nations. I have not been impressed with the way they have carried out their role. I have not been impressed with their definition of the role. I have not been impressed with their actions.

But I also feel a responsibility as a U.S. Senator to the men and women we send in harm's way. Every member of the Armed Forces knows that when he or she takes that commission, when they are sworn in, that they may be placed in harm's way. They know it and I admire them for doing it.

I remember the great pride I felt on graduation day at Parris Island watching my own youngest son when he completed his training with the U.S. Marine Corps. We all know, every parent, every brother, every sister knows, every member of the family who takes that oath, that they may well be placed in harm's way. But every one of those men and women in our Armed Forces also should know if they are going to be placed in harm's way it is going to be with a clear definition of why they are there, a clear definition of America's goal for being there and that the Congress will uphold the Constitution by voting for it.

Thank you very much, Madam President.

Mr. WARNER addressed the Chair.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Madam President, I ask unanimous consent that my remarks may follow the remarks of my distinguished colleague from Vermont.

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

Mr. WARNER. Madam President, I, like every single American, was grievously pained to the heart as we saw those pictures yesterday and as we learned of the loss of our brave service persons serving in Somalia.

Madam President, I have voted for the measure brought forth by our distinguished senior colleague, the Senator from West Virginia [Mr. BYRD], that calls for an orderly process of consideration, first, by the President in his role as Commander in Chief, and then by the Congress in its role under the Constitution, a role equally important to that of the President in terms of our ability to declare or not to declare war or otherwise through appropriations support the actions of a President when those actions involve the life and limb of service persons in combat. It is an orderly process.

I listened very carefully to my colleague's remarks. I believe that I understood him to say very clearly—and I join with him on that—that we, the Senate of the United States, and hopefully the Congress as a whole, want to support our President.

The role of the Commander in Chief is a burdensome one. It is a lonely one. I assure you, without factually knowing it, but I assure you that no one had a heavier heart last night on seeing those pictures of American service persons brutally dragged through the streets of Mogadishu, Somalia, by those bands of ungrateful, undisciplined individuals. No one suffered more than our President.

And I have had the privilege, as have other Members of this Chamber, of working with our President on foreign policy issues, be it Bosnia or Somalia. But we must stand with our President, his National Security Adviser, and his Secretary of State. I urge my colleagues to look at the transcript of the interview of the Secretary of State last night on the MacNeil-Lehrer show in

which he explicitly stated the goal of the President and the goals of this Nation with respect to Somalia.

But we have to work with our President. Nothing we can do in this Chamber or by the Congress of the United States can ever be viewed or construed as a cut and run policy, no matter how difficult that may be politically or otherwise for the individual Members of the Congress. Our credibility in handling our role in Somalia will determine our credibility in handling other situations in which we, as the leader of the free world, invite other nations to come in with their troops and coalition forces to resolve these unpredictable problems as they arise throughout the world. That is what we must stand for—credibility.

I think our President, to date, has handled this situation as best he can. His principal advisers have carefully come before this body. They came before the Senate Armed Services Committee yesterday and briefed us on Somalia; a tragic story. And there will be some questions about the military tactics employed which might have resulted in the tragic loss of life and limb that we experienced as a nation yesterday.

But bottom line: The Congress must work with our President. Our President is doing his level best. Nothing we do can ever be construed as cut and run or it will destroy our credibility to form coalitions to deal with comparable situations in the future.

I yield the floor.

Mr. LEAHY addressed the Chair.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Madam President, I wish to respond very briefly.

The Senator from Virginia knows I have, in my capacity as chairman of the Foreign Operations Subcommittee, stood with Presidents, both Republican and Democrat, on major foreign policy issues and have helped them carry out major foreign policy issues, as indeed he has. In fact, he and I worked very closely together on a number of those matters.

I want to support our President no matter what party he may belong to on a foreign policy issue.

When we speak of standing with the President, Madam President, I will stand first with the Constitution of the United States, and I will stand with that Constitution which requires us to exercise our warmaking powers. Now that may well mean that we are standing side by side with the President of the United States and that we vote for the same thing that he wants, and that may well be.

But, first and foremost, the President of the United States has to stand with the Constitution, as we have to stand with the Constitution. That is really what makes this the powerful Nation that we are.

That is all I am saying—that we are going to have a goal there. Let us define it and let us vote on it.

I am not asking to cut and run. I am not asking to stay. I am just saying, let us have our goal defined clearly and then let us vote for it.

The stand that I have always taken before is I will always try to support and help Presidents on foreign policy issues as the leader of our country. But I will stand first and foremost with the Constitution of the United States before I will any President of any party.

I yield the floor.

Mr. WARNER addressed the Chair.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. If I may might reply to my distinguished friend. We ought to stand with the Constitution. We stand at that desk and take the oath of office, when we are privileged to become U.S. Senators, to support the Constitution.

But I ask my friend: Historically, when was the last time the Congress of the United States declared war? We are talking about the war clause of the Constitution. This body has abdicated its responsibility time after time when Presidents have called our troops into action and in harm's way.

We get all confused with this War Powers Act. Several of us here, including the distinguished Senator from West Virginia, the Senator from Maine, the Republican leader, the Senator from Georgia, and I have had tried on several occasions to get the attention of this Chamber to clarify that ambiguous piece of law. So let us be cautious.

I am not sure that when the Senator from Vermont refers to the constitutional powers to declare war if he is suggesting that be done in this instance. Because I believe that Presidents have worked within the spirit of the War Powers Act and Congress has not seen fit to declare war for some period of time. My recollection is World War II.

Mr. LEAHY. Madam President, if the Senator will yield, my statement is precisely what my statement was.

I made a clear reference to the debate and resolution that was passed by the House and the Senate at the time of the Persian Gulf war. I believe that that is the absolute minimum we can do here in this case.

I have taken this position consistently. I did in April 1975, on the debate in the Armed Services Committee, as a member, regarding continued authorization for the war in Vietnam. I did in Beirut. I have in Grenada. I have been a consistent voice in support of Congress exercising its right and responsibility to vote on whether American Armed Forces should be committed to hostilities. I have said that we ought at least, at the very least, to take the same steps that we did in the Persian Gulf war.

As the distinguished Senator from Virginia knows, he and I were on opposite sides of that vote. But, as the distinguished Senator from Virginia knows, there were a number of major issues that the President had to have resolved in his favor after that vote that could have been only resolved because of strong bipartisan coalition that I helped put together as chairman of the Foreign Operations Subcommittee. And I gave my cooperation. And I did it because, even though that vote had gone opposite to my position, that was the clear vote of the Congress on that issue and, therefore, I felt that once the Congress had spoken we could all move forward together.

That is what I want here. I want us to understand why we are there. I may well support exactly the positions of the President are. But he ought to state them very clearly, and we should debate them on the floor of this body.

Mr. WARNER. Madam President, in reply to my distinguished friend, he might remember that it was the Senator from Virginia, it was his bill that was the subject of that debate. I was the author, together with others, of the bill. But I was the principal sponsor of the bill to authorize use of force by then President Bush in the gulf war, and we won by a bare margin of five votes.

Madam President, let me make my position clear.

Mr. President, I have continued over the past several months to be supportive of the administration's policy in Somalia. However, I have become increasingly concerned as we expanded our objectives there at the same time we were decreasing our combat forces.

Yesterday's events and the briefing presented by the Joint Staff to the Armed Services Committee stunned both me and other Senators. It was difficult for me to believe that we had committed some of the most elite troops we have to such an operation in the middle of territory we knew to be controlled by Aideed forces with no way to reinforce them or come to their assistance. We were dependent on a U.N. multilateral force to come to the assistance of our beleagured Rangers. The U.N. force took 7 hours to respond. In the meantime, our forces paid the price in casualties.

It is unclear whether this operation was conducted under U.N. or U.S command—or who was directly responsible for ensuring that a reaction force was prepared to assist the U.S. forces. Regardless of who was in command of this operation, I believe we must make it clear that in the future, U.S. forces will operate only under U.S. commanders, and we will know who should be held responsible.

Now we are witness to pictures and accounts of United States prisoners being paraded on television and the bodies of United States soldiers being

mutiliated and dragged down the streets of Mogadishu while Somalis cheered and participated in the mutilation—Somalis that we sent our young sons and daughters halfway around the world to rescue from starvation.

Mr. President, these reports and pictures fill me anger and revulsion. I have not heard of any case where any Somalis tried to assist or support our troops in this action. Maybe there were some. I hope so.

I do not believe these atrocities should go unpunished. The attack on our forces and the behavior of Aideed's forces toward our casualties and detainees is unforgivable and I hope we will punish Aideed's forces accordingly. In addition, there should be no misunderstanding on Aideed's part that further maltreatment of U.S. detainees will not be tolerated.

Mr. President, it is now time for the Congress to involve itself in this matter. The briefing received yesterday, by the Armed Services Committee was shocking in several aspects.

The first, I have already mentioned—the lack of a reaction force that was capable of assisting our Ranger forces committed to an operation to capture some of Aideed's lieutenants. We found ourselves dependent on U.N. forces who were neither trained nor equipped to conduct the relief operation. In short, Mr. President, we committed forces to combat in a situation where we did not have the capacity to reinforce or rescue them. It is clear that we do not have adequate United States forces in Somalia to carry out the expanded missions and objectives we have now taken on and it is clear to me that our troops are at great risk when we depend on U.N. forces for such assistance and support.

The second aspect of the briefing that stunned and surprised me was the extent to which the situation in Mogadishu has deteriorated since we withdrew most of the United States combat forces. In January, we had 25,000 troops in Somalia and our mission was to ensure that humanitarian relief could be accomplished. I still believe that was a worthy mission which we achieved.

Now, we have about 5,000 troops in Somalia, about half of which are involved in logistical support but we have apparently expanded our missions to include nation-building, reconciliation and warlord-hunting.

It became shockingly clear to me during a briefing by the Joint Staff yesterday, that we are not in control at all in Mogadishu. That is another reason I was so shocked when I discovered we were conducting operations in this hostile territory without adequate reaction forces that could reinforce or assist them. It is my strong conviction that we should put enough force in the area to control it—or stop exposing our troops to the danger of operating in these areas—or get out altogether.

The administration announced yesterday that it would reinforce our troops in Somalia. Essentially, they will send 4 M1 tanks, 14 Bradley fighting vehicles, another 250 Rangers, 2 AC-130 gunships and helicopters to replace those that have been damaged or destroyed. In my view, especially after looking at that map presented by the Joint Staff yesterday, we are only proceeding down a path of incrementalism. We are committing insufficient forces and we will pay in blood again. I thought we had learned the advantages of using overwhelming, decisive force in these situations.

Last, Mr. President, I am not sure why the objectives in Somalia were expanded. What are our national vital interests? Why should young Americans die now in Somalia? It is high time the Congress seek answers to these questions.

In summary, Mr. President, my thoughts now are that if we determine there are vital national interests that justify putting the lives of young Americans at risk, then the President should put enough force on the ground and in the air to get the job done. When we have cleaned up the dissident forces in Mogadishu, the United States, working with the United Nations, should determine what else needs to be done and whether it is in our interests for our military forces to participate.

The reinforcements announced by the administration thus far can only be characterized as timid and only enough to get us into more trouble. Four tanks and 14 Bradley's are not going to change the situation in Mogadishu very much. There is no doubt in my mind that if this is all we do now, we will be faced with decisions of increased escalation further down the road.

Mr. President, again we find ourselves in a quagmire—where our original, good intentions have led us into trouble and our young sons and daughters are asked to pay the price. I believe that President Clinton did not intend that our humanitarian efforts would lead to this. I know that President Bush did not. But here we are. The Congress must now begin the national debate on this issue and must decide if it is in our national interest to remain in Somalia and if so, to be prepared to support sufficient force to prevail and protect our forces. If not, we must find a way to remove our forces in a manner that will permit us to continue to lead on issues of national interest to the United States.

Finally, Mr. President, while the Congress is debating and deciding these issues, it will be necessary for American forces to continue to be deployed in Somalia. But I believe the American people have the right to demand that we protect those forces. As I said earlier, I do not believe that the reinforcements that the President announced on Monday are sufficient to ensure that our forces can protect themselves while performing the missions they are presently assigned. I therefore call upon the President to immediately send substantial reinforcement to Somalia to provide the United States with the forces necessary to ensure that we can carry out our assigned missions with the least possible threat to our military personnel. This action should not be viewed as an escalation of United States activity or mission in Somalia—rather it is the minimum necessary action to permit our forces in Somalia to operate safely while the Congress, working with the President, reaches agreement about our long-term role in Somalia.

At the same time, the Congress must immediately begin the debate abut our long-term role in Somalia. If the Congress, working with the President, determines that it is not in our national interest to continue to have military forces present in Somalia, we must also work with the President to plan and execute an orderly and credible withdrawal of our forces from that theater. If the Congress, working with the President, determines that it is in our national interest for United States forces to be responsible for the internal political and security affairs of Somalia, as they are now being asked to do, then we, the Congress and the President, must clearly explain this to the American people and must commit adequate military force and national resources to accomplish our national objectives and to protect those young men and women we ask to carry out those objectives.

These decisions, whatever they may be, will be of major importance to the future role of the United States in this new world in which we live. We must make these decisions in recognition of their importance—they cannot be made in a single day. But at the same time, we cannot delay these decisions for months. A report is due from the President on October 15. I hope we will give the President time to provide us with this report and to make recommendations about our long-term role in Somalia. But we must then decide these issues—they can wait no longer. We owe it to the American Armed Forces and we owe it to the American people.

And I judge that the objective of the distinguished Senator from West Virginia, his resolution, which this Senator supported, is to do much the same thing as we did in that gulf operation when this Chamber, together with the other body, did step up and address specifically the gulf issue and go on record as supporting our President.

It might be construed as a de facto declaration of war under the war powers of the Constitution accorded to this body. I remember that very well, and I wholeheartedly support a similar course of action.

The point I wish to make today is we should stand fast with our President as he works through his responsibilities to inform this body of his intentions and then we act in a similar manner. Unfortunately, last night, newscasts sort of featured several who stood up and said, "It is time now, today, yesterday, to get out."

No matter how much I would like to see our forces extracted, I want to make sure they extract them in a manner that clearly indicates honor of service for those who made the sacrifices and this country provides that exit strategy in a manner that is fully understood and maintains the credibility of this Nation as a future partner in securing peace elsewhere in the world.

Mr. LEAHY. Madam President, the Senator from Virginia and I are saying the same thing. I simply am asking for another resolution as we had in the Persian Gulf war. I am not one who asked that we today turn around and leave. I have not done that.

What I have stated elsewhere is what I have stated on the floor of the Senate today: If we are going to have American men and women in harm's way carrying out U.S. policy, then let us be very clear what that policy is and let us debate and vote on a resolution similar to the one the Senator from Virginia and others put forward at the time of the Persian Gulf war. Let us vote on it because I can assure you, Madam President, as the only remaining superpower in the world, we are going to be called upon to do this sort of thing over and over again.

I could give a long list of other trouble spots that could cry out as much as Somalia did. They may not be on the evening news every night as Somalia was a year ago. Maybe that is why we do not respond to it. But there are other areas in just as much critical need. If we are going to start moving around, either as a policeman of the world or responding because of a humanitarian need, we ought to make clear what our goals are when our service people are put in harm's way and what our exit strategy is and what the support is among the American people, as reflected in the kind of congressional resolution that the Senator from Virginia and others talked about.

That is all I want. But I think we have gone so far beyond our original purpose in going into Somalia, and the U.N. mandate has become so murky that it is time to have that debate. I understand that the administration itself welcomes such a debate, and I understand there will be such a debate. I want to make it very clear what I said last December and what I say today. I have tried to be consistent all the way through. We will have that debate and then we will decide whether we stay there. I think we owe that to our military people who are there. These are extremely brave Americans. They are there because they have taken an oath to protect and defend this country. They have been directed to go there, and they are doing that.

They also ought to know that we understand what the purposes are and that we support those purposes. That is all I have said. Nothing more, nothing less. But I think that the Senator from West Virginia has clearly spoken to the conscience of this body in saying we have to go forward to vote on it one way or the other, and I agree with the Senator from West Virginia, and I join with him in that call.

Mr. WARNER. Madam President, to conclude this, I hope the remarks of the Senator does not give rise to an inference that that debate has not already started. It has started. It started weeks ago when the National Security Adviser to the President, Mr. Lake, laid down in a very explicit and clear speech the fundamental framework that this Nation should follow as we pursue our own security interests and those of our allies and friends around the world.

Subsequent to that was a speech by the President of the United States to the United Nations and his remarks made thereafter. Again, the President, in a most explicit way, laying down that framework which should guide the decisionmakers in this Nation henceforth in situations where men and women of the Armed Forces are put at risk and in situations where our security interests may be at risk.

So the debate has started and it has started quite properly under the leadership of the Commander in Chief.

I yield the floor.

DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES APPROPRIATIONS ACT, 1994

The Senate continued with the consideration of the bill.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. BRADLEY. Madam President, I ask unanimous consent that the committee amendment be laid aside.

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

AMENDMENT NO. 1016

(Purpose: To express the sense of the Senate)

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

The PRESIDING OFFICER. The amendment will be stated.

The bill clerk read as follows:

The Senator from New Jersey [Mr. BRADLEY] proposes an amendment numbered 1016.

Mr. BRADLEY. 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:

At the appropriate place in the bill insert the following:

SEC. . (a) Congress finds that:

(1) The Federal Aviation Administration is in the process of testing alternatives to the microwave landing system, which might prove more cost effective and capable of supporting category I, II, and III landings.

(2) Proceeding with full scale production of the microwave landing system, without seriously considering alternatives, could result in a waste of Government resources.

(b) It is the sense of the Senate that Congress should not fund full production of the microwave landing system in the future until the Federal Aviation Administration determines whether other alternatives to the current system can meet its needs in a more cost effective manner.

Mr. BRADLEY. Madam President, this is an amendment that says before we fund fully the microwave landing system we have to have a strong recommendation from the FAA to do so.

Madam President, I rise to introduce a sense-of-the-Senate resolution concerning the Federal Aviation Administration's program to develop an alternative to the current instrument landing system [ILS]. I believe this resolution could help us avoid wasting a lot of the taxpayers' money in the future. It promotes the very important principle, stressed by me and others on this floor, that Government should not spend where spending is not necessary.

The ILS, the current precision landing system used in the United States, has existed for 50 years. While it has served this country well, it became evident a long time ago that it should be replaced by a more advanced system.

During the 1970's, the FAA embarked upon a major program to replace the ILS. It chose as its successor the microwave landing system [MLS], a ground-based precision landing system which was thought to provide aircraft with multiple approach paths to a runway. The FAA began developing the program in 1978.

Because of early stage development problems, the FAA restructured the entire MLS program in 1990. Congress, in turn, directed the FAA to evaluate the benefits of the MLS before proceeding with a full production contract for the system. In March 1992, the FAA reported to Congress that the MLS would provide economic and operational benefits. Since then, it has indicated its desire to proceed with full scale procurement of the MLS at an expected cost, according to the GAO, of at least $2.6 billion by 2008. This $2.6 billion figure does not include the cost of new lighting systems, which would add another $260 million to $1.1 billion to the overall cost.

Given the fiscal crisis facing this country, I do not think it is wise to proceed with an expensive project like the MLS without first determining where and if it is necessary. If we can ensure passenger safety without building completely new systems, I believe we should do so.

Technology has changed since the FAA initially embarked upon its plan to replace the ILS with the MLS, making it possible that the MLS might not be the most cost-effective replacement of the current system. The most compromising alternative to the MLS, the global positioning system [GPS], has been developed by the Department of Defense at a cost of $10 billion. The FAA is currently testing civil aviation applications of this satellite-based precision landing system to see if it could serve as a viable alternative to the MLS. I do not know enough about the competing systems to determine which one would be the most appropriate replacement for the ILS. But I do believe that it is worth exploring less costly alternatives to the MLS before going to full production.

The GAO has cited several technical advantages to the GPS. It has also predicted that the cost to the FAA of making the GPS useful for civil aviation would be considerably lower than the amount necessary to develop, procure, and install the MLS. In addition, the GAO has stated that the cost of the avionics equipment needed by users of the GPS would be almost half that paid by the users of MLS.

Recognizing the fact that a more cost-effective alternative to the ILS might be possible, the GAO in a November 1992 report found that the FAA's decision to replace the ILS with the MLS was premature. In that same report, the GAO recommended that the FAA support the development of alternatives to the MLS so that by the mid-1990's it could have a meaningful basis for comparing the system's capabilities, benefits, and costs.

To prevent the FAA from going forward with a potentially wasteful and duplicative project, this amendment expresses the sense of the Senate that the FAA should not proceed to full production of the MLS until it determines whether other alternatives to the current system can meet it needs in a more cost-effective manner. If passed, it would put the FAA on notice that it should explore other less costly alternatives to the MLS before making such a large capital investment. In my opinion, we should not go forward with a new precision landing system if an existing one can be enhanced to meet our needs at a fraction of the cost.

I understand that a lot of hurdles must be cleared before the GPS can become a viable alternative to the MLS. More testing will have to be done by the FAA to make sure that the satellite-based technology will be able to work safely and effectively.

There are also political concerns. The FAA agreed with the ICAO to go to the MLS by 1998, and some foreign countries have expressed concern about the FAA going forward with a navigation system which was developed by the Defense Department. However, if these obstacles can be overcome, the potential savings for the taxpayers could be significant. If you want to make a statement for prudence and fiscal responsibility, I urge you to support this amendment.

Mr. LAUTENBERG. I thank my colleague, the Senator from New Jersey, for his amendment, and would be happy to accept it. Like him, I believe it puts the FAA on notice that it will have to seriously consider alternatives to the MLS before moving forward full production. In testimony before Congress, officials from the FAA have said that the agency will have enough information at its disposal by the end of 1995 to decide whether it would be necessary to go forward with full-scale production of the MLS. This amendment provides an even greater incentive for the agency to do so.

Mr. BRADLEY. I thank the Senator for accepting my amendment and I thank him for his leadership on this important bill.

Mr. DORGAN. Madam President, during the recent debate on the energy and water appropriations bill, I did not have an opportunity to comment here on the amendment by Mr. BRADLEY. So, at this time I wish to voice my opposition to this apparently well-intended, but poorly targeted, amendment to cut the funding provided for investigations, construction, and operations of water-related projects for the Bureau of Reclamation and Corps of Engineers.

I recognize appropriations for the Corps of Engineers were increased this year. However, I must note that the increases are largely to fund the very projects that the author of this amendment has authorized in his own subcommittee. In addition, the devastating flooding in the Upper Mississippi and Missouri River basins this year means substantial added costs for corps operations in fiscal year 1994.

In particular, however, I question the need to single out the Bureau of Reclamation construction program for further cuts for next year.

The Bureau's construction spending has been cut sharply in recent years. It was $668 million just 2 years ago, and the Senate committee has proposed $461 million for next year. In fact, that $461 million represents an additional cut of $10 million from the 1993 level. If we are looking for areas of excessive Federal spending, I don't believe the Bureau's construction fund is a fair candidate at this juncture.

Also, I wish to thank the chairman and his committee for the $35 million appropriation to continue progress on rural and municipal water improvements for the Garrison diversion project. That project in North Dakota, as many in this body know, is long, long past a reasonable completion date and we should finally provide the funds and the congressional directives to complete it for the benefit of North Dakota residents.

I also appreciate the funding the committee has provided for study of flood control improvements along the Red River of the North at Grand Forks, ND. The Grand Forks community has been repeatedly threatened by flooding over the years, and I am pleased we can start the process toward better long-term flood protection for that community.

Mr. LAUTENBERG. Madam President, I think that my colleague from New Jersey has an excellent point to make here. Technology is changing rapidly. It is improving.

I support his sense-of-the Senate resolution.

Mr. D'AMATO. Madam President, I join in supporting this resolution.

The PRESIDING OFFICER. If there is no further debate, without objection, the amendment is agreed to.

So the amendment (No. 1016) was agreed to.

Mr. BRADLEY. Madam President, I move to reconsider the vote.

Mr. D'AMATO. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER (Mr. BRYAN). Who seeks recognition?

Mr. LAUTENBERG. 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. D'AMATO. 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. 1011, AS MODIFIED

Mr. D'AMATO. Mr. President, I ask unanimous consent that Amendment No. 1011, by Mrs. Hutchison, agreed to yesterday, be modified by language which I now send to the desk.

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

The modification is as follows:

On page 37, line 12, strike "72,500,000" and insert the following: "$3,200,000 shall be for the RAILTRAN Corridor project of Dallas, Texas and Fort Worth, Texas, and $69,300,000".

Mr. D'AMATO. Mr. President, this is a modification of an amendment accepted yesterday. There are no budget implications. It is just corrective language. It has been cleared by the majority.

Mr. LAUTENBERG. 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. COCHRAN. 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. COCHRAN. Mr. President, I ask unanimous consent to proceed out of order for 1 minute.

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

TARGETED REFORM OF HEALTH CARE

Mr. COCHRAN. Mr. President, I bring to the attention of the Senate an outstanding article that was written for the Christian Science Monitor recently by our colleague from Georgia, Senator COVERDELL. The subject is "Target Health-Care Reform."

In the article, Senator COVERDELL very accurately observes that the comprehensive proposal for reform that the Clinton administration has suggested to the Congress may be too much to digest and too much to pay for all at one time. He suggests instead trying to identify the most serious problems we have in health care service delivery and costs and put our emphasis on dealing with those problems in an incremental and targeted fashion rather than the all-encompassing and way-too-expensive approach that many are suggesting the Clinton administration plan will be.

I ask unanimous consent, Mr. President, after complimenting the distinguished Senator for this outstanding article, that a copy of the article be printed in the RECORD.

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

TARGET HEALTH-CARE REFORM

(By Paul Coverdell)

I commend President Clinton for bringing the issue of health-care reform to the forefront of public debate. But his speech last Wednesday night to Congress only marks the beginning of what must be a long and protracted review of his plan.

At the core of this review is the issue of how much we want the federal government to dictate every aspect of health care in the United States. In the final analysis, a health-care reform plan for this country must envision the government as a partner to the public, not as a manager. The very aspects of our nation's health care in need of repair are those currently managed by the federal government, namely Medicaid and Medicare.

The Clinton administration envisions a powerful federal entity that will coordinate with state planning boards on the delivery of health care in the given state. Employees will receive their health care through a payment, or tax on their companies that will be mandated. The revenues will flow to these state boards, which will decide what kind of coverage is adequate and will determine who the providers will be.

Whether it is a wage-based premium, payroll tax or any other form of tax, saddling employers with the cost is the surest way to lose jobs, slow the economy, and fail to solve the need to reform the health-care system. The National Federation of Independent Business and the National Restaurant Associates estimate job losses under the Clinton plan would range from between 1 million and 3 million jobs over five years.

There is, however, an alternative to a government run plan: an option that seeks to implement "targeted reform" to preserve the best elements of our existing system while working incrementally at areas needing reform. Under this plan, I believe we must:

Ensure portability and greater access to health care.

Make the users—the patients—more involved and accountable for their medical coverage.

Work toward medical malpractice and tort reform.

Engage in administrative reform.

Alter the antitrust provisions so that high-tech equipment and services can be shared among institutions.

Review those people in my state of Georgia—and throughout the nation—who are uninsured so that we can gain a true understanding of who they are and whether they are denied access to health care.

I also believe that the public supports his targeted approach to reforming our health-care system.

On a national level, according to a CNN/USAToday/Gallup poll taken in May, more than 81 percent of the respondents are satisfied with their health insurance.

In Georgia, 88 percent of the citizens currently are insured, while 11 percent are not.

And when Georgians are asked whether they are willing to make certain changes in the current system to control health-care costs and provide health-insurance coverage for uninsured people, the results are telling: Only 32 percent are willing to limit their freedom to choose their doctor or hospital, while 66 percent are not; only 29 percent are willing to pay a larger share of health-care costs out of their own pockets, while 66 percent are not willing; and 71 percent are unwilling to pay more in federal income taxes, while 25 percent are.

If we put our minds to the true problems that exist in the health-care delivery system, we can strengthen what works, fix what is broken, and retain the superior quality of care this nation has come to expect. This is what the public wants, not another government-run program. The public is right.

DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES APPROPRIATIONS ACT, 1994

The Senate continued with the consideration of the bill.

Mr. D'AMATO addressed the Chair.

The PRESIDING OFFICER. The Senator from New York is recognized.

AMENDMENT NO. 1017

(Purpose: To express the sense of the Senate)

Mr. D'AMATO. Mr. President, I send to the desk a sense-of-the-Senate amendment that was discussed yesterday in this Chamber. A colloquy was held between Senators WALLOP, SIMPSON, and LAUTENBERG. It concerns radar installations at military and civilian joint-use airports.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from New York [Mr. D'AMATO], for Mr. WALLOP, for himself, and Mr. SIMPSON, proposes an amendment numbered 1017.

Mr. D'AMATO. 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 in the bill, insert the following:

SEC. . It is the sense of the Senate that the Secretary of Transportation should take such action as may be necessary to revise the Department of Transportation's cost/benefit analyses process to fully take projected military enplanement and cost savings figures into consideration with regard to radar installations at joint-use civilian/military airports. It is further the sense of the Senate that the Secretary of Transportation shall require the Federal Aviation Administration to reevaluate the radar needs at the Cheyenne, Wyoming Airport, and enter into an immediate dialogue with officials of the Wyoming Air Guard, F.E. Warren Air Force Base, and Cheyenne area leaders in the phase II radar installation reevaluation of the Federal Aviation Administration and adjust cost/benefit determinations based to some appropriate degree on already provided military figures and concerns and other emplanement projections in the region. The Senate further believes that the Secretary of Transportation should report the results of this reevaluation concerning the Cheyenne Airport's and Southeast Wyoming's aircraft radar needs to Congress within 60 days following the date of the enactment of this Act and explain how military figures and concerns will be appropriately solicited and fully utilized in future radar decisions involving joint-use airport facilities.

Mr. D'AMATO. Mr. President, this amendment has been cleared, as I have indicated, by both sides. I urge its adoption.

The PRESIDING OFFICER. Is there further debate on the amendment? If not, without objection, the amendment is agreed to.

The amendment (No. 1017) was agreed to.

Mr. LAUTENBERG. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. D'AMATO. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

ORDER OF PROCEDURE

Mr. LAUTENBERG. Mr. President, I have a unanimous-consent request that at 2:15 when we reconvene Senator BURNS be recognized to offer an amendment.

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

Mr. GRAHAM addressed the Chair.

The PRESIDING OFFICER. The Senator from Florida [Mr. GRAHAM], is recognized.

HIGH-SPEED GROUND TRANSPORTATION

Mr. GRAHAM. Mr. President, I am very pleased this afternoon to offer my comments in support of an important provision within this appropriations bill. That is the provision relating to high-speed ground transportation.

Through the leadership of Senator LAUTENBERG, Senator D'AMATO, and

the other members of the committee, the Senate will, I hope, shortly approve funding for fiscal year 1994 of over $107 million for high-speed rail, including $27.9 million for research and development of magnetic levitation transportation.

Mr. President, as the Senator from and former Governor of a State which has shown great interest in high-speed rail, I know that you are aware of the worldwide demand for these technologies. In recent weeks, the South Korean Government has selected the French TGV system for its high-speed rail service from Seoul to Pusan. The Government expects 80 million passengers a year will utilize this high-speed rail service in Korea when it is fully developed.

The Taiwanese Government is planning a high-speed train system to increase the traveling efficiency of its citizens.

The European Community recently announced its commitment of over $112 billion to expand Europe's intricate system of supertrains.

I am pleased to report, Mr. President, that closer to home the State of Florida is completing plans to issue a request for proposals in early 1994 to provide high-speed service connecting Miami, Orlando, and Tampa.

Yet, Mr. President, a generation has passed since Japan's bullet train began service, and a decade since Europe began high-speed train service. And we in the United States still do not have a high-speed rail system operating in any of our communities.

Why is this the case? Primarily, it is because high-speed rail is missing the one factor which has been essential to the successful deployment of every other mode of transportation in U.S. history; that is, substantial governmental support and partnership.

Throughout our history, Government has been instrumental in spawning the development of everything from the canal system in the early part of the 19th century to rail systems in the middle and latter part of the 19th century, to constructing the interstate system, to building all of that infrastructure necessary for commercial and general aviation ensuring the navigability of our ports and waterways.

In other words, Mr. President, the Government has been an essential partner in every other major expansion of America's mobility.

Senator LAUTENBERG and his colleagues on the Appropriations Committee know well the level of continued Federal support given to each of these modes of transportation, for it is the members of that committee who are charged with distributing limited funds among those modes each fiscal year.

Mr. President, our investments in highways, in aviation, in marine, and conventional rail transportation are good ones because they contribute greatly to the mobility and the productivity of Americans.

But no matter how much money we spend on existing modes of transportation, we simply cannot meet the needs of the next century with the options available to us.

Let us look at some of the prospects. Following current traffic growth patterns, it would require 22 lanes of interstate highway in each direction, 44 lanes in total, to safely handle the traffic between Miami and Tampa estimated for the year 2015.

Similarly, we are running out of airspace at many of our major airports in the United States, meaning there is a finite limit on the number of passengers who can travel our urban hubs.

The committee report on this appropriations bill aptly recognizes that Federal investment in high-speed rail systems, while "clearly an expensive undertaking * * * will be paltry when compared to the costs of expanded airport capacity or highway congestion mitigation efforts."

Given the number and scale of high-speed projects currently anticipated in the United States, $107 million is a paltry sum indeed, but it is a critical demonstration of the Federal Government's commitment to making these projects come to fruition.

Mr. President, it is also a critical component of our overall economic strategy. We are now concerned with the word "conversion." How does America convert from a previous economy with a heavy component of military expenditures to an economy which will be more civilian in its characteristics? I believe it is exactly through investments in new technologies such as high-speed rail transportation that we will be beginning to develop the technologies that will create the jobs that will create the economic prosperity for the next generation of Americans. In much the same way as our investment in the interstate system helped to provide the foundation for prosperity at the end of the 20th century, an investment today in high-speed rail will facilitate a prosperous America into the 21st century.

So, Mr. President, I wish to commend Senator LAUTENBERG and the Appropriations Committee members for their work on behalf of the high-speed ground transportation. I hope and anticipate that the Senate conferees will stand firm on their position on this issue as we negotiate a final transportation appropriations bill.

Thank you, Mr. President.

Mr. LAUTENBERG. Mr. President, I want to commend the Senator from Florida [Mr. GRAHAM], for his leadership on this issue. Certainly we share a common view on what ought to be happening with high-speed rail in this country. We at times look like a Third World state, particularly when it comes to rail service. We have not made the investment in the past. As a consequence, what we do is kind of limp along continuing to stretch the life of the equipment and the system beyond, frankly, its ability to withstand the use and the punishment that it normally takes.

So I commend the Senator for his interest. He helped drive the attitude toward high-speed rail to the point where it is. We intend to fight very hard to maintain the kind of funding and the kind of impetus that has been encouraged by the Senator from Florida. I thank him for his comments and his interest.

RECESS UNTIL 2:15 P.M.

The PRESIDING OFFICER. The Chair would note that under the previous order, the hour of 12:30 having arrived, the Senate will now stand in recess until the hour of 2:15 p.m.

Thereupon, the Senate, at 12:28 p.m., recessed until 2:15 p.m.; whereupon, the Senate reassembled when called to order by the Presiding Officer [Mr. CAMPBELL].

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

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

TRIBUTE TO GENERAL POWELL UPON HIS RETIREMENT FROM ACTIVE DUTY

Mr. THURMOND. Mr. President, in my time in uniform and in the 39 years in the Senate, I have seen many top military leaders come and go, but seldom have I witnessed the equal of Gen. Colin Powell, the Chairman of the Joint Chiefs of Staff. As all of my colleagues know, the general retired last week after 35 years of distinguished service, in both peace and war, to our great Nation.

Mr. President, today I also remember another outstanding leader, Gen. George C. Marshall. When General Marshall became Army Chief of Staff 2 years before Pearl Harbor, the U.S. Army consisted of four poorly equipped, understrength divisions. But by the end of World War II, there were over 12 million Americans in uniform. It was a remarkable achievement to take such a small peacetime army and mold it into the most powerful military force the world had ever seen. General Powell's task has been the reverse of General Marshall's, and in many ways much more difficult. Following the collapse of the Soviet Union and the remarkable victory in the gulf war—due in large part to his leadership—he oversaw the rapid down-sizing of our forces, while at the same time maintaining morale and combat readiness to cope with a still dangerous world. This is perhaps the greatest challenge an American soldier has ever

faced, and it is an immense tribute to this distinguished American that the process has progressed so well.

Mr. President, General Powell's rise to the highest military leadership position in the Nation is a reflection of the American dream. His parents were Jamaican immigrants and he grew up in the buroughs of New York. He graduated, not from West Point, which has been the traditional school for those who reach flag rank, but from City College of New York and was commissioned through the ROTC Program. His military career took him from the plains of Europe, where he faced the might of the Warsaw Pact, to the jungles of Vietnam, and then finally to the inner sanctum of the White House. At each step along his climb to the heights of power, he has excelled and set the standards of leadership and professionalism. Yet as he rose in rank, he never forgot the heart and soul of our military, the sailors, soldiers, airmen, and marines. His pride in our military is obvious and he best expressed that pride in a statement before the Armed Services Committee:

> I do not need to tell the members of this committee how truly great these men and women are, because you have seen our troops at work around the world—in Panama, in the Persian Gulf, in Somalia, and in the skies over Bosnia. You have also seen them help rebuild communities devastated by hurricanes in south Florida and Hawaii. You know they still stand watch in Korea, in Europe, in the Persian Gulf, and on the seven seas. Their presence in these and other areas continues to reassure our friends and give pause to our potential enemies.

Mr. President, unlike the old soldier of song and legend, General Powell will not fade away upon leaving the Army; he is too great a national asset. I predict that, like George Marshall and Dwight Eisenhower, we will see him in another position of national leadership someday soon.

No tribute to General Powell is complete without giving credit to his wife, Alma, who has been his companion and confidant for the past 31 years. She is a wonderful example of the military spouse and deserves great credit for her dedication to her husband and our Nation. I wish both the General and Mrs. Powell a well deserved rest, and success in whatever endeavor they will undertake in the coming years.

Mr. President, last Thursday, September 30, 1993, I had the pleasure of attending the magnificent retirement ceremony arranged by Secretary of Defense Aspin at Fort Myer, VA, in honor of General Powell's retirement. The ceremony, which was attended by George Bush, Vice President Quayle, many of the former Secretaries of Defense, and former Chairmen of the Joint Chiefs of Staff, was a lofty tribute to the retiring Chairman of the Joint Chiefs of Staff. The ceremony was capped by glowing remarks in tribute to General Powell by both President Clinton and the able Secretary of Defense, Les Aspin.

I ask unanimous consent that their remarks, as well as General Powell's closing remarks, be printed in the RECORD.

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

REMARKS BY SECRETARY OF DEFENSE LES ASPIN, PRESIDENT BILL CLINTON, AND GEN. COLIN POWELL AT THE RETIREMENT CEREMONY FOR GENERAL POWELL, FORT MYER, VA, SEPTEMBER 30, 1993

Sec. ASPIN: (Applause.) Mr. President, members of Congress, members and friends of the Powell family, and other distinguished guests, ladies and gentlemen, thank you for joining us here today to honor and to say farewell to Colin Powell. Today General Powell, chairman of the Joint Chiefs of Staff, planner of the great American victory in Operation Desert Storm, former national security adviser to the president, will retire from the United States Army.

There are so many things to be said about Colin Powell. He is the youngest chairman of the Joint Chiefs, he is the first African-American on the Joint Chiefs. He is the first ROTC graduate to be chairman of the Joint Chiefs, and he's the first chairman of the Joint Chiefs to appear as a full-sized cardboard cut-out on the sidewalks of Washington for tourists to have their picture taken with.

But I believe above all that Colin Powell will be remembered for permanently changing how we view the office of the chairman of the Joint Chiefs of Staff. In 1986, Congress passed something called the Goldwater-Nichols Act. It strengthened the hand of the warfighting commanders, it gave the chairman of the Joint Chiefs of Staff new and bigger responsibilities. It made the chairman the principal military adviser of the civilian leadership, and it gave the chairman a joint staff commensurate with his new responsibilities.

Three years later, the law came fully into effect, and Colin was appointed the chairman. What happened was that a combination of a change in the law and the appearance on the scene of an extraordinary individual, Colin Powell, have changed forever the way we will look at and judge the chairman of the Joint Chiefs.

Colin came into office with a breadth of national security experience, a depth of judgment, and a reservoir of talent that I believe are unprecedented in the aggregate. He put his enormous talents to work with the new tools offered by Goldwater-Nichols. The combination of talent and opportunity elevated the chairmanship to an entirely new plane. The job of the chairman will never be the same.

And what a job he has done—military leader, statesman, wise adviser. And even beyond these rules, Colin has worked with great success to strengthen the bond between the American people and their armed forces. It is a bond that we all share. President Clinton has spoken to it. He has noted our armed forces are, as he put it, "the shining bottle of our American values of dedication, responsibility, and a willingness to sacrifice for the common good." He has said that there is no greater honor in office than being the commander-in-chief of the finest armed forces the country has ever known, and the finest armed forces the world has ever seen.

Ladies and gentlemen, it is an honor and a privilege for me to introduce our commander-in-chief, the president of the United States.

President CLINTON: Thank you very much. Secretary Aspin, President and Mrs. Bush, General and Mrs. Powell, distinguished members of Congress, distinguished leaders of United States military forces, my fellow Americans. Today a grateful nation observes the end of a distinguished career and celebrates 35 years of service and victory, a victory for the United States military that gave young Colin Powell a chance to learn and to grow and to lead; a victory for the military and political leaders who continued to elevate him based on their complete confidence and sure respect; a victory for a nation well served; and in a larger sense, a victory for the American dream, for the principle that in our nation, people can rise as far as their talent, their capacity, their dreams and their discipline will carry them.

A long time ago, Thomas Jefferson wrote, "The Creator has not thought proper to mark those in the forehead who are of stuff to make good generals." The Creator has not thought proper to mark them by the color of their skin or the station of their birth or the place they were born. Thank God for the United States that that is so.

From my first meeting with Colin Powell before I became president, I knew that one thing I would never have to worry about was having a strong and wise, a forthright and honest chairman of the Joint Chiefs of Staff. His knowledge and judgment were a source of constant support. The fact that he enjoyed the respect of all of his troops, from the people first entering the service to his colleagues on the Joint Chiefs of Staff. His remarkable balance of prudence and courage, and his unfailing sense of humor have been there through the difficult times of now two presidencies. And he clearly has the warrior spirit and the judgment to know when it should be applied in the nation's behalf.

General Powell has been a rock of stability in our nation's military during a time of profound change. He has understood more clearly than virtually any other American the enormous resource that the young men and women in our uniform have been for our nation. He has been determined to give them the security that knowledge and skills and capacity bring so that together they could take the changes that we have seen in the last few years.

As the secretary has noted, he was the first chairman to begin his tenure under the Goldwater-Nichols Act, and he has clearly set a standard by which all future chairs of the Joint Chiefs of Staff will be judged. During his term, the Cold War ended. We began to grapple with the consequences of that, mostly good and some bad. We have seen world-changing events force us to reexamine our missions, our force structures and our commands.

We have also seen a leader in Colin Powell who has not only responded to those great challenges but one who could be trusted to feel in his heart the awesome responsibility for the lives and livelihood, for the present and future of every man and woman who wore the uniform of the United States of America.

So today, General Powell, I speak for all of them who thank you for guiding and protecting their lives even as you advanced the cause of freedom around the world. I speak for their families who entrusted you with their sons and daughters. I speak for the young children who sent their mothers and fathers under your command in the Gulf, in Somalia and elsewhere. For all them, I say

you did well by them, as you did well by America.

We take great pride in what you have done for your country. You have exemplified the military ethic in serving in whatever mission and in getting the job done. When we marched around the field today, I was glad to hear the long litany of Colin Powell's career to remind us that, in the spotlight and far away from the spotlight, as a young soldier and a not so young soldier, he was always first and foremost a good soldier, a role model for those in our military, and now a role model for all young Americans, someone we can appreciate for having done a job day in and day out, year in and year out, with ferocious dedication.

In recognition of your legacy and service, of your courage and accomplishment, today, General Powell, I was honored to present you with the Presidential Medal of Freedom with distinction. I want to tell all those here in attendance that this was the second medal of freedom you have received, the first from President Bush in 1991, and today you became only the second American citizen in the history of the republic to be the recipient of the two medals of freedom.

I want to thank you too, sir, for your advice and counsel in the work I had to do in selecting your successor. It was a job I think many people were afraid to even contemplate, for you are truly a hard act to follow. I know you share my opinion that we could not have done better than General Shalikashvili.

I also want to say a special word of appreciation to Mrs. Powell for her inspiration and her support, her good-humored endurance of all the times when you could have been either with her, your daughters or your automobiles and had instead to be at the White House with me or someone else importuning on your time. I thank her and I thank your family for their sacrifices in your public services.

When you proposed and married Alma Johnson and moved with her to Birmingham, Alabama and, before the year, were already sent off as a young captain to serve in Vietnam, that year was 1962. In that same year, General Douglas MacArthur gave his famous farewell speech at West Point. He spoke the following words of praise to all those who serve in our military. I repeat them today because they apply especially well to you. MacArthur said, in reference to the American soldier, "I regarded him as one of the world's noblest figures, not only as one of the finest military characters but also as one of the most stainless."

In closing, General Powell, I am reminded of the words of another young, valiant warrior spoken when, like you, he was finishing one journey and beginning a second. John Bunyan wrote in "Pilgrim's Progress" of the warrior Valiant at the end of his life as he prepared to present himself to the Almighty, "My sword I give to him that shall succeed me in my pilgrimage, and my courage and skill to him that can get them. My marks and scars I carry with me to be a witness for me to Him who shall be my Rewarder."

General Powell, your reward is a grateful nation and a bright future. Your reward is a stronger nation, safer and better today for your sword, your courage and your skill. From the bottom of my heart, on behalf of every man and woman, every boy and girl in this great country, I thank you and wish you Godspeed.

Gen. POWELL. President and Mrs. Clinton, Vice President and Mrs. Gore, President and Mrs. Bush, Vice President and Mrs. Quayle, justices of the Supreme Court, Secretary Aspin and members of the Cabinet, service secretaries, members of the Diplomatic Corps, my fellow chiefs of defense who have traveled from afar to be here, my dear friend Field Marshal Vincent, the chairman of the Military Committee of NATO, my fellow members of the JCS and the commanders-in-chief of the Armed Forces of the United States who are here today, distinguished guests, members of my beloved family, friends old and new—but all treasured—men and women of the Armed Forces of the United States represented so magnificently by the Joint Forces Honor Guard before you, I express my sincere thanks to each and every one of you for being here to share my final day in uniform.

The Army has officially advised me that, for record purposes, I have served 35 years, three months, 21 days, and as we say in the infantry, a wake-up. I loved every single day of it. And it's hard to leave. It is made easier by your presence.

Mr. President, Secretary Aspin, I thank you for your very, very kind words and your presence here today, as well as the great honor you do to me, Mr. President, by awarding me the Medal of Freedom with Distinction. I also thank you both and Vice President Gore for the support and the openness that you have shown to me and to my colleagues on the Joint Chiefs of Staff over the past eight months. During those eight months, we've dealt with some very, very difficult issues. But, Mr. President, as you once said to me, if the issues were easy, if the problems were so quick to receive a solution, they would have been solved earlier by somebody else.

Mr. President, you and Secretary Aspin have pledged yourselves to keeping our armed forces strong and of the highest quality. I can't tell you how much that means to each and every one of us in uniform, to know that we have that kind of support, that kind of dedication, that kind of commitment from our commander-in-chief. On behalf of all of the members of the Armed Forces of the United States, I thank you for that pledge. And I can pledge back to you on behalf of each and every one of these wonderful young men and women that they will never, never let you down when it becomes necessary for you to call on them.

President and Mrs. Bush and Vice President and Mrs. Quayle, let me also say that it means a great deal to Alma and to me to have you here today. You have been our dear friends over the years, and you have been treasured friends and supporters of our armed forces. Your presence here today with President Clinton and Vice President Gore speaks volumes about the nature of our political system and its relationship to the military. And I thank you both very, very much for being with us.

There are too many distinguished guests here to recognize them all, but let me welcome especially my dear friend, Secretary of Defense Cheney and Secretary Weinberger, who had such an important influence on my life over the last 10 years. I also want to recognize my predecessors as chairman. Admiral Crowe is here and General Jones, General Vessey and Admiral Tom Moorer. I also recognize all the former members of the JCS and former commanders of our unified and specified commands.

As the president and secretary noted, much has happened over the past four years. I need not catalogue for this audience the events attendant to the demise of the Cold War and the beginning of a new era in world history. We have seen war and we have seen peace. We have seen suffering, and we have seen the promise of democracy. We have seen hope mixed with danger and uncertainty. We have seen the path open to a better world.

Under you, Mr. President, America will lead the way to that better world. The aspiring nations of the world trust the United States. They need the United States. They need our political leadership. The need our economic strength. They need our value system as a model to learn from. They need our military strength, and they need our military commitment to help keep order and to help prevent aggression. America's armed forces will have a busy future; busier than in the predictable garrison days of the Cold War.

As we sit here on this gorgeous fall afternoon at this historic post, elsewhere American aviators are patrolling over the Persian Gulf, American infantrymen are in danger in Mogadishu dealing with a difficult challenge, the kind of challenge that is, perhaps, very, very typical of what we will be seeing more of in the future. Americans are flying desperately-needed supplies into Bosnia. Other GIs are preparing for the possibility, the hopeful possibility of implementing a peace agreement in Bosnia. Our Navy patrols the Adriatic Sea and the Red Sea and the Persian Gulf. Our Marines provide a reassuring presence in troubled regions of the world. The Army stands watch in Korea and Europe. Our Coast Guard goes after the drug enemy infiltrating our country.

And at the heart of each of these services is the young American boy or girl, perhaps only 19 years old, a volunteer, well-trained, proud, selflessly serving a nation wherever that nation and whenever that nation calls upon it to go and to serve. They carry on a tradition of over 200 years of service and sacrifice. They go into harm's way to protect us and to provide for the common defense. They are the best and the very brightest of America's youth.

And the greatest of all honors I have had was the honor of being one of them and of being their senior representative over the past four years. They have succeeded in every mission and by their performance have bonded once again with the American people in a way we have not seen for decades. I thank each and every one of them for their service to country.

For me, today is a day of memories and a day of thanks. And for the last several days memories have been flooding in, and I've been having difficulty sorting them all out. Some are very, very vivid, some are vague. They aren't entirely coherent to me except perhaps in the deepest recesses of my mind's eye. The memories come to me in so many different ways. I remember vividly the day that my father—many, many years ago, for the first time—put me on a bus in New York City and saw me off to Fort Bragg, North Carolina, my first military experience. I remember fondly my ROTC days at CCNY. I remember cold nights in Korea and Germany with a sergeant coming along to offer me a hot cup of coffee. I remember miserably hot and terrifying days in Vietnam. I remember the warmth and pleasance of family reunions between assignments, or coming home from overseas.

I remember meeting Alma for the first time. I remember the memory of the births of each of our three wonderful, perfect children, and the birth of a treasured grandson. I remember the thrill of moving from post to post, the excitement of working in the White House during historic times, the exhilaration

of Operation Desert Storm. The faces of old friends, and former commanders, and fellow soldiers, and family members have been marching by in a steady cadence for the last several days. I especially see the faces of comrades—comrades-in-arms who gave their lives in service to this country. I see the faces of those who trained me, those who disciplined me, those who inspired me, those who served with me, those who cared for me and loved me over these past 35 years.

Many of you are here today, and I can't possibly thank you all. You know who you are, and I need not name all of the hundreds present. These events and people have given me a great life and have given me a great career. I have never wanted to be anything but a soldier, and my dream has been fulfilled for almost four decades.

I find myself on this beautiful afternoon a most fortunate, fortunate man. And by my side for most of that time has been Alma. For over 31 years I have distilled from our life together one lesson that I will pass on to any young person contemplating marriage. Marry high. Marry high. And with Alma I hit the heights. She raised three wonderful children. Over those 31 years we moved to 22 different houses, but she made sure we never changed homes. She shared every dark moment. She has been my partner and my supporting pillar over all those years. She has been a perfect Army wife, inspiring others and representing the nation so well around the world. Without her love and caring, I cannot imagine what my life would be like.

So, Alma, darling, on this, your day, too, I thank you. I thank you from the bottom of my heart for sharing this journey. I will never be able to fully express my gratitude, so let must just say thank you, darling.

For the three Powell kids, and for the last five years joined by a wonderful daughter-in-law, let me just say that you have brought me incredible joy and pride, and I thank you so much. You are all hereby relieved of further duty as the general's kids. You no longer need to call me sir, you no longer need to stand at attention when I speak to you—(laughter)—you no longer need to refer to me behind my back as the Great Santini. I also promise to be a bigger patsy for you in the future than I've been in the past. You are treasures.

I also must say thank you to my remarkable extended family who have come from around the country to be here today—from Birmingham, from New York, from California, from Canada, from all over. My sister, Marilyn, is here, and is now the matriarch, and she represents all of those first and second generations present who descend from an incredible group of Jamaicians who came to this country in the 1920s, seeing and seeking opportunities that existed only here. As one news article once put it, "it was a darn good thing for Colin Powell that Luther and Ariel (sp) Powell got on in Kingston ended up in America and not somewhere else." I wish all of you here had known Luther and Ariel Powell, two remarkable people who are still with me and every member of my family every day. They are here today on this field as surely as I am, and I love them very much and I thank them very much.

I thank my office family, Nancy and Kenny (sp), and Grog (sp) and Otis and all the others who have been indispensable over the last several years.

I especially must thank Admiral Dave Jeremiah, my vice chairman, for his outstanding friendship and support.

I thank my JCS colleagues. We have been a remarkable team of six officers who have worked as brothers in arms to do our very, very best for the nation, and I'm proud of each and every one of them and the leadership that they have provided to the services and to the support that they have given to me.

I thank the brilliant Joint Staff.

And I thank all of my friends who are here today from Kelly Street and my White House fellow days, from CCNY, from Germany.

I thank a couple of special, special friends who know who they are, who call me every day to make sure that I'm all right.

I also share with the president in congratulating General John Shalikashvili. He will be a brilliant chairman. He will be absolutely splendid in the job. He and Joanie (sp) are a great military team.

For a moment, with your permission, I wish to stop being the ecumenical chairman and just for a moment I want to return to my beloved Army. The Army has been my home. The Army has been my life. The Army has been my profession. The Army has been my love for all these many years. The Army has invested in me. It has taken chances on me. It has cared for me. When my career over the years took rather bizarre political turns that should have been fatal, great Army leaders such as General John Wickam and General Carl Vuono always let me know that I could come home, that I had a place to go to in the Army.

I am where I am today because the Army takes care of its own. I was allowed to rise based on performance. The Army took in a young black kid from ROTC in the South Bronx and brought him to this point. The Army allowed me to climb on the shoulders of the Buffalo Soldiers and other African Americans who had blazed a trail for 300 years of American history. And I hope the day will come soon when all parts of our society do for young minorities what the Army and the other armed services have been doing for young men and women of all color over the years.

And, finally, I want to thank the American people and the nation for the privilege of serving. I love this country with all my heart and with all my soul. It is a love without limit. I have a bottomless faith in the goodness of this land, in the goodness of its people. I am proud to be an American. I am so proud to have been an American soldier. And so, on this, my last hour in uniform, my heart is filled with gratitude, with love and with thanks for the blessings of family, the blessing of friends, and, above all, the blessing, the unique blessing, of being a citizen of this nation which God has blessed and which we are all very, very proud to call America.

Thank you all for being here today. Goodbye and God bless you.

Mr. THURMOND. I yield the floor.

DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES APPROPRIATIONS ACT, 1994

The Senate continued with the consideration of the bill.

The PRESIDING OFFICER. Under the previous order the Senate will now resume consideration of H.R. 2750 and the amendment thereto. The pending question is the committee amendment on page 50, line 22.

Mr. LAUTENBERG. Mr. President, is it not the matter of order that the Senator from Montana is now recognized?

The PRESIDING OFFICER. The Senator is correct.

The Senator from Montana, Mr. BURNS, is recognized.

Mr. BURNS. Mr. President, Mr. PRESSLER, the Senator from South Dakota, has a subject that is nongermane to the subject at hand that will take less than 2 minutes. I would not object to that but that is up to the call of the managers.

Mr. LAUTENBERG. Mr. President, if I may respond to the Senator's inquiry, I would not object, but I would also ask if we can that we stay with this bill. We have so much work today. We have a chance to complete it, and I think we ought to do that.

I certainly cannot object. The Senator has the time to give.

Mr. PRESSLER. I thank my colleague.

The PRESIDING OFFICER. The Senator from South Dakota is recognized.

UNITED STATES TROOPS IN SOMALIA

Mr. PRESSLER. Mr. President, I wish to speak very briefly on our troops in Somalia. I believe we should withdraw our troops from Somali. I opposed sending them there on this floor.

We do not have a defined mission for our troops in Somalia. I speak as a Vietnam veteran. I believe we should withdraw our troops lock, stock, and barrel from Somalia and should do it very quickly.

DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES APPROPRIATIONS ACT, 1994

The Senate continued with the consideration of the bill.

The PRESIDING OFFICER. Who yields time?

Mr. BURNS. Mr. President, I rise to offer an amendment. I guess I would have to ask unanimous consent that the committee amendment be laid aside for the purpose of consideration of another amendment. Is that in order?

The PRESIDING OFFICER. The Senator is correct.

Is there objection?

Without objection, it is so ordered.

Mr. BURNS. Mr. President, I rise to offer an amendment to H.R. 2750, the Department of Transportation appropriations bill for fiscal year 1994, regarding cargo preference and United States grain shipments to Russia through west coast port facilities.

As most of us know, $56 million for exports of United States wheat was included in the agriculture assistance package for Russia. Of that amount, $44 million will come under the food for progress [FFP] credit sales. These sales will be subject to cargo preference laws.

Cargo preference dictates that a particular percentage of a shipment of goods under certain Federal programs

must be transported on U.S. flagged vessels. Far too often this lack of competition leads to extremely high transportation costs, which in turn directly undercuts the amount of goods, like wheat, which can be sent. Ultimately, this takes money directly out of the pockets of wheat producers in places in the Northwest such as Montana.

Some figures indicate that American-flagged shippers are charging three times more than foreign shippers to move goods. Put simply, we could sell a lot more wheat if shipping prices weren't hiked up by our own Government. Cargo preference is thus acting as a limit on Montana's ability to export.

Those of us from the Pacific Northwest have an even greater problem. There simply is not enough U.S.-flagged ships on the west coast to move our goods.

I received a letter from Secretary of Agriculture Espy, which I ask unanimous consent to print in the RECORD following my remarks.

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

(See exhibit 1.)

Mr. BURNS. Mr. President, he states in that letter: "* * * because there is a scarcity of U.S.-flag ships on the west coast, the cargo preference law works against products being exported through Pacific Northwest."

Mr. President, over 95 percent of Montana's wheat is moved through Pacific Northwest ports. That is our access point to the world. With the Secretary of Agriculture agreeing that there is a scarcity of U.S.-flagged ships, the sale of Montana's wheat is being effectively precluded.

My amendment addresses this inequity in a fair manner. It simply says that if the Secretaries of Transportation and Agriculture determine that there is an insufficient amount of U.S.-flagged ships, the cargo preference laws may be waived.

The opponents of this amendment will argue that the current cargo preference laws provide adequate protection in situations such as these. I say that simply is not the case. The law does not specify coasts or ports when allocating cargo preference. So we end up with a result that if a U.S. flag vessel is sitting in port in Baltimore then Montana grain cannot be waived for shipment out of Portland.

That is just not right, Mr. President. The result is that thousands of Montana grain producers are effectively shut out of a valuable export market.

As an old football referee for 20 years I see how this issue affects our producers. Our producers are willing to compete, but this is not a matter of leveling the playing field. Mr. President, it is a matter of being locked clear out of the stadium. We cannot even bring the ball on the field.

I ask my colleagues, where is the fairness in that?

Mr. President, our producers want to be able to sell a little bit of wheat. This amendment, with all kinds of safeguards allows them onto the field.

EXHIBIT 1

DEPARTMENT OF AGRICULTURE,
Washington, DC, September 14, 1993.

Hon. CONRAD BURNS,
U.S. Senate, Dirksen Senate Office Building, Washington, DC.

DEAR CONRAD: Thank you for your letter, cosigned by several of your colleagues, regarding the agricultural assistance package for Russia announced at the Vancouver Summit.

We appreciate your analysis of the feasibility and benefits of exporting U.S. wheat from the Pacific Northwest in connection with this package. As you know, the assistance package includes $56 million for exports of U.S. wheat, including $44 million to be made available under Food for Progress (FFP) credit sales, and $12 million as FFP donations.

Wheat exports under FFP credit sales will be implemented under operational procedures established under Title I of the Agricultural Trade Development and Assistance Act of 1954, Public Law 83-480 (P.L. 480). This means that the buyer will award commodity and freight contracts on the basis of lowest landed cost, that is, the lowest price combination of commodity and freight per metric ton of commodity delivered to Russia. In order to comply with cargo preference requirements and promote the widest possible competition, the buyer is required to review commodity and freight offers from all coastal ranges, including the Pacific Northwest. However, because there is a scarcity of U.S. flag ships on the West Coast, the cargo preference law works against products being exported through the Pacific Northwest.

Wheat exports under FFP donations will be handled similarly, except that the Russians will pay the full cost of freight, and the commodity contracts will be awarded by the Department of Agriculture, either on the basis of lowest landed cost or on the basis of lowest price per metric ton, f.o.b.

We will convey your views on the agricultural assistance package to Russian officials. They should be pleased to learn of your interest in strengthening trade ties between Russia and the Pacific Northwest. A similar response has been sent to your colleagues.

Sincerely,

MIKE ESPY,
Secretary.

AMENDMENT NO. 1018

(Purpose: To exclude certain shipments of grain to Russia from the cargo preference requirements)

Mr. BURNS. Mr. President, I send the 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 Montana [Mr. BURNS], for himself, Mr. DORGAN, Mr. CONRAD, and Mr. BROWN, proposes an amendment numbered 1018.

Mr. BURNS. 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 68, between lines 5 and 6, insert the following new section:

SEC. . CARGO PREFERENCE.

(a) INAPPLICABILITY OF CARGO.—For fiscal year 1994, the cargo preference requirements of section 901 of the Merchant Marine Act, 1936 (46 U.S.C. App. 1241), and the Act of March 26, 1934 (48 Stat. 500, chapter 90; 46 U.S.C. App. 1241-1), shall not apply in the case of shipments of grain to Russia from Pacific Northwest ports under the Food For Progress program announced at the Vancouver Summit on April 4, 1993, if the Secretary of Transportation, in consultation with the Secretary of Agriculture, determines that there is an insufficient number of privately owned United States-flag commercial vessels available to transport such grain.

(b) DEFINITION.—The term "Pacific Northwest" means the region defined by section 1(b) of Public Law 88-552 (16 U.S.C. 837(b)), except that for the purposes of this section, the term includes the entire State of Montana.

The PRESIDING OFFICER. The Senator from New Jersey [Mr. LAUTENBERG].

Mr. LAUTENBERG. Mr. President, I thank the Senator from Montana for the expeditious presentation of his amendment.

I ask, since the Senator from Colorado also has a point of view to be expressed here, whether or not the proponent of the amendment would be willing to accept at this juncture a time agreement. I have assurance from the Senator from Colorado that his needs are fairly short in time and if we could get a half-hour equally divided on that.

Mr. BURNS. I have no objection to that.

Mr. LAUTENBERG. I, therefore, ask unanimous consent that we have one-half hour on this amendment with the remaining time divided.

Mr. BREAUX. Mr. President, reserving the right to object, and I do so for the purpose of asking a question. Are we talking about the Burns amendment or any amendment to the Burns amendment?

Mr. BURNS. I have no second-degree amendment.

Mr. BREAUX. With that understanding, I have no objection.

Mr. D'AMATO. Wait a minute.

Mr. BROWN. Mr. President, reserving the right to object.

Mr. D'AMATO. I just wanted to preserve Senator BROWN's right to offer an amendment, as I understand, because he has just given me a copy of it.

So I think, in answer to Senator BREAUX's question, that would be a half-hour equally divided including second-degree amendments.

Mr. BROWN. Mr. President, reserving the right to object.

Mr. LAUTENBERG. I would have an objection, therefore, and would withdraw my consent request unless the Senator from Montana could be specific about what he sees happening after we discuss the current amendment.

Mr. BURNS. Mr. President, I advise the floor manager that I have no objection to a time limit and allowing a second-degree amendment.

The PRESIDING OFFICER. Does the Senator from New Jersey renew his request?

Mr. LAUTENBERG. 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 legislative clerk proceeded to call the roll.

Mr. LAUTENBERG. 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. LAUTENBERG. Mr. President, I ask unanimous consent that 30 minutes for the Burns amendment be available, with the time equally divided to include an opportunity within that timeframe for a second-degree amendment by Senator BROWN from Colorado, with the time running concurrently for both the first-degree and the second-degree amendments.

Mr. PRYOR. Mr. President, reserving the right to object, and I will not object, does the 30-minute time allocation allow 15 minutes on a side?

Mr. LAUTENBERG. It allows 15 minutes on each side.

Mr. PRYOR. Equally divided.

Mr. LAUTENBERG. Yes; 15 minutes on each side.

Mr. BREAUX. Reserving the right to object, does the unanimous-consent request also indicate that there will be no other second-degree amendments to the original amendment?

Mr. LAUTENBERG. That is my understanding.

I address that inquiry to the Senator from Montana.

Mr. BURNS. That would be correct.

Mr. LAUTENBERG. I amend my unanimous-consent request to be very clear that the Brown second-degree amendment will be the only other amendment offered on the Burns amendment.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

The Senator from Louisiana [Mr. BREAUX] is recognized.

Mr. BREAUX. It is my understanding the chairman controls time, is that correct?

Mr. LAUTENBERG. Senator BROWN will have to offer his second-degree amendment at this time, as well, and we will be able to have the debate then.

Mr. President, we will have the debate on both amendments at the same time with, again, 15 minutes to each side, including the BROWN amendment on the side that the Senator from Montana controls.

The PRESIDING OFFICER. Who yields time on the amendment?

Mr. LAUTENBERG. Are we clear, Mr. President?

I am afraid there is some confusion here. Let me just note the absence of a quorum.

The PRESIDING OFFICER. The Senator suggests the absence of a quorum. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. LAUTENBERG. 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. LAUTENBERG. Mr. President, I ask unanimous consent that I be permitted to restate the unanimous-consent request so that the fog disappears here as we review it.

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

Mr. LAUTENBERG. Mr. President, I ask unanimous consent that 30 minutes be reserved, equally divided between Senator BURNS and Senator BREAUX, to include with the Burns amendment a second-degree amendment by Senator BROWN, and the time to run concurrently; and that Senator BROWN, in order to expedite the process, offer his amendment so it can be reviewed before the debate begins on the second-degree amendment and therefore we would be prepared, if necessary, to conclude the debate on the Burns amendment with no other amendments in order and then whatever decisions are made on votes or otherwise to take place at that time.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. HATFIELD. Mr. President, the Burns amendment under consideration by the Senate gives the Secretaries of Agriculture and Transportation, in their activities pursuant to the Russian aid package, the authority to exempt Pacific Northwest grain shipments from the cargo preference provisions of the Public Law 480 Food for Peace Program. I plan to vote against this amendment, but would like to elaborate on my reasons for doing so.

My colleagues know that this is a contentious issue which is perennially laid before the Senate. Each year we are presented with myriad arguments for and against continuation of the cargo preference program and asked to make a false choice between our friends in agriculture and our friends in the maritime industry. I say false choice because each Member of this body knows the importance of both agriculture and maritime to the well being of the U.S. economy.

My past support for the cargo preference system, as part of the Food for Peace Program, has been based on my belief that overall the program benefits both agriculture and maritime while accomplishing the central mission of providing food to areas of need. Cargo preference has been the object of consistent challenges since it was conceived in 1985 through negotiations between both agriculture and maritime groups. Since 1985, I have voted to maintain this essentially privately resolved issue.

As we approach the 10-year anniversary of the cargo preference agreement, I believe it would be reasonable to review its effectiveness. Many arguments have been raised in the past 2 days questioning the effectiveness of the program. In recent years, the Pacific Northwest has seen very few Public Law 480 shipments leave our ports. Some of my friends in agriculture point to this as evidence that cargo preference, while it may serve agriculture and maritime in some areas, serves neither in the Pacific Northwest. My friends in maritime indicate that a number of other factors, not cargo preference, are the cause of the lack of grain shipments from the Northwest.

The issue cargo preference effectiveness was recently highlighted for those of us from the Northwest in a letter form Agriculture Secretary Mike Espy. Secretary Espy's letter was in response to a Northwest delegation letter which urged the Secretary work to include a significant amount of Northwest wheat in the Russian aid package then being negotiated. Secretary Espy's response indicated that, due to the "scarcity of U.S.-flag ships on the west coast, the cargo preference law works against products being exported through the Pacific Northwest."

I ask that the September 14, 1993, letter from Secretary Espy and a Northwest delegation letter dated June 24, 1993, be entered in the RECORD at the conclusion of my remarks.

(See exhibit 2.)

This letter has again raised the argument that flaws in USDA's administration of the cargo preference system are to blame for shortcomings in the program. It is also reasonable that geographic concerns and customer preferences or practices also have a large impact on the impact of the program.

My purpose in sharing this with my colleagues today is to invite all participants in this program to revisit this issue, explore ways to make it work as effectively and fairly as possible and bring to the floor a consensus as they did in 1985. This should include ways that USDA can improve its leadership on and administration of the cargo preference program.

So I stand here today as a longtime supporter of the current cargo preference system to say that I am concerned about the continued operation of this program. I strongly encourage the various groups involved to sit down again and work out the issues related to cargo preference so that we can avoid these yearly challenges brought before the Senate.

This is a program that is intended to benefit all parties connected to it, particularly the needy countries involved.

If the only way to fulfill that intent is to alter the current program, then that is what we must do. I am convinced, as I was in 1985, that the best way for that to occur is through a consensus of the groups involved. Thus, I will vote against the Burns amendment.

DEPARTMENT OF AGRICULTURE,
Washington, DC, September 14, 1993.

Hon MARK O. HATFIELD,
U.S. Senate, Hart Senate Office Building, Washington, DC.

DEAR MARK: Thank you for your letter, co-signed by several of your colleagues, regarding the agricultural assistance package for Russia announced at the Vancouver Summit.

We appreciate your analysis of the feasibility and benefits of exporting U.S. wheat from the Pacific Northwest in connection with this package. As you know, the assistance package includes $56 million for exports of U.S. wheat, including $44 million to be made available under Food for Progress (FFP) credit sales, and $12 million as FFP donations.

Wheat exports under FFP credit sales will be implemented under operational procedures established under Title I of the Agricultural Trade Development and Assistance Act of 1954, Public Law 83-480 (P.L. 480). This means that the buyer will award commodity and freight contracts on the basis of lowest landed cost, that is, the lowest price combination of commodity and freight per metric ton of commodity delivered to Russia. In order to comply with cargo preference requirements and promote the widest possible competition, the buyer is required to review commodity and freight offers from all coastal ranges, including the Pacific Northwest. However, because there is a scarcity of U.S. flag ships on the West Coast, the cargo preference laws works against products being exported through the Pacific Northwest.

Wheat exports under FFP donations will be handled similarly, except that the Russians will pay the full cost of freight, and the commodity contracts will be awarded by the Department of Agriculture, either on the basis of lowest landed costs or on the basis of lowest price per metric ton, f.o.b.

We will convey your views on the agricultural assistance package to Russian officials. They should be pleased to learn of your interest in strengthening trade ties between Russia and the Pacific Northwest. A similar response has been sent to your colleagues.

Sincerely,

MIKE ESPY,
Secretary.

CONGRESS OF THE UNITED STATES,
Washington, DC, June 24, 1993.

Hon. MIKE ESPY,
Secretary of Agriculture, Administration Building, Washington, DC.

DEAR MR. SECRETARY: The food aid program announced at the Vancouver, B.C. Summit presents U.S. agriculture with the invaluable opportunity to build new trade relationships with Russia. This program has the potential to open the door for growth and increased stability of the agriculture-based economies of rural America.

The Pacific Northwest exports about one third of all wheat exported from the United States and about 90 percent of the wheat sales from the Pacific Northwest are cash or short term credit sales (compared to 50 percent from other regions). We believe that this positive contribution of the Pacific Northwest to the balance of trade and the Northwest's share of wheat exports should be acknowledged with participation in this Russian food aid program. We ask that you work with Russian officials to encourage them to take a significant amount of the $56 million in wheat from the Pacific Northwest. This would be facilitated by encouraging the Russians to designate the Russian Far East as their import destination for a portion of the wheat.

The Pacific Northwest is ideally suited to provide a portion of the wheat for this and future programs. Russia is a bread wheat purchaser, primarily of hard red winter and hard red spring wheat. Roughly one-half of the wheat shipped from the lower Columbia River is red wheat. Service from the Pacific Northwest to the Russian Far East, using consecutive voyage charters, will result in lower shipping costs due to shorter distances.

We also believe there is a potential long term benefit. This program could stimulate the development of a relationship with a growing market in the Russian Far East in which the Northwest, and thereby, the United States, will gain competitive position versus suppliers from other Pacific rim nations.

Your assistance is greatly appreciated.

Sincerely,

Thomas S. Foley, Mark O. Hatfield, Bob Packwood, Kirk Kempthorne, Patty Murray, Slade Gorton, Mike Kreidler, Al Swift, Bob Smith, Norm Dicks, Jim McDermott, Pat Williams, Peter DeFazio, Conrad Burns, Larry E. Craig, Max Baucus, Ron Wyden, Jolene Unsoeld, Jay Inslee, Mike Kopetski, Larry LaRocco, Michael D. Crapo, Jennifer Dunn, Maria Cantwell, Elizabeth Furse.

Mr. BURNS. Mr. President, controlling the time on this side, I yield to the Senator from Colorado.

The PRESIDING OFFICER. The Senator from Colorado [Mr. BROWN] is recognized.

AMENDMENT NO. 1019 TO AMENDMENT NO. 1018

(Purpose: To limit the cost of cargo preference)

Mr. BROWN. Mr. President, I rise to offer an amendment to the Burns amendment and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Colorado [Mr. BROWN] proposes an amendment numbered 1019 to amendment numbered 1018.

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:

At the end of the amendment, add the following:

SEC. . LIMITATION ON COST OF CARGO PREFERENCE.

Notwithstanding any other provision of law, no Federal agency shall contract for the transportation of goods with any carrier whose rates are more than 100 percent above the average competitive world market shipping rate, as determined by the Secretary of Commerce.

Mr. BROWN. Mr. President, this is a very straightforward amendment. What it does is simply put an upper limit on the cargo preference provision. It says that cargo preference provisions may not result in a rate that is more than 100 percent higher than the competitive world market shipping rate applicable.

This is an amendment that is not new to this Chamber. It was extensively debated earlier this year. In a record vote, this amendment, on a similar measure, was approved. It is not precisely the same vote, but the issue, I believe, is exactly the same.

Mr. President, the case for this is to simply say there ought to be an upper limit on how expensive cargo preference gets. We are not debating cargo preference. This body has indicated its approval of cargo preference in the past. While I do not agree with that, I do not attempt to raise that issue.

What we are responding to is the fact that at this time the taxpayer is simply ripped off and the amount charged for cargo preference in some areas becomes absolutely a scandal.

Recently, some bids on the Russian food exports reached five times world commercial competitive cargo rates; five times what the competitors were willing to pay.

Not so long ago, in an analysis, it was shown that in the last few years in shipments of grain to Africa that the Journal of Commerce reported that grain shipments had exceeded the actual cost of the grain. Unbelievable. The transportation cost more than the whole amount of the grain. The grain that was shipped to Africa in that year cost $447.5 million and the cost of transportation and storage totaled $488.1 million.

Mr. President, this issue is quite clear: Should there be an upper limit on how much the taxpayers are stuck with in transporting grains under the cargo preference rules? This amendment simply suggests it ought to be limited to 100 percent more than what competitive rates are.

I must say, I think it is scandalous and outrageous to demand that we pay double the world competitive rates to ship grain. But the fact is, taxpayers have been stuck for 3, 4, and 4½ times as much as the world competitive rate. So this simply puts a limit to the greed that is involved.

I think it is a prudent, reasonable measure that probably is far too generous in the limit it allows, but there ought to be some point at which this body says enough is enough. That is what this amendment does. We voted on it earlier in this year.

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

Mr. BREAUX addressed the Chair.

The PRESIDING OFFICER. The Senator from Louisiana.

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

Most times we offer legislation in amendments that are aimed at solving

problems. In this case, I fear that we have legislation that, in fact, is looking for a problem to solve and the problem does not exist. If you take a look at what has happened in the Russian grain sale—because that is what we are talking about—it is clear that the law is working.

Twenty-seven ships have been chartered to take the grain under the Russian grain agreement that was entered into at Vancouver. Do you know how many ships are being used that are American-flag ships out of the 27 ships? Three. Twenty-four of the twenty-seven ships that have been selected are foreign-flag vessels; foreign owned, foreign registered, foreign-flag ships.

The reason that they have selected 24 of 27 ships to carry American grain and ship it to Russia in a foreign ship is because the current law works. The current law clearly says that we will give a preference to U.S.-flag ships when we send American grain if there are American-flag ships that are available, No. 1; and, No. 2, they have to be available at rates that are fair and reasonable. That is the determination that has to be reached on each selection of ships carrying American grain.

The law is working because in this sale to the Soviet Union, the Department of Transportation has said that American ships, by and large, are not available at rates that are fair and rates that are reasonable. Therefore, only 3 of the 27 ships that are being used are, in fact, American-bottom ships.

We have agricultural programs that help American farmers, which I strongly support. We have target price programs; we have deficiency programs; we have loans; we have disaster payments—heaven help us when we have to use them—all designed to help the American farmer do a better job at farming.

We have one small, measly program left to help the American merchant marine, and that is to say: At least use American ships when we send American grain overseas. I do not think it sends a particularly good message when grain arrives in foreign vessels and the United States of America has to say, we cannot even find a ship to send it in and we are going to charter some Liberian vessel or some Bahamian vessel or some other flag vessel to send our grain to your country.

The program works. You cannot charter an American vessel unless the rates are fair and reasonable and the ships are available in a timely fashion. That is the current law. We do not need to change it. We certainly do not need to change it while this administration is currently involved in negotiations at all agencies with the President to come up with an American maritime program that is going to be good for the American shipbuilding industry and for the American shipowners, as well as the sailors who are on these ships.

Let us not legislate when there is not a problem. There are enough other problems we need to be directing our attention to. Let us say we are going to do something for the American industry as long as it is fair and reasonable. That is the law.

This amendment should be defeated or should be tabled, which I think the chairman will move to do at the appropriate time.

I reserve the remainder of my time.

The PRESIDING OFFICER. Who yields time?

Mr. BROWN addressed the Chair.

The PRESIDING OFFICER. The Senator from Colorado [Mr. BROWN].

Mr. BROWN. Mr. President, I simply note this amendment does not end the Cargo Preference Program. I wish it did. I wish it could. I think it is a waste of money. This does not end it. It simply limits the greed to let them only charge double, so they cannot get away with charging more than double the going commercial rate.

Mr. President, we voted on this in June. So it has been just a few months since we had a vote on a similar measure. Rather than ask for the yeas and nays at this point, I ask if my dear friend from Louisiana will request a record vote on this measure.

Mr. BREAUX. Mr. President, I will respond to my colleague by saying anything that assures the defeat of the amendment, I am certainly willing to accept, either by voice vote or recorded vote.

Mr. BROWN. Mr. President, inasmuch as it appears that there is not agreement on this, perhaps it is appropriate to go ahead with a record vote then.

I 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. GRASSLEY. Mr. President, the Journal of Commerce on September 16, 1993, reported that U.S.-flag companies continue to submit bids over four times the world market rate. These bids were submitted for food aid shipments to Russia.

I remind my colleagues that it was food aid to Russia, and the outrageous bids well over four times the world rate, that led to the Senate to go on record earlier this year stating that taxpayers should not be gouged by rates more than twice the world rate.

The continued gouging of American taxpayers, notwithstanding the position of the U.S. Senate, demonstrates the arrogance and political smugness of the U.S.-flag merchant marine.

It also continues to demonstrate the uselessness of the Maritime Administration's regulation of rates under its so-called fair and reasonable rate schedule.

Mr. President, I am submitting for the RECORD the article to which I referred.

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

ONLY THREE U.S. CARRIERS BID TO HAUL FOOD AID

(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. No U.S.-flag ships will be used to ship 120,000 tons of soymeal already purchased. The first requests for bids covered about one-third of the total loan deal.

This situation has left no one happy—U.S.-flag carriers feel that the USDA and the Russian government have manipulated the process and kept them from participating fully; and farm-state interests are unhappy at the prices of the U.S.-flag bids.

Indeed, both sides see in the process a failure to follow out congressional instructions and a situation that will provide fodder for further controversy and debate.

In June, the Senate passed a nonbinding 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.

Sen. Paul Sarbanes, D-Md., has said he will attempt to expand cargo-preference laws to cover cash transfer payments as part of the foreign aid bill.

Sen. Grassley said the Sarbanes amendment will provide him with a good opportunity to point out the latest bids to his colleagues and perhaps to try again to limit cargo-preference payments.

Carrier interests point to statements made at a House oversight hearing this summer on U.S. rates and the costs and delays to U.S. vessels in Russian ports.

They point to statements by House members that USDA officials should twist diplomatic arms in Russia to reduce unloading times for U.S. vessels.

"I'm amused that it's taken the guys at Agriculture all this time to negotiate terms with the Russians and we end up with contract terms that stipulate 'custom of the port,'" said Thomas L. Mills, a Washington attorney who represents Liberty Shipping.

"That means whatever they want to do in the ports, however long it takes to unload, the U.S. owner still has to assume the risk."

Mr. Mills said the reason his client's bid was so much lower is because the vessel is more efficient.

"Liberty vessels are the newest and most efficient in the trade and the rates reflect that," he said. "We should build more of them but no one can get money to build them because USDA won't shift and give us long-term contracts."

He said most U.S.-flag bulk carriers are busy with other shipments right now and that the Russian tenders were structured in such a way as to preclude much participation.

"The curious thing is that the contracts required loading within 10 days," Mr. Mills said. "That is very, very unusual. Usually, loading is a month or two out."

Even though rates submitted by U.S. carriers are higher than the $75-a-ton cap imposed earlier this year by the USDA, U.S. taxpayers probably will end up with a smaller overall bill.

That's because the U.S. government agreed to pay the difference between higher U.S. shipping costs and world rates.

The Clinton administration estimated $100 million, based on a differential of $40 a ton. But the U.S. government expected U.S.-flag vessels to carry 75% of all shipments. With U.S. ships hauling less volume, that amount should decrease.

Mr. BROWN. Mr. President, I think the amendment is quite straightforward and clear. Unless there are further questions, I will simply reserve the remainder of my time.

Mr. BURNS. Mr. President, how much time do we have remaining?

The PRESIDING OFFICER. The Senator from Montana has 10 minutes 46 seconds. The Senator from Louisiana has 11 minutes 10 seconds.

Mr. BURNS. Mr. President, I yield myself 3 minutes just to answer the criticism of this particular piece of legislation or amendment on this bill.

The Senator from Louisiana makes a good point: Who determines what is fair on the rate? Is that one ship in one port, saying we will haul it for one price, and the availability of a flag ship in a port in the United States; in other words, that ship could be not only in his home State of Louisiana where they load a lot of grain, but it could be in Charlotte, or somewhere else, and our grain, of which 93 percent of it moves to the west coast, we cannot ship to Charlotte or to Louisiana. Now we could, at an increased rate, either by rail or by barge or a combination of the two.

A nickel a bushel at a certain time in the year means a lot of money to a producer in Montana. It also means a lot of money to the Treasury of the United States because of targets and deficiency prices.

What I am trying to do is bring some balance to this so that we all have a shared cost of delivering this Food for Peace or Food for Progress, especially under the law of Public Law 480. So I think it has to be a shared thing and not one person being on the short end of the stick and the others operating with little or no risk at all.

That is the purpose of this amendment. I can understand that no industry in America has a greater champion than my friend from Louisiana. But I think this is a question of out-and-out American fairness.

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

Mr. BREAUX. I yield to the distinguished ranking member and also the Senator from Mississippi. I yield 2 minutes to the Senator from New York.

The PRESIDING OFFICER. The Senator from New York is recognized for 2 minutes.

Mr. D'AMATO. Mr. President, I would just like to make an observation. The amendment of my good friend from Montana seems to me to be misdirected when it attempts to say that certain ports in the Northwest should be used. The fact of the matter is, that would substantially drive up the cost.

I do not understand why we would want to get into that situation. When we look at the Russian grain shipments, the Russians are calling for and asking for deliveries on their ports at the Black Sea and the Baltic Sea ports. Those are shipments that, obviously, necessarily would then take place from the U.S. east and gulf coast ports. So it is not a question of improving the delivery, of enhancing anyone's capabilities but, indeed, that will drive up the cost if we were to adopt that amendment.

For that reason, I would have to be in opposition.

Mr. BREAUX. How much time do I have?

The PRESIDING OFFICER. The Senator from Louisiana has 9 minutes 55 seconds.

Mr. BREAUX. I yield 2 minutes to the Senator from Mississippi.

The PRESIDING OFFICER. The Senator from Mississippi [Mr. COCHRAN], is recognized.

Mr. COCHRAN. I thank the distinguished Senator from Louisiana for yielding time to me.

For background information, Senators might want to know that in 1985, when we were debating the farm bill, we crafted a compromise on cargo preference that attempted to establish among the various port ranges, the various regions of the United States, a fair and equitable arrangement so that no one port range would be preferred over any other as a matter of law; that we would compete on the basis of efficiency, on lowest landed cost, so that purchasers and administrators of the program could decide from which ports grain and other commodities would be shipped, and they could decide which would be the most efficient and economical.

The fact is this amendment does not have anything to do with cargo preference as such. It has to do with port preference. It is an attempt to legislate an exception to that accommodation that was reached by hard-fought compromise and negotiation and eventual compromise almost 10 years ago.

I truly hope the Senate will be very cautious as it considers this amendment to make a change in the current arrangement.

The reason, as very accurately stated by the Senator from New York, that the Russian grain shipments are being made from the East and the gulf coast ports is that it is more economical for the Russian purchasers and recipients of this grain because they want the cargoes delivered to the Baltic ports and to the Black Sea ports, not to Vladivostok.

I hope the Senate will reject the amendment.

Mr. BREAUX. Mr. President, I think the arguments have been made. As I said earlier, this is legislation that is looking to solve a problem that does not exist. Only 19 percent of the grain cargo that is being shipped to Russia is going on United States-flag ships; 81 percent is going on foreign-flag vessels. The program is working. As the Senator from Mississippi pointed out I think very clearly, this is an argument about which port we are going to use.

I think we should table the amendment and the underlying amendment. At the appropriate time, I on behalf of the chairman or the chairman will take the necessary action with regard to tabling the amendment.

Let me just point out that we have tried to be as fair as anybody can possibly be with the allocation of where cargo goes. The problem with the Russian grain shipments from the Pacific Northwest is that it is not convenient or reasonable for the Russians to have it come from a Northwest port.

Now, in some cases, it will be more attractive to ship from the Northwest depending on the destination of the cargo. In some cases it is more attractive to ship it from the gulf; in some cases it is more attractive to ship it from the east coast, but that is not something we can solve with this amendment that is being offered today.

I would merely point out further that under the existing law when we talk

about a cargo preference for U.S. vessels, the law says right now, very clearly, that this allocation of U.S. preference should be done in a way to ensure a fair and reasonable participation of U.S.-flag vessels in such cargoes by geographical areas.

So there is a conscious effort under the law to make sure that geographical areas are treated fairly when determining from where the cargo is going to be shipped. But as long as we have the existing law that says we are going to use U.S.-flag vessels if the rates are fair and reasonable I think everybody is protected: the American farmer is protected, the American shippers are helped, American seamen aided, American jobs are retained. The program is working; it is not broken; do not try to fix it because I am afraid we are just going to end up messing it up.

I am happy to yield to the Senator from Maryland, Mr. SARBANES.

The PRESIDING OFFICER. The Senator from Maryland, Mr. SARBANES, is recognized.

Mr. SARBANES. Mr. President, I rise in very strong support of the position stated by my distinguished colleague from Louisiana. This is not a new issue in this Chamber, although it is presented in a somewhat different form today. The very able Senator from Mississippi pointed out the current arrangement was very hard fought and I think represented an effort to balance all of the competing interests that are involved.

I think the program has worked well. This amendment, of course, would begin its erosion, its undercutting. I very much hope—I gather a tabling motion will be coming—when the tabling motion is proposed it carry in this body.

I do want to point out on the broader issue, other nations use cargo preference just on the basic question before us. The Russians, in fact, when they negotiated the deal required that a certain amount of it travel in Russian bottoms, and countries that maintain a maritime capability have been using one or another form of cargo preference. A lot of them are very shrewd in how they do it, but it is one of the ways they sustain and maintain a maritime capacity, something we have been losing in this country and something I believe we need to address.

That is a broader issue than this amendment, but this amendment would erode some of the little effort we are now undertaking in order to maintain such a capacity. I hope the amendment is defeated.

Mr. BURNS addressed the Chair.

The PRESIDING OFFICER. The Senator from Montana is recognized, Mr. BURNS.

Mr. BURNS. Mr. President, again I want to balance this on fairness. If there is an American-flag ship sitting in Baltimore or Charlotte, then that is good enough for cargo preference if we have none sitting in Portland.

Now, granted, most of the grain going to Russia goes through the Black Sea and to those ports, but there is also a little bit of demand through Vladivostok.

Now, it may not be big, but I say to my colleagues, if we cannot get to that market through the Northwest ports, then we never will from the east coast or the gulf ports. We are just wanting to ship a little bit of grain out of Portland and to waive into a new market. We do not know how big that market would be or the reception in the U.S.S.R.

This is a surgical approach. In other words, the Department of Transportation has to OK it and also the Department of Agriculture has to OK it. This is not broad reaching, just to do away with cargo preference as it exists now. Nobody probably supports this more than our own merchant marine force.

But this is in fairness to open up a new market, because for my producers in Montana, of course, as you know, it is the same old argument with agriculture; you sell wholesale and you buy retail and you pay the freight both ways. If you are at the end of the line, you feel you get beat up a little bit because we are even captive shippers when it comes to railroads. And our natural ports, 93 percent is Portland or Vancouver or Seattle.

So what little could be moved into that third or fourth Russian port we are denied because we would have an American-flag ship sitting in the port of Baltimore, MD, and we have no ground access to ship our grain here. If we did, with the cost, we just could not afford that. We know that the cost comes off of the producer. That is where the cost is. It does not come off the consumer or the other end of the line. It comes off the people who grow the grain.

So what we are asking is just a little bit of fairness to open up a little bit of a market in Russia to allocate this new wheat. It has to be wheat only. It can be no other grain. This is probably the most surgical piece of language that we would have offered to the body. I would ask my colleagues especially in agriculture to support this amendment.

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

Mr. D'AMATO addressed the Chair.

The PRESIDING OFFICER. The Chair informs the Senator from New York he needs to get the time from the manager, the Senator from Louisiana.

Mr. BREAUX. I yield the Senator from New York 1 minute.

Mr. D'AMATO. Mr. President, at this time, unless there is objection, I would move to table the second-degree amendment of the Senator from Colorado.

Mr. LAUTENBERG. Will the Senator hold for just a minute?

Mr. BREAUX. Mr. President, parliamentary inquiry. If a motion to table the Burns amendment is made, does that motion also take with it the Brown amendment if in fact the motion to table is carried?

The PRESIDING OFFICER. The Senator is correct.

Mr. BREAUX. Mr. President, I think with the limited time we have left, does the Senator from Montana yield his time?

Mr. BURNS. I want clarification of what the Senator from Louisiana is trying to do.

Mr. BREAUX. The Senator from Louisiana is against the Burns amendment and also against the amendment of the Senator from Colorado [Mr. BROWN].

Mr. BURNS. I would like a vote on the Brown amendment, second degree on Brown, and also a vote on my original amendment.

Mr. BREAUX. The Senator from Louisiana intends to join with the chairman of the subcommittee in moving to table the Burns amendment.

I just conclude my remarks by saying the law already covers the situation that the amendments are set to address. I do not think we need to do that.

I yield the remainder of my time to the Senator from New Jersey.

The PRESIDING OFFICER. The Senator from New Jersey is recognized.

Mr. LAUTENBERG. I thank my friend from Louisiana. I think he very clearly stated the objection. We are offering a solution for a problem that does not exist. Ships are not available. We would like to deal with this, see what the sentiment of the Senate is. I, therefore, move to table the Burns amendment.

Mr. BROWN. Mr. President, will the Senator withhold?

The PRESIDING OFFICER (Mr. FEINGOLD). The motion is not in order at this time. The Senator from Montana controls 5 minutes. At the conclusion of that time, the motion to table would be in order.

Mr. BURNS. Mr. President, I yield to my friend from Colorado.

Mr. BROWN. Mr. President, I understand the floor manager's interest in expediting the procedure. I can well understand the interest of my friend from Louisiana. If he would let us vote separately on the Brown amendment at this juncture, I will simply offer it later on. So we are not going to save any time by dealing with it together.

My hope is that the managers of the bill might be willing to allow us separate votes on the second-degree amendment and the underlying amendment. If they will, then we can come back and offer the Brown amendment separately. I think we could expedite the procedure by going with separate motions on the amendments.

The PRESIDING OFFICER. The Senator from Montana has 4 minutes.

Mr. BREAUX. Mr. President, how much time do I have?

The PRESIDING OFFICER. The Senator from Louisiana has 1 minute left.

Mr. BURNS. I ask my friend from Louisiana: Would it be acceptable—or the manager of the bill—would that be acceptable as suggested by the Senator from Colorado?

Mr. LAUTENBERG. Mr. President, if the Senator from Louisiana would yield me the remainder of his time——

Mr. BREAUX. I yield.

Mr. LAUTENBERG. I thank the Senator from Louisiana.

Very simply put, Mr. President, the Senator from Colorado, as everyone knows, has the right to bring up his amendment at the appropriate place.

At this moment, I move to table the Burns amendment which carries with it, as the Parliamentarian stated, the Brown amendment. The vote will decide whether or not we continue reviewing the amendment. With all time yielded——

Mr. BURNS. Mr. President, I would then move to table the Brown amendment, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is not a sufficient second.

The Senator from Montana has 3 minutes 40 seconds.

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

The PRESIDING OFFICER. The Senator from Montana has the remaining time. He is the only one in a position to do that.

Mr. BURNS. Mr. President, are we in a quorum?

The PRESIDING OFFICER. We are not.

Mr. BURNS. Mr. President, I yield 1 minute to my friend from Colorado.

Mr. BROWN. Mr. President, in light of the reluctance of the opponents of my second-degree amendment to allow a vote on it, I will at this time withdraw the amendment.

The PRESIDING OFFICER. Is there objection?

Is there an objection?

Mr. BREAUX. Reserving the right to object.

Mr. BURNS. Mr. President, with that, I ask the Parliamentarian, can he withdraw his amendment?

Mr. BREAUX. Parliamentary inquiry?

The PRESIDING OFFICER. He would need unanimous consent because the yeas and nays have been ordered.

Mr. BROWN. Mr. President, I ask unanimous consent that I be allowed to vitiate the yeas and nays.

Mr. BREAUX. I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Montana has 1 minute 50 seconds.

Mr. BURNS. 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.

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

Mr. BROWN. Reserving the right to object. Who would be recognized when we come out of the quorum call?

The PRESIDING OFFICER. The Senator may either object or not object.

Mr. BROWN. I object.

The PRESIDING OFFICER. Objection is heard.

The clerk will continue calling the roll.

The legislative clerk continued calling the roll.

Mr. BAUCUS. 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. BAUCUS. Mr. President, I ask unanimous consent to speak for 5 minutes as in morning business, at the conclusion of which I will suggest the absence of a quorum.

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

FEDERAL PROCUREMENT POLICY

Mr. BAUCUS. Mr. President, very soon President Clinton is expected to sign an Executive order requiring the Government to buy recycled paper. I urge the President to use this opportunity to strengthen our procurement policy and resist calls to backslide.

Last year, we Americans threw out almost 200 million tons of municipal trash—almost triple the amount of waste that we threw out in 1960.

There is now a widespread agreement that we need to deal with waste differently—away from generation and disposal and toward prevention and recycling.

We need the right incentives to reduce the amount of waste we create. What we do create, we should reuse and recycle as much as possible.

One key to this new environmental ethic is recycling, and more than 5,000 cities across the country have responded by setting up recycling programs. Rather than throwing out all of their trash, people are now separating their paper, bottles, and cans so that they can be recycled. All told, more than 70 million Americans are doing their part. But if recycling is going to survive, others—including the Federal Government—must do their part.

If we are going to profit from the efforts of these 70 million Americans, there must be a demand for the recyclables they are collecting. Just as in any functioning market, supply and demand must be roughly equal.

To date, however, most efforts have focused on collection. So there is an oversupply of many recyclables relative to the demand. If we really want recycling to survive, there must be greater demand for what is being collected. That is where the Federal Government comes in.

Many people agree that one of the most important ways to stimulate demand for recycled goods is for the Government to use its purchasing power. Through its procurement policies, the Federal Government can set an example and help send a message that recycling is an important and valuable activity.

Because the Government is such a major consumer of products that can be made with recycled material—we use 2 percent of all printing and writing paper in the United States—increasing procurement of these products will help recycling.

On Earth day, President Clinton recognized that the Government should lead by example—by promoting recycling. He promised an Executive order requiring that the Federal Government buy more recycled paper. I share his commitment to increasing our Nation's recycling rates and urge the President to be bold.

I realize that recently some paper companies are pushing the President in the other direction. They would like to see our procurement guidelines weakened. They have gone so far as to recommend that we buy recycled paper that contains 90 percent virgin fiber. That is 40 percent more virgin fiber than current procurement policy.

Clearly, that is not progress. It is not the type of leadership that is needed. It is backsliding. What is worse, it is a slap in the face to those 70 million Americans who are already doing their part to promote recycling. A bait and switch maneuver that results in using more virgin materials would betray the work of these millions of Americans trying to do their part by separating their trash and urging our country to adopt the policy of using more recyclables.

One final point so that everybody understands what the Federal procurement policy is and is not. It is not a mandate. It does not any way require any paper mill to make recycled paper, unless it chooses to do so. Paper mills would be entirely free to sell unrecyclable paper to the remaining 98 percent white paper market. In fact, procurement policy is perhaps the purest form of letting the market work.

McDonald's, for example, used the procurement policy to turn its golden arches green. They asked all of their suppliers to cut the overall waste by 15 percent by December 1991. And their suppliers responded by reducing the packaging content of corrugated boxes, sandwich wrap, and containers.

The Federal Government should do no less. That means telling our suppliers what type of recycled paper we want to buy. That is really the goal of the procurement policy—to give companies that supply Government with

paper and other goods a reason and an incentive to use more recycled materials in their products.

Again, I urge President Clinton to hang tough and sign a recycling Executive order that provides strong leadership and the type of incentives needed for recycling to prosper.

I yield back the remainder of my time.

DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES APPROPRIATIONS ACT, 1994

The Senate continued with the consideration of the bill.

The PRESIDING OFFICER. Under the previous order, the clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

UNANIMOUS-CONSENT AGREEMENT

Mr. LAUTENBERG. Mr. President, I ask unanimous consent that we be permitted to enter a tabling motion on the Brown amendment and have a 15-minute rollcall vote thereupon to be followed, without any intervening business, by a 10-minute vote on a tabling motion on the Burns amendment.

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

Mr. LAUTENBERG. Mr. President, for Senator D'AMATO and myself, I move to table the Brown amendment and 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. The question is on the motion to lay on the table the amendment of the Senator from Colorado.

Mr. LAUTENBERG. Mr. President, I move to table the Burns amendment, and ask at the same time for the yeas and nays on the tabling motion as well.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

VOTE ON AMENDMENT NO. 1019

The PRESIDING OFFICER. The question then occurs on the motion to table amendment No. 1019 offered by the Senator from Colorado. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. SIMPSON. I announce that the Senator from Kentucky [Mr. MCCONNELL] is necessarily absent.

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

The result was announced—yeas 50, nays 49, as follows:

[Rollcall Vote No. 304 Leg.]

YEAS—50

Akaka	Gorton	Moynihan
Biden	Graham	Murkowski
Bingaman	Hatfield	Murray
Boxer	Heflin	Packwood
Bradley	Hollings	Pell
Breaux	Inouye	Reid
Bryan	Johnston	Riegle
Byrd	Kennedy	Robb
Cochran	Kerry	Rockefeller
Cohen	Lautenberg	Sarbanes
D'Amato	Leahy	Sasser
Daschle	Levin	Shelby
DeConcini	Lieberman	Specter
Dodd	Lott	Stevens
Feingold	Metzenbaum	Wallop
Feinstein	Mikulski	Wofford
Ford	Mitchell	

NAYS—49

Baucus	Durenberger	Mack
Bennett	Exon	Mathews
Bond	Faircloth	McCain
Boren	Glenn	Moseley-Braun
Brown	Gramm	Nickles
Bumpers	Grassley	Nunn
Burns	Gregg	Pressler
Campbell	Harkin	Pryor
Chafee	Hatch	Roth
Coats	Helms	Simon
Conrad	Hutchison	Simpson
Coverdell	Jeffords	Smith
Craig	Kassebaum	Thurmond
Danforth	Kempthorne	Warner
Dole	Kerrey	Wellstone
Domenici	Kohl	
Dorgan	Lugar	

NOT VOTING—1

McConnell

So the motion to lay on the table the amendment (No. 1019) was agreed to.

Mr. LAUTENBERG. Mr. President, I move to reconsider the vote by which the motion to table was agreed to.

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

The motion to lay on the table was agreed to.

VOTE ON AMENDMENT NO. 1018

The PRESIDING OFFICER. The question now is on agreeing to the motion to lay on the table amendment No. 1018, offered by the Senator from Montana. The yeas and nays have been ordered. This will be a 10-minute rollcall vote.

The clerk will call the roll.

The bill clerk called the roll.

Mr. SIMPSON. I announce that the Senator from Kentucky [Mr. MCCONNELL] is necessarily absent.

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

The result was announced—yeas 69, nays 30, as follows:

[Rollcall Vote No. 305 Leg.]

YEAS—69

Akaka	D'Amato	Heflin
Biden	Daschle	Hollings
Bingaman	DeConcini	Hutchison
Boren	Dodd	Inouye
Boxer	Domenici	Johnston
Bradley	Exon	Kennedy
Breaux	Feingold	Kerrey
Bryan	Feinstein	Kerry
Bumpers	Ford	Lautenberg
Byrd	Glenn	Leahy
Campbell	Gorton	Levin
Chafee	Graham	Lieberman
Cochran	Gramm	Lott
Cohen	Harkin	Mack
Coverdell	Hatfield	Mathews
McCain	Nunn	Sarbanes
Metzenbaum	Packwood	Sasser
Mikulski	Pell	Shelby
Mitchell	Pryor	Simon
Moseley-Braun	Reid	Specter
Moynihan	Riegle	Stevens
Murkowski	Robb	Warner
Murray	Rockefeller	Wofford

NAYS—30

Baucus	Dorgan	Kohl
Bennett	Durenberger	Lugar
Bond	Faircloth	Nickles
Brown	Grassley	Pressler
Burns	Gregg	Roth
Coats	Hatch	Simpson
Conrad	Helms	Smith
Craig	Jeffords	Thurmond
Danforth	Kassebaum	Wallop
Dole	Kempthorne	Wellstone

NOT VOTING—1

McConnell

So the motion to lay on the table the amendment (No. 1018) was agreed to.

(Later the following occurred.)

Mr. LIEBERMAN. Mr. President, on rollcall vote No. 305 I was present and voted aye. The official record has me listed as absent. Therefore I ask unanimous consent the official record be corrected to accurately reflect my vote which will in no way change the outcome of the vote.

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

Mr. LIEBERMAN. I thank the Chair and yield the floor.

(The foregoing tally has been changed to reflect the above order.)

Mr. BREAUX. Mr. President, I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

Mr. FORD addressed the Chair.

The PRESIDING OFFICER. The Senator from Kentucky.

ORDER FOR RECESS UNTIL 5 P.M.

Mr. FORD. Mr. President, on behalf of the majority leader, I ask unanimous consent that the Senate now stand in recess until the hour of 5 p.m.

Mr. D'AMATO. I am wondering if the distinguished acting leader could let us put in one amendment that we have agreed to.

Mr. FORD. Fine. Mr. President, I ask unanimous consent that as soon as the amendment is agreed to the Senate stand in recess then until 5 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from New York.

AMENDMENT NO. 1020

(Purpose: To provide for a review of certain actions of the Federal Aviation Administration regarding the closing of certain flight service stations in the State of Alaska)

Mr. D'AMATO. Mr. President, on behalf of Senator MURKOWSKI and Senator STEVENS, I send an amendment to the desk and ask for its consideration.

The PRESIDING OFFICER. If there is no objection, the committee amendment is set aside. The clerk will report.

The bill clerk read as follows:

The Senator from New York [Mr. D'AMATO], for Mr. MURKOWSKI for himself and Mr. STEVENS, proposes an amendment numbered 1020.

Mr. D'AMATO. 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 in the bill, insert the following:

SEC. . None of the funds appropriated by this Act shall be available for use for closing or otherwise reducing the services of any flight service station in the State of Alaska in operation on the date of the enactment of this Act, until after the expiration of the 90-day period following the date that the Secretary of Transportation has reported to Congress regarding the effects on safety of the flight service station closing and reduction in services plan being carried out by the Federal Aviation Administration in the State of Alaska on the date immediately preceding the date of the enactment of this Act. Such report shall be submitted no later than 90 days after enactment of this Act.

Mr. D'AMATO. This amendment has no budget implications. It has been agreed to. The majority has no objection.

Mr. MURKOWSKI. Mr. President, I offer an amendment that states that no funds can be further expended for closing or reducing services of any Alaska flight service station until 90 days after the Secretary of Transportation provides a report to the Congress regarding the safety of the flight service modernization plan.

I am offering this amendment because of the major concern over safety due to the unpredictable weather in Alaska.

Weather is not a subject of small talk in Alaska, it's a serious topic of conversation.

The National Flight Service Modernization Program was approved and funded by Congress in 1980 and an Auxiliary plan was submitted to Congress in 1991.

The Alaska plan consolidates 26 flight service stations into 3 automated facilities in Fairbanks, Kenai, and Juneau.

The Auxiliary plan reopens 14 stations on a reduced hour or seasonal basis.

At present, Yakutat, Farewell, Big Delta, Bettles, Cordova, King Salmon, and Anchorage are closed. Barrow has reduced hours of operation and McGrath will be open on a seasonal basis.

All of my colleagues who have been to Alaska know that we don't have an extensive road system. Airplane travel is a necessity, not a luxury.

Phil Boyer, President of the Aircraft Owners and Pilots Association, was recently in Alaska. In the October issue of AOPAPILOT, he stated that light airplanes are the only means of year-round transportation for 70 percent of Alaskan communities.

I do not mean to criticize the FAA and all of those who worked with them to consolidate services without compromising safety. I believe they are doing their best.

However, during the August recess, I had a barrage of comments from pilots all over Alaska expressing their concerns that station closures and reduced station hours will compromise safety by not providing up-to-date weather information.

AOPA president, Phil Boyer also expressed that and some other basic safety concerns in his article which I ask unanimous consent be printed in the RECORD.

Therefore, I believe we need some reassurance on this plan.

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

ONE SIZE DOESN'T FIT ALL

(By Phil Boyer)

One Saturday this past August, I reached a landmark in my 25 years of general aviation flying. I landed at Ketchikan, in the southeast portion of Alaska, thus completing a personal record of having landed in all 50 states.

For the next six days, we logged more than 20 hours of flight time in a state that truly understands the value of general aviation. Accompanying me were Steve Brown, AOPA's senior vice president of Government and Technical Affairs; Ray Costello, AOPA's regional representative for the Pacific Northwest and Alaska; Marc Cook, senior editor of AOPA Pilot; and Tom Wardleigh, chairman of the board of the Alaska Aviation Safety Foundation. The AASF is a critical partner to AOPA all through the year.

Alaskans often feel neglected when it comes to recognition and understanding from those of us in the Lower 48.

Light airplanes are essential in Alaska. They are the only means of year-round transportation for approximately 70 percent of the state's communities. Alaska has eight times as many pilots and 15 times as many aircraft on a per-capita basis as the rest of the United States. Merrill Field in Anchorage is one of the busiest general aviation airports in the nation, logging more than 300,000 takeoffs and landings each year. Nearby Lake Hood is the world's largest and busiest seaplane base, accommodating as many as 800 floatplane operations on a summer day. The airplane is the only convenient way to reach many native villages. In recent years, tourism has given birth to a growing air taxi industry that flies single- and even twin-engine floatplanes to deliver and pick up sportsmen at remote lakes and mountains.

Our tour included stops at the major population centers of Juneau (the state capital), Anchorage, and Fairbanks. Here we held evening AOPA Pilot Town Meetings—listening sessions—to better understand the concerns of our 4,000 AOPA members (nearly half the certified pilots) in Alaska. And from small fishing villages like Cordova to tourism centers like Ketchikan, we met and spoke with pilots—on the ramp, at lunch, in hangars, wherever we were. Kotzebue, Dillingham, Nome, Sitka, and Iliamna no longer are just places on a chart or map; they now represent faces and opinions to attach to the problems unique to Alaska.

The major concern of today's Alaskan bush pilot is as it always has been: the weather. Micro-climates develop in mountain passes used by air transportation, and without the ability to quickly receive the most current information about these conditions, pilots and their passengers can find themselves in a lot of trouble in a very short time. Contrary to the image of the renegade Alaskan bush pilot, everyone I met there seemed to be passionate about following the rules, and they were proud of it.

The move to automated flight service stations (AFSSs) has left a void in certain regions compared to weather information and communications that existed in the past. The FSS modernization plan called for consolidating 26 FSSs in Alaska into three automated facilities: Juneau, Fairbanks, and Kenai. In later 1991, largely through AOPA efforts in Congress, the auxiliary FSS (XFSS) concept was adopted. Alaska was granted 14 XFSSs and six supplemental weather facilities in addition to the three AFSSs. That plan is being implemented but not without pain. At Cordova, we visited a closed FSS that now operates as a supplemental station. Here, in the nearly abandoned FSS building, we met a contract employee whose only duty is to make local weather observations on the hour and transmit them to the FAA computer system. Even though most of the previously used FSS equipment remains in the building, the observer uses a low-wattage hand-held transceiver to radio local weather observations and current field conditions to pilots. No walk-in briefings were available, no one could pass along pilot reports, and no one was there to open or close flight plans. Despite the technology of the AFSS system, the contract observer's only response to requests for typical FSS services is to point to the telephone and have pilots call one of the three AFSSs.

That's another problem: Long delays using the 800/WX-BRIEF number were reported by the pilots we talked to. It sounded as though I was listening to complaints heard in the Lower 48 during the mid-1980s transition to the AFSS system. You would think the FAA could get it right by now.

Also, the FAA admitted to problems with remote radio frequencies—a serious situation because remotes are supposed to be the solution to the flight-plan filing and closing situation in the absence of an FSS. Pilots complained to us that the remotes were not working correctly and that contract couldn't be made, often because flights are made at low altitudes. One pilot was so frustrated, he recorded his inability to communicate. He handed me the audio cassette at one of the town meetings as evidence. Picture a pilot returning to an uncontrolled, non-FSS-equipped airport in the winter and at night. He attempts to use the remote frequency to close his flight plan but to no avail. After landing, he goes to an outside telephone in minus-40-degree weather and calls the AFSS but is placed on a long hold. Eventually, he just gives up and goes home to await a call from the FAA, which is trying to determine the aircraft's whereabouts before beginning search and rescue. This is not an unusual scenario, we were told.

FAA enforcement of rules designed for our Lower 48 airports need modification for Alaska. Wire security fences are required around a village airstrip with one commuter flight a day—yet hundreds of general aviation flights need ramp access for vital mail and cargo shipments. We also heard lots of familiar-sounding complaints about U.S. Customs.

AOPA will continue to be involved in helping Alaskan pilots with Alaskan problems. If

anyone ever wondered whether air transportation by light airplane is alive and well, just set foot in Alaska. It's obvious no explanation of the words general aviation is needed there. The bureaucrats in Washington, D.C., must realize that legislation and regulations that seem right for the Lower 48 don't necessarily make sense in the unique and rugged aviation environment we found in Alaska. One size doesn't fit all.

The PRESIDING OFFICER. If there is no objection, the amendment is agreed to.

So the amendment (No. 1020) was agreed to.

Mr. LAUTENBERG. Mr. President, I move to reconsider the vote.

Mr. D'AMATO. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

RECESS UNTIL 5 P.M.

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 5 p.m.

Thereupon, at 4:05 p.m., the Senate recessed until 5 p.m.; whereupon, the Senate reassembled when called to order by the Presiding Officer (Ms. MIKULSKI).

DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES APPROPRIATIONS ACT, 1994

The Senate continued with the consideration of the bill.

The PRESIDING OFFICER. The pending business before the Senate is the Transportation appropriations bill, H.R. 2750. The Senate is deliberating the first committee amendment.

Mr. BAUCUS. Madam President, I ask unanimous consent that I be allowed to speak as in morning business for 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from Montana may proceed.

CHAPTER VI OF "SAVE YOUR JOB, SAVE YOUR COUNTRY"

Mr. BAUCUS. Madam President, I rise to discuss chapter VI of Ross Perot's book: "What Is in NAFTA?"

On its first page, he says:

Only a few Members of Congress have read NAFTA. Most Members of Congress are learning about NAFTA from lobbyists, special interests, or the short summaries of the trade agreement prepared by the special interests and the Governments of the United States, Canada, and Mexico.

Senators can judge for themselves whether that describes their approach. But chapter VI shows that Perot himself has a lot of reading left to do. In part 1 of NAFTA, which he describes in his book—this chapter—the three countries lay out their obligations to one another. That is the basic provision of NAFTA. Mr. Perot claims this section lets Mexico and Canada challenge some United States laws. That might be a problem if it were not already true. Perot himself cites examples.

Example: In 1986, Mexico challenged our Marine Mammal Protection Act, and in 1990, Canada went after our excise tax on alcohol.

In both cases, the challenges came under existing trade agreements. Mexico's challenge was under the GATT, not under a trade agreement, just under the GATT. Canada's was under the United States-Canada Free-Trade Agreement. So NAFTA opens no U.S. law to challenge that is not already open to challenge under present agreements.

In fact, beyond that, NAFTA includes procedural protections that make it harder to challenge U.S. environmental standards under NAFTA than under other previous trade agreements.

Part 2: Trade in goods. Part 2 of NAFTA covers trade in goods. Perot has many complaints about it. But most boil down to saying that while NAFTA makes things better, it does not make them perfect. He is letting perfection be the enemy of the good. Let us look at a few of his complaints.

For example, autos. This is a familiar issue by now, and Perot says that under NAFTA, we Americans eliminate our tariff immediately and Mexico eliminates theirs slowly. That is true. On the other hand, our auto tariff is only 2 percent. The Mexican auto tariff—that is, on our cars going to Mexico—is 20 percent, 10 times higher than ours. Would Mr. Perot prefer that Mexico's tariff stay in place, as it will if we reject NAFTA?

On energy, Perot says Mexico did not abolish its constitutional ban on foreign ownership of oil resources. He is right. But he admits that NAFTA opens the Mexican's oil monopoly, PEMEX, to United States contract bids and allows United States firms to export natural gas to Mexico. According to the Washington Post, that will create—not take away—but create 8,000 jobs in the United States just on that one provision where Mexico agrees to open up PEMEX.

On agriculture, Perot notes that NAFTA requires Mexico to accept international standards of food inspection. He thereby implies that NAFTA is no good unless Mexico agrees to meet all the standards the United States has set for it under our domestic law.

Mexican agricultural exports must already meet all U.S. domestic inspection requirements. Mexico must continue to meet these American standards under NAFTA and must ensure that its domestic requirements meet international standards. That means NAFTA makes us as Americans better off.

Further, as I have noted, NAFTA actually has safeguards to protect U.S. environmental laws from challenges, and it explicitly recognizes—and this is a key point—the right of State and local governments to set environmental standards that are higher than national levels, a provision no other trade agreement has ever contained.

Part 3 of NAFTA deals with technical barriers to trade; that is, making sure standards in nonagricultural industries do not unduly limit trade.

Perot says:

While the goal should be to raise Mexico's standards, which are lower than those of the United States, NAFTA uses international standards as the foundation for setting standards in the future.

In most cases, the differences between our standards and Mexico's are simply differences, as they have no basic effect on our health and safety. Neither is higher nor lower. To cite a hypothetical example, it is not better to drive on the right side of the road than on the left, but it is better for everyone to drive on the same side of the road. Just as driving on the same side of the road promotes safety, harmonizing technical standards —that is, making sure Mexicans can use American tools to fix Mexican-built machines and so on—promotes trade.

Thus, it is good that NAFTA helps create mutually acceptable technical standards. It will increase our trade opportunities, with the appropriate protections for U.S. environmental and safety standards, which NAFTA does provide. It is good for everybody.

Part 4 of NAFTA covers Government procurement. Here Perot concedes that the major change required by part 4 is to open parts of PEMEX, the Mexican oil monopoly, to American contract bids. This is a very big change. These NAFTA changes would give us new access to a $6 billion market of energy procurement. That is a big chunk of the Mexican economy and a big gain for American workers.

Part 5 of NAFTA addresses investment and services. On banking and insurance, Perot admits that both U.S. banking and insurance industries will benefit from NAFTA. He says so in the book. In fact, he says:

In one of NAFTA's most beneficial provisions, Mexico opens its insurance market to United States and Canadian companies. Today, only 20 percent of Mexico's cars are insured and less than 8 percent of Mexico's homes have household insurance. U.S. insurance companies, to no one's surprise, are among NAFTA's biggest supporters.

Madam President, it is all true and it means economic growth for America.

Next is NAFTA's effect on professionals, like doctors and lawyers, and this charge may be the silliest in his whole book. To quote Perot:

NAFTA commits the United States to ensure that licensing of professionals is based on competence to provide the service and does not constitute a disguised trade barrier.

That sounds pretty reasonable because it is reasonable. It applies to Mexico as well as the United States. It

is a win for America, but Perot apparently is afraid it will cause a flood of low-wage Mexican doctors and lawyers to come to the United States. He claims it will endanger 15 million jobs. I, for one, am not worried.

Part 6 of NAFTA covers protection of intellectual property goods like creative works, trademarks, and inventions. Perot says that the intellectual property rights section of NAFTA aims "to improve Mexico's laws until they are strong and as rigidly enforced as those of the United States and Canada." Continuing: "Mexico agrees to abide by the provisions of the international agreements under intellectual property."

That sums it up. He is right. Ross Perot got it right. We got what we wanted on intellectual property, and that means American software authors, movie studios, writers, and inventors can export more to Mexico without worrying about piracy.

Part 7 deals with dispute settlement and NAFTA's proposed threat to the rights of U.S. citizens. In brief, the dispute settlement mechanism is no different from those we accept under the free trade agreement with Canada and under the GATT, and there is no threat to our basic American rights. But let us look at his charges.

The main charge on our rights, he says, is that NAFTA takes away the constitutional right of American citizens to seek redress in the U.S. courts if they are harmed by several types of international economic crimes, such as dumping.

He is wrong to say we lose our legal rights, but it is true that NAFTA would make the antidumping decisions subject to dispute settlement. That is routine. It is modeled on the free trade agreement we have with Canada.

Perot, as you would expect, says it will not work and the dispute settlement decisions will always go the wrong way; that is, against the United States. His main evidence in this claim is on page 95 that when the Bush administration selected 25 potential panelists for the United States-Canada dispute settlement panel, 14 of them were either registered foreign agents or partners in law firms that serve as lawyer/lobbyists for foreign countries.

Well, there are problems with the dispute settlement mechanism, but we can fix them without scrapping the NAFTA. For example, we can require that no American nominated to one of these panels can have worked as a foreign agent. We can fix that in the implementing language.

The problems were created by the agreement on free trade with Canada; NAFTA's mechanism simply copies the Canadian free-trade mechanism. The NAFTA is a chance to solve the problems that exist, as I said, through implementing legislation.

Perot goes on to claim, by the way, that our nominees to these panels are secret and the Senate does not know who they are. Not true. They are not secret. We do know who they are. I have gone through the Canadian Free-Trade Agreement nominee list myself and Perot obviously has done the same.

NAFTA'S MISSING PARTS

The chapter concludes, that is, chapter VI, by saying that the environment and labor are NAFTA's missing parts. But, of course, this section in his book was written before the signing of the two side agreements, one on labor and the other environment. I think when people who are rightly concerned about those issues review the side agreements, they will feel much better about NAFTA. The side agreements provide protection for the environment and labor rights far beyond any of those in any other trade agreement.

Madam President, stay tuned tomorrow for chapter VII.

Mr. SIMON addressed the Chair.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. SIMON. Madam President, I ask unanimous consent to speak for 5 minutes as if in morning business.

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

EVENTS IN SOMALIA

Mr. SIMON. Madam President, I have just been handed a statement by CARE relative to the United States presence in Somalia. I ask unanimous consent to insert that into the RECORD.

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

CARE,
Atlanta, GA, September 28, 1993.

POSITION ON RECENT EVENTS IN SOMALIA

INTRODUCTION

Events in the beleaguered African nation of Somalia have, once again, come to the forefront of world attention. Officials for CARE, the world's largest private relief and development organization, are concerned about these events which overshadow many of the gains Somalis have made since last year's crisis.

1. CARE deplores the resumption of violence in Somalia and the loss of life among Somalis, United States troops, United Nations peacekeepers and humanitarian aid workers.

2. We believe a continued United Nations peacekeeping presence is needed in Somalia. A United Nations pull-out at this crucial stage in Somalia's rehabilitation could cause the country to revert to the tragic conditions of last year's brutal civil war and famine.

3. CARE feels that the United States must continue to play an active role in the international community's efforts in Somalia. While starvation is no longer a problem, humanitarian concerns, such as economic and social stability, are still threatened.

4. We support putting humanitarian considerations rather than military operations in the forefront of the United Nations efforts in Somalia. CARE encourages all parties in Somalia and UNOSOM to continue a dialogue aimed at finding political and economic solutions for the country. Somalia must take responsibility for solving their own problems and must be allowed to actively participate in all aspects of the rebuilding of the country and its institutions.

5. We are concerned that the United Nations in Somalia is currently perceived as primarily engaged in military activities. This is making it difficult for us and other humanitarian organizations to function effectively on behalf of those we are there to help. CARE believes the U.N. must focus more on facilitating a dialogue between the warring factions.

6. CARE emphasizes that events outside the capital of Mogadishu are encouraging. The humanitarian work of NGOs and the United Nations has had considerable impact. The harvest in rural areas, such as Baidoa, has been successful. Northern Somalia is relatively stable. In Somaliland, local clans have signed a peace agreement and elected an interim president.

7. CARE is proud of its work on behalf of Somalia's poor. With the continued support of a concerned global public, we can help the people of Somalia rebuild their lives. It would be helpful if the media presented a balanced view of Somalia; not just Mogadishu, but country as a whole.

Mr. SIMON. Madam President, CARE—and I think this is the position of all the humanitarian groups—believes it would be a mistake for the United States just to pull out. What they do say, however, in a seven-point statement—let me just read two paragraphs—is this:

> We support putting humanitarian considerations rather than military operations in the forefront of the United Nations effort in Somalia.

We have been obsessed, frankly, with trying to get General Aideed. That is not the way we are going to bring about a rational stability to the situation in Somalia.

CARE goes on to say:

> We are concerned that the United Nations in Somalia is currently perceived as primarily engaged in military activities.

I think that is the weakness of where we are right now. I think we ought to be looking for political solutions. It is no secret that General Aideed has communicated to former President Carter that he is willing to sit down and negotiate and work this thing out. He controls one-fourth of the city of Mogadishu. The rest of Somalia is relatively stable. My strong belief is it would be a great mistake for us just to precipitously pull out, because I do believe there should be a different direction for our activities there.

Madam President, I yield the floor.

Madam President, I question the presence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mrs. FEINSTEIN. 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 is recognized.

Mrs. FEINSTEIN. I thank the Chair.

DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES APPROPRIATIONS ACT, 1994

The Senate continued with the consideration of the bill.

Mrs. FEINSTEIN. I rise to speak to an amendment which has not yet been offered. My colleague, Senator BOXER, will be presenting the amendment. In essence, what this amendment will provide is $315 million as derived from the highway trust fund to be made available and remain available until expended.

The purpose of this amendment, Madam President, is to provide the necessary funding for the long delayed reconstruction of the Cypress Freeway in Oakland, CA which was destroyed in the Loma Prieta earthquake.

As many will remember, this freeway, the top part of it, the top lanes, came crashing down into the lanes underneath and just pancaked automobiles, killing almost three dozen people in the process. The destruction was a tragedy, but the lack of progress in rebuilding it has also caused an adverse impact on the entire San Francisco Bay area.

This freeway was a major link in the Oakland-East Bay Freeway System. It was a major commuter route and it was heavily used by the Port of Oakland and other areas in the East Bay.

In 1989, this Congress passed legislation that appropriated $1 billion from the highway trust fund to cover emergency costs associated with the damage of the Loma Prieta earthquake and Hurricane Hugo. One billion dollars is a lot of money, and at the time it was the best estimate of the cost of the damage. The actual costs were difficult to estimate, but since then the actual costs, of course, have shown that more funds are necessary.

This is a Federal highway, Interstate 880, the maintenance of which is the responsibility of the Federal Government. It has always been the policy of the Federal Government to repair Federal roads damaged in disasters. In 1989 this Congress made a commitment to rebuild the freeway, and so today my colleague, Senator BOXER, and I are asking the Senate to fulfill that commitment. Currently, $863.7 million is obligated for construction of this project. The rest of the contracts for this project are expected to be obligated by early next year.

The $315 million included in this amendment would provide the necessary funds to obligate the rest of the contracts. The total Federal share for this project is expected to be $800 million, $550 million for construction and $240 million for the purchase of the new rights-of-way. The new freeway will no longer be the stacked freeway and because of this change the project required the purchase of additional rights-of-way.

The city of Oakland and the State of California have worked closely to assure minimal impact from the new alignment and have achieved a workable plan. And now it is time to move forward.

Additionally, Oakland has almost 11 percent unemployment. For 4 years traffic that will travel on this freeway has been routed into city streets. These are containers coming from the Port of Oakland, they are trucking vehicles, they are buses, and they are automobiles.

There is a real need to close the loop on the issue of the Cypress Freeway. The President was in California. He made a statement that he was committed to rebuild this project.

The question before this body is should it be done on an emergency basis as there is precedent for so doing and pick up our obligations? This freeway came down as a product of an earthquake. It is necessary to rebuild it.

Madam President, I would like to have printed in the RECORD in support of this, letters from the Port of Oakland, the Oakland Chamber of Commerce, and from Congressman RON DELLUMS of the House of Representatives.

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

PORT OF OAKLAND,
October 5, 1993.

Hon. DIANNE FEINSTEIN,
U.S. Senate,
Washington, DC.

DEAR SENATOR FEINSTEIN: The Port of Oakland supports and appreciates your efforts to secure $315 million in emergency funding in the Senate Transportation Appropriations bill for the reconstruction of the Cypress Freeway, which was destroyed in the 1989 Loma Prieta Earthquake.

The Port of Oakland is situated at the hub of transportation in Northern California for water, air, rail and freeway routes. The ability of export cargo to easily reach the Port is a cornerstone of our growth. We supported the immediate rebuild of this vital transportation artery, but understood and supported the extensive negotiations with land owners and residents for the optimum routing. We participated in the design and functional off ramps to route traffic away from populated areas and to centralize cargo traffic.

It will be four years this month that the Port and the region will have been without this critical connection. The alternative routes are increasingly overburdened.

The Port of Oakland is the fourth largest containerport in the U.S., and 19th in the world. Over 90% of the containerized cargo moving under the Golden Gate is handled at Oakland. We are strategically situated between the bustling Pacific Rim and the industrial areas of America. The four year continued disruption of the transportation arteries leading to the Port has definitely had a negative impact on the ability of the Port to provide world class service.

The Cypress Freeway needs to be reconstructed now. The emergency funds necessary to accomplish this vital link should be secured in the Senate Transportation Appropriations bill now being considered.

We strongly support your efforts to end this four year delay with the negative impacts for the Port, the City of Oakland, and the region.

Sincerely,

CHARLES R. ROBERTS,
Executive Director.

OAKLAND CHAMBER OF COMMERCE,
October 5, 1993.

Hon. DIANNE FEINSTEIN,
U.S. Senate, Senate Hart Office Building, Washington, DC.

DEAR SENATOR DIANNE FEINSTEIN: As you know, four years ago this month the San Francisco Bay Area was racked by the powerful Loma Prieta Earthquake. People died and property was destroyed in this temblor felt from Watsonville to Oakland. In fact, Oakland is where most of the earthquake's victims were killed in the collapse of the I-880 Cypress Freeway.

Shortly after the victims were recovered from the collapsed freeway, the remnants were demolished and trucked away. Traffic from this very busy freeway was diverted, and congestion swelled. Commercial traffic to and from the Port of Oakland and other local commercial districts slowed to a crawl. Commuters have lost countless precious hours fighting heavier traffic on fewer lanes. And yet work to replace this crucial freeway has not begun.

Oakland and the East Bay need for this project to start, and start now. The City of Oakland and the State of California have done their part. In an unprecedented level of cooperation between these two jurisdictions, community concerns such as freeway location, hiring practices and construction mitigation have been discussed and agreed upon. All we are waiting for now is for the federal government to help replace this vital federal freeway.

Oakland is dealing with many problems resulting from the earthquake and the Oakland hills fire. We are now confronted by a sluggish economy, inadequate for the Port of Oakland and base closures. Our unemployment rate is 10.8%. If we aren't in a state of economic emergency now, we surely never want to be in one. Development of efficient transportation infrastructure is imperative to our economic recovery. The Cypress Freeway Replacement Project is just exactly that. We cannot wait any longer. We need to start today. We appreciate your efforts to help us with this very important issue to Oakland's future.

Sincerely,

MARY C. WARREN,
Chairperson.

Rear Adm. ROBERT L. TONEY,
USN (Ret.), President and CEO.

HOUSE OF REPRESENTATIVES,
October 5, 1993.

Senator DIANNE FEINSTEIN,
U.S. Senate.

DEAR SENATOR FEINSTEIN: I write regarding the emergency funding request for California to replace the Cypress Freeway destroyed by the 1989 Loma Prieta earthquake.

I am delighted to learn that the President has approved an amendment to the FY 1994 appropriations request for the Department of Transportation that would provide an additional $315 million to repair highway damage resulting from the 1989 earthquake.

The original emergency appropriation of $1 billion was used to remove debris, repair numerous bridges in the San Francisco area,

including the Oakland Bay Bridge, and rebuild essential roads. It was not sufficient to rebuild and repair the earthquake damage done to the Cypress link of the highway system.

This request is consistent with the practice of fully restoring Federal-aid highway facilities damaged in disasters. The President has designated the rebuilding proposal as an emergency requirement pursuant to the Budget Enforcement Act.

The collapse of this essential part of the freeway killed dozens of motorists and I know that the images of the rescue operations and the misery of the survivors are burned in our memory.

As you know, the Cypress Freeway was a critical link in the Bay Area freeway system, and its absence has created incredible traffic snarls on the replacement roads. Cypress was a double-stacked Interstate Highway that went through Oakland, California, the heart of my Congressional district. The reconstructed Cypress Freeway has been designed to provide the same functional capacity as the pre-earthquake roadway and will be placed in a new location.

We are proud that our community, by working cooperatively at every level of government and neighborhood, has arrived at a working agreement.

The San Francisco Bay Area is a vital part of these United States. The Cypress Freeway plays a critical part in the transportation scheme of this region. I ask for your strong support for the rebuilding of this last piece of that system.

Sincerely,

RONALD V. DELLUMS,
Member of Congress.

Mrs. FEINSTEIN. Madam President, I would also like to have printed in the RECORD a letter in today's Oakland Tribune which points out that Oakland has worked out a major contracting of this freeway which would provide the ability of construction firms to hire minority business firms, racial minorities, women and local workers.

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

[From the Oakland Tribune, Oct. 5, 1993]

BIG BUCKS PROMISED FOR CYPRESS

(By Edward N. Albro and Craig Stacts)

The effort to rebuild the Cypress Freeway got a huge boost Monday when President Clinton announced he will ask Congress for an extra $315 million, much of it to help West Oakland businesses displaced by the construction.

The announcement surprised and thrilled city officials, who had thought they would be lucky to get $2.5 million in extra Cypress funding.

"We're delighted," said City Council member Natalie Bayton (West Oakland) who sat in the audience as Clinton made his announcement. "I had to be a lot calmer than I felt."

Much of the money will be spent not on construction, which is expected to begin in January, but on moving businesses in the West Oakland neighborhood. It also will be used to train local people to work on the freeway and other construction projects, Bayton said.

"A lot of the businesses in that Cypress Freeway area are threatened because of the increased cost of relocation (during construction)," Mayor Elihu Harris said. "This help really is important not only to the rebuilding process, but to the continuation of the stability of the community after the freeway is rebuilt."

Bayton said that $1.2 billion has already been allocated for reconstruction of the Cypress and related freeway improvements. Construction of the Cypress Structure itself will cost about $695 million.

The new Cypress funding was the biggest piece of a $655-million package of new spending in California that Clinton announced after a speech to the convention of the AFL-CIO.

"This request clears the way for Congress to allocate the money California needs and in my view is entitled to restore this vital link to the East Bay," Clinton said. "This is the kind of thing we need to be focusing on. You can't rebuild unless you have the materials to rebuild."

Also included among Clinton's announcements were a $240 million science research project at Stanford University and $100 million in housing subsidies for poor, elderly and disabled Californians.

Bayton stressed that the economic effect of the extra $315 million in Oakland will depend on whether Oakland businesses and workers are hired for the project.

"If no Oakland people are hired to work on it, then it means the whole ball of wax would just pass through Oakland," she said. But if Oakland residents get many of the jobs, "it will be like a $700 million shot in the arm for the Oakland economy."

In an attempt to ensure that local workers and minority businesses reap some benefits from the Cypress rebuilding, city officials want to select a team by November to review the performance of construction firms in meeting Caltrans' goals for hiring minority business firms, racial minorities, women and local workers.

The city's agreement with Caltrans calls for so-called "disadvantaged business enterprises" to get 35 percent of the work and Oakland residents, minority workers and women to perform 45 percent of the construction work, on a craft-by-craft basis.

Mrs. FEINSTEIN. Madam President, the belief is that if we can move this forward that in a severely depressed area—I might remind this Senate that you approved base closure recommendations which close every military base in that immediate area, the Oakland Naval Shipyard, and so forth.

So this is really an important project that could be helpful in putting people to work in moving cargo, in the commute. It is an authorized project. I am hopeful that we can fund it on an emergency basis to at least allow the $315 million of the $800 million obligation to move ahead.

I thank you, Madam President. I thank the chairman of the Transportation Committee.

I yield the floor.

Mr. RIEGLE addressed the Chair.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. RIEGLE. Madam President, I ask unanimous consent to proceed as if in morning business at this point to respond to some of the issues raised on the NAFTA question for about 20 minutes.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. RIEGLE. I thank the Chair.

EVENTS IN SOMALIA AND RUSSIA

Mr. RIEGLE. Madam President, first of all, let me say at the outset, I just attended a briefing with many colleagues down in a secure room on the issue of events in Somalia, and also in Russia.

With respect to the situation in Somalia, I just want to express a personal view based on my observation and my thoughts as I went through this briefing process over the last hour or so.

I think whenever the United States is engaged militarily overseas there are several tests that have to be applied as to the wisdom of doing that. I think a central test is the question of whether any of us would be prepared to send our own son or daughter into that conflict situation, because if we are not prepared to answer yes we are prepared to send our own son or daughter, then I do not think we ought to send anybody else's son or daughter into that situation. We are all familiar with the events of the last several days and the last few weeks with respect to the not only killing of American forces in Somalia but now at least one individual who we have seen on videotape who has been taken prisoner, and I gather there may be others as well.

I also gather that there are those who have been killed with their remains having not been recovered by our forces. I cannot say that for a fact because I do not know if we know precisely all of the facts. But that is the picture that we see at the moment.

When I try to listen and understand what the mission is for the United States to remain there in this kind of a condition, I am having a very hard time understanding that or making sense out of it. Back at the beginning, the mission was of a different sort. It was to go out and combat the famine in Somalia, the widespread starvation of hundreds of thousands of people, and children particularly, and that problem was dealt with. We are told by and large that problem has been addressed, and that the famine and starvation is ended and crops are growing. So that original purpose has now been met.

So my thought is having listened to what was said and having evaluated what information we have, I think that we cannot settle a civil war over there between these competing factions that are called clans in this area. I do not think that should be our goal, quite frankly.

I think our goal now should be to protect our people, to secure the release of prisoners of war that have been taken over in that situation and certainly secure the remains of any American service persons who have been killed if we have not already been able

to do that. But to stay on in that situation, in that kind of absolutely primitive civil war situation, and put Americans at risk I think is not justified. So I hope that at the earliest practical time we could bring those forces out of there.

I know some will say, well, you cannot do that because we do not know who else is going to do this, that, or the other. It is a big world out there. We are 4 percent of the world's population. I do not think we can inject ourselves into these civil war situations in remote places like Somalia and try to dictate the terms and conditions. We can do it. But we are going to do that at great risk to our own people. And I frankly am not prepared to see the young men and women of Michigan committed to this kind of a situation where I do not think they are adequately able to be protected and where the mission I think is very unclear as to what will justify that kind of very serious commitment of American effort to ask our people to be there in the line of fire.

NAFTA

Mr. RIEGLE. Madam President, I want to now respond briefly to the remarks of Senator BAUCUS of Montana, who spoke earlier on behalf of NAFTA, the free-trade agreement with Mexico.

I think the NAFTA free-trade agreement with Mexico is one of the worst ideas to come down the track. It is a terribly flawed document with side agreements that do not in any way deal with those problems.

I want to read into the RECORD now an article that appeared in Business Week magazine just within the last 2 weeks, dated September 20, 1993. It is a very important piece under the heading Economic Viewpoint by a writer, a distinguished national economist, Robert Kuttner. This is what he said:

To oppose the North American Free Trade Agreement (NAFTA) is to be labeled protectionist, jingoist, apologist for declining U.S. industries, as well as callously indifferent to Mexico's poverty. I am none of these. Rather, my case against NAFTA is Keynesian.

Keynesian economics holds that total purchasing power (aggregate demand) needs to roughly balance the economy's capacity to produce; otherwise, supply exceeds demand and productive potential goes unfulfilled. To have a fiscal and monetary policy, not to mention a labor policy, you need a government. But North America is neither a country nor a government. The U.S., Canada, and Mexico have radically different laws, living standards, and notions of what is minimally decent. But pretending we are one country, we risk the country with the lowest wages and the fewest labor rights and environmental protections getting the jobs.

The good free-trader replies that by embracing open trade, we stimulate efficiency and thereby improve those very conditions. But the recent golden age of growth was the post-World War II boom—when trade was encumbered by relatively high tariffs and regulatory barriers that sheltered national economic-development strategies. There was growing global commerce, but it was far from free trade. The advanced nations all had wages that rose with productivity, completing the Keynesian virtuous circle. Japan and Korea, the growth leaders, were among the most highly protected. Mexico, with state-owned and heavily regulated industries, enjoyed annual growth rates in excess of 5%, despite—or perhaps because of—economic nationalism.

When Mexico abandoned its economic nationalism in the early 1980s, it was not because the policy had failed or because Mexican leaders had suddenly seen the light. It was because excessive foreign borrowing based on mistaken projections of oil prices—and crushingly high interest costs imposed by Paul A. Volcker's Federal Reserve Board—suddenly gave the U.S. leverage to demand that Mexico's leaders become converts to free-market policies.

In the 1980s, Mexico real wages fell by over 30%. As interest rates have come down, Mexico has begun to recover, but real income is still well below its 1980 level. Against this history, NAFTA was devised as a reward for Mexico's forced conversion to the economic theories of the Reagan-Bush era. As repentant free-marketers, the Mexicans would enjoy preferential access to the U.S. market.

I offer this revisionist history not to commend protectionism but to suggest that the case for free trade is exaggerated. Extreme protectionism is surely bad. When every nation protects, as in the 1930s, the world economy contracts. But far more important than perfectly free trade is whether nations and the world system are pursuing high-growth, full-employment policies.

Defenders of NAFTA also claim that the gains of freer trade will be roughly symmetrical. As a poor, low-skill country, Mexico will attract low-skill jobs, leaving better ones to materialize here. But as University of California at Berkeley researcher Harley Shaiken has shown, there is a huge divergence between Mexico's rising skills and lagging wages. It is precisely this disparity that makes relocation there so attractive. As skilled jobs in the auto and electronics industries move south, there is no pressure to raise Mexican wages because of its massive unemployment. And as long as Mexico's wages lag behind its productivity, the purchasing power necessary to import goods from the U.S.—and hence to provide offsetting U.S. jobs—will lag, too. The current boom in exports of U.S. capital goods to Mexico is likely to be short-lived as Mexico diversifies its suppliers.

Henry Ford's insight was Keynesian: It's smart to pay employees enough to enable them to buy the products they make. But Mexico's auto workers, though nearly as productive as their U.S. counterparts, are paid under $2 an hour and cannot afford to buy the cars they build. As wages lag behind output, supply outstrips demand. And as Mexico becomes an adjunct of the U.S. economy, the low-wage drag on Mexico's prosperity becomes a drag on our own.

To date, there is one useful byproduct of the NAFTA debate. Last month, when the proposed side agreement on labor standards was shown to House Majority Leader and NAFTA critic Richard A. Gephardt (D-Mo.), he dismissed it as window dressing. After hasty consultations, Mexican President Carlos Salinas de Gortari offered a new concession: Mexican wages would begin rising in proportion to Mexican productivity. This unenforceable promise introduces a Keynesian test into the trade debate.

If we truly wish to improve living standards in Mexico, it is not smart to throw away our own. Rather, we might gradually liberalize U.S.-Mexico trade if Mexican wages and conditions rise with productivity. Please note that this Keynesian case against NAFTA is rather different from that of Ross Perot, who is no Keynesian.

Let me conclude by saying those are the words out of Business Week of the noted national economist, Robert Kuttner.

The key issue I heard the other day is if we go into this free-trade agreement with Mexico, in effect, we are going to be expanding the American labor force by 60 million new workers. These are 60 million new Mexican workers, who work for one-seventh to one-ninth of what a worker here in the United States, on average, works for. If you think about it, you think about the widespread unemployment across this country, and of the unemployment in California—very high with the shutting down of defense industries, and corporations all across America getting rid of people. General Motors is doing it, IBM is doing it, and virtually every company one can read about is downsizing and removing people from the payroll, who then go out and have a very hard time finding jobs.

The free-trade agreement with Mexico will bring into this new free-trade market with us 60 million new Mexican workers, all wanting to work, and working for maybe $1.75 an hour, maybe $1 an hour. By the way, the minimum wage there is 58 cents an hour. On average, workers down there earn about $2.35 an hour, if you take all workers together.

So if we want to introduce another 60 million workers into our work force, we are going to have a great big increase in unemployment here in the United States. Our people need these jobs. So it is not just a question of not closing factories in Michigan and moving them to Mexico. There has already been too much of that. We want to stop that. When I saw, the other day, that story that was recycled about General Motors—the largest corporation in our country, a company I work hard to try to help in terms of employment base and the policies affected by Government decision—they announced that somewhere between 50,000 and 100,000 workers were going to lose their jobs here in the United States over a period of time.

There was no announcement about any GM workers in Mexico losing their jobs, because the shrinkage in the work force is not taking place in the GM operations in Mexico. In fact, I suspect that those are going to grow. The shrinkage of jobs is occurring here in the United States where our people live and need work, if they are to have an income to support their families and to be able to try to provide the economic strength of the country that we need.

So this NAFTA agreement is a job killer. It is going to kill jobs in this

country. And we cannot afford to have that happen. It is very easy for somebody out of the line of fire, who is maybe up in a lofty position as an editorial writer or a college professor, or even as an elected official somewhere who does not have to deal head-on in terms of their job with this kind of third-world economic competition from a Mexican worker. But to those people in our society who do have to face that competition, there is no way in the world they can compete economically with the worker in Mexico that is being paid only one-seventh to one-ninth what the worker here is being paid.

When I visited a radiator hose plant in Michigan the other day, the entire work force was being laid off, and the plant was being closed and the operation being moved to Mexico. Most of the workers were women. Most were single-parent heads of households. I was on the public sidewalk, and I sent a message that I hoped they could come and talk to me at the shift change. They were told in the plant that if they did come out to talk to me on the sidewalk—a United States Senator—they ran the risk of not being able to work the last 2 weeks at the job before the plant was closed and their jobs sent to Mexico. There was that kind of intimidation used. Many came out to see me anyway. These women were being paid $6.75 an hour, trying to support families on those kinds of wages. Those jobs now have all gone to Mexico. That is what this agreement is about.

The NAFTA is a jobs program for Mexico—plain and simple. It is a jobs program for Mexico. We need a jobs program for America. We need a jobs program for America now. We cannot say to our workers here, who have lost their jobs and are highly skilled and trained and have excellent work records, or are young college graduates coming out or coming out of work training programs and say: I am sorry, we do not have jobs for you, but we are going to go into a free market arrangement with Mexico, and we are going to allow a lot of the jobs in the United States to be placed in Mexico so that Mexican workers can have those jobs. We cannot say that to our country. That is self-defeating.

This is why no other advanced nation has ever gone into a free trade agreement with a Third World Nation where the differentials are as vast as this. It never happened before. Why do you suppose it never happened? It is because it does not make any sense. When the European common market was put together, Turkey wanted to join in, just as Mexico wants to join with us. But because the economic differentials were so vast, the environmental standards, the workplace standards, and the way the courts worked, and other things, Turkey was turned away. They are not part of the European common market because the differentials were too vast.

They are that vast right now with respect to ourselves and Mexico.

So make no mistake about it. If we go into the NAFTA agreement, we are expanding the U.S. labor force by 60 million new workers. They happen to be Mexican workers desperate for work, working at a tiny fraction—and they will continue to work at a tiny fraction—of what our workers are able to earn and survive and live on in terms of America today. This is what is grinding down the working class in America.

I know the Senator from Montana was ridiculing the Ross Perot book. It is an important book to read. It has a lot of important content in it.

One of the points made in that book was this: Suppose we tried this experiment. Suppose we took just the State of California for the next 5 years. We took the State of California, and we allowed the State of California to lower the wage standards down to the wage levels of Mexico and to lower the environmental standards down to the environmental standards and enforcement of those environmental standards in Mexico, and we allowed California to lower the work standards down to what they are in Mexico.

Let us say we kept that in place for 5 years. What would happen to all the jobs in our country today? Many of those jobs would pack up and leave Michigan, New Jersey, Indiana, and Maryland, and they would go to California because of those enormous differentials. That is where the jobs would be after 5 years. They would all be out there because of enormous economic gains that can be made, particularly by the people that control the capital flows.

That is why this is essentially a Wall Street deal from start to finish, and it is Wall Street versus Main Street. It is a fight we have seen at other times. But this is sort of the ultimate expression of it in terms of sort of wrecking the job base here in the United States, and doing it in order to make billions of dollars in private profits.

Just as those jobs would move to California if California had much lower economic standards, they are going to move exactly the same way to Mexico, as they already have.

I have lost tens of thousands of jobs out of the State of Michigan; tens of thousands of jobs that we need right now. I have qualified, capable people in Michigan who need that work, who need the income to support their families, and they cannot find work because their work has been moved to Mexico.

And this NAFTA will speed that up and accelerate it beyond anything anybody has ever seen. In fact, if a company in a given industry goes down to Mexico to take advantage of those wage differentials, it will widen out the operating margin and boost the price of its stock. Take what happened to the other firms in that industry. The pension manager of Wall Street and elsewhere is going to come to the other company and say: "Wait a minute. Your competitor just moved their plant facility down to Mexico, and they are now paying much lower wages. They widened out the profit margins and their stock is now selling at a higher price than it was before. Your stock is not because you are paying the higher American wage. I will tell you right now, unless you close down the American plant and move down to Mexico, we are going to get rid of you as the CEO of our company."

The CEO will say: "Wait. Don't blame me. I didn't want to go to Mexico. I didn't want to close the American plant. But I have the pension management people telling me if I did not, I would lose my job. So I had no choice. It is not my fault."

We are all a victim of circumstances. We are all going to be a victim of circumstances if this NAFTA passes. This is the ultimate outrage of trickle-down economics, and that is to continue the strip-mining of the job base of America in order to move those jobs down to a low-cost production center in Mexico.

By the way, do not assume that the jobs down there are all low-end jobs with respect to talent, effort, and productivity. In fact, a large part of our electronics industry and a large part of our automobile industry have already moved down to Mexico. There is sophisticated work being done down there.

Finally, people talk about all the exports we send to Mexico. We are not sending many exports to Mexico in cold point of fact. Over half of what we send makes a U-turn. We send some things down there. They are processed in a certain way. They turn right around and come back to the United States.

Even in that traffic, when you ask yourself the wisdom of that kind of move, if I am in Michigan, and I am going to send work, say, from Flint, my hometown, somewhere south, I am a lot better off if I am sending that work down to Pontiac, which is 20 or 30 miles away, and getting it processed and bringing it back to Flint. That keeps workers in Michigan employed. Why am I better off if I ship something from Flint not down to Pontiac, still in Michigan, but all the way down to Mexico, to have some work done on, say, an auto part down in Mexico, have the value added down there, have the Mexican worker employed only in turn to have the component part come back up to the United States?

What have I done? I have not gained a job. It may look like it in the numbers. I shifted something to Mexico because I shipped the end product down there to have some work done on it. But the cold point of fact is that they

have actually shipped the job down there. That is what has happened.

The guy or woman who had the job in Pontiac, who could have done that subassembly, is now somebody down in Juarez or Tijuana or some other place in Mexico.

I want the Mexican people to do well. I do not want to be misunderstood about this. This is not a xenophobic argument. But we better stand up for workers of this country. Why are we here if it is not to look after the job base of the United States of America?

I am convinced our most important asset in this country is our private-sector job base, and it is in trouble. We need to strengthen it and we cannot afford wholesale shipping of American jobs going to Mexico in the name of private profit.

That is what is involved here. I thought those facts ought to be on the RECORD, juxtaposed with those of the Senator from Montana.

I yield back the remainder of my time.

The PRESIDING OFFICER. The galleries will be reminded, the rules of the Senate are there are to be no expressions from the galleries.

DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES APPROPRIATIONS ACT, 1994

The Senate continued with the consideration of the bill.

The PRESIDING OFFICER. Who seeks recognition?

The Senator from California.

AMENDMENT NO. 1021

Mrs. BOXER. Madam President, I have an amendment at the desk.

The PRESIDING OFFICER. The clerk will report the amendment.

The bill clerk read as follows:

The Senator from California [Mrs. BOXER] for herself and Mrs. FEINSTEIN, proposes an amendment numbered 1021.

Mrs. BOXER. Madam 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 under the heading Federal-aid Highways, insert the following:

"For an additional amount for emergency relief resulting from the Loma Prieta earthquake of October 17, 1989, as authorized by 23 U.S.C. 125, $315,000,000, to be derived from the highway trust fund and to remain available until expended: *Provided*, That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as mended."

The PRESIDING OFFICER. If the Senator from California will withhold, without objection, the committee amendment will be set aside.

The pending amendment is now the one offered by the Senator from California.

Mrs. BOXER. I think the President and I would like to say that this amendment that is currently before us is being submitted by myself and Senator DIANNE FEINSTEIN.

On October 17, 1989, northern California suffered a devasting earthquake. Because it occurred shortly before the World Series was set to start at Candlestick Park in San Francisco, all America saw the results of that earthquake.

One of the lasting pictures of that earthquake is the collapse of the Cypress Freeway, part of Interstate 880, a Federal facility. The collapse resulted in the deaths of 42 people.

Today Senator FEINSTEIN and I and the Clinton administration are asking that the last construction award be made so that Interstate 880 can be rebuilt. The administration is asking us for $315 million and the State will provide a match of about 10 percent.

Madam President, I ask unanimous consent to print in the RECORD the letter from President Bill Clinton asking for these funds as well as a letter from OMB Director Leon Panetta also asking these funds be made available.

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

THE WHITE HOUSE,
Washington, DC, October 4, 1993.

The PRESIDENT OF THE SENATE.

SIR: I ask Congress to consider an amendment to the FY 1994 appropriations request for the Department of Transportation. This request would provide additional funds to repair highway damage resulting from the Loma Prieta Earthquake in California.

I designate the $315,000,000 requested as an emergency requirement pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

The details of this request are set forth in the enclosed letter from the Director of the Office of Management and Budget. I concur with the Director's comments and observations.

Sincerely,

WILLIAM J. CLINTON.

OFFICE OF MANAGEMENT AND BUDGET,
Washington, DC, October 4, 1993.

The PRESIDENT,
The White House.

Submitted for your consideration is an amendment to the FY 1994 appropriations request for the Department of Transportation.

This request would provide $315 million for the Emergency Relief program to repair highway damage resulting from the Loma Prieta, California Earthquake of 1989. This increase would allow work to continue on the replacement of the Cypress Freeway, which was destroyed during the earthquake. The original emergency appropriation to repair and replace highway damage was not adequate to complete repairs. The request is consistent with the practice of fully restoring Federal-aid highway facilities damaged in disasters.

I recommend that you designate the $315 million request as an emergency requirement pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

I have carefully reviewed this proposal and am satisfied that it is necessary at this time. Therefore, I join the Secretary of Transportation in recommending that this proposal be transmitted to the Congress.

Sincerely,

LEON E. PANETTA,
Director.

Mrs. BOXER. Madam President, two-thirds of the deaths from the Loma Prieta earthquake came from the collapse of the Cypress Freeway. This major commuter artery carried nearly 150,000 cars a day, linking up with the region's most heavily traveled corridor over the San Francisco Bay Bridge.

The bay area is a transportation hub with the convergence of two major ports, two international airports and four interstate highways. The collapsed Cypress Freeway segment of the Interstate System is a missing link that affects not only the local communities but commerce and industry across the country. Traffic now clogs local surface streets. Traffic is doubling up on Interstates 980 and 580, requiring higher maintenance on those Federal-aid highways. And, some freight destined for the Port of Oakland is being routed elsewhere because of the difficulty in reaching the port. This reconstruction project is a true emergency repair.

And I think the Congress acted very wisely, Madam President, after that earthquake when it said that the Federal Government could spend whatever sums would be necessary to fix this important interstate freeway. We now have the State and local agreement on this project. The new alignment will provide better access to the Port of Oakland as well as to a new regional postal center.

I understand that Senator FEINSTEIN put in the RECORD a letter from Congressman RON DELLUMS which lays out the history and emergency nature of this program. The letter says, in part:

The original emergency appropriation of $1 billion was used to remove debris, repair numerous bridges in the San Francisco area, including the Oakland Bay Bridge, and rebuild essential roads. It was not sufficient to rebuild and repair the earthquake damage done to the Cypress link of the highway system.

And he goes on to point out what a critical link in the bay area freeway system the Cypress is.

Some will question why at this date should this project be considered emergency relief. It is emergency relief and here is why:

First, when Congress approved initial emergency relief from the highway trust fund to cover emergency costs associated with the damage of the Loma Prieta earthquake and Hurricane Hugo, it approved language in what is now Public Law 101-130 at section 108(e) that states and "such other amounts will be made available subsequently as required." That obligation is before us today.

Because of the size of the project, it will involve several construction contracts. Two major construction

projects were recently obligated. An additional $315 million is needed to pay for the balance of the awards which are expected in this fiscal year. The State will match 8.5 percent of the cost to complete the Cypress Freeway.

I must remind the Senate that at the time the initial emergency funding was approved, there were no reliable cost estimates available, given the sheer magnitude of the damage.

And, again, in their wisdom, both the Senate and the House left the door open so that we could meet our Federal obligations. Forty-two people died because that freeway collapsed. It must be rebuilt. It is a Federal facility. It is an emergency.

I know there are those who are going to argue about this matter, and I expect a robust debate. But I think we need to be clear: This is an emergency.

Finally, the Office of Management and Budget has reviewed and recommended funding for this project as an emergency requirement. And anyone who knows our OMB Director Leon Panetta knows that he would not make this declaration lightly.

OMB Director Leon Panetta, in a letter to the President said:

> The original emergency appropriation to repair and replace highway damage was not adequate to complete repairs. The request is consistent with the practice of fully restoring Federal-aid highway facilities damaged in disasters. I recommend that you designate the $315 million request as an emergency requirement pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985, as amended. I have carefully reviewed this proposal and am satisfied that it is necessary at this time.

The President notified the President of the Senate of the request for an emergency appropriation by letter on Monday, October 4. Again, that letter was submitted into the RECORD.

The urgent need is here. The obligation to make this Federal facility whole is upon us. Therefore, on behalf of the Federal Highway Administration, Senator FEINSTEIN and I are offering an amendment to provide the $315 million needed to complete this emergency relief project. The amendment is consistent with the practice of fully restoring Federal-aid highway facilities damaged in disasters, and I ask for its approval.

Madam President, I thank you and I thank the chairman of the committee.

I want to say to my colleagues, I hope they have listened to some of this, because this is an obligation that we owe the people of California because, truly, this was a terrible emergency. We are almost completed with this project. The project was built in such a way as to withstand a future earthquake. The job needs to be done.

Again, I thank the chairman of the subcommittee for this time.

Madam President, I yield the floor.

Mr. LAUTENBERG addressed the Chair.

The PRESIDING OFFICER. The distinguished Senator from New Jersey, the chairman of the subcommittee.

Mr. LAUTENBERG. Madam President, we have heard the excellent presentation by the distinguished Senator from California and our colleague earlier about the need that they have to get this damage repaired that has lingered a long time. I believe that we are going to be discussing it in full tomorrow.

But for now, I ask unanimous consent—since that is the pending business, the amendment has been laid down—that we put the amendment aside to take up some other comments.

So I ask unanimous consent that we put the pending business aside, Madam President.

Mrs. BOXER. Reserving the right to object, so I might ask a question of the chairman.

Mr. LAUTENBERG. Certainly.

Mrs. BOXER. Madam President, I ask the chairman, is it his intention to bring this up as one of the first orders of business in the morning or at a particular time certain so that I can be prepared?

Mr. LAUTENBERG. I would like to do that as soon as we resolve what time the Senate will begin in the morning. I would like to continue with this discussion.

I ask our colleagues, if they have any amendments, to get them to the floor so we can deal with them. There is an urgency now to concluding the discussion on this bill. We have transit funds, transportation funds—highway, aviation, and rail—that have to be dealt with. To have these funds appropriated on a continuing resolution is not the way to do business.

So if anyone has amendments, I tell them and their staffs, please, tomorrow morning, we would like to start with the amendment of the distinguished Senator from California, but at some point in time, when that amendment is disposed of, hopefully favorably, we will go on to other business and try, with the help of the leadership on both sides, to wrap this bill up sometime in the morning tomorrow.

So we will start at whatever hour is deemed appropriate for opening the Senate with the Senator's amendment. For now, again, I would like to move on to some other things.

Mrs. BOXER. I thank the Senator. I will be here at whatever hour the chairman and the ranking minority member ask me to be here.

The PRESIDING OFFICER. Since there is no objection, the Senator's unanimous-consent request is agreed to.

Mr. LAUTENBERG. Thank you, Madam President.

I was reminded by the distinguished Member of the U.S. Senate, the President pro tempore, that if any references are made to "the Chair," he prefers they be made to the chairman or to the chairperson or the chairwoman, because he said the chair is merely a piece of wood decorated with some other material.

Madam President, I thank you for your response to my unanimous-consent request.

SAFFORD BRIDGE AND LAUGHLIN-BULLHEAD AIRPORT

Mr. DECONCINI. Madam President, I would ask if the manager of the bill, Chairman LAUTENBERG, if he would entertain a colloquy concerning two items of report language which were left out of the committee report.

Mr. LAUTENBERG. Madam President, I would be very pleased to do so for my good friend and distinguished colleague from Arizona.

Mr. DECONCINI. As the chairman knows, I have twice requested $10 million for renovation funding for the Safford Gila River Bridge. The Safford Bridge is the lifeline of agriculture and mining in southeastern Arizona. This bridge serves as the only heavy transport access route to the currently expanding mining, industrial, and residential developments north of the Gila River. As the county's annualized unemployment exceeds 10.5 percent and proposed mining operations expansion represents the most likely, if not the only, means for economic redevelopment, Federal assistance is vital to this struggling community.

Madam President, I would ask that during the conference committee, or at the appropriate time, that the Safford Bridge be added to the list of priority bridges for discretionary bridge funding.

Mr. LAUTENBERG. If the Safford Bridge meets the criteria established for bridges to receive discretionary funds, then I would be happy to support the Senator's request that the Federal Highway Administration give serious consideration to the application from Arizona for bridge funds.

Mr. DECONCINI. Madam President, I say to the chairman that the second request omitted from the committee report concerned high priority designation of the Laughlin-Bullhead City Airport for Airport Improvement Program [AIP] funding. This airport is located on the border of my home State of Arizona and the State of Nevada and serves one of the fastest growing resort, recreation, and residential communities in the Southwest. This project involves widening and lengthening of runway 34R and other construction activity necessary to accommodate larger, fixed schedule commercial operations. Also, I would note for the chairman that our friend and colleague from Nevada, Senator REID, is very supportive of this request.

I would ask that during the conference committee, or at the appropriate time, that the Laughlin-Bullhead City Airport be added to the list

of high priority airports within established criteria and within obligation levels.

Mr. LAUTENBERG. I would say to my good friends and colleagues on the committee from Arizona and Nevada that I would be happy to do so and thank Senator DECONCINI again for his understanding concerning the omission of the items from the committee report.

Mr. DECONCINI. I thank the chairman.

TRI-STATE PACIFIC COAST SCENIC BYWAY

Mrs. MURRAY. Madam President, I would like to engage the floor manager of this bill in a colloquy regarding the Tri-State Pacific Coast Scenic Byway. As the chairman knows, the House report on this bill directs the Secretary of Transportation to give priority to this highway under the Scenic Byway Program. Although the Senate report does not contain comparable language, does the chairman acknowledge the importance of this scenic byway to the Pacific Northwest, especially in light of the economic effect of the reduced timber harvest in communities through which this scenic byway passes?

Mr. LAUTENBERG. I agree with the Senator from Washington that the Tri-State Pacific Coast Scenic Byway is an important highway project that deserves strong consideration by the U.S. Department of Transportation for further funding under the Scenic Byway Program.

Mrs. MURRAY. I thank the chairman for his remarks. This scenic byway has received $8,285,000 in Federal funds over the past 4 years. The States of Washington, Oregon, and California have provided the appropriate matching funds for these Federal contributions.

Mr. HATFIELD. If the Senator would yield, I join in endorsing the Tri-State Pacific Coast Scenic Byway. The reduced timber harvest levels in the Pacific Northwest has given heightened importance to this byway, which would enhance the tourism industry in the very regions most affected by the reduction in the timber cut.

Mr. GORTON. I, too, want to join my fellow Senators from Washington and Oregon in endorsing continued Federal assistance for the Tri-State Pacific Coast Scenic Byway. It represents an excellent example of the economic benefits that can be generated by modest Federal contributions from the Scenic Highway Program.

Mrs. MURRAY. I thank all the Senators for their remarks and yield the floor.

HIGH-SPEED RAIL CORRIDORS

Mrs. MURRAY. Madam President, I am extremely pleased that this legislation provides Federal funding for the implementation of high-speed rail corridors. With the unbearable traffic gridlock in this Nation, high-speed rail has become the mode of choice for many State transportation planners and a focus of the U.S. Department of Transportation.

As the chairman is aware, the rail corridor from Vancouver, British Columbia, through Seattle and down to Eugene, OR has already been designated as one of the Nation's high-speed rail corridors. Both Washington and Oregon have now embarked on a long-term program to bring future high-speed service to the Northwest corridor. To accomplish this, the State governments, Amtrak, and the private sector have begun to work in partnership. Just this year, Washington and Oregon have appropriated over $50 million in order to implement high-speed service. In the next few months, they are planning to lease high-speed rail equipment to inaugurate a daily run between Seattle and Portland. Given the excitement throughout the country generated by the X2000 tilt train, this Seattle-Portland run will keep the excitement for high-speed rail going. More than this, it will soon allow business people to travel among these cities without using a car or plane.

As Washington and Oregon make these substantial commitments to high-speed rail, it is essential that the Federal Government play a significant role in this partnership. I urge the Federal Government to become an active partner in high-speed rail transportation in the Northwest.

Mr. HATFIELD. If the Senator would yield, I join in endorsing the Northwest high-speed rail corridor. Washington and Oregon have worked hard on this program and I am in full support of their efforts. I also urge strong Federal participation.

Mr. GORTON. I would also like to voice my support for this undertaking.

Mr. LAUTENBERG. I am very encouraged by the fact that Washington and Oregon have brought all these parties together in order to achieve high-speed rail service. I am pleased to hear that they are leasing high-speed equipment to run between Seattle and Portland. The role of the Federal Government is to help upgrade infrastructure to accommodate high-speed trains. I believe that these two States are excellent candidates for this Federal funding.

AMTRAK

Mr. BIDEN. Madam President, I want to thank my good friend, the distinguished Senator from New Jersey, for his efforts on behalf of our country's passenger rail system. Every year, we face the difficult problem of providing adequate funding to keep the Amtrak system a safe, reliable, and competitive component of our transportation system.

As my friend knows well, I have a very personal stake in the reliable operation of the Amtrak system. I depend almost daily on the system to connect my residence in Delaware with my work in Washington. In addition, for nearly 100 years Delaware has been the home of essential maintenance facilities for the rail operations on our country's east coast.

Last year, the funding level originally appropriated for Amtrak proved seriously inadequate. Long before the fiscal year was over we were threatened with the layoff of maintenance workers in those Delaware maintenance facilities. These maintenance workers are a key link in not only keeping reliable locomotives and coaches in service, but in assuring the essential safety of the passenger rail system.

Only through last-ditch reprogramming and supplemental appropriations a few months ago did we avoid service disruptions and layoffs of Amtrak personnel.

Madam President, a recent GAO report stresses that adequate funding for major overhauls is essential to maintaining the high safety standards we expect of Amtrak service.

But, Madam President, it was major overhaul facilities that were threatened with work reduction and layoffs when last year's operating budget of $331 million proved inadequate.

The maintenance workers in my State have a hard-earned reputation for efficient, reliable work. They deserve the funding support to keep them on the job and to keep the Amtrak fleet rolling safely. Our country's rail passengers deserve and expect no less.

We can predict shortfalls like last year's, and similar threats to safety, operations, and job security, if the Amtrak appropriation for fiscal year 1994 were limited to last year's inadequate levels.

But, fortunately, Madam President, the distinguished floor manager of this bill and his subcommittee have shown the leadership we need on this issue by providing more adequate levels of funding for Amtrak's operating and capital accounts.

Madam President, I have personally received confirmation from Secretary Peña that the administration supports the more adequate subcommittee funding levels for Amtrak. This confirmation from the administration should provide solid ground for our conferees to stick with the Senate numbers for Amtrak when they meet with their counterparts from the House.

Again, I want to express my appreciation for the leadership my friend from New Jersey has shown on this issue. I ask that the letter from Secretary Peña supporting the funding levels of the subcommittee be inserted in the RECORD following my remarks.

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

SECRETARY OF TRANSPORTATION,
Washington, DC, October 5, 1993.

Hon. JOSEPH R. BIDEN, Jr.,
U.S. Senate, Washington, DC.

DEAR SENATOR BIDEN: Thank you for writing me to ask for clarification of the Department of Transportation's position on fiscal year 1994 funding for Amtrak, currently under deliberation in the Congress.

The Department supports the level of funding approved by the Senate Appropriations Committee in H.R. 2750—that is, $351 million for operating assistance and $208.580 million for capital assistance. In addition, we continue to support the $137 million for mandatory payments to railroad retirement and unemployment funds.

While these amounts for operating and capital assistance are higher than the levels submitted in the President's budget request, they reflect the financial difficulties Amtrak has experienced in the past year. The recession and the floods of the Midwest have caused Amtrak's ridership and revenue to fall short of projections.

You are correct to note that the Administration was seeking an additional $188 million for Amtrak in the President's economic stimulus package earlier this year. As we know, that package failed to pass Congress. A subsequent fiscal year 1993 supplemental appropriation of $45 million for Amtrak helped Amtrak avoid further reductions in its already downsized overhaul and maintenance operations. However, the continuing malaise in Amtrak's revenue picture again threatens those operations, not to mention Amtrak's ability to adequately replace aging equipment with new, more efficient and reliable equipment.

Even with the amounts of funding for Amtrak in the Senate Appropriations mark of H.R. 2750, Amtrak still must shoulder some management actions and reductions in service to thrice-weekly on several poorly performing routes. We at DOT believe, however, that these levels of funding will allow Amtrak to offer safe service to the traveling public.

Thank you again for soliciting the Department of Transportation's clarification of this matter.

Sincerely,

FEDERICO PEÑA.

TIRE RECYCLING

Mr. CHAFEE. Madam President, section 325 of the Transportation appropriations bill now before the Senate suspends for 1 year enforcement of a program that was established under the Intermodal Surface Transportation Efficiency Act of 1990. Under this program States are to use recycled materials including crumb rubber from scrap tires in a small portion of the highway construction projects built with Federal assistance each year.

Scrap tires are a serious environmental problem in the United States. Each year we discard approximately 250 million used tires. With the advent of the radial tire design, passenger car tires can no longer be retreaded or ground up and used to make new tires. So they are piling up in tire dumps all across the nation. Today, between 2 billion and 3 billion tires are located in tire piles around the country.

These tire dumps are breeding grounds for disease carrying mosquitos and rodents. They are also often the location of toxic fires that cloud the skies and pollute our streams and ground water resources. Just 2 weeks age we experienced another serious tire fire. This one occurred at a tire pile containing more than 1 million tires locate at Inwood in Berkeley County, WV.

The fire was apparently started by an arsonist in the early morning hours of September 14. It burned for 3 days and took 50 fire departments employing 200 firemen to control. Volunteer firemen from Virginia, Maryland, Pennsylvania, and New Jersey were called in to help fight the blaze. Luckily no one suffered any acute, serious injuries, but the cloud of toxic smoke could be seen from 30 miles away and the runoff from the firefighting efforts threatened streams and ground water supplies in the area. The State of West Virginia has now begun the expensive process of cleaning up the site.

Madam President, I would ask unanimous consent that an article entitled "Hundreds Battle Huge Fire That Darkens Berkeley," from the September 15 edition of the Martinsburg Journal be printed at this point in the RECORD.

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

HUNDREDS BATTLE HUGE FIRE THAT DARKENS BERKELEY

(By Rodney A. White)

INWOOD.—Two-and-a-half acres of tires at a huge tire pile in southern Berkeley County erupted in flames early Tuesday morning belching an umbrella of sun-obscuring black smoke into the sky, canceling classes and closing roads.

Hundreds of emergency workers and firefighters from West Virginia, Virginia, Pennsylvania, Maryland, and New Jersey fought the burning tire pile for about 21 hours before getting it under control. It had nearly been extinguished late Tuesday night.

No one was injured in the fire. The fire was believed set about 3:40 a.m. in a corner of the former Associated Tires Distributors Inc., said South Berkeley Fire Chief Ed Keesecker.

About 2½ acres of the 10-acre tire pile began burning early Tuesday morning and continued to burn throughout the day. A column of smoke rose about 300 feet above the burning tires before the wind pushed it north nearly parallel with Interstate 81.

Many roads were closed around the site to allow access to emergency crews and trucks delivering water to the fire crews. The closing of the roads caused schools and some businesses in the area to shut down for the day.

For years, local citizens and officials have expressed their concerns and their fears that the tire pile would go up in flames and cause a major environmental and safety hazard for the county. Those fears were realized Tuesday morning.

A handful of firefighters and equipment remained at the scene overnight to watch the remaining hot spots.

This morning, the long process of mopping up begins. It will be days before the mopping up and cleaning up process will be complete, Keesecker said.

But by nightfall, it was clear the end was in sight.

Martinsburg Fire Chief Doug Fellers said he had never seen so many men and so much equipment at one fire. "I've seen trucks I've never heard of before," he said.

But what pleased him and others most was the fact everyone "was working in unison. I've never seen anything like this," he said.

The fire was contained to the southermost 2½ acres of the 10-acre pile of some 1.2 million tires.

Throughout the day, sirens screamed as firefighters from dozens of companies rushed to the scene in tanker trucks. At one point, it was feared the firefighters would consume more water than was available from Mill Creek and the Berkeley Public Service District.

A realignment of resources, along with some creative use of equipment, stabilized the supply problem.

Firefighters were anxious to find any good signs and during the day, they did occur. One of the earliest—and best—was the change in the color of smoke. As it became less black and more gray, Keesecker said that meant "we're containing it."

But from time to time, the column did turn blacker as the fire seemed to regain momentum. Each time, firefighters battled back.

It was impossible to catalog the acts of bravery. Heavy equipment operators from private companies, the 167th Air National Guard and the state Division of Highways braved the flames and toxic smoke to make roads and widen the fire breaks. As a result, a 40-foot-wide path separated the burning pile from the unaffected areas.

Volunteer firefighters in teams of four and six equipped with air masks fought a holding action from inside the perimeter. To avoid exhaustion, the teams would fight the fire for only 20 to 30 minutes at a time.

To make sure traffic moved through the area, sheriff's deputies and others guided vehicles past the entrance and discouraged sightseers. One of the northbound lanes of Interstate 81 was closed to permit firetrucks to reach the fire from the west side of the property.

Gov. Gaston Caperton said he directed the state Division of Environmental Protection to expedite the process of cleaning up the tire pile.

Echoing Caperton, David Callaghan, director of the DEP, said the state would quicken the pace to take legal control of the property. The pile was the creation of now-defunct Associated Tire Distributors Inc.

He also said he would try to find state funds to help cover the costs of fighting the blaze. He said he would find out if it would be possible for the state to provide some security at the site. All this depends on whether Attorney General Darrell McGraw will permit some creative uses of state funds, Callaghan said.

Only last Thursday, representatives from 11 potential bidders on the Inwood pile cleanup toured the site. The state was going to open bids on the project on Nov. 19, Callaghan said they would see if they could "expedite that."

He said up until July, the state didn't have the authority to clean up the site, let alone the funds. It moved as quickly as it could, he said.

Assistant State Fire Marshal Eddie Robinson called it "of suspicious origin." Firefighters said they believed the blaze was deliberately set.

Keesecker said at about 1:10 a.m. Tuesday, the county's central dispatch office was

called from a phone in Arden, reporting a fire at the Texaco Station on Greenhouse Road. A search of the area revealed nothing.

Concerned about the suspicious nature of the call, Keesecker said he drove up the mile-long dirt road to the tire pile at about 2 a.m. He saw where some vehicle had "spun out" and scattered gravel, but no other suspicious signs.

At 3 a.m., after most of the volunteers had gone home, they were called out again by central dispatch. This time there were visible signs of fire at the tire pile.

Deputy South Berkeley Chief Bruce Chrisman was the first at the scene and could see the flames leaping into the air. He and another fireman scorched their hands as they lifted and pulled away the main entrance gate to the pile.

Ironically, less than two weeks ago, South Berkeley Fire Department conducted a firefighting drill at the scene.

As firefighters poured into the scene, the call went out for more tankers. First volunteers from across Berkeley and then Jefferson and Morgan counties responded. Then the call went out to volunteers from Maryland and Virginia, and eventually, Pennsylvania and New Jersey.

No one kept count of the volunteers arriving at the scene, but at one point there were more than 200 present.

Backing up the firefighters was the Salvation Army which distributed soft drinks and water and all kinds of sandwiches. Domino's gave stacks of free pizza and the local McDonald's franchise distributed dozens of free lunches and large drinks.

Dave Shipley, assistant chief of South Berkeley, said the fire was hot "and very smoky. It's sloppy and its muddy back there. In some places, the mud is 2 feet thick."

South Berkeley Firefighter Scott Humphrey said walking into the areas where the fire is hottest, "is like walking into a room with no windows."

Fireman Bruce Davis, his face speckled by the water and soot, rested under the tree and recounted his battles with the blaze "that won't go out."

The overall strategy at that point was "surround and drown" but the fire was proving to be waterproof, Davis said "We've been fighting a losing battle (because) the fuel load is so great."

The 14-year-veteran said he wasn't afraid of the fire—"you can't be afraid. You have to respect fire."

At one point early in the day, Keesecker and the other leaders contemplated using foam to extinguish the blaze. The Air Guard was prepared to offer its foam, but they had a limited supply. It was clear the fire would have to be beaten down even more before any foam could be used.

Foam, according to Capt. Curtis Keller, a Berkeley County sheriff's deputy, can actually smother the flame. Water can't. "But it's not effective to use it with the wind blowing," he said.

In addition to rendering the foam unuseable, it could also cause the fire to leap over the fire line established by the firefighters.

At 11 a.m., during another strategy session, it was decided not to use the foam, opting instead to use somewhat less water—firefighters were pouring nearly 7,000 gallons of water or more a minute on the fire.

Most important, they would ask the heavy equipment operators—again—for help.

Fighting a tire pile fire is much like fighting fires in hay bales, explained Keller. The hottest part of the fire is at the core, and the only way to get at the core is to break it apart.

Terry Markle, owner of Markle's Excavating, said a volunteer asked him to move up some heavy equipment as he dried to wipe off the soot from his face. "I didn't know it was going to be like this," he said.

At about 1 p.m., two bulldozers equipped with scoops and a third with a blade lined up at the entrance. They charged into the smoldering remains of the old, smoldering trailer rigs and pushed them aside. Then they charged through the chain-link fence in an effort to widen the entrance and give themselves some room to work.

At one point, Martinsburg Chief Fellers exclaimed, "They are brave men!"

At any given moment, the fire would erupt from the pile. Firefighters from atop Martinsburg's hook-and-ladder truck, would blast the blaze with water blowing out their hoses at a rate of 1,200 gallons per minute.

Like the firefighters, the bulldozer operators worked in teams, each only staying near the fire as long as could be done safely.

Moving against the face of the burning pile, they removed a 10- to 12-foot section, exposing a blackened core and another hot spot. As new hot spots were revealed, they were hit by another stream of water.

As the day wore, Eddie Keesecker smiled. "I think we're getting it now," he said.

By 7 p.m., Keesecker grinned. He could see an end to the fight.

Keesecker and Keller said it would take days, not hours to put out the fire. He was concerned about how long the volunteers could withstand the pace, and for that matter, how long the equipment would hold out.

Fellers had no doubt about either. They would stand up "because they have to."

Tire pile fires create three things—carbon black, which blows away, tons of steel cable, and gallon of coal black oil byproducts. It is the latter that caused local DEP officials the most concern.

Each gallon of water that was not heated into steam carried on its surface black dropplets of gunk. Early, a dike was hastily constructed along the south face of the tire pile, and that caught most of the contaminated water.

But as the heavy equipment operators began the process of peeling back the pile, more oil contaminated water flowed away from the pile, and threatened to flood an adjacent field with pollution.

DEP Environmental Inspector Kevin Lilly said he believes they were able to capture most of the oil and so relatively little got onto the field. But it won't be known for a long time if any ground water supplies would be affected by the pollution, he said. He did say they were able to guide the runoff away from some nearby sinkholes.

The sludge that does settle on the fields can be cleaned up later, he said.

Berkeley County Sanitarian Jim Burkhart said the water from Dove Spring, which is about two miles away, would be the first to reveal whether there had been any contamination.

The long-feared fire was expected to cause considerable economic and social dislocation. But Keesecker and Keller said only three nearby schools, Musselman Middle and High School and Inwood Elementary, had been closed. No evacuations had been initiated.

Chet Amick, manager of the Knouse Food Plant in Inwood, said he had shut down operations at the plant to help the public service district conserve water. Amick along with other local business owners and managers for years had quietly urged the state to address this problem-in-waiting.

Amick wasn't critical of the state Tuesday, saying he believed they were doing all they could to help. But he said he believed that this fire also was Callaghan's "worst nightmare."

Fred Gold Butler, who owns Wright Motors, said he was thankful that the firefighters were so adept in containing the fire as quickly as they did. "We thought this could happen. It was an environmental disaster before, now it is a very big problem," he said.

In an effort to make better use of their limited water supplies, they called on Jefferson County farmer Lyle "Cam" Tabb to bring his agriculture pumps. These pumps could pull water away from the ponds and permit the trucks to use it again. The sludge carried by the water would stay on the surface and would not be blown back onto the fire.

Callaghan, who arrived shortly after noon in a state-owned helicopter, said "You have to understand, we had no legal authority to spend any money (on this problem) until July 1."

That authority wasn't granted by the Legislature until this year, he said. The money for the removal of the tires is to come from the state's landfill closure fund. "It is our top priority," he said.

He acknowledged there is some ambiguity as to who actually owns the property. The Old National Bank has paid the back property taxes on the property, but he said they do not have the deed. That is still held by the owner, who lives on the west coast.

If necessary, he said the state will condemn the property to take title, but he said he thinks that given the fire, that won't be necessary.

Getting rid of this pile, or the one in Grant County, which is 10 times as large, isn't going to be easy, he said. "If they had been of any great value," he said, "we wouldn't be here."

Mr. CHAFEE. Unfortunately the fire in Berkeley County, WV, is not a unique event. Ten years ago a fire at Winchester, VA, burned for 9 months costing the community $1.7 million to extinguish. That site is now on the Superfund National Priorities List. EPA reports that there are about 100 major tire fires across the country each year.

Three billion scrap tires stored in piles, some containing millions of tires, with the quantity growing by more than 200 million tires per year is a serious solid waste program that needs attention. We found a way to make a small contribution to the solution of the problem by enacting the crumb rubber asphalt program as part of the 1991 in the Surface Transportation law.

For many years some States, principally California and Arizona, have been experimenting with the use of recycled tire rubber as a binder in asphalt pavement. A variety of asphalt mixes and processes have been tried over a wide range of road uses and climatic conditions. It works. There is even evidence that asphalt pavement may perform better than conventional pavement in some applications.

As we prepared the Intermodal Surface Transportation Efficiency Act, we

saw an opportunity in the highway program to solve an environmental problem caused by highway users. Used tires are generated by people driving on the roads we build with Federal funds. If those same roads could be built with asphalt composed of recycled tires, the Federal highway program could make a contribution to solving one of the major environmental problems that it creates.

There were naysayers. We were told that asphalt containing rubber would not perform well, that it might cause health or environmental problems, or that it cannot be recycled into new roads as most asphalt is today.

We addressed those concerns head on in ISTEA. The statute gives the Secretary of Transportation authority to set aside the tire recycling requirement, if asphalt containing rubber does not perform to specifications, if it causes any health or environmental problem or if it cannot be recycled. We asked DOT and EPA to do studies on these questions. The studies are done. There is no evidence to support any of these claims. If there was any evidence, I am sure the Secretary of Transportation would have used his authority to set aside the requirement.

The real issue is cost. Asphalt containing recycled tire rubber costs more than conventional asphalt. There are several reasons for the higher cost. First, some of the rubber pavement processes have been under patent which has increased the cost. Those patents have now expired. Second, most projects done to date have been experimental with the asphalt mixed in small batches. That undoubtedly increases the cost. As we use more of this material that factor will be overcome.

Third, rubber pavement costs more because it is necessary to grind the tires to crumb rubber to get usable material. This factor will always mean that asphalt containing recycled tire rubber will cost more than conventional pavement. Is it reasonable to incur this increased cost in our highway program? That is the real question.

Whole scrap tires cannot be disposed. They cannot be sent to city and county landfills, because they cannot be compacted like other solid waste. If you try to landfill whole scrap tires with other garbage, the integrity of the landfill is destroyed and health and environmental problems are bound to occur. Before a tire can be thrown away it must be shredded into small pieces that can be compacted and buried. Whether we put this shredded material in a dump as a solid waste or we put it in our highways as a recycled material, the Nation must still bear the cost of shredding the scrap tires. And every day we delay means that more communities like Berkeley County, WV, will have to bear the cost of fighting tire fires and cleaning up afterwards.

Highway users create this solid waste problem. At some point we must bear the cost of shredding these tires, if we are to rid ourselves of the tire piles. It is in my view entirely reasonable to ask highway users to bear at least part of the cost to solve this problem by recycling scrap tires into asphalt.

I know that some Members of the Senate want to look at options that would give the States flexibility to use shredded tire material in other highway applications. I would note that section 1038 of ISTEA already provides some of that flexibility. Up to 5 percent of the rubber pavement requirement may be met by using other recycled materials in asphalt or in other parts of highway projects. The Secretary of Transportation was required to do a study on these other options. DOT has not carried out its responsibilities under this part of the act.

We should consider other uses for recycled tires. The National Asphalt Pavement Association has published a report indicating that shredded tire material may be cheaper than some conventional materials now used in other aspects of highway construction. If that is the case, we ought to move swiftly to utilize the recycled material. Perhaps we can go well beyond the goal for tire recycling that was established in ISTEA by looking at these other uses.

In regard to the specific provision now pending before the Senate, I would note that it sets aside section 1038(d) of ISTEA. This subsection establishes sanctions for States failing to use asphalt containing recycled tire rubber. It is unlikely that any State would face a sanction for 1994 in any event, since the requirements for that year can be met by recycling conventional asphalt into new highway projects. No State should have any difficulty meeting the 1994 requirement with the so-called RAP or recycled asphalt pavement option.

Madam President, I know that many Members have heard about this provision of ISTEA from their transportation departments and from people who supply conventional asphalt pavement for road projects. I want my colleagues to know that there is also a long list of interested groups on the other side, including the solid waste officials of State and local government, who support the tire recycling provisions of the surface transportation statute. Madam President, I ask that five letters reflecting this support be printed at the conclusion of my remarks today.

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

AMERICAN PUBLIC WORKS ASSOCIATION,
Washington, DC, July 27, 1993.

Hon. MAX S. BAUCUS,
U.S. Senate,
Washington, DC.

DEAR SENATOR BAUCUS: If let stand, actions taken by the House of Representatives will "scrap" an important component of the Intermodal Surface Transportation Efficiency Act (ISTEA)—the scrap tire rubber recycling requirements of Section 1038(d), Public Law 102-204.

The Transportation Appropriations Bill for FY 1994 denies the use of funds for implementing, administering or enforcing the provisions of Section 1038 which was designed to foster improved, cost effective pavements that recycled discarded tires. The benefits of Section 1038 go beyond improved highways. A major, costly, solid waste problem—scrap tires—would be reduced by estimates of two hundred million scrap tires by 1998.

Resource recovery is a mounting concern of the American Public Works Association (APWA). Our policy, representing the objectives of 27,000 members, states: "The APWA supports the principle of providing economic incentives to . . . increase the demand and stabilize the market for recycled materials. It supports efforts to develop an enlightened public attitude toward the recovery and utilization of resources from solid wastes . . ." This policy was first formalized in 1973.

In 1989, APWA adopted the following policy position: "The APWA recommends that public agencies routinely consider the purchase of materials manufactured in whole or in part from recycled waste; specify recycled materials in requests for proposal; and otherwise modify their purchasing procedures to give preference to suppliers that are able to provide products at a comparable cost and of acceptable quality derived, in part, from recycled municipal solid waste."

Most recently (1992) the Association stated: "The APWA recognizes that appropriate fiscal policies and funding mechanisms must be developed at the federal, state and local levels to promote effective recycling."

Within our membership, there is far reaching support for the scrap tire provisions of ISTEA. The savings to local governments in costly and increasingly harder to acquire landfill space can be considerable; likewise in collection and hauling. Section 1308 is both environmentally and fiscally responsible. We urge the Senate to restore funding. Please let me know if I can provide further assistance.

Sincerely,

CHARLES A. BYRLEY,
Director, Washington Office.

THE NORTHEAST RECYCLING COUNCIL,
Brattleboro, VT, July 13, 1993.

Hon. JOSEPH LIEBERMAN,
U.S. Senate, Hart Senate Office Building,
Washington, DC.

DEAR SENATOR LIEBERMAN: On June 22, 1993 the United States House of Representatives' Committee on Appropriations reported H.R. 2490 to the full House. The bill makes appropriations for the Department of Transportation and related agencies for FY 1994. Section 330 of H.R. 2490 states that none of the funds made available may be used to implement, administer, or enforce the provisions of section 1038(d) of the Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA).

Section 1038(d) of ISTEA requires states to meet minimum utilization requirements for asphalt paving containing recycled rubber in federally-funded road paving projects. This provision would create a substantial market for the millions of scrap tires discarded annually in the northeast. According to an impact assessment of section 1038(d) of ISTEA conducted by the Northeast Recycling Council (NERC), when fully implemented in 1997, federally-funded road paving projects could

consume an estimated 30 percent of all scrap tires generated annually in the northeast (see enclosure for information on state-specific estimates).

The full House is scheduled to vote on the appropriations bill on July 19. We are concerned that if section 330 remains in H.R. 2490 it will jeopardize development of a major new market for scrap tires in the northeast.

Thank you for the opportunity to bring this matter to your attention.

Denise Lord, Director, Office of Planning, Maine Waste Management Agency, Chair, NERC; Jeffrey Lissack, Director, Recycling Market Development, Massachusetts Department of Environmental Protection, Vice chair, NERC; Andrea Cohen, Chief, Recycling & Resource Conservation, Vermont Division of Solid Waste Management; William Colden, Chief, Bureau of Waste Reduction & Recycling, New York Department of Environmental Conservation; Will Ferretti, Director, Office of Recycling Market Development, New York Department of Economic Development; Janet Keller, Director, Office of Environmental Coordination; Rhode Island Department of Environmental Management; Keith Kerns, Chief, Division of Waste Management, Pennsylvania Department of Environmental Resources; Janet Matthews, Director, New York Legislative Commission on Solid Waste Management; Guy Watson, Bureau Chief, Division of Solid Waste Management, New Jersey Department of Environmental Protection.

U.S. PUBLIC INTEREST
RESEARCH GROUP,
Washington, DC, July 23, 1993.

DEAR SENATOR: We, the undersigned organizations, urge you to oppose special interest efforts to weaken existing federal law with respect to the recycling of used tires.

Currently, billions of tires are stockpiled across the U.S. and three hundred million more are discarded every year. These discarded tires represent a public health hazard and a waste of precious natural resources.

Recognizing the problem, Congress enacted Section 1038 of the Intermodal Surface Transportation Efficiency Act (ISTEA). This section of ISTEA requires that a very small amount of used tire material be blended into asphalt used in road construction that is financed by the federal government. Use of tires in this fashion has been certified as providing performance at least equal to paving material made from non-recycled material and to be of no threat to public health and safety.

A major lobbying effort has been initiated to undermine this provision that would reverse the progress already achieved by this provision.

According to the National Association of Counties, used tires represent one of the biggest solid waste problems facing the country. Not only do they serve as a very visible blight to the urban and rural landscape, they provide habitat for rodents, snakes, and insects. Tires are extremely flammable and tire fires emit large amounts of acid gases, heavy metals, and toxic organics including dioxin into the atmosphere. Tires are derived from petrochemical sources and exact a significant price for production.

We urge your leadership to prevent weakening of this modest provision. As a nation, we need to move forward, not backward, as our nation's recycling rate is already the lowest of any industrialized nation in the world.

Sincerely,

Susan Birmingham, United States Public Interest Research Group; Richard Denison, Ph.D, Environmental Defense Fund; Eleanor Lewis, Center for the Study of Responsive Law; Robert Collins, Clean Water Action; Heide Halik, Sierra Club; Marchant Wentworth, Izaak Walton League; Lisa Collaton, Environmental Action.

SURFACE TRANSPORTATION
POLICY PROJECT,
Washington, DC, September 9, 1993.

Hon. JOHN CHAFEE,
U.S. Senate, Washington, DC.

DEAR SENATOR CHAFEE: The members of the Surface Transportation Policy project (STPP) oppose the provision in the House Transportation Appropriations bill, H.R. 2490 (now H.R. 2750), which prohibits the use of federal funds to implement Section 1038(d) of the Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA). STPP continues to urge Congress not to change ISTEA. ISTEA made important changes to many of the "business as usual" practices and needs to be nurtured, not inhibited.

Section 1038 Use of Recycled Paving Material was put in ISTEA to improve the quality and lifecycle of roads, and to address the growing problem of used tires which for some states is a leading solid waste problem. Section 1038(d) Use of Asphalt Pavement Containing Recycled Rubber, the provision for which the House Appropriations bill prohibits funding, involves USDOT certification and oversight.

The American Associations of State Highway Transportation Officials (AASHTO) and the National Asphalt Pavement Association (NAPA) have asserted that rubberized asphalt is too costly, causes worker health problems and has performance problems. The majority of evidence suggests otherwise.

Rubberized asphalt is currently cost competitive and the price will continue to come down. California, Arizona and Florida use rubberized asphalt with no "in-place, upfront" costs and gain net savings from greater durability. The European Community saves pavement costs with greater durability and economies of scale. In the AASHTO and NAPA cost estimates, they fail to take into consideration the disposal cost of tires, which is estimated to be greater than one dollar for each disposed tire. Additionally, AASHTO failed to incorporate the recent availability of previously patented manufacturing processes which have reduced costs by 45 percent. Millions of dollars are not being invested in this manufacturing process. Furthermore, as larger projects replace the current small experimental projects, economies of scale and greater competition will continue to drive the cost down.

NAPA asserts that workers' health may be at stake. However, USEPA and USDOT were required to investigate this issue, and the result of an 18-month review showed no evidence of worker health problems. The review was conducted by seven independent laboratories. Additionally, the European Community has used rubberized asphalt for over 25 years without worker health problems.

The real health problems are associated with the two to three billion waste tires. Landfills with used tires are a breeding ground for mosquitoes and rodents. Additionally, dumping grounds for used tires catch on fire releasing toxins in the air. Furthermore, used tires can leach other pollutants from oil and gas on the surface of the tire and from zinc in the steel belts.

Performance is quickly becoming a nonissue. Europe has successfully used rubberized asphalt for over 25 year. In fact, it was the European success which prompted USDOT to pursue greater use of rubberized asphalt. In 1991, FHWA, AASHTO, NAPA, the Strategic Highway Research Program at USDOT, the Transportation Research Board and the Asphalt Institute reported that rubberized asphalt performed at least as well as conventional asphalt cement. California, Arizona and Florida currently have successful rubberized asphalt programs. And in June of this year, USDOT and USEPA reported to Congress that evidence to date concludes that there are no significant performance, emissions or recyclability problems with rubberized asphalt.

Section 1038 addresses multiple problems by using recycled tires for improved asphalt. We currently stockpile 200–300 million used tires a year. Two to three billion tires already litter the nation, causing major solid waste problems for many states. Additionally, full implementation of the rubberized asphalt provision will add as many as 2,000 to 3,000 jobs to the economy. And rubberized asphalt adds to the elasticity and water resistance of asphalt which reduces cracking and aging, thereby directly increasing asphalt's quality and durability.

The prohibition by the House Transportation Appropriations Subcommittee on implementation of Section 1038(d) Use of Asphalt Pavement Containing Recycled Rubber may lead to a delay in implementation of Section 1038. States will remain obligated to follow the statutory deadlines, but FHWA will not be able to oversee state implementation or provide technical assistance. Furthermore, a prohibition on federal oversight and assistance sends the wrong message to those states which hope to avoid the initial minimum content requirement. USDOT must take an active role to ensure that states are on target with their timelines.

Additionally, we are concerned that an amendment may be offered to the Senate Transportation Appropriations bill on the Senate floor. Specifically, we oppose any amendment which allows the use of reclaimed asphalt pavement (RAP) as a substitute material for recycled rubber. The use of RAP materials already exceed the initial minimum content requirements for recycled rubber. Current FHWA state implementation guidelines for use of other recycled materials, that is RAP, result in no net increase in the use of rubberized asphalt. If RAP is allowed as a substitute, states will be able to avoid the initial minimum content requirements for rubberized asphalt. Such an amendment will delay and thwart the intention of ISTEA's Section 1038. STPP supports the use of reclaimed asphalt, but not if it is used as a way to avoid implementation of Section 1038.

ISTEA calls for new directions in transportation policy on many fronts. New directions usually have their growing pains, but this does not mean the statutes should be delayed or ignored. USDOT has an important role to play in shepherding these new changes like the use of rubberized asphalt. We urge you to oppose the House Appropriations provision which deletes funding for Section 1038(d). We further urge you to oppose any amendment which would allow RAP materials, as defined in the FHWA guidelines, as a substitute for rubberized asphalt. Rubberized asphalt is good for the environment, good for our roads and good for the economy.

Thank you for protecting the important new policy directions in ISTEA. We appreciate your cooperation and hope to work closely with you on this important issue.

Sincerely,

HANK DITTMAR,
Executive Director.

STATE OF NEW JERSEY, DEPARTMENT OF ENVIRONMENTAL PROTECTION AND ENERGY,
Trenton, NJ, August 25, 1993.

Hon. FRANK LAUTENBERG,
U.S. Senate, Hart Senate Office Building, Washington, DC.

DEAR SENATOR LAUTENBERG: I am writing to request your assistance in averting efforts by certain organizations and agencies around the country to undermine and overturn Section 1038(d) of the Intermodal Surface Transportation Efficiency Act (ISTEA). Section 1038(d) requires states to utilize recycled rubber in asphalt pavement that are part of federally funded road paving projects beginning in 1994. The New Jersey Department of Environmental Protection and Energy (DEPE) opposes any efforts that would serve to weaken the intent of this important legislation.

Developing new end-markets for recyclable materials such as scrap tires is essential to the success of recycling in New Jersey and the United States. Section 1038(d) represents a sound strategy that would create a substantial market for the millions of scrap tires discarded annually.

Opponents of Section 1038(d) have raised questions about the emissions released from asphalt pavements containing recycled rubber in terms of worker health and safety and about the recyclability of these pavements. Both of these concerns, however, have proven to be unfounded. A June 18, 1993 report prepared for Congress by the United States Environmental Protection Agency (EPA) indicates that there is no significant difference in emissions between conventional asphalt pavements and those concerning recycled rubber. In regard to the recyclability of such pavements, an August 1992 report (see attached) prepared by the New Jersey Department of Transportation (NJDOT) concluded that "from a materials point of view asphalt pavements containing ground tire rubber can be recycled successfully."

New Jersey has made the commitment to utilize this recycled rubber material in road surfaces. We are asking for your continued support to ensure that the nation's commitment, as expressed in ISTEA, remains as strong.

Please feel free to contact me if you wish to discuss further. Thank you for your consideration in this matter.

Sincerely,

JEANNE M. FOX,
Acting Commissioner.

CLARIFYING ESSENTIAL AIR SERVICE SUBSIDY ELIGIBILITY

Mr. COATS. Madam President, I would like to take just a moment to attempt to clarify with the distinguished subcommittee chairman, essential air service subsidy eligibility.

Mr. LAUTENBERG. Madam President, I would be happy to answer the Senator's question.

Mr. COATS. I thank the chairman. It is my hope that when determining eligibility for essential air service subsidies the Department of Transportation will be bound by bill language and not by report language. In doing so, the Department shall not be bound by the list of cities listed as ineligible for essential air service subsidies in the accompanying report, but will be free to make their own determination.

Mr. LAUTENBERG. Yes, it is the intention of the committee that the Department of Transportation will be bound by bill language only and not bound by the list of cities determined to be ineligible in the accompanying report.

Mr. COATS. I thank the chairman. Furthermore, I want to clarify the ineligibility of communities for essential air service subsidy funds "that are located fewer than seventy highway miles from the nearest large or medium hub airport." This language follows the rulemaking by the Department of Transportation on December 22, 1989, as published in the Federal Register; volume 54, No. 245, 14 CFR part 398. That same rule also states that when determining the distance from an EAS community to an alternative service airport the final rule "measures the distance from the EAS community's city center to the alternative service airport itself."

Specifically, I want to clarify that it is the intention of the committee that determinations made by the Department of Transportation with regards to the reference of "fewer than seventy miles" follow the rulemaking as referenced above.

Mr. LAUTENBERG. The Senator is correct. The intent of the committee was to follow the Department of Transportation rulemaking as cited above—that cities ineligible for essential air service subsidy funds will be fewer than 70 miles to the nearest large or medium hub airport as measured from the EAS communities city center to the alternative airport itself.

Mr. COATS. Madam President, I thank the chairman for his clarification.

Mr. WELLSTONE. Madam President, I would like to engage the distinguished floor manager in a brief colloquy regarding an important project which I believe deserves support. By 1995 public transit systems must comply with strict attainment requirements of the Clean Air Act Amendments of 1990. I know that the committee, in supporting the goals of the Clean Air Act amendments, is interested in reputable technology and research projects which can assist the transit industry in meeting the clean air requirements.

One such project, the variable valved timed engine, is currently being developed in Minnesota and will be ultimately demonstrated by the local transit authority in Rock Island, IL. This authority also serves Davenport, IA. The development of this new engine technology could result in substantial increases in fuel efficiency, saving many millions of dollars in operating costs. It is anticipated that the fuel efficiency gains achieved will also apply to alternative fuels. This project could have national implications for the public transit industry by helping it to meet the pending Clean Air Act requirements in a cost-effective manner.

I am aware of the severe fiscal constraints under which the Transportation Appropriations Subcommittee worked this year, and I want to commend the distinguished chairman of that subcommittee on his hard work on this important legislation.

Madam President, I know that I speak for my colleagues, Senators SIMON and MOSELEY-BRAUN from Illinois, when I ask that the committee join me in urging the Federal Transit Administration in giving this important project every consideration when it allocates section 6 and/or section 3 discretionary funds.

Mr. LAUTENBERG. I thank my colleague from Minnesota, Senator WELLSTONE, for his acknowledgment of the severe funding constraints under which we were working this year. I agree with the Senator that the subcommittee is very interested in assisting, where appropriate, local public transit systems in the development of worthwhile technology and research that will help them meet the clean air requirements. The variable valved timed engine technology appears to have promise as an engine which potentially utilizes multiple fuels while meeting clean air standards without exorbitant equipment conversion costs. On behalf of the subcommittee, I would, therefore, urge the Administrator of the Federal Transit Administration to give this project every consideration during the allocation of fiscal year 1994 section 6 and/or section 3 discretionary funds.

Mr. WELLSTONE. Madam President, I thank the chairman for his assistance. I am grateful for his continued support of this vital project.

VETERANS MEMORIAL OVERPASS

Mr. DECONCINI. Madam President, I would ask if the manager of the bill, chairman LAUTENBERG, if he would entertain a colloquy concerning the Veterans Memorial Overpass.

Mr. LAUTENBERG. Madam President, I would be very pleased to do so for my good friend and distinguished colleague from Arizona.

Mr. DECONCINI. Madam President, the Veterans Memorial Overpass [VMO] is on Palo Verde Road in Pima County, just west of Davis Monthan Air Force Base [DMAFB]. The VMO suffers from serious structural problems. VMO is overstressed and deteriorated, the superstructure has experienced movement, and its bridge girders have actually experienced delamination. The FHWA has listed the VMO as a priority 2 structure, the highest priority that does not require immediate closure of the overpass.

Madam President, Pima County officials say it will cost approximately $17 million to reconstruct the VMO. Under existing statutes, State and/or local authorities must cover 20 percent of the $17 million, or $3.4 million. The balance, or $13.6 million, is the Federal share. The State of Arizona and Pima County officials agree the project is of the highest priority and have committed to provide the local share.

Together with Representative ED PASTOR, I succeeded in securing authorization of the VMO as a demonstration project under the Intermodal Surface Transportation Efficiency Act of 1991 [ISTEA]. Later that year with your assistance, Mr. Chairman, I also secured $2.4 million in planning and design funding appropriations in the Department of Transportation and related agencies appropriations bill for fiscal year 1992. The balance, $11.2 million, is the remaining total Federal contribution.

Madam President, I would ask my good friend and colleague from New Jersey, Chairman LAUTENBERG, what type of assurance do we have that Federal Highway Administration will complete funding for VMO and other ISTEA-authorized demonstration projects, and fully fund such projects in a timely manner without specifically earmarking of funding for such projects?

Mr. LAUTENBERG. I would say to my good friend from Arizona that I have every reason to expect timely funding of all the ISTEA authorized highway projects, including this important project for Pima County and Davis-Monthan Air Force Base. I would add that this is exactly why the ranking member, Senator D'AMATO and I have steadfastly held the line on the earmarking of funds so that the Federal Highway Administration would have sufficient funds to fund all the highway projects duly authorized under ISTEA.

Mr. DECONCINI. I thank the chairman and once again extend my deepest appreciation to him for all that he has done over the years to assist this Senator and the State of Arizona. As for the pending measure, I further applaud the steadfastness of his conviction and his adroit leadership on this very difficult appropriations bill.

ESSENTIAL AIR SERVICE PROGRAM

Mr. PRESSLER. Mr. President, I wish to comment briefly on an extremely important Federal transportation program for small cities and towns, the Essential Air Service Program [EAS].

As ranking member of the Senate Aviation Subcommittee, I want to commend the Senate appropriators for recognizing the necessity of EAS. I particularly want to commend the chairman and ranking member of the Appropriations Transportation Subcommittee for their leadership in allocating needed funding for EAS in the fiscal year 1994 Transportation appropriations bill. As they well know, the very future of the EAS Program is at stake. The House of Representatives failed to provide funding for EAS. A number of my Senate colleagues and I urged the Senate appropriators to come through for the EAS, and they did. Their efforts will ensure air service transportation can continue for many of our Nation's more remote communities.

Mr. President, the EAS program is absolutely critical for rural States like South Dakota. Without EAS, I fear most communities in my State would be without any air service. I was pleased that the President's National Airline Commission extended their full support for EAS, as well as the development of additional policies which would encourage service to small communities.

Unfortunately, while industry experts embraced EAS, the Vice President's National Performance Review recommended in its reinventing Government report to drastically cut EAS. The report concluded that "the program is unneeded." The report alleged that EAS was simply the product of a congressional practice to "grant affected groups special privileges" in efforts to pass controversial legislation. The report's conclusions on EAS are very misguided. In my view, assisting communities in maintaining quality air service is hardly a special privilege. Small community air service is a necessity.

I am aware the subcommittee chairman has included language to somewhat reform EAS. This reform is based on the National Performance Review recommendations. While I would prefer that this provision be addressed and considered first by the Aviation Subcommittee and the full Commerce Committee before being considered by the full Senate, I understand and support the subcommittee chairman's efforts to ensure that EAS subsidies are available to the communities in most need of assistance. However, the potential impact of the EAS reforms in this bill are unclear at best. That is why I have urged the chairman of the Aviation Subcommittee to schedule hearings to consider reform initiatives for the EAS Program. It is my hope that Congress will take a thorough review of EAS during this Congress. I consider hearings by the appropriate committee and subcommittee to be a vital medium to any reform agenda.

Again, Mr. President, I commend the appropriators for their efforts to ensure adequate air service transportation to less populated communities. I urge them to uphold the EAS funding provisions during conference consideration.

Mr. LAUTENBERG. Madam President, I will defer to my distinguished colleague, the ranking member, if he wants to have any debate or discussion about the pending amendment. If not, I would like to continue with a few remarks of my own on a different subject.

Mr. D'AMATO. Madam President, I would like to reserve 5 minutes, as if in morning business, so if the Senator wants to go ahead, that would be fine.

Mr. LAUTENBERG. Madam President, in respect and deference to my colleague, I will take about 5 or 6 minutes and then relinquish the floor.

SOMALIA

Mr. LAUTENBERG. Madam President, we just came from a review of the situation in Somalia. No one in this country can help having their emotions stirred and their hearts torn by the sight of an American soldier's body being dragged about the streets by a bunch of gleeful people, feeling that in that process that they are trashing all of that which the United States stands for.

Madam President, I need not remind anybody in this forum about what it is that we were doing there in the first place. We went to provide a humanitarian service, because we were anguished and pained by the sights of those starving children, malnourished people too weak to walk, people too weak to take care of themselves, people too weak to clean themselves, dying by the dozens every moment.

So Uncle Sam stuck out his chest and said: "We are going to do the right thing. We are going to go over there and make sure those people have something to eat, so they can live and take care of their personal needs and their families." And it was, in my view, mission accomplished.

The food was delivered, medicine was delivered, our troops responded effectively, bravely—as they always do. "Give us the assignment."

I heard a young man today on television. I believe his rank was sergeant. He said he was not anxious to go. His unit had been ordered shipped out. He did not understand what the mission was, but that he was more than willing to do the service that he had committed for. And he, too, had to have seen the pictures of the young American's body being dragged through the streets. So he had to be thinking about himself, how he might feel as a hostage in this group of uncivilized people, who do not, in many cases, have the same understanding of what this is about that we do.

We want to help. We were there with a mission to be responsive to our role as, frankly, the moral superpower of the world. We are the only Nation that takes on that responsibility willingly. Maybe in this case a little too willingly.

The mission has been extended far beyond that which was originally

carved out and understood, at least by this Senator, and I think many others as well. We went there to be of help, not to sacrifice our youngsters. We went there to try to feed and nourish people, not to trade the lives of our young people for it.

This evokes all kinds of recollections about what Vietnam looked like. There we had a different mission. It was an ideological mission. This one, perhaps, had ideology as its spur initially. But it was very clear that we, as a people, could not stand the pain of watching the pictures day after day, television, newspapers, magazines, of children who were nothing but bones, with flies all over their faces, diseased and hungry, picking up scraps out of the dirt. And we wanted to be of help. That is Uncle Sam at his best.

What did we wind up doing? Pursuing a clan leader? Getting involved in what amounts to some kind of a civil insurrection with people who are on the side of this renegade, this rogue leader? That is not America's place. Because if we do it there, in my view we have an obligation to do it in lots of places.

We are walking on eggs trying to avoid being dragged into the Yugoslavian-Bosnian situation. Frankly, there I think we ought to be sending weapons. I think we ought to give those people a chance to fight back. I think back to the years of the Holocaust. When I was a young soldier during World War II in Europe and saw what was taking place—the difference between survival and death may have been a sidearm. It may have been a pistol. It may have been some kind of a weapon. We did not even help out by bombing the tracks to the extermination centers. It could have been an easy mission. But we learned, I hope, from that period, and now in my view ought to be doing something to help the Bosnians survive.

But in Somalia we are supposedly in charge. Obviously our friends at the United Nations and other places around the world do not agree with us.

But we ought to take a look in the mirror. We ought to be able to look into the faces of the families whose kids have died or who may die there. I had a discussion with my good friend from Michigan a little bit earlier. We both agreed the ultimate test of whether you think we ought to fight or not is whether you can look your own son or daughter in the face, and as you look into their eyes make a decision about whether or not you are willing to have your kid commit to risking his or her life or limb in that kind of situation. I for one tell you right now, I have a 25-year-old boy, I would not send him.

I was 18 when I enlisted in the Army. It was a different time and a different war. But I do use that as a test, and I voted that way once before. I said to my son, "You know, if I vote to commit us to war, I want you to go to serve your country."

I could not and would not ask him to do that—to chase Aideed and risk his life? Oh, no. Therefore I do not want to send other people's sons or daughters and put them at risk. We did what we had to. The rest has to be up to them, whoever the them is. It is not up to us.

So we just had a briefing. We are not revealing any secrets. But it was not a very satisfying experience when all of us, or most of us, are searching for where the mission says, "Put your kids on the line."

I do not see it. I hope in very short order we will have some understanding as to what we are doing, or else come home. That is the message that ought to go out. I yield the floor.

The PRESIDING OFFICER (Mrs. MURRAY). The Senator from New York.

Mr. D'AMATO. Madam President, I ask I may be permitted to proceed as in morning business.

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

SOMALIA

Mr. D'AMATO. Madam President, I, along with most Americans, supported the humanitarian efforts in Somalia. We all knew bringing food to starving people was the right thing to do. And it still is.

But our role there has been changed significantly, and it has changed for the worse. We have allowed U.N. commanders to involve our troops in military activities far different from those outlined in the original mission. Neither the American people nor the Congress share a desire to get further involved in increasingly hostile military operations in Somalia with no clear mission and no clear end in sight.

I have some very real problems when we have U.N. commanders ordering our soldiers into hostile situations. I have to ask why is it that it took hours, 7 hours, to come to the rescue of 90 Rangers who were trapped on an ill-defined mission? Did they think seizing a former taxicab driver who is Aideed's military adviser or foreign affairs adviser was going to end this? Is that the level to which we have fallen?

We have foreigners now commanding U.N. troops—our soldiers. What is the mission? What is the purpose? What is the goal? Imagine, being pinned down for 7 hours while a rescue party is a half a mile away. It took them 7 hours to get organized, to get in there and suppress the firefight that was going on, and to save those young U.S. soldiers who were trapped. The loss of lives, the humiliation, the degradation they have suffered: For what reason? Food? Humanitarian effort? Relief? Yes. This kind of nonsense? No.

I do not want a bunch of dummies at the United Nations telling our young soldiers where they should be going, what their mission should be. And, if that is tough language—too bad. I do not think the American people want a bunch of dummies at the United Nations, assigning our troops to God knows what kind of mission. It is wrong. That is not why we went there.

Some people may say let us go in and wipe them out. Who are we going to wipe out? Thousands and thousands of Somalis? Are we going to kill innocent women and children? How do you think that is going to look? What is our goal? Reestablish a government? What government? Are we going to bring the various clans together? Who, us? We cannot get ourselves together but we are going to go over there and get them all together. Wonderful—what a goal.

Secretary Christopher, wake up. It does not look like you really understand what is happening. We do not have sufficient forces there. We simply do not. And we certainly do not have command and control over our own troops. Let us get that established.

Let us tell the American people precisely what is our goal. There should not be one more American life placed in harm's way until we know exactly what the goals are and the Congress has an opportunity to either approve or disapprove them.

This is not a partisan issue. This is an issue of doing what is right, and right now we are not doing what is right.

I yield the floor.

Mr. DOLE addressed the Chair.

The PRESIDING OFFICER. The Republican leader.

AN AMERICAN PLAN

Mr. DOLE. Madam President, I listened with great interest to the statements by both the Senator from New Jersey and the Senator from New York. I certainly share one view that they have expressed, and that is about our interest as opposed to the United Nations interest.

When we commit young men and women to combat, which is essentially what is happening in Somalia, we ought to make the decision, it ought to be under our control and it ought to be very clearly under our control and it ought to be in our interest.

On the other hand, since we told the President of the United States, in a resolution we passed, that he should report to us by October 15, which is a week from Friday, and since the resolution also indicated that Congress had to approve any action or continued action or continued presence by November 15, we should abide by that resolution.

It seems to me the President is in a very difficult position here. We will have a full debate. We should have a full debate. One message that is clear in the phone calls I am receiving is, of course, to protect the American forces that are there and to define a mission. This is not any longer humanitarian

aid. The mission changed sometime in June, we were told today at a briefing. It went from humanitarian aid to nation-building. We never committed Americans to nation-building in Somalia or any other country that I am aware of.

I think it is clear to say from the meeting we had earlier with—I do not know how many Members were there—45, 50 Senators and half the House of Representatives, that the administration is going to be under great pressure to bring the actions in Somalia to a close. It is up to the administration to give us a plan—a plan—not a U.N. plan, an American plan, that will stress American interests because I do think if we just say, "OK, we are out of there," and everybody packs up and goes home, we place American hostages in danger, of course. We also, I think, would jeopardize anything else we might be involved in from this time for the next 5 or 10 years.

It is a big, big decision. It seems to me that if the President will tell us precisely what the plan is, how do we get out, when do we get out, how do we protect American forces, then I think the Congress, in a bipartisan way, will support that effort.

I will be happy to yield to the Senator from Maine.

Mr. COHEN addressed the Chair.

The PRESIDING OFFICER. The Senator from Maine.

SOMALIA

Mr. COHEN. Madam President, I would like to associate myself with both the remarks by the Senator from New York and also the minority leader.

What was somewhat distressing to learn during the briefing that occurred this afternoon was that apparently very little consideration has been given to the kind of contingencies that can and do arise in these types of operations.

The notion that our soldiers would be coming under attack, to be pinned down under hostile gunfire was clearly foreseeable, if not foreseen, by our military leaders and planners. It is somewhat frustrating to learn that the plans, if they exist, are still in the debating stage.

What was more distressing is that the administration was coming to a large group of men and women from both Houses of the Congress to gain some notion of what our thoughts are, what our recommendation might be. I admit, this is something of a catch-22 for the administration. On the one hand, if they do not come to the Congress, they are criticized, and if they do come, they are criticized.

I think what we were looking for was not to have the administration officials—the Secretary of Defense and the Secretary of State—come to us and say, "What do you think? What do you think we should do?" But rather it was, I think, imperative that they come to us with a range of options clearly spelled out from 1 to 10, if that is how many options there are, seek our judgment on that range of options, and see if there was a consensus on what the administration might seek to implement.

Perhaps they will do that. Perhaps they will go back to the Pentagon and the State Department and put together a list and a range of options, No. 1, to send a signal to Mr. Aideed and his followers that they best not harm any hostage or hostages that they currently might have or else they run the risk of great retribution. And the nature of that retribution should be spelled out in very clear terms. It is significant that the administration come back to Congress with a range of options that they would like to pursue and consult with the leadership of the Senate, the leadership of the House and then, if necessary, with the full House and Senate.

There was something else that came up during the course of the briefing that I want to discuss in general terms. There is somehow the hint that there may be just a touch of partisanship involved in the statements emanating from the Senate and from the House; that namely: "It was President Bush who got us into this mess and now we are dumping it in the lap of President Clinton." That would be an unfortunate thing to do to this new President.

First, let me say that all of us are concerned about the fate of the men and women who have been sent to that region. No one I am aware of—no one—has any interest in trying to take advantage of this situation to embarrass President Clinton. Many of us are trying our level best to support him, not only on international issues but domestic issues. So the notion or the hint or the implication that there might be some people who wish to exploit this great crisis for political advantage, I think, does a great disservice to the Members of this Senate.

I think that there will be a bipartisan resolution. We know, for example, the chairman of the Senate Appropriations Committee has very strong feelings about this, about how long we should be there, and how quickly we should remove our forces. The Senator from New York has expressed his own sense of outrage about the current situation. There are people on both sides of the aisle who have similar opinions and share similar discontents.

It brings into question exactly how we are going to work with the United Nations in the future. On the one hand, the United States has a great deal at stake in terms of credibility. Once we agree to commit forces to a region for peacekeeping—and here again we get caught up in words—we move from peacekeeping to peacemaking, and that is very close to warmaking because we are putting our men and women in the face of hostile fire where they can and have been killed and wounded seriously.

Before we ever do that—and this will be a lesson to all of us again—before any President commits U.S. forces, be it as part of a U.N.-peacekeeping force or going it alone, the President of the United States must come to the U.S. Congress.

I do not want to begin a debate at this hour of the evening over the War Powers Act, whether it is constitutional or not. Every President in office has dismissed the War Powers Act as being unconstitutional and have vowed to ignore it. I say they do so at their peril because whether or not it is ever ruled to be constitutional or not, no President can face the prospect of putting men and women in uniform into a combat situation where they are likely to suffer either death or serious injury without having the overwhelming weight of public opinion, popular support, and congressional support behind that President. Anyone who would run the risk of putting our people in jeopardy and not have our support clearly stated by a vote on the House and Senate floors, I think, will find that once the bullets start to fly and the bombs start to explode and people start dying, that the men and women who serve in either body of Congress will be in full flight in the other direction, not supporting the President but running precisely the opposite way.

That is why it is important that the President have us on record in advance.

Now, it has been suggested that we have voted in the past to support this particular mission. I would like to clarify for the RECORD this Senator's perspective as to what we did.

The fact is President Bush agreed to commit forces on a peacekeeping basis to that region. I think he did that before he had congressional consent. Forces were sent there, and then they came to Congress and we passed a resolution in support of providing humanitarian relief for the starving Somalian people. And most of us would go on record today as saying that was and remains a noble and worthwhile goal.

What we did not go on record in favor of is expanding that mission to either help build that nation's infrastructure, political infrastructure, call it nation building, or putting in place the kind of political institutions that allow a people to govern themselves. That is something quite different than what we voted on.

I think as the mission has changed, so has the support in both bodies of Congress.

Madam President, I think we are looking forward to a debate as early as tomorrow, possibly going on until Thursday, and it will be a debate which will be spirited. My own view is that

whenever you commit forces, you should do so with overwhelming numbers. You should engage strong and big, and if you cannot engage big and strong, do not engage at all. That ought to be the message to any nation or group of people who would seek to oppose the effort to provide humanitarian assistance if we decide to go in.

We see a situation now where the mission has been expanded but the forces have been reduced, and our people are put at a great disadvantage. We are left with the options as spelled out by my colleague from New York. We can go in with massive force and indeed crush Mr. Aideed. To do so is going to require killing lots of people. There will be massive bloodshed in that effort, most of it on the other side, but I suspect that even American soldiers will suffer mortal wounds as well.

The question is are we prepared to do that. Are the American people prepared to go on record as saying yes, we are going to go in and we are going to suppress that opposition. We are going to put enough force in there to make sure that no one ever drags an American soldier or serviceman through the streets, be it of Mogadishu or any other place.

So we have a lot at stake in terms of reputation. We have a lot at stake in terms of our credibility for this mission and for future missions. What we have to resolve is: First, what is our goal. That has not been clearly defined by this administration. Second, it has to be clearly spelled out as to whether we have sufficient intelligence that would warrant us concluding that if we remove Mr. Aideed and a number of his top officials, that will be sufficient to suppress the opposition, to suppress the fighting, to allow the continuation of the delivery of humanitarian goods and services.

Then we have to determine whether or not we have the kind of forces under our command as opposed to U.N. command. And I must say that this is something we should debate at length tomorrow and the next day. Exactly who is in charge. I have heard a number of reports that components of this U.N. peacekeeping or peacemaking force have decided unilaterally after being given a command to go into a certain area to refuse to do so, have simply said we have a better idea. We do not like this particular directive. Therefore, we are disobeying it. Now, if that is the kind of U.N. peacekeeping force that our soldiers in combat are partaking in then we have a bigger problem than any of us have been aware of to date.

Madam President, I hope that a number of questions that were raised today during the course of the briefing with the Secretary of Defense and Secretary of State were helpful to them. I think the Secretaries detected the level of anger that exists in the Congress, and we are of course reflecting the anger, dissent and contention that exists throughout the country right now.

We also have to take into account that there are long-term and larger implications for whatever action we decide to take. If we were to decide tomorrow to pass a resolution cutting off all assistance as of a date sooner than November 15, that certainly has consequences for us long term. If we fail to take action and fail to develop the kinds of strategies that we believe are necessary, that, too, will have long-term implications for us.

I hope, Madam President, that the debate which will begin tomorrow and carry on into Thursday will be instructive to the administration, to the American people, and most certainly to those forces now under Mr. Aideed's command and control who will hear a message that they cannot be allowed to continue to engage in the activities of dragging Americans through the streets of Mogadishu without punitive measures being taken against them—serious, substantial measures.

I thank my colleague from New York for raising the issue. I think that the administration has a heavy burden to come before us right now and explain exactly what its goals are, how it intends to carry them out, what forces we intend to deploy to carry out those goals and whether or not we are prepared to inflict serious casualties upon the people in Mogadishu in order to achieve them.

These are just a few of the questions that have to be asked and hopefully answered in the next several days.

I thank the Chair.

Mr. GRASSLEY addressed the Chair.

The PRESIDING OFFICER. The Senator from Iowa is recognized.

VIOLATIONS OF THE C-17 CONTRACT

Mr. GRASSLEY. Madam President, I wish to speak for just 3 or 4 minutes, leapfrog ahead one day and one bill, to an amendment that I am going to bring up on the defense appropriations bill when that bill is up. I might say since Senator D'AMATO is in this Chamber, he is a cosponsor of my amendment.

Our amendment, if adopted, would be in a sense a law to enforce a law because a law that should be followed by the Department of Defense is not being followed, and that is according to charges that the inspector general has made about section 2307 being violated on the C-17 contracts.

It seems to me, Madam President, we need to remind our bureaucracy when law is not being followed, particularly if the inspector general of the department says it is not being followed, and that is what my amendment deals with, to reenergize that law.

Section 2307 specifies that progress payments must be equal in value to the work performed and the work performed must meet the quality standards established in that contract. This law was supposed to bring some measure of discipline to defense contracting.

A careful study of the inspector general's report on the C-17 issued January 14 of this year convinced me and others of the need to enforce this law more aggressively. Law must be followed. The inspector general's report is all about illegal or improper progress payments to the C-17 contractor, McDonnell Douglas. The very same problems persist yet today in addition to what was reported in January this year.

C-17 aircraft delivered to date do not meet important contract specifications like aircraft range and cargo carrying capacity, nor has the C-17 demonstrated the ability to carry cargo into short 3,000-foot runways as required by contract.

And how does the Air Force plan to solve the problem? Well, the answer to that is the usual way: Critical specifications will be lowered again even though McDonnell Douglas has been paid top dollar to meet the more stringent specifications. Under the law, C-17 aircraft are supposed to meet contract specifications.

I know what you are saying. Common sense ought to dictate that that be the case. I say so as well. But common sense is not ruling in this instance. The law is not being followed. The specifications are not supposed to meet the airplane, but that is what is going on. And of course this makes a mockery of defense contracting.

This is in a sense a rubber baseline. The specifications are constantly adjusted to match up with product performance. Our amendment would draw a line in the sand. The product must meet contract specifications, whatever they be. If the fiscal year 1994 C-17 aircraft are on schedule, within cost, and meet contract specifications, then the money would flow as planned under our amendment. If the fiscal year 1994 C-17 aircraft were behind schedule or failed to meet quality standards as set in this contract, then there would be a problem, as there should be.

Payments would be withheld or reduced according to the seriousness of the deficiency.

The purpose of the amendment is very simple. I would like to send a clear signal that the Air Force simply obey the law in making progress payments on C-17 contracts.

That is it, Madam President; just simply that. Why do I come to the floor today? Because I want to alert my colleagues that this amendment is being proposed, and to ask my colleagues to study our proposals before reaching a final decision.

I yield the floor.

Mr. PELL addressed the Chair.

The PRESIDING OFFICER. The Senator from Rhode Island is recognized.

A NEW APPROACH IS REQUIRED IN SOMALIA

Mr. PELL. Madam Speaker, I am deeply saddened by the heavy losses of life that our Armed Forces suffered in Somalia on Sunday. I am also concerned about the circumstances and military tactics that led to this tragedy. I have supported the U.N. operation in Somalia, and I support United States participation in it, particularly since we provide only about one-sixth of the forces. I do not, however, believe it is wise for U.S. forces to be involved in offensive operations against Aideed's forces. That is what led to the tragedy on Sunday.

Having said that, I would like to point out that our options in Somalia are not limited to pulling out or continuing to be pummelled by Aideed's forces. There is a third option, and I believe we should try it.

This alternative involves concentrating on the consolidation and expansion of the successes already achieved everywhere in Somalia except for the small area of south Mogadishu controlled by Aideed. Throughout the rest of Somalia, the United Nations is making great strides in putting together local governments and in recruiting and training police forces. We should concentrate on those activities instead of engaging in high-risk attacks on Aideed and his forces. It should be enough that Aideed is isolated in south Mogadishu. Moreover, Aideed would be largely irrelevant once political authority would be restored and strengthened in the rest of the country.

In the meantime, U.S. forces should be in a defensive posture against any attempt by Aideed to break out of south Mogadishu, but we should not be seeking him out. The risks should be run by Aideed, not by us. It is important that the United Nations and the United States not depart precipitously from Somalia. For if we do not stay long enough to ensure that some form of Somali Government authority is restored, we will almost surely witness a rebirth of the terrorism and mass starvation that brought us to Somalia in the first place.

Madam Speaker, in the Defense Department authorization bill there is a provision requiring the administration to provide a comprehensive report to the Congress by October 15 on United States participation in the United Nations peacekeeping operation in Somalia. In this connection, I have invited Secretary of State Christopher to testify before the Foreign Relations Committee on October 19. It would be wrong, in my view, to preempt Secretary Christopher's testimony by enacting legislation this week to cut off funding for United States forces in Somalia.

I am as upset as any Member of this body about the casualties we have suffered in Somalia. We must change how we operate in Somalia; otherwise our forces will needlessly suffer more casualties. But let us give the administration a chance to change course rather than forcing the administration to cut and run. Let us work together with the administration to craft a viable alternative to the present search and destroy policy. Above all, let us not abandon a noble humanitarian cause which caused us to come there in the first place.

I yield the floor.

MORNING BUSINESS

Mr. LAUTENBERG. Madam President, I ask unanimous consent that there be a period for morning business for up to 6 minutes, with Senators permitted to speak therein for up to 5 minutes.

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

SOMALIA

Mr. FEINGOLD. Madam President, yesterday, as I read about the latest killings of the American soldiers in Somalia, I was enraged and sickened. When I heard about the death of 25-year-old Dan Busch, an Army sergeant from Baraboo, WI, and the wounding of John Seipel, a 22-year-old soldier from Mondovi, WI, I felt what others in the past month must have experienced: that the hostilities in Somalia have now struck too close to home.

Over the past several months we have watched the United States mission in Somalia evolve from providing emergency humanitarian relief, to stabilizing the situation, to trying to capture a warlord, and now, to institution- and nation-building. What we thought was originally a noble mission to deliver food now appears to be a misguided attempt to deliver democracy. Whatever that means, or whatever that is, it has proven questionable at best whether we can fulfill a mission of democratization and nation-building in Somalia. I have seen no evidence that we are even welcome to try. Furthermore, I would even question whether it is appropriate for military troops—rather than civilian personnel—to carry out such goals.

In any case, Madam President, the situation has deteriorated. Our troops are suffering increasing violence, and there are no clear objectives for U.S. forces.

I know this issue has been discussed by this body, and that we passed a resolution in the DOD authorization bill earlier this month, urging the administration to submit a statement of mission by October 15. While I am pleased that Congress has taken measures to gain control of this situation—of a major U.S. troop deployment—it has been my position that the troops should not have been there past 90 days after President Bush first sent American soldiers there in December without a congressional resolution of approval. The issue of the War Powers Act, Mr. President, is a quintessential post-cold-war issue, and it will become more and more important as calls for U.S. intervention will increase. In February, I declined to cosponsor the Senate resolution which was introduced and passed in 1 day because I thought the resolution was too vague in terms of the United States mission and duration of our commitment in Somalia. It was also because of the War Powers Act, because of a lack of congressional approval for this specific mission, that I, with six of my colleagues, voted against that resolution in the DOD bill. It turns out, I believe, that the original resolution, which mandated a withdrawal of U.S. troops within 30 days unless continuation was authorized by a specific act of Congress, was probably the correct position.

I join several of my colleagues who have spoken today to say that we should leave Somalia now: we should not increase the American troop level or increase our involvement. Our continued presence risks not only more American lives but also the possibility that the worldwide broadcasting of the mistreatment of U.S. prisoners will so inflame our national pride that it will be increasingly difficult to leave.

We should get out now, Madam President, before we are in so deeply that we cannot get out at all.

GRANT AWARDED TO NCCNHR

Mr. PRYOR. Madam President, as chairman of the Senate Special Committee on Aging, I am pleased to announce that the Administration on Aging has awarded a 4-year grant to the National Citizens' Coalition for Nursing Home Reform for the operation of the National Long-Term Care Ombudsman Resource Center. The center, which was established under the 1992 amendments to the Older Americans Act [OAA], establishes a permanent support system for State nursing home ombudsmen programs, enabling them to develop effective advocacy for persons in long-term care facilities. Since 1975, these programs, supported by local counterparts with hundreds of trained volunteers, have labored to build high quality support systems for individual residents and their families.

The National Citizens' Coalition for Nursing Home Reform [NCCNHR], a Washington DC-based consumer organization made up of over 300 member groups and nearly 1,000 individual members, has operated for almost 20 years as the premier source of information on issues—legal, medical, social, and ethical—affecting the quality of care and life of nursing home residents. NCCNHR's work to protect the rights of residents has received repeated recognition from State and local ombudsman programs, regulators, the aging

network, family and friends of nursing home residents, as well as from residents themselves. It was through NCCNHR's leadership that an effective coalition of national organizations was developed. Called the Campaign for Quality Care, it successfully promoted the passage of the 1987 nursing home reform law. Since that time, NCCNHR has continued its leadership role to ensure that the law's mandates for quality care will be implemented and the standards enforced.

The center will provide technical assistance, consultation, training and information dissemination to meet the needs of State and local ombudsmen in fulfilling the new program requirements enacted in the 1992 OAA amendments. The National Association of State Units on Aging will assist NCCNHR in meeting the Center's objectives, which were developed in conjunction with the National Association of State Long Term Care Ombudsman Programs. The Senate Special Committee on Aging has supported the long term care ombudsman program since its inception, and has worked closely with the staff at NCCNHR on every significant piece of nursing home legislation throughout that time.

This official acknowledgement of the role that NCCNHR has played and continues to play in the development of strong long term care ombudsman programs across the country underscores the renewed commitment of this administration to guarantee an effective voice for health care consumers. The ombudsman program is the operating prototype which is increasingly used as the model for protecting the rights of all health care consumers.

IRRESPONSIBLE CONGRESS? HERE IS TODAY'S BOXSCORE

Mr. HELMS. Madam President, anyone even remotely familiar with the U.S. Constitution knows that no President can spend a dime of Federal tax money that has not first been approved by Congress, both the House of Representatives and the U.S. Senate.

So when you hear a politician, or an editor or a commentator declare that Reagan ran up the Federal debt, or that Bush ran it up, bear in mind that it was, and is, the constitutional duty of Congress to control Federal spending, which Congress has failed miserably to do for half a century.

The fiscal irresponsibility of Congress has created a Federal debt which stood at $4,407,769,734,324.50 as of the close of business on Monday, October 4. Averaged out, every man, woman, and child in America owes a share of this massive debt, and that per capita share is $17,160.27.

RESTRUCTURING CERTAIN RURAL ELECTRIC ADMINISTRATION LOAN PROGRAMS

Mr. WOFFORD. Madam President, I wish to engage in a colloquy with my distinguished colleague, Senator LEAHY, chairman of the Senate Agriculture Committee.

As I understand H.R. 3123, as amended, it authorizes the Administrator, at his discretion, to make insured electric loans to an applicant if the Administrator determines the applicant has experienced a severe hardship. These severe hardship loans will be made at an interest rate of 5 percent per annum. Appropriations for the cost of the loans are authorized to support $125,000,000 for these severe hardship loans that meet certain criteria, including low per capita and household income and very high electric rates.

Mr. LEAHY. The Senator is correct.

Mr. WOFFORD. Potential applicants in States like Pennsylvania face a severe hardship because they serve low income areas and have rates more than 20 percent higher than a neighboring electric utility. This kind of rate disparity with a contiguous electric utility can occur because a rural electric cooperative serving a rural, economically depressed area, borders another utility whose fringes are rural, but whose overall territory is suburban and economically healthy. However, some rural electric cooperatives facing severe hardship, like many of those in Pennsylvania, cannot pass the rate disparity test to qualify for a normal hardship loan because the rate charged by urban electric utilities drive up the State average. This means that these rural electric cooperatives often do not have rates more than 20 percent higher than the State average, even though their rates are as much as 85 percent higher than a neighboring electric utility.

My question is this: Does the Senator agree that rural electric cooperatives facing this kind of severe hardship should be considered for severe hardship loans under this Act?

Mr. LEAHY. Yes Rural electric cooperatives experiencing the kind of difficulty the Senator described should be considered for severe hardship loans under this act.

Mr. WOFFORD. I thank my distinguished colleague from Vermont for his leadership in reforming the Rural Electric Administration and I yield the floor.

DEATH OF EDWARD FARLEY BURKE

Mr. PELL. Madam President, it is with deep sadness and a great sense of sorrow that I rise today in memory of Edward Farley Burke, a highly respected citizen of Rhode Island, who passed away last Friday, one day before what would have been his 65th birthday.

I have known, worked closely with, and admired Ed throughout my political career. Ed was an extremely able attorney who possessed superb analytical skills and that unique ability to grasp and solve complex issues. He was also a committed public servant who served our State and Nation nobly.

Born and raised in Providence, Ed received both his undergraduate and law degrees from Harvard. He worked in a series of public service jobs where he became known for his considerable abilities. He was also a retired colonel from the U.S. Air Force, where he served as a legal officer.

Among his many interests and accomplishments, Ed and I shared a similar vision of establishing high-speed ground transportation along the Northeast corridor. In fact, he served as vice chairman of the Northeast Corridor Initiative, a private, nonprofit organization dedicated to the electrification of the corridor from Washington, DC to Portland, ME.

Having served 12 years as chairman of the Rhode Island Public Utilities Commission, Ed knew firsthand of the energy concerns of our region. That problem was brought closer to home with the oil embargo of the early 1970's. Ed, always a visionary, successfully negotiated with Canada to bring Quebec hydroelectric power to the Northeast, thus reducing our region's dependency on imported oil.

Madam President, all told, Ed was a superb individual with too numerous accomplishments and affiliations for me to recite. Above all, he was a true friend. It is worth noting that Ed was also a staunch Democrat, beginning with his days at Harvard where he was vice president of Students for Truman Club. He later worked in the presidential campaigns of Adlai Stevenson, Hubert Humphrey, and more recently TOM HARKIN and President Clinton.

Madam President, we in Rhode Island will certainly miss Ed for his intelligence and gentle demeanor. We will also sorely miss someone of his caliber and integrity. I wish to pass along my sincere condolences to his wife, Phyllis, their children, and their 6 grandchildren.

Madam President, I ask unanimous consent that an obituary which appeared in the Providence Journal on Saturday appear at the conclusion of my remarks.

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

EDWARD F. BURKE DIES; EX-CHAIRMAN OF PUC, LAWYER, ENERGY ACTIVIST

(By Thomas J. Morgan)

PROVIDENCE.—Edward Farley Burke, a longtime Democratic activist and former chairman of the state Public Utilities Commission, died at home yesterday, one day before what would have been his 65th birthday.

He was the husband of Phyllis (Moran) Burke, and lived on Lyndhurst Avenue.

Mr. Burke had been ailing for some time after a kidney transplant a year ago, according to former Gov. J. Joseph Garrahy, a business associate in Mr. Burke's Canadian Connection Ltd. of Providence, an energy and trade consulting concern.

"I'd known Ed maybe 30, 35 years," said Garrahy, who appointed him as chairman of the PUC in 1977, "back to when he was an assistant to (former Mayor Walter) Reynolds. He had a long and distinguished career."

He was born in Providence, the son of the late Dr. Edward F. and Agnes (Farley) Burke. He was a 1946 graduate of Classical High School and a 1950 graduate of Harvard. He obtained a law degree from Harvard Law School in 1953.

He was a lifelong fan and supporter of the Atlanta Braves from the days when the team played in Boston. In a 1988 interview he recalled attending games at Braves Field Boston in 1935 at the age of 7. "Everybody else on the block was rooting for the Red Sox," he said, "I showed in later life the same tendency—Hubert Humphrey, etc. Lost causes are second cousins, I guess. The Braves were lovable, they were crazy."

When the attendance at Braves games began fading, Mr. Burke, then a student at Harvard Law School, became president of a Save the Braves Committee. When he heard the news in 1953 that the Braves were moving to Milwaukee, he said, "I don't think I wept at that point, but I sure as hell did later."

Mr. Burke was a former chief legal counsel to the state Department of Corrections, assistant city solicitor of Providence from 1959 to 1961, administrative assistant to Mayor Reynolds from 1961 to 1965, special counsel to the attorney general 1965–67, chief legal counsel to the Department of Social Welfare in 1969–70, and chief legal counsel to the Department of Mental Health, Retardation and Hospitals in 1970–72.

He was a retired colonel in the Air Force Reserve, where he served as a legal officer.

Mr. Burke became involved early in Democratic politics. In 1948, he became vice president of the Harvard Students for Truman Club, and served on the executive committee of the Harvard Liberal Union. He was active in Adlai Stevenson's presidential campaigns in 1952 and 1956, and managed Hubert Humphrey's campaigns in Rhode Island in 1968 and 1972. He made an unsuccessful primary run for mayor in 1964.

Mr. Burke was co-chairman in 1976 of the Rhode Island Chapter of Lawyers for Carter. But he divorced himself from election campaigns from the time he became PUC chairman in 1977, until he left the post in 1988.

In 1992, he became a member of the National Executive Committee of Americans for Harkin, and when Tom Harkin withdrew from the presidential campaign, he supported Bill Clinton.

Charged by Garrahy with developing new energy sources to wean Rhode Island away from its dependence on OPEC oil after the 1974 Arab oil embargo, Mr. Burke negotiated contracts to obtain Canadian gas, hydroelectric power and electricity from other sources.

He was a founding member in 1979 of the Northeast International Committee on Energy, and in 1981 of the Governors Power Planning Committee of New England. He was the proxy for Garrahy and Gov. Edward D. DiPrete when they were unable to attend sessions of the Governors Power Planning Committee or of the Eastern Canadian Premiers/New England Governors Committee.

As a result of his work, New England now obtains 10 percent of its energy needs from hydroelectric, nuclear and coal-generating sources.

Mr. Burke was a member and a past president of the National Association of Regulatory Utilities Commissioners.

When he left office, he formed Canadian Connection, of which Garrahy is a former president. For the past two years he was vice chairman of the nonprofit Northeast Corridor Initiative, which supports electrification and other improvements in the Northeast Rail Corridor from Washington to Portland, Maine.

Besides his wife he leaves two sons, Edward Francis Burke of Wayland, Mass., and David William Burke of Providence; two daughters, Elizabeth Burke Bryant of East Greenwich and Melissa A. Burke, a law school student in San Francisco, and six grandchildren.

The funeral will be held Tuesday at 9 a.m. from the J.F. Skeffington Chapel, 925 Chalkstone Ave., with a concelebrated Mass of Christian Burial at St. Pius Church, Eaton Street, at 10:30. Burial will be in St. Ann Cemetery, Cranston.

DEATH OF HAROLD GERKE

Mr. BAUCUS. Madam President, just over 1 month ago, the State of Montana lost one of its leading citizens, Harold Gerke of Billings. With Harold's passing, I also lost a friend and mentor.

Every community needs someone like Harold Gerke. He was a good man. But, beyond that, Harold was a leader, a doer, somebody who knew the value of public service.

Rising to the rank of speaker, Harold served with distinction for 16 years in the Montana House of Representatives. As a young legislator from Missoula, Harold was my speaker. He was always the source of wise counsel and encouragement. Thanks to Harold's leadership, I believe Montana is a better place today.

Harold was also a bit of a pioneer in Montana politics. As the Billings Gazette noted: "Early in his career, Gerke's political success was a rarity: A Democrat elected in Yellowstone County." I believe Harold helped blaze the way to two-party politics in Yellowstone County.

Yet, despite Harold's accomplishments at the State Capitol in Helena, his heart was always in Billings. He served three terms as a city alderman and was eventually appointed mayor.

Outside of public office, over the years, Harold served as director of the Billings Housing Authority, as chairman of the Montana Horse Racing Board, and as a member of the local mental health center board. In short, if there was an important and good cause in the city of Billings, you could bet that Harold would be there lending his support.

Harold leaves behind his wife of 62 years, Vera, along with a son; four grandchildren; and two great grandchildren. They should all be proud of his legacy of service to the city of Billings and the State of Montana.

I yield the floor.

CONTINUED SUPPORT FOR DEMOCRATIC REFORM IN RUSSIA

Mr. PELL. Madam President, events in Moscow during the last several days have been among the most dramatic since Russia embarked on its journey toward democracy and economic reform several years ago.

It is indeed regrettable that the proreformers' latest victory was marked by both violence and bloodshed. However, I do note that the military, under President Yeltsin's authority, seems to have used the least amount of force necessary to turn back the antidemocracy forces and to restore order in Moscow.

Two weeks ago, when President Yeltsin disbanded the Parliament and announced that new parliamentary elections would be held in December, I said it was important to remember that it is not Yeltsin the individual—no matter how much we may like and respect him—that we are endorsing. Rather, we are embracing what he is trying to achieve, namely the building of democratic and free market institutions.

The referendum that was held in Russia last spring gave President Yeltsin a clear mandate to hold new parliamentary elections. The Parliament, a vestige of Russia's Soviet past, obstructed this democratic process from the start. In recent days, some members of that now defunct body took extreme and provocative measures to prevent Russians from choosing their future through the ballot box.

President Yeltsin's actions of the last few days appear designed to ensure that the Russian people will have that right. I am pleased to learn that the December parliamentary elections are on track; and electoral law is being formulated and President Yeltsin has said that the elections would be free, fair, and open to anyone wishing to run. Presidential elections are scheduled for June.

I am concerned to learn, however, that President Yeltsin has issued a decree banning the activities of certain organizations, and suspending the publication of eight newspapers. Just as President Yeltsin has recognized that the Russian people deserve the chance to choose their future free of intimidation, I believe that he must recognize that they deserve the opportunity to be exposed to a wide range of views, particularly during the election process.

I am confident that the Clinton administration will continue to help President Yeltsin to focus on the end goal: Free and fair elections. I commend the administration for its cool-headed response to the crisis in Moscow. Not only did it strike the right chord in demonstrating U.S. support for the democratic process, but it continues to do a marvelous job of consulting with the Congress on this issue. State Department officials took care

to inform and consult with Members throughout the crisis, and later today, Secretary Christopher is scheduled to brief the Congress on the full course of events in Moscow. I look forward to hearing from the Secretary on this matter.

We must continue to show the reformers in Russia that we are with them. In the coming days and weeks, I believe we should place a high priority on helping Russia with its election process. While we must not take sides or get involved in partisan politics, there is much that we can do to encourage and support Russia to create the appropriate conditions for a free, fair, and open election process.

We have made it clear that we support President Yeltsin's recent actions because his objective is to bring democracy to Russia. The Congress recently appropriated $2.5 billion in assistance to promote economic and political reform in Russia and the other New Independent States. We would do well to target some of those funds to promote a free and fair election process. Our goal is to help consolidate democracy in Russia, and I believe we should back up our words with actions.

MULTIPLE-USE PRACTICES ON FEDERAL LANDS ARE VITAL TO WESTERN ECONOMIES

Mr. PRESSLER. Madam President, during the August recess, I held a Senate Small Business Committee field hearing in Rapid City, SD. The purpose of the hearing was to learn how small businesses are impacted by multiple-use and wilderness policies. To say the least, I was overwhelmed by the Black Hills community's strong response and turnout for this hearing. Nearly 200 concerned South Dakotans were in attendance on a holiday weekend morning. Citizens from surrounding States attended as well. The committee also received many comments during the week the hearing record was kept open.

The hearing reaffirmed a very disturbing fact: Opponents of multiple-use practices on Federal lands in the Black Hills and elsewhere are mounting a frontal assault on existing uses of Federal lands and the concept of multiple-use itself. How Federal lands are used and maintained would greatly affect the livelihoods of thousands of citizens, and the existence of thousands of small businesses throughout the West. The economic survivability of many western communities, large and small, are at stake. The following statement by Mr. Frank Davis, director of the Division of Forestry, South Dakota Department of Agriculture, best states the important issues at stake in the Black Hills:

> Virtually every acre of the Black Hills National Forest needs some form of management to keep it in a vigorous, healthy, aesthetically pleasing, and productive condition. The forest plan should recognize this, and it should be reflected in the size of the timber program.

Madam President, Federal land use is a complex subject. There are many issues to be considered. Ranching, timbering, tourism, recreation, mining, and manufacturing are impacted directly by Federal land use decisions. Other businesses that service the industries I just listed are affected indirectly. If a balance among competing interests is not reached, and the use of Federal lands is severely curtailed, or restricted entirely, the results could be disastrous. Mayor Drue Vitter of Hill City, speaking on behalf of the mayors of the Black Hills, said it best at the hearing:

> Good management of the forest by the Forest Service, sustain a good cut for the industry, groom the forest well, keep it healthy, and we will have a healthy economy. Don't let anybody sway you into thinking that total wilderness will save anything. It will only wreck our economy in western South Dakota.

Mayor Vitter is right. Indeed, his statement can be applied not just in South Dakota but throughout the West. Absent responsible multiple-use plans, many rural communities would disappear, thousands of Americans would lose their jobs, families would be disrupted, and the condition of Federal lands would be placed in jeopardy.

This last point—the management of Federal lands—is the centerpiece, the hub of multiple-use strategies. Sound stewardship and range management practices represent the foundation needed to protect Federal lands and ensure that they are maintained for future generations. Multiple-use practices by the ranchers themselves greatly enhance the condition of Federal lands. Keep in mind that many generations of ranch families have made a living, raised their families, and maintained these lands for future generations. The sustainability of their livelihoods was linked to the substainability of the land. They are the true environmentalists.

To tell these ranchers, these true environmentalists, to get off public lands and leave the management to the Government is not the way to go. The fiscal and environmental costs involved would be excessive. The hands-on stewardship that ranchers devote to the land would not be found in any Government agency. The ranchers are a vital partner of the successful planning and implementation of multiple-use policies.

Am I suggesting the Federal Government leave the ranchers and others alone to manage the land? Of course not. I agree that there are some who abuse public lands. I agree that abuse of Federal lands is a problem. If Government worked in concert with responsible users of the land, needless abuse can be corrected. However, forcing ranchers, miners, loggers, and other responsible users off all Federal land, and then locking the land up and throwing away the key is not the answer. Unmanaged lands would leave us with a Pandora's box of problems that would be devastating to the wildlife and their habitats on federal lands. Yes, overuse leads to abuse. However, unmanaged nonuse leads to abuse as well—negligent abuse.

This leads me to the other side of the equation: preservation. For the benefits of multiple-use practices to be assured, environmental and preservation considerations must be part of the multiple-use package. Preservation does not always mean putting land out of reach of human contact. Preservation requires active, regular human monitoring and management. The Black Hills is a perfect example. The issue is not always use versus nonuse of Federal lands. The issue is striking the proper balance among competing concerns which guarantee the economic viability and environmental sustainability of Federal lands. It is not an easy task.

Multiple-use policies in the Black Hills include programs to enhance their beauty and preservation. Proper forest management prevents forest fires. Watershed requires management too. Without these programs, the Black Hills could be vulnerable to irreversible damage caused by fire or floods. The Black Hills is a beautiful, majestic region because it is well-preserved and well-managed.

What has alarmed me is the direction being taken by some fringe elements to shut out the public entirely from Federal lands. Balances can be struck, but human concerns must be considered and weighed before decisions are made. Caution must be taken so that the scale is not tipped too heavily to one side. Currently there are two wilderness areas in South Dakota. One in the Black Hills National Forest and the other in the Badlands. These areas have maintained the natural beauty of the Black Hills, enhanced the ecosystem, and improved the health of the forest. As a result, we now have a healthy thriving forest in the Black Hills. Most people feel there is enough wilderness in South Dakota. However, environmental extremists are asking that 10 more areas, 6 in the Black Hills, totaling 131,200 acres be named as wilderness areas. Again, the issue is striking the proper balance. On that standard, the extremists' proposal would tip the scales too far.

Madam President, many decisions on multiple-use policies have yet to be made. A forthcoming decision would determine whether or not the Black Hills National Forest could continue to sustain a vital timber industry. I am speaking of the proposed forest management plan revision soon to be announced for the Black Hills National Forest. A successful revision plan

would be one that builds on current management practices. Anything less will not do. I have taken an active role in this to assure that South Dakota's timber industry would survive under any new plan.

Last week, the Senate adopted an amendment, which I cosponsored, to delay for 1 year the implementation of the administration's proposed 1994 rangeland reform plan. This was a necessary step. The stakes are huge. The livelihoods of thousands of American families are at risk. Changes in existing practices must receive full public review. Action by Congress will be necessary. More hearings will be needed. The people must be heard from.

Madam President, I will continue working with South Dakotans who are stewards of the Federal lands in South Dakota to determine how these lands should be cared for in the future. The input of these citizens is vital if sound public policy is to be achieved. The answers will be found among those Americans who have cared for the land over the years. Their future and their children's future depends on continuing multiple-use practices on our Federal lands.

Mr. President, I ask unanimous consent that three newspaper articles be included in the RECORD at this point.

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

[From the Rapid City Journal, Sept. 5, 1993]

PRESSLER RIPS ENVIRONMENTAL EXTREMISTS

(By Dick Rebbeck)

Timber sale appeals and wilderness setasides took a sound thrashing Saturday in Rapid City at a Senate hearing on "public land use impact on small business" in the Black Hills.

Sen. Larry Pressler, R—S.D., opened the Senate Small Business Committee hearing with a charge that the Sierra Club and "environmental extremists" create havoc in the timber industry with so-called frivolous appeals to forest management decisions.

And that, he said, undercuts the area's whole economic base.

Following the morning-long session, Pressler also told reporters he was "very dubious" about proposals to designate many thousands of acres of Black Hills National Forest as unlogged wilderness.

Instead, he advocated retaining public lands in multiple-use—logging, grazing, watershed, recreation, mining—management.

Thirteen witnesses spoke before a crowd of some 200 to summarize their written testimony filed with the Senate committee.

South Dakota State Forester Frank Davis said he opposed adding to the amount of designated wilderness in the Black Hills.

The entire national forest needs management, which includes logging, to remain healthy, vigorous and productive, he said.

Stan Silva of the forest supervisor's office at Custer said three areas totalling 16,500 acres were under study as possible wilderness. If Congress adds these areas to the federal wilderness system, the amount of Black Hills National Forest timber available to logging would decrease by 5 percent.

Silva also said options considered for revision of the 10-year forest plan would variously limit timber harvest to 40 million to 100 million board feet.

Hill City Mayor Drue Vitter followed that up with a call to maintain timber harvest at 100 million to 120 million board feet a year to sustain the region's economy.

Reducing the cut even to 80 million board feet could drive mills out of business and cost the Black Hills some 800 jobs, Vitter said.

Dave Meredith of McLaughlin Sawmill at Spearfish said reducing national forest logging from 118 million to 85 million board feet would put 25 companies with 1,700 employees "at risk."

For the Sierra Club, Brian Brademeyer said increasing wilderness, while reducing timber harvest, would increase tourism.

But Don Perdue said if his Rapid City furniture plant quit business for lack of wood products, he'd hope "environmentalists" would explain to his $10-an-hour employees why they'd be better off working for minimum wage in the tourism industry.

[From the Argus Leader, Sept. 8, 1993]

TIMBER LAND APPEALS TRIVIAL, PRESSLER SAYS

RAPID CITY.—Sen. Larry Pressler, R—S.D., criticized "environmental extremists" over the Labor Day weekend for creating havoc in the timber industry with so-called frivolous appeals of forest management decisions.

Pressler also told reporters he was "very dubious" about proposals to designate many thousands of acres of Black Hills National Forest as unlogged wilderness.

Instead, the Senator said public lands should be retained in multiple-use management for logging, grazing, watershed and recreation.

Pressler was in Rapid City to hold a Senate hearing on the impact of public land use on small business.

[From the Lawrence County Centennial, Sept. 8, 1993]

ANTI-WILDERNESS FEELINGS DOMINATE HEARING

(By Shane L. Mott)

Opposition against any further wilderness designation in the Black Hills was a major emphasis common among those testifying during a Sept. 4 U.S. Senate Field Hearing on the effect of federal land use upon small business held in Rapid City.

The hearing was part of a Labor Day weekend tour of several sites around South Dakota by Sen. Pressler.

We're all environmentalists," said Sen. Larry Pressler, R, referring to testifying during the hearing.

The hearing was divided into four parts: prefacing remarks by Pressler, government witnesses, industry witnesses and environmental witnesses.

With over 150 people present, it was one of the largest groups ever to attend a Congressional meeting in this area.

Pressler differentiated between everyone who cares about the environment and the extreme environmentalists, naming the Sierra Club as an example of extremism.

The late Governor George Mickelson and Governor Walter D. Miller both have strongly advocated multiple-use in the Black Hills.

"Within South Dakota, 63 percent of federal lands are owned by the U.S. Forest Service. Many small businesses are affected by how the over three million acres of federal land is used," said Pressler.

"The Black Hills timber industry contributed $76 million to the area economy last year. The forest service plan will greatly affect the timber industry positively or negatively for the next ten years.

"The issue of timber sales needs to be resolved. The Sierra Club's irresponsible filing of appeals to every timber sale needs to be eliminated," said Pressler.

Representatives of the timber industry and environmental groups agreed the bonding and costs involved in timber sales are hurting small businesses.

When Pressler challenged the "frivolous appeals" made by the Sierra Club, Brian Brademeyer of the Sierra Club, responded the appeals weren't frivolous. "Appeals wouldn't be made if the Forest Service obeyed the law in relation to the appeals," said Brademeyer.

Quoting from documents in 1875, Frank Davis, Director of the South Dakota Division of Forestry said, "Fire damage and open spaces are common . . . scarcely an old tree could be found . . . rarely is a tree greater than eight inches thick."

"The Black Hills Forest is in better condition now than it was in 1875. Every part of the Black Hills has been logged, mined, grazed and used by man. There is no true wilderness in the Black Hills," Davis said.

Davis set the theme followed by all government, timber and tourist representatives. "The forest will be destroyed if additional wilderness areas are approved," he said.

Tom Troxel of the Black Hills Multiple-Use Coalition agreed.

"Not only is the forest healthier, but the wildlife population is also healthier and it must be remembered that people are also part of the ecosystem," Troxel said.

Timber and tourist industry representatives agreed with Troxel and Davis.

"After 120 years of settlement and civilization, there is no person more than 2.5 miles from a road," said Bill Honerkamp of the Black Hills Badlands and Lakes Association.

It was pointed out that trucks and other modern fire fighting equipment can't be used to fight fires in areas designated as wilderness.

"Grazing public lands helps reduce the amount of dead vegetation. This reduction helps reduce the danger of fire," said Larry Nelson, president of the South Dakota Lands Council.

"Wilderness designations lock people out. It is discriminating against the disabled," said Hill City Mayor Drue Vitter.

"The majority of the 4 million annual visitors from outside South Dakota wouldn't be able to enjoy areas they now have access to. The designation of additional wilderness areas would harm the recreational/tourist industry," said Honerkamp.

"The designation of wilderness would eliminate some grazing lands and five percent of current timber harvests," said Nelson and Stanley Sylva, Resource Staff Officer for the Black Hills National Forest.

"In essence, a wilderness designation eliminates ecological diversity," Nelson said.

Nelson warned that if grazing fees rise substantially and livestock are locked out of public lands the only option left for ranchers would be to subdivide their property.

"Approximately 22,000 animals are grazed in the Black Hills by 251 operators and most graze no more than 150 animals," said Nelson and Sylva.

Brademeyer countered that the Sierra Club has proposed the wilderness areas because it would help promote the environment, tourism and film making industry.

Despite Brademeyer's claim, legally, most filming would be prohibited in wilderness areas.

Brademeyer said, "More wilderness areas need to be designated because 95 percent of wilderness designations are west of the Dakotas and only one acre per square mile of South Dakota is designated wilderness."

In response to a question by Pressler, Brademeyer said, "The Sierra Club bases its nine wilderness proposals solely on the criteria that no roads were in the area."

Joseph Satrom from the Nature Conservancy's South Dakota-North Dakota office said, "The organization's goal is to preserve and protect endangered plants and animals. While it is thought some endangered plants and animals exist in the Black Hills, there is no scientific data to prove it."

"Until such time the scientific data is available, the Nature Conservancy isn't actively seeking land in the Black Hills. The biggest danger to the Black Hills is development by out-of-state companies," Satrom said.

Agreeing with industry witnesses, Satrom said, "A sustainable environment means a sustainable economy."

The new forest plan is due out this winter. The forest plan will focus upon water yield, roadless areas, exploration and production of minerals and timber production.

"The new plan will reduce timber harvests from the current 120 million board feet down to between 40-100 million board feet," says Sylva.

"The reduction in timber has already closed mills and put people out of work. If timber production falls below 80 million board feet, one mill will be lost. If it falls below 60 million, two mills will be lost leaving only the large national companies," Vitter said.

"Federal law says the first priority of the national forests is to maintain a sustainable yield of timber," Vitter added.

"The timber industry believes a sustainable yield is around 120 million board feet a year," said Dave Meredith, owner of McLaughlin timber Mill, Spearfish.

"The Black Hills National Forest provides $4.1 million in payments to the state and counties and provides 2,100 jobs," Sylva said.

A reduction in timber sales means less money to schools and local government and less money means higher taxes on lower paying jobs," Vitter said.

"A sustainable supply of timber protected from attack is necessary for a health industry," Meredith said.

Don Perdue, president of Perdue Inc., a Rapid City furniture company, agreed.

"The cost of timber has risen 43 percent since August 1992. The rise has forced our company to absorb extra costs and raise our prices in a highly competitive market. The lack of supply, due to timber sale appeals, has forced my company to shut down several times already," Perdue said.

"When a shut-down occurs, 200 people are put out of work. These are $10 an hour plus benefits jobs. We have a $25 million a year business with a $5.4 million payroll," he said.

THE SOMALI OPERATION

Mr. THURMOND. Madam President, when we first sent Americans into Somalia, I had serious misgivings about the operation. Knowing it is much easier to get into a situation than to get out of it, I was especially concerned about the lack of a long-term plan to end the operation and bring our people home. The Somalia operation was a humanitarian act, and flowed from the fundamental decency and compassion of the American people. Even so, I worried that it would turn ugly once we decided to disarm Somali warlords. In a country torn by violence and anarchy, I feared that escalating the mission would surely put American lives at risk—and for no purpose that served America's vital interests.

I was not alone in these concerns. Many of my colleagues shared the same views. Yet in the first days of our presence there, I was proud of my country, and of the men and women of our Armed Forces. I am even more proud of their fortitude and courage in the present trying circumstances.

Few nations in the world could have—or would have—done what the United States did, strictly out of compassionate concern for our suffering fellow beings. Without doubt our intervention saved the lives of thousands who would have died of starvation and disease. Our soldiers and marines acted with compassion, and showed restraint and self-discipline. Their military professionalism was all the more remarkable considering how difficult and ambiguous the situation was in those early days of the Somali mission. It was not war. It was not police work. It fell somewhere in a gray area that military personnel are not specifically trained to handle.

But today, Madam President, I am outraged by our losses in Somalia and the treatment of our dead. I am appalled at how the situation in Somalia has deteriorated. The administration may feel the need to put the best face on what has happened, but the deaths of 12 United States soldiers who died Sunday night speak more loudly than all the platitudes about U.N. peacekeeping and nation-building.

To date we have lost 23 killed in action, 143 wounded, at least 1 American taken prisoner, and the bodies of our dead desecrated by the very people we went to save. This tragedy leaves me unspeakably sad and angry. I grieve for the families of our killed and wounded.

Madam Speaker, the Somalia mission has steadily sucked us into a situation that now offers no good options. Americans are dying in an ill-defined mission that bears no clear relation to the national interest. I agree that this is intolerable, and must not continue. We all want to get out of this quagmire. Yet we do not know how, for no matter how ill-advised it was to get engaged in a Somali tribal war; now that Aideed and his thugs have killed Americans, it is in our national interest to punish them. In other words, what is at stake is not just Somalia. It was a wilderness of savagery and squalor before we arrived, and unfortunately, it may revert to the same state when we leave. Frankly, I do not think we have the power to prevent it. What happens there is no longer the main issue, as far as I am concerned.

What is at stake is U.S. credibility and prestige, but not just for their own sake. Credibility and prestige are not abstractions, but are indispensable components of national power. They are essential to convince potential adversaries of our will and resolve. In other words, Madam President, what is at stake is America's ability to operate freely around the world, both now and in the future. Loss of U.S. credibility will only invite thugs and warlords to try their hand at killing Americans—perhaps in a time and place where our vital interests are at stake. We simply cannot allow the world to see us shamefully kicked out of Somalia by Aideed and his gang of cutthroats.

Consequently, Madam President, while we cannot allow the tragedy in Somalia to continue, I regretfully conclude we cannot simply pull out precipitously. We must find a solution that will allow us to withdraw as soon as possible, but with U.S. credibility and international prestige intact. It is past time for the Congress to come to grips with this sorry spectacle and force the administration to find a way out of the quagmire—before Somalia becomes the pattern for future United States missions with the United Nations.

Certain things must happen in order for the United States to begin a quick but orderly and honorable withdrawal. First, we must redefine the Somalia mission. Let us forget nation-building or importing Western-style democracy into such a place. Frankly, the prerequisites for self-government do not exist in Somalia. The administration's goal of agreements among the clans and some kind of grand national council are naive and unrealistic. This is a formula for a long-term commitment, and can probably never produce a viable central government in any case.

The mission must be redefined in military terms—to secure Mogadishu and guarantee protection for our forces so that they can withdraw without harassment, in a time of our own choosing. Above all, we must eliminate the confusion that inevitably comes from operating under the aegis of the United Nations. Once our Rangers were surrounded and attacked Sunday night, it took over 7 hours to organize and dispatch a rescue force from among the various U.N. troops in the city. Our troops must be allowed to operate as a unified, cohesive American combat force, making full use of their proven skill, training, and equipment. They must not be artificially hobbled by the mistaken idea that the problem of Aideed and his thugs is a matter of law enforcement. The high casualties we suffered in the Sunday night battle resulted from a misguided attempt to arrest Aideed's lieutenants. Why arrest them, Mr. President? Once arrested, in what venue and under whose law are they to be tried, and how are they to be punished if convicted?

Once the mission is redefined, Mr. President, we must decide on a sound strategy and operational plan to carry it out quickly. That also means we may have to temporarily increase our military power to levels sufficient to protect our forces as they are withdrawn; for as all military men know, a withdrawal under fire is the most difficult of maneuvers. We may need to redeploy a carrier group in the Red Sea for adequate air support. I do know this, Madam President. The reinforcements proposed by the Pentagon—one reinforced company with a handful of tanks and Bradley fighting vehicles, seven helicopters, and two AC-130 gunships are hardly enough. The problem is not just that this response is feeble, but that it is tailored to fit into the existing flawed, muddled situation. In fact, it has all the earmarks of the incrementalism and half-hearted approach that led to the debacle in Vietnam.

Madam President, I conclude by expressing some sympathy with my colleagues who want to pull out instantly. Had we known that our generosity and compassion would lead to this tragedy, we might have avoided it. But foresight was lacking in this instance. Regrettably, statecraft must be based on our best judgment at the time. Now I believe we have to exercise some vision and foresight. I do not advocate that we linger in Somalia, incurring more casualties to enact the vague Utopian notions of the United Nations. I do ask that we make fundamental changes in the way we are operating, so that we can extricate ourselves quickly and surely, and in a way that keeps the Nation's credibility—and thus our deterrence to future aggressors—intact. Otherwise, we may find we will have to pay a higher price than we are now paying in the streets of Mogadishu, and in a place that does involve the Nation's vital interests.

APPOINTMENTS BY THE VICE PRESIDENT

The PRESIDING OFFICER. The Chair, on behalf of the Vice President, in accordance with 22 United States Code 1928a–1928d, as amended, appoints the following Senators as members of the Senate delegation to the North Atlantic Assembly fall meeting during the first session of the 103d Congress, to be held in Copenhagen, Denmark, October 7–11, 1993: The Senator from Hawaii [Mr. AKAKA], the Senator from Colorado [Mr. CAMPBELL], the Senator from Mississippi [Mr. COCHRAN], the Senator from Pennsylvania [Mr. SPECTER], and the Senator from Utah [Mr. BENNETT].

EXECUTIVE SESSION

Mr. LAUTENBERG. Madam President, I ask unanimous consent that the Senate proceed to executive session to consider the following nomination reported today by the committee on Armed Services; and that the Senate proceed to its immediate consideration: Gen. John M. Shalikashvili, to be Chairman of the Joint Chiefs of Staff; I further ask unanimous consent that the nominee be confirmed, and that any statements appear in the RECORD as if read; that the motion to reconsider be laid upon the table; that the President be immediately notified of the Senate's action; and that the Senate return to legislative session.

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

Is there objection to the immediate consideration of the nomination?

There being no objection, the Senate proceeded to the immediate consideration of the nomination.

The nomination was considered and confirmed as follows:

THE JOINT CHIEFS OF STAFF

Gen. John M. Shalikashvili to be Chairman of the Joint Chiefs of Staff.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will return to legislative session.

FEDERAL TRADE COMMISSION ACT AMENDMENTS OF 1993

Mr. LAUTENBERG. Madam President, I ask that the Chair lay before the Senate a message from the House of Representatives on H.R. 2243, an act to amend the Federal Trade Commission Act to extend the authorization of appropriations in such act, and for other purposes.

The PRESIDING OFFICER laid before the Senate the following message from the House of Representatives:

Resolved, That the House disagree to the amendment of the Senate to the bill (H.R. 2243) entitled "An Act to amend the Federal Trade Commission Act to extend the authorization of appropriations in such Act, and for other purposes," and ask a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. LAUTENBERG. Madam President, I move that the Senate insist on its amendment, agree to the request for conference, and that the Chair be authorized to appoint conferees.

The motion was agreed to, and the Presiding Officer appointed Mr. HOLLINGS, Mr. FORD, Mr. BRYAN, Mr. DANFORTH, and Mr. GORTON conferees on the part of the Senate.

CATAWBA INDIAN TRIBE OF SOUTH CAROLINA LAND CLAIMS SETTLEMENT ACT OF 1993

Mr. LAUTENBERG. Madam President, I ask unanimous consent that the Senate proceed to immediate consideration of calendar No. 223, H.R. 2399, the Catawba Indian Tribe of South Carolina Land Claims Settlement Act.

The PRESIDING OFFICER. The bill will be stated by title.

The assistant legislative clerk read as follows:

A bill (H.R. 2399) to provide for the settlement of land claims of the Catawba Tribe of Indians in the State of South Carolina and the restoration of the Federal trust relationship with the Tribe, and for other purposes.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

AMENDMENT NO. 1022

Mr. LAUTENBERG. Madam President, I send an amendment to the desk on behalf of Senator INOUYE and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from New Jersey [Mr. LAUTENBERG], for Mr. INOUYE, proposes an amendment numbered 1022.

Mr. LAUTENBERG. Madam 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:

In the text of the bill designated as subsection (b) of section 4, strike the word "entitled" each place it appears and insert in each such place the word "eligible".

Amend the text of the bill designated as subsection (c) of section 15 to read as follows:

(c) LAWS AND REGULATIONS OF THE UNITED STATES.—The provisions of any Federal law enacted after the date of enactment of this Act, for the benefit of Indians, Indian nations, tribes, or bands of Indians, which would affect or preempt the application of the laws of the State to lands owned by or held in trust for Indians, or Indian nations, tribes, or bands of Indians, as provided in this Act and the South Carolina State Implementing Act, shall not apply within the State of South Carolina, unless such provision of such subsequently enacted Federal law is specifically made applicable within the State of South Carolina.

The PRESIDING OFFICER. If there is no objection, the amendment is agreed to.

So the amendment (No. 1022) was agreed to.

Mr. LAUTENBERG. Madam President, I move to reconsider the vote.

Mr. D'AMATO. 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 on the engrossment of the amendment and third reading of the bill.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read a third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall the bill pass?

So the bill (H.R. 2399), as amended, was passed.

Mr. LAUTENBERG. Madam President, I move to reconsider the vote.

Mr. D'AMATO. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

FEDERAL PHYSICIANS COMPARABILITY ALLOWANCE ACT OF 1978

Mr. LAUTENBERG. Madam President, I ask unanimous consent that the Governmental Affairs Committee be discharged from further consideration of H.R. 2685, a bill to extend the Federal Physicians Comparability Allowance Act of 1978, and that the Senate then proceed to its immediate consideration; that the bill be deemed read the third time, passed, and the motion to reconsider laid upon the table; that any statements relating to this measure appear in the RECORD at the appropriate place as if given.

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

So the bill (H.R. 2685) was deemed read the third time, and passed.

ARMS CONTROL OBSERVER GROUP

Mr. LAUTENBERG. Madam President, I ask unanimous consent that the Senate proceed to the consideration of Senate Resolution 149, submitted earlier today by Senators MITCHELL and DOLE, regarding the Senate observer group; that the resolution be agreed to; that the motion to reconsider be laid upon the table; and that any statements thereon appear in the RECORD at the appropriate place as though read.

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

So the resolution (S. Res. 149) was agreed to, as follows:

S. RES. 149

Resolved, That (a) the provisions of Senate Resolution 105 of the One Hundred First Congress (agreed to April 13, 1989) (as extended by Senate Resolution 358 of the One Hundred First Congress (agreed to October 28, 1990), and further extended by Senate Resolution 365 of the One Hundred Second Congress (agreed to October 8, 1992)), shall remain in effect until December 31, 1994.

(b) Section 2(b) of Senate Resolution 105 of the One Hundred First Congress is amended—

(1) in paragraph (1)—

(A) by inserting "or more" after "one" each place it appears; and

(B) by striking "staff member" each place it appears and inserting in lieu thereof "staff members";

(2) by striking paragraph (2);

(3) by redesignating paragraphs (3), (4) and (5) as paragraphs (2), (3) and (4), respectively; and

(4) in paragraph (2) (as redesignated), by striking "or secretary" each place it appears.

(c) Section 2(c) of Senate Resolution 105 of the One Hundred First Congress is amended by striking the first sentence and inserting in lieu thereof the following: "The majority leader and minority leader may each designate one or more staff members to be responsible to the respective leaders.".

(d) Section 3 of Senate Resolution 105 of the One Hundred First Congress is amended—

(1) in subsection (a)—

(A) by striking "$600,000" and inserting in lieu thereof "$380,000"; and

(B) by striking the period at the end thereof and inserting a comma and the following: "except that not more than $100,000 shall be available for each administrative cochairman and the cochairman's staff, and not more than $60,000 shall be available for each cochairman of the group who is not an administrative cochairman and the cochairman's staff"; and

(2) in subsection (b), by striking "$300,000" and inserting in lieu thereof "200,000".

(e) This resolution, and the amendments made by this resolution, shall be deemed to have become effective as of March 30, 1993.

Mr. MITCHELL. Madam President, this resolution extends the authority of the Senate Arms Control Observer Group as authorized by Senate Resolution 105 of the One Hundred First Congress (as previously extended by Senate Resolution 365 of the One Hundred Second Congress) to the end of this Congress.

This proposed resolution also makes certain cost-cutting modifications in the measure establishing this group. The number of staff and support personnel authorized to assist the group has been reduced consistent with general efforts to decrease legislative branch spending. These adjustments have been made, however, in a manner that will continue to allow the group to effectively execute its duties.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were held before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC-1580. A communication from the Secretary of the Treasury, transmitting, pursuant to law, the annual report on the Exchange Stabilization Fund for fiscal year 1992; to the Committee on Banking, Housing, and Urban Affairs.

EC-1581. A communication from the Secretary of Transportation, transmitting, pursuant to law, a report on the relative cost of shipbuilding for calendar year 1992; to the Committee on Commerce, Science, and Transportation.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. NUNN, from the Committee on Armed Services, with an amendment:

S. 1301. An original bill to authorize appropriations for fiscal year 1994 for intelligence activities of the United States Government and the Central Intelligence Agency Retirement and Disability System, and for other purposes (Rept. No. 103-155).

By Mr. BAUCUS, from the Committee on Environment and Public Works, with an amendment in the nature of a substitute:

S. 978. A bill to establish programs to promote environmental technology, and for other purposes (Rept. No. 103-156).

By Mr. PELL, from the Committee on Foreign Relations, without amendment and with a preamble:

S. Res. 134. A resolution urging the Government of Kuwait to compensate United States citizens and their families for financial losses incurred as a result of their evacuation during the Iraqi invasion of Kuwait.

S. Con. Res. 31. A concurrent resolution concerning the emancipation of the Iranian Baha'i community.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committees were submitted:

By Mr. PELL, from the Committee on Foreign Relations:

Carol Bellamy, of New York, to be Director of the Peace Corps; Tobi Trister Gati, of New York, to be an Assistant Secretary of State;

Roger R. Gamble, of Virginia, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Suriname.

The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.

Nominee: Roger R. Gamble.

Contributions, amount, date and donee:

1. Self, $25.00, December, 1991, RNC; $25.00, December, 1990, RNC; $25.00, March 1990, RNC.

2. Spouse, None.

3. Children and spouses, names, Peter and Kelly Hartshorn; Steven and Rosa Gamble; Scott and Leonor Gamble; Marc Gamble, none.

4. Parents, names, Avis Gamble, Ronald Gamble (deceased), none.

5. Grandparents, names, Newton and Ethel Key (deceased).

6. Brothers and spouses, names, Richard and Hilda Gamble, none.

William Dale Montgomery, of Pennsylvania, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Bulgaria.

The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.

Nominee: William Dale Montgomery.

Post: Bulgaria.

Contributions, amount, date, and donee:

1. Self, none.

2. Spouse, Lynne Germain Montgomery, none.

3. Children and spouses, names, Alexander Edward Montgomery, Amelia Sarah Montgomery, Katarine Germain Montgomery, none.

4. Parents, names, William E. and Blondell C. Montgomery, none.

5. Grandparents, names, William and Bess Markus Close, Guy and Blanche Barrett Montgomery, deceased.

6. Brothers and spouses, NA.

7. Sisters and spouses, names, Mary and Dennis King, none. Cynthia and Bergir Wernerfeldt. My sister, Cynthia, tells me that both she and her husband have contributed over the years to the Democratic Party. She declined to specify the amounts.

Richard A. Boucher, of Maryland, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Cyprus.

The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.

Nominee: Richard A. Boucher.

Post: Republic of Cyprus.

Contributions, amount, date and donee:

1. Self, $75, January 1989, Democratic Party, $35, September 1989, Democratic National Committee.

2. Spouse, Carolyn L. Brehm, $240 per year, 1990, 1991, 1992, 1993, General Motors Civic Involvement Program, $100, October 1992, Hoosiers for Jill Long.

3. Children and spouses, Madeleine Brehm Boucher, age 5, Peter Brehm Boucher, age 2, none.

4. Parents, Melville J. and Ellen Boucher, $55, 1989, Democrats/NY Democrats, $105, 1990, Democrats/NY Democrats, $15, 1990, Bernie Sanders for Congress, $90, 1991, Democrats/NY Democrats, $25, 1991, Abrams for Senate, $220, 1992, Democrats/NY Democrats, $35, 1992, Abrams for Senate, $75, 1992, Bernie Sanders for Congress, $10, 1993, Clinton/Gore Transition, $35, 1993, Democratic National Committee, $25, 1993, Moynihan Reelection Committee, and $37, 1993, Democratic Senatorial Campaign Committee.

5. Grandparents, Hiram A. Boucher, Rosa Stokes (Boucher), Hermann Kaufmann, Ella Barth (Kaufmann), deceased.

6. Brother and Spouse, Douglas and Charlotte Boucher, $50, July 1990, Harkin for Senate, $250, October 1990, Bernie Sanders for Congress, $500, September 1991, Bernie Sanders for Congress, and $100, December 1991, Tom Harkin for President.

7. Sister, Anita Boucher, $10, 1990, Paul Wellstone for Senate, $20, 1990, Bernie Sanders for Congress, and $20, 1992, Democratic Campaign Committee.

Peter F. Romero, of Florida, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Ecuador.

Nominee: Peter F. Romero.

Post: Ambassador, United States Embassy, Quito, Ecuador.

The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.

Contributions, amount, date, and donee:

1. Self: Peter F. Romero, none.

2. Spouse: Ruth F. Espey-Romero, none.

3. Children and spouses names: Alexander Baden Romero, age 9, none.

4. Parents names: Peter Reyes, none; Catherine Tobin, none.

5. Grandparents names: Edward Nevers, Julia Nevers (both deceased).

6. Brothers and spouses names: None.

7. Sisters and spouses names: Julia Lacaba, none.

Parker W. Borg, of Minnesota, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Iceland.

Nominee: Parker W. Borg.

Post: Ambassador; Iceland.

The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.

Contributions, amount, date, and donee:

1. Self: $100, March 7, 1992, Tsongas Committee, $100, October 26, 1992, Hoagland for Congress.

2. Spouse: none.

3. Children and spouses names: All under 10 years of age.

4. Parents names: Betty W. Borg, none; Lloyd E. Borg (deceased, May 1982).

5. Grandparents names: All deceased for more than ten years.

6. Brothers and spouses names: None.

7. Sisters and spouses names: Merrily Borg Babcock, Leslie Anne Borg, (both divorced more than ten years), none.

Alan John Blinken, of New York, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Belgium.

Nominee: Alan John Blinken.

Post: Ambassador; Belgium.

The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.

Contributions, amount, date, and donee:

1. Self: Alan John Blinken, $10,000, July 1992, DNC; $1,000, July 1992, Friends of Bob Carr; $500, January 1992, Owens for Senate; $1,000, May 1992, Clinton for President; $500, June 1992, Kerry Committee; $1,000, October 1991, Committee for Tim Wirth; $1,000, December 1991, Liz Holtzman for Senate; $1,500, September 1991, DNC; $10,000, December 1991, DNC; $1,000, April 1990, Bill Bradley for U.S. Senate; $500, January 1990, Eisendrath Campaign Committee; $500, February 1990, Sloane for Senate Committee; $1,000, June 1990, Friends of Al Gore, Jr. (Primary); $1,000, June 1990, Friends of Al Gore, Jr. (General); $250, October 1990, Women's Campaign Fund; $1,000, June 1989, Andrew Stein for Congress; $500, February 1989, Coelho for Congress; $1,000, August 1989, Re-Elect Congressman Schumer. 1993, none.

2. Spouse: Melinda Blinken, $1,000, October 1988, People for John Heinz Committee; $1,000, July 1988, Al Gore for President Committee; $1,000, January 1990, Re-Elect Congressman Chuck Schumer; $1,000, April 1990, Bill Bradley for U.S. Senate, 1990; $200, June 1990, Reed for Congress; $1,000, June 1992, Susan Molinari for Congress; $500, May 1992, Barbara Boxer for U.S. Senate; $1,000, May 1992, Clinton for President; $1,000, September 1992, Abrams, 1992; $250, October 1992, Kerry for President; $500, July 1992, Lynn Yaekel for Senate.

3. Children and spouses names: Jonathan Blinken, spouse, Linda Blinken, none; Wendy Boyd-Smith, spouse, Tim Boyd-Smith, none; David Blinken, spouse, Sally Blinken, $200, 1992, Ferraro for Senate; $50, 1992, Carol Mosely Braun for Senate; Carol Ann Emquies, spouse, Moise Emquies, $250, January 1993, Hollywood Women's Pol. Comm.; $250, February 1992, $200, May 1992, Barbara Boxer for U.S. Senate; $500, February 1991, $250, July 1991, $250, January 1992, $250, August 1992, $325, November 1989, $208, October 1989, $250, January 1990, $250, August 1990, Hollywood Women's Pol. Comm.

4. Parents names: Maurice H. Blinken, deceased; Ethel Blinkin, none.

Grandparents names: Mier Blinken, Anna Blinken, deceased; Kate Horowitz, Morris Horowitz, deceased.

6. Brother and spouse names: Robert and Allison Blinken, $10,000, September 15, 1992, DNC Victory Fund; $2,000, July 6, 1992, DNC Victory Fund; $5,000, October 15, 1990, Alan Blinken, 1990. Donald and Vera Blinken, 1990. $250, March 1990, DNC; $1,000 March 1990, Moynihan Committee; $2,000, October 1991, Moynihan Committee; $5,000, May 1992, DNC; $2,000, July 1992, DNC; $1,000, September 1992, DNC; $1,000, September, 1991, Clinton for President; $5,788, August 1992, DNC; $1,000, April 1993, Democratic Senate Campaign; $1,000, April 1993, Democratic Senate Campaign; $1,000, May 1993, Dick Swett for Congress; $500, June 1992, Abrams, 1992; $250, September 1992, Citizens for Downey; $500, September 1992, Citizens for Downey; $100, May 1992, Braun for Senate; $250, February 1990, Bill Green for Congress; $250, September 1992, NYS Democratic Committee. Vera Blinken, $1,000, January 1992, Clinton for President; $3,000, September 1992, DNC; $1,000, March 1990, Moynihan Committee; $1,000, April 1993, Democratic Senate Committee; 1991, none.

7. Sisters and spouses names: None.

Swanee Grace Hunt, of Colorado, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Austria.

Nominee: Swanee Grace Hunt.

Post: United States Ambassador to Austria.

The following is a list of all members of my immediate family and their spouse. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.

Contributions, amount, date, and donee:

1. Self: Swanee G. Hunt; $2,000, 06/21/89, Buie Seawell for Senate; $1,000, 08/29/89, Colorado Democratic Party; $1,000, 10/09/89, Dick Bond for Congress; $2,000, 11/30/89, Citizens for Romer; $4,000, 01/21/90, Gail Schoettler Campaign; $1,000, 02/12/90, Coloradans for David Skaggs; $2,000, 04/10/90, Josie Heath for US Senate; $1,000, 05/16/90, Young Working for Georgia; $5,000, 07/11/90, Rex Moran-Committee to Restructure Public Education; $1,000, 07/30/90, Pat Hodapp for State Representative; $1,000, 08/01/90, Committee to Elect Daphne Greenwood; $5,000, 08/30/90, Democratic Senate Campaign Committee; $2,000, 09/24/90, Josie Heath for US Senate; $4,000, 09/27/90, Colorado Democratic Party Coordinated Campaign; $1,000, 10/26/90, Re-elect Gail Schoettler Treasurer; $1,000, 10/26/90, Committee to Elect Daphne Greenwood; $1,000, 05/20/91, Committee for Tim Wirth; $10,000, 07/03/91, Citizens for a Healthy Colorado; $1,000, 08/31/91, Re-elect David Skaggs; $1,000, 02/06/92, Clinton for President; $1,000, 02/06/92, National Women's Political Caucus; $1,000, 02/06/92, Majority Council (Emily's List); $1,000, 03/19/92, National Women's Political Caucus;

$1,000, 03/19/1992, Elect Daphne Greenwood; $1,000, 03/19/1992, Friends of Tom Redder; $2,000, 04/05/1992, Colorado Democratic Women's PAC; $1,000, 04/16/1992, Josie Heath for US Senate; $2,000, 06/12/1992, Children's First Campaign; $1,000, 07/09/1992, Colorado Democratic Party; $250,000, 08/12/1992, DNC Victory Fund—Non Federal Account; $1,000, 08/25/1992, Friends of Tom Redder Inc; $1,000, 12/15/1992, Majority Council (Emily's List); $1,000, 12/15/1992, Emily's List; $1,000, 03/25/1993, Bob Krueger for Senate; $5,000, 05/13/1993, Fair Share Health;

2. Spouse: Charles A. Ansbacher, $1,000, 05/03/1990, State of Colorado/House Committee for Arts; $1,000, 09/19/1990, John Miller Reelection campaign; $2,500, 05/03/1991, Norm Early for Mayor, Inc; $1,000, 08/31/1991, Reelect David Skaggs; $1,000, 05/05/1992, Dick Lamm for Senate; $5,000, 09/21/1992, DNC Victory Fund '92;

3. Children and Spouses: Henry Lloyd Ansbacher, none; Lillian Helen Hunt-Meeks, none; Theodore Patrick Ansbacher-Hunt, none;

4. Parents: Ruth Ray Hunt, $1,000, 03/27/1989, Steve Bartlett for Congress; $1,000, 04/28/1989, Kent Hance for US Senate (primary); $1,000, 04/28/1989, Kent Hance for US Senate (general); $1,000, 08/90, Steve Bartlett for Congress; $1,000, 09/20/1990, The President's Club; $1,000,, 03/11/1991, Steve Bartlett for Congress; $1,000, 03/18/1991, Sam Johnson for Congress (primary); $1,000, 05/10/1991, Sam Johnson for Congress (general); $1,000, 10/29/1991, Bush/Quayle '92; $5,000, 12/26/1991, Hunt Oil Company PAC; $7,500, 09/28/1992, The Presidential Trust; $1,000, 05/11/1993, Kay Hutchison for Senate; Haroldson Lafayette Hunt, Jr. (deceased);

6. Brothers and Spouses: Ray L. Hunt, $1,000, March 17, 1989, Steve Bartlett for Congress; $1,000, April 13, 1989, Craig Thomas for Congress; $1,000, April 28, 1989, Kent Hance for US Senate; $1,000, May 17, 1989, Martin Frost for Congress; $1,000, September 5, 1989, Senator Bennett Johnston Campaign; $1,000, October 10, 1989, Cohen for Senator; $1,000, November 29, 1989, Sanford for Senate; $1,000, August 16, 1990, Steve Bartlett for Congress; $1,000, September 18, 1990, The President's Club; $1,000, October 18, 1990, Mary Meade Campaign; $1,000, March 11, 1991, Steve Bartlett for Congress; $1,000, March 13, 1991, Sam Johnson for Congress (primary); $1,000, May 8, 1991, Sam Johnson for Congress (general); $1,000, August 13, 1991, Martin Frost for Congress (primary); $1,000, August 18, 1991, Martin Frost for Congress (general); $1,000, October 29, 1991, Bush/Quayle 1992; $5,000, December 23, 1991, Hunt Oil Company PAC; $1,000, January 16, 1992, Friends of Dick Lugar; $5,000, May 22, 1992, Texas Victory 1992 Committee; $5,000, August 20, 1992, The Presidential Trust; $7,500, September 28, 1992, The Presidential Trust; $1,000, May 6, 1993, Kay Hutchison for Senate; Nancy A. Hunt, $1,000, March 17, 1989, Steve Bartlett for Congress; $1,000, April 13, 1989, Craig Thomas for Congress; $,1000, April 28, 1989, Kent Hance for US Senate (primary); $1,000, April 28, 1989, Kent Hance for US Senate (general); $1,000, May 17, 1989, Martin Frost for Congress (primary); $1,000, May 17, 1989, Martin Frost for Congress (general); $1,000, September 9, 1990, Steve Bartlett for Congress; $1,000, March 11, 1991, Sam Johnson for Congress (primary); $1,000, May 1, 1991, Steve Bartlett for Congress; $1,000, May 7, 1991, Sam Johnson for Congress (general); $1,000, August 13, 1991, Martin Frost for Congress (primary); $1,000, August 13, 1991, Martin Frost for Congress (general); $1,000 unknown Bush/Quayle '92 $5,000 December 23, 1991 Hunt Oil Company PAC; $5,000 May 22, 1992, Texas Victory '92 Committee; $1,000 May 5, 1993, Kay Hutchison for Senate;

7. Sisters and Spouses: June Hunt, $1,000, May 11, 1993, Kay Hutchison for Senate; Helen Hunt, $1,000, January 10, 1989, Friends of Ruth Messinger; $1,000 May 25, 1989, Committee to Re-elect L. Holtzman; $1,000 June 21, 1989 Committee to Elect K. Hutchinson; $2,000 October 17, 1989, Campaign of L. Holtzman; $1,000 October 25, 1989, Committee for David Dinkins; $1,000 November 5, 1990, Friends of Ruth Messinger; $1,000 November 9, 1990, Women's Campaign Fund; $1,500 June 30, 1991, Committee to Re-elect Wilma Mankiller; $1,000 August 8, 1991, Women's Campaign Fund $1,000 October 18, 1991, Boxer for Senate; $1,000 September 19, 1991, African National Congress; $1,000 February 28, 1992, Lynn Yeakel for Senate; $1,000 July 30, 1992, Carolyn Maloney for U.S. Congress; $2,000 October 1, 1992, Colorado Democratic Party; $2,100 October 1, 1992, Elmily's List; $1,000 December 9, 1992, Friends of Ruth Messinger; $1,000 January 28, 1993, Kay Bailey Hutchison for Senate Committee (general); $6,000 April 14, 1993, The Committee for David Dinkins; $1,000 May 21, 1993, Kay Bailey Hutchison for Senate Committee (primary); Helen Hunt and Harville Hendrix, $1,000, February 11, 1990, Carolyn Maloney in '89; $1,000, March 16, 1990, Ann Richards Committee; $1,000 August 13, 1990, Josie Heath for U.S. Senate; $1,000 August 17, 1990, Child Care Action Campaign; $10,000 October 1, 1992, Democratic National Conventions Victory '92;

Thomas Michael Tolliver Niles, of Kentucky, a Career Member of the Senior Foreign Service, Class of Career Minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Greece.

Nominee: Thomas Michael Tolliver Niles.

Post: Ambassador to Greece.

The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.

Contributions, amount, date, and donee:

1. Self: Thomas M.T. Niles, none;

2. Spouse: Carroll E. Niles, $250, August 1992, Clinton/Gore Campaign;

3. Children and spouses: John Thomas Niles, none; Mary Chapman Niles, none;

4. Parents: Father, deceased; mother, Rena L. Niles, none;

5. Grandparents: Mr. and Mrs. John Niles, deceased; Mr. and Mrs. A.I. Lipetz, deceased;

6. Brother: John Edward Niles, none;

7. No other siblings.

Edward Joseph Perkins, of Oregon, a Career Member of the Senior Foreign Service, Class of Career Minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Australia.

Nominee: Edward Joseph Perkins.

Post. Australia.

The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.

Contributions, amount, date, donee;

1. Self: Edward J. Perkins, none;

2. Spouse: Lucy Liu Perkins, none;

3. Children and Spouses; Katherine Karla Shih-tzu Perkins & Spouse, Jeffrey Kovar, none; Sarah Elisabeth Shih-yin Perkins, none;

4. Parents, mother; Tiny Estelle Holmes, none; Father: Edward Perkins, Sr., deceased;

5. Grandparents: deceased;

6. Brothers and Spouses: Andrew Perkins, none;

7. Sisters and Spouses: Joyce Perkins, Gloria Perkins, none.

Thomas A. Loftus, of Wisconsin, to be Ambassasdor Extraordinary and Plenipotentiary of the United States of America to Norway.

The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowlege, the information contained in this report is complete and accurate.

Nominee: Thomas A. Loftus.

Post: Ambassador to Norway.

Contributions, amount, date, and donee:

1. Self, $25, April 1993, Dem. National Committee, $25, October 1992, Ada Deer for Congress, and $100, July 1992, Josie Heath for U.S. Senate.

Friends of Tom Loftus (campaign committee) $500, January 1992, Ferraro for U.S. Senate, $450, August 1992, Friends of Fred Kessler (House candidate), $15, September 1992, Feingold Committee (U.S. Senate).

2. Spouse; Barbara C. Loftus, none.

3. Children, Alec and Karl, none.

4. Parents, Father Adolph O. Loftus, none.

Mother, Margaret E. Loftus, $50, January 1993, Presidential Transition Planning, $25, January 1993, Presidential Transition Planning, $500, March 1992, Clinton for President, $25, March 1993, Checota for U.S. Senate, $35, August 1990, $10, September 1989, $100, February 1990, $20 May 1990, Keep Kastenmeier in Congress, $50, October 1989, Citizens for Dave Obey, $15, March 1989, Friends of Tony Earl—U.S. Senate, and $150, September 1990, Dem. Party of Wisconsin.

5. Grandparents, deceased.

6. Brothers and spouses, none.

7. Sisters and spouses, Sister, Geraldine Wagner, $25, April 1989, $15, June 1989, $15, October 1988, Keep Kastenmeier in Congress, $25, September 1992, Victory in Wisconsin (Clinton/Gore).

Sister, Shirley Wolfgram, Spouse, Merlin Wolfgram, none.

Sister, Wendy Loftus, Spouse, Jens Stub, none.

William Lacy Swing, of North Carolina, a Career Member of the Senior Foreign Service, Class of Career Minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Haiti.

The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.

Nominee: Swing, William Lacy.

Post: Haiti.

Contributions, amount, date, and donee:

1. Self, none.

2. Spouse, none.

3. Children and spouses, names Brian (son), Nicole (wife), none.

4. Parents, names (all deceased).

5. Grandparents, names (all deceased).

6. Brothers and spouses, names James (brother), Arlene (spouse), ($400–$500 annually to Republican National Committee over each preceding year).

7. Sisters and spouses, names, Anna (sister Lawrence (spouse), none.

Richard W. Teare, of Ohio, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Papua New Guinea and to serve concurrently and without additional compensation as Ambassador Extraordinary and Plenipotentiary of the United States of America to Solomon Islands and Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Vanuatu.

The following is a list of all members of my immediate family and their spouses I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.

Nominee: Richard Wallace Teare.

Post: Ambassador to Papua New Guinea and concurrently to Solomon Islands and to the Republic of Vanuatu.

Contributions, amount, date, and donee:

1. Self, none.

2. Spouse, Jeanie W. Teare, December 30, 1989, Democratic Congressional Campaign Committee, $25, Democratic Senatorial Campaign Committee, $20, October 6, 1990, Harvey Gantt for Senate Campaign Committee, $25, December 31, 1990, Democratic Congressional Campaign Committee, $25, Democratic Senatorial Campaign Committee, $20.

Also January 20, 1992, Democratic Senatorial Campaign Committee, $25, Democratic Congressional Campaign Committee, $25, December 31, 1992, John Glenn for Senate Committee, $50, Democratic National Committee, Federal Account, $25, March 25, 1993, Democratic Congressional Campaign Committee, $25, Democratic Senatorial Campaign Committee, $25.

3. Children: Elizabeth B. Teare, none.

Catherine S. Teare (single), September 26, 1990, Harvey Gantt for U.S. Senate, $20, October 13, 1990, Harvey Gantt for U.S. Senate, $30, December 3, 1991, Boxer for U.S. Senate, $20, April 12, 1992, Barbara Boxer, $5, May 21, 1992, Boxer for Senate, $30.

Margaret G. Teare, none.

4. Parents, Wallace G. Teare, father, deceased.

Dorothy S. Teare, mother, April 9, 1989, Voinovich for Governor, $100, June 8, 1989, Cain for State Representative, $20, October 12, 1989, Democratic Senatorial Campaign Cmte, $50, March 13, 1990, Committee to Reelect, Madeline Cain, $15, March 23, 1990, The Kerry Committee, $25, June 9, 1990, Mikulski for Senate, $25, and October 17, 1990, The Kerry Committee, $25.

Also March 1, 1991, The Kerry Committee, $15, March 8, 1991, Democratic National Committee, $55, March 9, 1991, The Kerry Committee, $15, May 20, 1991, Democratic Congr'l Campaign Cmte, $25, July 5, 1991, Ferraro for U.S. Senate, $25, July 30, 1991, Democratic Senatorial Campaign Cmte, $25, September 27, 1991, Ferraro for U.S. Senate, $10, November 8, 1991, Democratic Senatorial Campaign Cmte, $25.

Also January 2, 1992, Committee for Cuomo, $25, February 27, 1992, Committee to Re-elect Madeline Cain, $25, March 27, 1992, Emily's List, $100, April 27, 1992, Committee to Re-elect Jane Campbell, $25, June 15, 1992, Clinton for President, $50, June 20, 1992, Braun for Senate, $100, July 1, 1992, Lynn Yeakel for U.S. Senate, $100, August 12, 1992, Ferraro for U.S. Senate, $25, September 2, 1992, Ferraro for U.S. Senate, $25, October 14, 1992, Democratic Senatorial Campaign Cmte, $25, October 20, 1992, Democratic Senatorial Campaign Cmte, $25, November 9, 1992, Democratic Senatorial Campaign Cmte, $25, and December 2, 1992, Ferraro for U.S. Senate, $25.

5. Grandparents, names, George W. and Florence G. Teare, deceased, Carl W. and Minnie H. Schaefer, deceased.

6. Brothers and spouses, names, none.

7. Sisters and spouses, names, Virginia T. Katz, sister, Albert M. Katz, spouse, none.

Daniel L. Spiegel, of Virginia, to be the Representative of the United States of America to the European Office of the United Nations, with the rank of Ambassador.

The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.

Nominee: Daniel L. Spiegel

Post: Representative of the United States to the European Office of the United Nations, with rank of Ambassador.

Contributions, amount, date, and donee:

1. Daniel Spiegel, $1,000, February 1989, Kerry Committee, $300, May 1989, Larry Smith for Congress ('90), $500, June 1989, Hamilton for Congress, $500, July 1989, Citizens for Harkin, $1,000, November 1989, Friends of Senator Carl Levin, $3,902, February 1990, Akin, Gump, Strauss, Hauer & Feld Civic Action Committee, $1,000, March 1990, Kerry Committee, and $300, May 1990, Larry Smith for Congress ('90).

Also $200, May 1990, Tierney for Congress, $500, October 1990, Citizens for Harkin, $1,000, May 1991, Levine Campaign Committee, $250, June 1991, Leahy for US Senator Committee, $3,829, June 1991, Akin, Gump, Strauss, Hauer & Feld Civic Action Committee, $250, August 1991, Americans for Harkin, $500, October 1991, Humphrey for Senate Campaign Committee Inc., $500, November 1991, Leahy for US Senator Committee.

Also $500, November 1991, Citizens for Senator Wofford, $1,299, February 1992, Akin, Gump, Strauss, Hauer & Feld Civic Action Committee, $1,228, March 1992, Akin, Gump, Strauss, Hauer & Feld Civic Action Committee, $1,000, April 1992, Clinton for President Committee, $1,228, May 1992, Akin, Gump, Strauss, Hauer & Feld Civic Action Committee, $250, June 1992, Carol Moseley-Braun for U.S. Senate, $500, October 1992, Leahy for U.S. Senator Committee and $250, May 1993, Leahy for U.S. Senator Committee.

2. Spouse, Marianne Spiegel $500, October 1990, Kerry Committee, $250, August 1991, Americans for Harkin and, $250, January 1992, National Abortion Rights Action League Political Action Committee (NARAL–PAC).

3. Children and spouses, names, Anna Spiegel (age 9), none.

4. Parents, names Anna (deceased), and William Spiegel, none.

5. Grandparents, names, deceased.

6. Brothers and spouses, names, none.

7. Sisters and spouses, names, Judy and Jim Rogers, none.

Theresa Anne Tull, of New Jersey, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Brunei Darussalam.

The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.

Nominee: Tull, Theresa Anne.

Post: Ambassador to Brunei.

Contributions, amount, date, and donee:

1. Self, None.

2. Spouse, N/A.

3. Children and spouses, names, N/A.

4. Parents, names John J. Tull, Anna Paull Tull, deceased.

5. Grandparents names, Ira and Minnie Tull, Charles and Elizabeth Paull, decease.

6. Brothers and spouses, John J. Tull, $25.00 1989, 1990, 1992, 1993, Democratic Sen. Campaign Committee $55.00 1991, $15.00 1991, $120.00 1992, $20.00 Democratic National Committee.

Betty Bradshaw Tull, none Democratic Cong. Campaign Committee.

Robert Tull, $50.00, annually, National Republican Party, $50.00, annually, Washington State Republican Party, $100.00, 1992, Jack Metcalf's 2nd Congressional District Race $50.00 1992 Slade Gorton Senate Race and $25.00, 1993, Slade Gorton Campaign Fund.

Nancy Gilmore Tull, None.

Thomas J. Tull, $100.00, 1990, Camden County Democratic Committee (New Jersey).

Marie Walsh Tull, none.

Charles J. Tull, $35.00, 1989, 1990, 1991, 1992, 1993, Indiana Democratic Party $35.00 1990, $50.00, 1992, Congressman Tim Roemer's Campaign.

Mildred Banker Tull, none.

7. Sisters and spouses, names Elizabeth Waldis, John Waldis, none, Hazel McLane, Robert McLane, deceased.

By Mr. NUNN, from the Committee on Armed Services:

Nora Slatkin, of Maryland, to be an Assistant Secretary of the Navy.

The following-named officer, under the provision of title 10, United States Code, section 152, for appointment as Chairman of the Joint Chiefs of Staff and reappointment to the grade of general while serving in that position:

To be Chairman of the Joint Chiefs of Staff

To be general

Gen. John M. Shalikashvili, [redacted], U.S. Army.

(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. HOLLINGS (for himself, Mr. PELL, Mr. KERRY, and Mr. STEVENS):

S. 1517. A bill to establish a marine biotechnology program within the National Sea Grant College Program, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. HELMS:

S. 1518. A bill to suspend temporarily the duty on Diquat Dibromide; to the Committee on Finance.

S. 1519. A bill to suspend temporarily the duty on lambdacyhalothrin; to the Committee on Finance.

By Mr. DANFORTH (for himself and Mr. BOND):

S. 1520. A bill to authorize the establishment of a center for the conservation and interpretation of Ozark culture and heritage at the Ozark National Scenic Riverways, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. LAUTENBERG:

S.J. Res. 140. A joint resolution to designate December 7, 1993, as "National Pearl Harbor Remembrance Day"; to the Committee on the Judiciary.

By Mr. SARBANES (for himself, Mr. BRYAN, Mr. MCCAIN, and Mr. ROTH):

S.J. Res. 141. A joint resolution designating October 29, 1993, as "National Firefighters Day"; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. SIMON:

S. Res. 148. A resolution expressing the sense of the Senate that the United Nations should be encouraged to permit representatives of Taiwan to participate fully in its activities, and for other purposes; to the Committee on Foreign Relations.

By Mr. MITCHELL (for himself and Mr. DOLE):

S. Res. 149. A resolution extending the provisions of Senate Resolution 105 of the One Hundred First Congress, relating to the Senate Arms Control Observer Group, and for other purposes; considered and agreed to.

By Mr. PELL (for himself and Mr. MOYNIHAN):

S. Con. Res. 47. A concurrent resolution to recognize the International Rescue Committee for its great humanitarian endeavors; to the Committee on Foreign Relations.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. HOLLINGS (for himself, Mr. PELL, Mr. KERRY, and Mr. STEVENS):

S. 1517. A bill to establish a marine biotechnology program within the National Sea Grant College Program, and for other purposes; to the Committee on Commerce, Science, and Transportation.

MARINE BIOTECHNOLOGY INVESTMENT ACT OF 1993

• Mr. HOLLINGS. Mr. President, today I am pleased to join with several of my colleagues in introducing legislation that addresses an issue of growing national significance, the Marine Biotechnology Investment Act of 1993. Biotechnology, a technique in which living material is used to make or modify products, is a rapidly expanding industry around the world. It is expected to have profound effects on health care, agriculture, energy, and environmental management. In the United States, the importance of biotechnology to the national economy is growing, as diverse new industrial application are found. Sales of U.S. biotechnology products approached $4 billion in 1991. By the turn of the century, those sales are expected to grow to $50 billion annually.

A Federal biotechnology research initiative was established in 1992 to coordinate Federal research efforts and to maintain U.S. competitiveness in this growing sector of the global economy. In recent years, the interagency program has been funded at a level of about $4 billion annually, primarily to support health-related research. one area which has received minimal Federal support or investment is marine biotechnology. In 1992, a report by the Federal Coordinating Council for Science, Engineering, and Technology [FCCSET] estimated that marine research claimed only $44 million of the entire U.S. research budget for biotechnology.

In fact, a recent FCCSET report acknowledges that limited public funding may cause U.S. marine scientists to fall behind their global competitors. The report states:

> The oceans of the world represent a vast source of new foods, pharmaceuticals, minerals, and energy. But little attention has been directed at the biotechnological potential of the oceans' rich array of diverse organisms. This oversight is serious since oceanic organisms harbor a major portion of the Earth's genetic resources. Equally serious is the failure to adequately capitalize on the oceans to meet the growing needs for natural resources by expending populations and economies.

The report goes on to contrast minimal U.S. funding levels with the substantial marine biotechnology investments made by other nations, particularly Germany and Japan. Both nations recently have established major new centers based on the premise that marine biotechnology is one of the greatest remaining technological and industrial frontiers. Among the opportunities which it may offer are to: Restore and protect marine ecosystems; monitor human health and treat disease; increase food supplies through aquaculture; enhance seafood safety and quality; provide new types and sources of industrial materials and processes; and understand biological and geochemical processes in the world ocean.

This bill would require the President's Science Adviser, through FCCSET, to develop a 10-year national marine biotechnology strategy for the establishment and implementation of a comprehensive Federal research and development effort. It would authorize appropriations through fiscal year 1997 to strengthen the marine biotechnology program in our Nation's primary civilian ocean research agency, the National Oceanic and Atmospheric Administration [NOAA].

The NOAA program would be comprised of three elements: First, a grant program established by this legislation under the National Sea Grant College Program; second, partnerships with academic institutions to develop applications for improving marine resource management; and third, marine forensics, biotoxins, and microbiological research. Annual spending authorizations of $32 million are proposed for fiscal years 1994 and 1995, of which $20 million would be authorized to support sea grant efforts. The authorized level for fiscal years 1996 and 1997 would be $35 million, of which $25 million would be designated to fund sea grant. The bill also would amend the National Sea Grant College Program Act establishing a marine biotechnology review panel to make grant decisions that are competitively based on scientific, technical, educational, and commercial merit.

Finally, a complex environmental concern, the release of genetically engineered organisms, is addressed. The legislation calls for stronger Federal oversight and for the National Academy of Sciences to complete a study of environmental problems associated with accidental or intentional releases into the marine environment. NOAA would be prohibited from conducting or awarding grants for activities that could involve such releases, without approval under applicable law or a determination of no significant environmental risk.

Mr. President, marine biotechnology offers the promise of unlocking the secrets of the cell, enabling us to use marine resources in developing new products and processes. Marine biotechnology also could give us tools to manage marine resources more wisely and effectively. I cannot overemphasize the potential economic, social, and environmental benefits to be gained by this Nation from an organized focus on marine biotechnology. Through development of Government-university-industry partnerships, the Marine Biotechnology Investment Act should provide that organization and focus.•

• Mr. PELL. Mr. President, I am delighted to join with the distinguished chairman of the Commerce Committee [Mr. HOLLINGS] in introducing legislation to promote marine biotechnology through the National Sea Grant College Program.

I also want to commend the junior Senator from Massachusetts [Mr. KERRY] for his leadership in holding hearings by the Commerce Committee which have helped to refine this legislation.

Our legislation represents an extraordinary opportunity for the United States to capitalize on an emerging growth field in which its leadership is being challenged by determined international competition.

Marine biotechnology, which uses molecular and cellular techniques to develop new products from marine organisms, has shown the ability to create new materials, improved aquaculture and seafood products, better

techniques for environmental remediation, and new pharmaceuticals from the sea.

This field has the proven capacity not only to revolutionize our use of marine resources, but also to improve our ability to manage those resources, which are becoming increasingly scarce.

We cannot afford to lose yet another promising new technology to our international competitors, whose governments are subsidizing efforts to bring to market the advances in marine biotechnology pioneered in the United States.

It is particularly appropriate that our marine biotechnology initiative be established in the National Sea Grant College Program.

I introduced the Sea Grant Act in 1966 and, I am proud to say, this small program has amassed an extraordinary record of scientific accomplishment and economic benefit over more than two decades.

I know of few programs anywhere that have the demonstrated economic impact of the Sea Grant Program—a proven return of more than 20 times the amount of the Federal investment, despite declining resources over more than a decade.

In addition, because sea grant is a matching funds program, it is also a highly leveraged Federal investment in which nearly half of the total program cost is derived from State and local governments, university funds, and support from private citizens.

Sea grant has the necessary balance of applied science to stimulate new advancements in marine biotechnology, education programs to train the skilled work force that is needed, and outreach through the Sea Grant Marine Advisory Service to transfer promising new technologies to the private sector.

The single largest interagency research effort underway in the United States today is in the field of biotechnology, at well over $4 billion per year. Yet only 1 percent of this amount is available for research in the promising new field of marine biotechnology, and that amount has remained flat for the past 3 years.

We need this marine biotechnology bill to help promote and keep up with the explosive growth that has occurred in biotechnology in general. This growing field represents the kind of high-wage, high-technology, and high-skill initiative that is needed to revitalize the U.S. economy, while creating new jobs nationwide.

We need to respond to the priorities of the new administration in developing new partnerships between industry and Government, and preparing our economy to compete in the 21st century.

Our legislation will use the many existing benefits of the Sea Grant Program, and will not require the creation of new administrative mechanisms to support further advancements in marine biotechnology.

Sea grant has led the U.S. effort in marine biotechnology, and has both the experience and the infrastructure to foster the growth of this field as quickly as possible.

I believe that our legislation is precisely what is needed to ensure that the United States remains at the forefront of this promising new frontier.●

● Mr. KERRY. Mr. President, as the vice chairman of the Senate's National Ocean Policy Study of the Commerce Committee, I am pleased to cosponsor the Marine Biotechnology Investment Act of 1993 which the distinguished chairman of the Commerce Committee, Senator HOLLINGS, is introducing today.

The purpose of the Marine Biotechnology Investment Act of 1993 is to establish a coordinated national program of research, development, and private sector partnerships. This act will allow us to capitalize on our position as a world leader to create jobs, stimulate economic growth, and keep us competitive in developing 21st century technology. The field of marine biotechnology is an emerging growth industry which has the capacity to revolutionize our use and management of marine and aquatic resources through molecular and cellular techniques. Marine biotechnology is simply the application of basic research in marine biology for the benefit of humankind. The results of marine biotechnology include useful products, especially a variety of foods and medicines, and new technologies for better management of the environment. However, once again this Nation faces a situation in which we have led the world in the development of a promising new technology, only to see our international competitors move quickly to capitalize on advances pioneered here in the United States.

The Director of the Office of Science and Technology Policy, through the Federal Coordinating Council on Science, Engineering, and Technology, is authorized to develop a national marine biotechnology strategy which will establish the goals and priorities for a coordinated Federal effort. This strategy will identify and set forth the role of relevant Federal agencies and departments, most notably within the National Oceanic and Atmospheric Administration, but inclusive of all other relevant agencies; it will describe specific programs and activities within these agencies necessary to achieve the goals of the marine biotechnology strategy; and it will establish funding requirements.

The strategy also will provide for coordinated Federal oversight of marine biotechnology activities—including the release of genetically altered organisms—and will establish safety guidelines and performance standards to assess and minimize environmental risks associated with those activities. I am very concerned about the release of organisms which may have an adverse impact on the ecosystem; this bill further addresses my concern by requiring the Director to commission a study by the National Academy of Sciences to fully assess risks associated with the release of organisms involved in marine biological research as well as to identify and recommend regulations, guidelines, performance standards, and procedures.

Marine biotechnology is interdisciplinary, linking the sciences of aquaculture, marine veterinary medicine, and marine ecology with disciplines that are only partially marine. Because it reaches across disciplines, marine biotechnology is dependent on the transfer of information among overlapping fields. In order to tap some of the best minds in these various disciplines to spur the development of marine biotechnology, the National Sea Grant College Program, renowned for its capabilities in technology transfer, research, and education, will play a leading role in this effort. The bill addresses my interest in ensuring balance within the marine biotechnology program by establishing a marine biotechnology review panel, composed of experts in a variety of relevant scientific fields, to ensure a fair playing field for all proposals in the awarding of grants and contracts.

At the hearing I chaired on marine biotechnology this past June, we explored the role marine biotechnology needs to play in our economy. I believe that marine biotechnology is an area of great importance and promise for U.S. science and technology. In my State of Massachusetts, the marine biotechnology industry already has established a strong presence and is a very significant industry with great potential. If the United States is going to remain competitive in the global marketplace, we need to play to our strengths and support new technologies.

In the last decade, interest in marine biotechnology has intensified in countries around the world. Marine biotechnology is a line of research that holds clear promise for helping to solve real world problems. While marine biotechnology has been described as an emerging field, humankind has been using the sea and its organisms since ancient times—as a source of food, fertilizer, and unique products. We simply cannot afford to lose yet another promising new technology to our foreign competitors. If we as a nation are to meet the growing needs of our country, if we are to take advantage of the bounty the oceans offer, if we are to protect the viability of our coastal environments, we must commit ourselves to a national program that will build

on our current scientific achievements and develop national expertise for the future.

Again, I compliment the distinguished chairman of the Commerce Committee and his staff for their work in preparing this bill, and for his leadership on this issue. I look forward to working closely with Senator HOLLINGS and the other cosponsors to achieve passage of this important legislation.●

By Mr. LAUTENBERG:

S.J. Res. 140. A joint resolution to designate December 7, 1993, as "National Pearl Harbor Remembrance Day"; to the Committee on the Judiciary.

NATIONAL PEARL HARBOR REMEMBRANCE DAY

Mr. LAUTENBERG. Mr. President, today I rise to introduce a resolution designating December 7, 1993, as "National Pearl Harbor Remembrance Day." This will mark the 52d anniversary of the attack on Pearl Harbor.

On December 7, 1941, the United States was victim to an unprovoked attack by the Japanese Imperial Navy and Air Force. Although negotiations were being held in Washington by Japanese and American diplomats, the Japanese deliberately and secretly planned the attack for that Sunday morning. No war warning was issued and the Pacific fleet never suspected that an attack force was en route.

On the "date that will live in infamy," Pearl Harbor was surrounded by a dense cloud cover. Suddenly, about 360 Japanese planes broke through the clouds and raided the island. The Japanese bombarded American military installations and Army aircraft located at Hickam and Wheeler Fields. Then the Japanese units attacked the battleships moored at Ford Island.

Concentrating mainly on planes and ships, the Japanese did little damage to the submarine base and repair facilities. Fortunately, all of the American aircraft carriers stationed at Pearl Harbor were on missions away from the base. However, the Pacific fleet lost eight battleships, three light cruisers, three destroyers, and four vessels within 2 hours.

The American military bravely fought back to defend their base. Heroism was displayed by the sailors, the soldiers, the flyers, and the gunners as they manned their stations under the most severe conditions. However, all of the service people were caught off guard, many were even sleeping. The resistance of the Americans was not strong enough to fight off the large and prepared Japanese attacking force.

When the surprise and unprovoked attack ended, the Japanese left 2,403 Americans dead and 1,178 wounded. Innocent civilian lives accounted for some of the loss. Additionally, the attack crippled American air defense and undermined our position in the Pacific.

That Sunday morning, more than Hawaii was attacked; our Nation's isolationism was broken. This was the first time in U.S. history that we had been attacked first. Americans were indignant and wanted to avenge the lives that the Japanese had taken. The country became unified and stood behind the President as he signed a declaration of war at 4:10 p.m., Monday, December 8, 1941.

The service people and civilians who were there during the attack deserve a day of remembrance. This resolution requests the President to issue a proclamation asking the people of the United States to observe this solemn occasion with appropriate ceremonies, and to remain eternally vigilant in protecting our Nation from future aggression.

As "Remember Pearl Harbor" was the rallying cry during World War II, we must remember all of those who lost their lives during the tragedy, and commit ourselves to never being caught unprepared again.

I want to commend all the New Jersey members of the Pearl Harbor Survivors Association for their active and strong support of this resolution. The 10,000 member national organization is fortunate to have Lee Goldfarb as its president. Mr. Goldfarb has spent many years assuring that Pearl Harbor will not be forgotten. I thank him and his association for not letting anyone forget the events that occurred for 2 hours at Pearl Harbor 52 years ago.

I ask unanimous consent that a copy of the joint resolution be printed in the RECORD, and I urge my colleagues to support this joint resolution.

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

S.J. RES. 140

Whereas on December 7, 1941, the Imperial Japanese Navy and Air Force attacked units of the Armed Forces of the United States stationed at Pearl Harbor, Hawaii;

Whereas more than 2,000 citizens of the United States were killed and more than 1,000 citizens of the United States were wounded in the attack on Pearl Harbor;

Whereas the attack on Pearl Harbor marked the entry of the United States into World War II;

Whereas, the veterans of World War II and all other people of the United States commemorate December 7 in remembrance of the attack on Pearl Harbor; and

Whereas commemoration of the attack on Pearl Harbor will instill in all people of the United States a greater understanding and appreciation of the selfless sacrifice of the individuals who served in the Armed Forces of the United States during World War II: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That December 7, 1993, is designated as "National Pearl Harbor Remembrance Day". The President is authorized and requested—

(1) to issue a proclamation calling on the people of the United States to observe the day with appropriate ceremonies and activities; and

(2) to urge all Federal agencies and interested organizations, groups, and individuals, to fly the flag of the United States at half staff on December 7, 1993, in honor of the individuals who died as a result of their service at Pearl Harbor.

By Mr. SARBANES (for himself, Mr. BRYAN, Mr. MCCAIN, and Mr. ROTH):

S.J. Res. 141. A joint resolution designating October 29, 1993, as "National Firefighters Day"; to the Committee on the Judiciary.

NATIONAL FIREFIGHTERS DAY

● Mr. SARBANES. Mr. President, today I am introducing a Joint Resolution to designate October 29, 1993, as "National Firefighters Day."

As a cochairman of the Congressional Fire Service Caucus and a longtime supporter of our Nation's fire service, I am honored to sponsor this resolution that sets aside one day to thank firefighters for their dedication and service to all of us.

Twenty-four hours a day, 365 days each year, firefighters are on standby—ready to come to our aid. These well-trained men and women are our first line of defense against fire and a host of other natural disasters. And while each of us hopes that we will never need their assistance, we take comfort in knowing that they are there.

In an age when so many bemoan the lack of role models for our youth, I suggest that we need to look only to the nearest firehall for heroes who day-to-day put their lives on the line in selfless service to others. Mr. President, all of the volunteer and career firefighters around our country truly deserve a day of recognition.

An identical resolution was introduced in the House last week by the distinguished chairman of the caucus, Representative HOYER from Maryland. Mr. President, I am very pleased that the bipartisan Senate leadership of the caucus is joining me today in introducing this important measure in the Senate. I commend Senator BRYAN, Senator MCCAIN, and Senator ROTH for their demonstrated concern for the fire service and I urge all of my colleagues to join us in sponsoring this joint resolution.●

ADDITIONAL COSPONSORS

S. 67

At the request of Mrs. KASSEBAUM, the name of the Senator from Idaho [Mr. CRAIG] was added as a cosponsor of S. 67, a bill to regulate interstate commerce by providing for uniform standards of liability for harm arising out of general aviation accidents.

S. 295

At the request of Mr. DURENBERGER, the name of the Senator from Utah [Mr. HATCH] was added as a cosponsor of S. 295, a bill to amend title 23, United States Code, to remove the penalties

for States that do not have in effect safety belt and motorcycle helmet traffic safety programs, and for other purposes.

S. 353

At the request of Mr. STEVENS, the name of the Senator from Alaska [Mr. MURKOWSKI] was added as a cosponsor of S. 353, a bill to provide Alaska Native Corporations, through an election process, standing to contest the disallowance of certain tax losses by the Internal Revenue Service if the purchasers of the losses agree; and to offset any associated revenue losses by increasing the interest rate on certain related tax deficiencies.

S. 359

At the request of Mr. DECONCINI, the name of the Senator from North Dakota [Mr. CONRAD] was added as a cosponsor of S. 359, a bill to require the Secretary of Treasury to mint coins in commemoration of the National Law Enforcement Officers Memorial, and for other purposes.

S. 377

At the request of Mr. GRAMM, the name of the Senator from New Hampshire [Mr. SMITH] was added as a cosponsor of S. 377, a bill to require a balanced Federal budget by fiscal year 2000 and each year thereafter, to protect Social Security, to provide for zero-based budgeting and decennial sunsetting, to impose spending caps on the growth of entitlements during fiscal years 1994 through 2000, and to enforce those requirements through a budget process involving the President and Congress and sequestration.

S. 496

At the request of Mr. SIMON, the name of the Senator from New Jersey [Mr. BRADLEY] was added as a cosponsor of S. 496, a bill to amend chapter 44 of title 18, United States Code, to strengthen Federal standards for licensing firearms dealers and heighten reporting requirements, and for other purposes.

S. 515

At the request of Mr. PRYOR, the name of the Senator from Idaho [Mr. CRAIG] was added as a cosponsor of S. 515, a bill to amend title XVIII of the Social Security Act to provide for a limitation on use of claim sampling to deny claims or recover overpayments under medicare.

S. 774

At the request of Mr. WOFFORD, the name of the Senator from Massachusetts [Mr. KERRY] was added as a cosponsor of S. 774, a bill to authorize appropriations for the Martin Luther King, Jr. Federal Holiday Commission, extend such Commission, establish a national Service Day to promote community service, and for other purposes.

S. 784

At the request of Mr. HATCH, the name of the Senator from Pennsylvania [Mr. WOFFORD] was withdrawn as a cosponsor of S. 784, a bill to amend the Federal Food, Drug, and Cosmetic Act to establish standards with respect to dietary supplements, and for other purposes.

S. 990

At the request of Mr. BREAUX, the name of the Senator from California [Mrs. BOXER] was added as a cosponsor of S. 990, a bill to promote fair trade for the United States shipbuilding and repair industry.

S. 1128

At the request of Mr. AKAKA, the name of the Senator from Nebraska [Mr. KERREY] was added as a cosponsor of S. 1128, a bill to amend title 38, United States Code, to permit the burial in cemeteries of the National Cemetery System of certain deceased reservists.

S. 1288

At the request of Mr. AKAKA, the names of the Senator from Alabama [Mr. HEFLIN], the Senator from Washington [Mrs. MURRAY], the Senator from Pennsylvania [Mr. WOFFORD], and the Senator from Missouri [Mr. BOND] were added as cosponsors of S. 1288, a bill to provide for the coordination and implementation of a national aquaculture policy for the private sector by the Secretary of Agriculture, to establish an aquaculture commercialization research program, and for other purposes.

S. 1361

At the request of Mr. SIMON, the name of the Senator from Colorado [Mr. CAMPBELL] was added as a cosponsor of S. 1361, a bill to establish a national framework for the development of School-to-Work Opportunities systems in all States, and for other purposes.

S. 1432

At the request of Mr. HOLLINGS, the names of the Senator from Washington [Mrs. MURRAY], the Senator from California [Mrs. BOXER], and the Senator from Oregon [Mr. PACKWOOD] were added as cosponsors of S. 1432, a bill to amend the Merchant Marine Act, 1936, to establish a National Commission to Ensure a Strong and Competitive United States Maritime Industry.

S. 1443

At the request of Mr. EXON, the name of the Senator from Florida [Mr. MACK] was added as a cosponsor of S. 1443, a bill to amend the Internal Revenue Code of 1986 to repeal the excise tax on luxury passenger vehicles.

S. 1458

At the request of Mrs. KASSEBAUM, the name of the Senator from Rhode Island [Mr. CHAFEE] 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.

SENATE JOINT RESOLUTION 91

At the request of Mr. SPECTER, the name of the Senator from Virginia [Mr. WARNER] was added as a cosponsor of Senate Joint Resolution 91, a joint resolution designating October 1993 and October 1994 as "National Domestic Violence Awareness Month."

SENATE JOINT RESOLUTION 122

At the request of Mr. LAUTENBERG, the names of the Senator from Alaska [Mr. MURKOWSKI], the Senator from Minnesota [Mr. DURENBERGER], the Senator from Arizona [Mr. DECONCINI], the Senator from Maryland [Mr. SARBANES], the Senator from Utah [Mr. HATCH], the Senator from Ohio [Mr. GLENN], the Senator from South Carolina [Mr. HOLLINGS], the Senator from Maryland [Ms. MIKULSKI], the Senator from Georgia [Mr. NUNN], the Senator from Connecticut [Mr. DODD], the Senator from Tennessee [Mr. SASSER], the Senator from South Carolina [Mr. THURMOND], the Senator from Michigan [Mr. LEVIN], the Senator from Alabama [Mr. SHELBY], the Senator from Washington [Mr. GORTON], the Senator from Connecticut [Mr. LIEBERMAN], the Senator from Missouri [Mr. DANFORTH], the Senator from North Dakota [Mr. CONRAD], the Senator from New Mexico [Mr. DOMENICI], the Senator from Missouri [Mr. BOND], the Senator from West Virginia [Mr. ROCKEFELLER], the Senator from New Jersey [Mr. BRADLEY], the Senator from North Dakota [Mr. DORGAN], the Senator from Kansas [Mr. DOLE], the Senator from Maine [Mr. MITCHELL], the Senator from California [Mrs. FEINSTEIN], the Senator from Massachusetts [Mr. KERRY], the Senator from Utah [Mr. BENNETT], and the Senator from Pennsylvania [Mr. SPECTER] were added as cosponsors of Senate Joint Resolution 122, a joint resolution designating December 1993 as "National Drunk and Drugged Driving Prevention Month."

SENATE JOINT RESOLUTION 135

At the request of Mr. SIMON, the names of the Senator from Louisiana [Mr. JOHNSTON], the Senator from Wisconsin [Mr. KOHL], the Senator from California [Mrs. BOXER], and the Senator from Montana [Mr. BAUCUS] were added as cosponsors of Senate Joint Resolution 135, a joint resolution designating the week beginning October 25, 1993, as "World Population Awareness Day."

SENATE JOINT RESOLUTION 136

At the request of Mr. SIMON, the names of the Senator from New York [Mr. D'AMATO] and the Senator from North Dakota [Mr. CONRAD] were added as cosponsors of Senate Joint Resolution 136, a joint resolution to designate the month of July 1994 as "Lewis and Clark Month."

SENATE RESOLUTION 128

At the request of Mr. LAUTENBERG, the name of the Senator from Mississippi [Mr. COCHRAN] was added as a cosponsor of Senate Resolution 128, a resolution expressing the sense of the Senate regarding the protection to be

accorded United States copyright-based industries under agreements entered into pursuant to the Uruguay round of trade negotiations.

AMENDMENT NO. 1011

At the request of Mrs. HUTCHISON the name of the Senator from Texas [Mr. GRAMM] was added as a cosponsor of amendment No. 1011 proposed to H.R. 2750, a bill making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1994, and for other purposes.

SENATE CONCURRENT RESOLUTION 47—RELATIVE TO THE INTERNATIONAL RESCUE COMMITTEE

Mr. PELL (for himself and Mr. MOYNIHAN) submitted the following concurrent resolution; which was referred to the Committee on Foreign Relations:

S. CON. RES. 47

Whereas the International Rescue Committee, which this year is marking the 60th anniversary of its founding, is a beacon of hope for the world's refugees, displaced by war, civil insurrection, ethnic conflict, political and religious persecution and famine;

Whereas in crisis after crisis—in Europe, Central America, Africa, and Asia—the field staff of the International Rescue Committee is often the first relief support on site to ease the suffering of refugees by stabilizing health conditions with critically needed sanitation, health care, and medical assistance;

Whereas the programs of the International Rescue Committee are also concerned with improving the quality of life for refugees by preparing them for a productive future through educating children and building new skills among adults;

Whereas often and whenever possible, programs implemented by the International Rescue Committee are ultimately turned over to the refugees themselves after they have been well trained by International Rescue Committee staff and volunteers;

Whereas the International Rescue Committee was founded in 1933 as a non-sectarian response to the increasing horrors of Nazi Germany;

Whereas as the need for humanitarian assistance expanded, so has the International Rescue Committee's commitment to refugees;

Whereas throughout the world, from Bosnia to Somalia, from Cambodia to El Salvador, the International Rescue Committee continues to aid refugees with Medical assistance, shelter, food, and skills-training;

Whereas the International Rescue Committee also helps in repatriation or settlement to assist refugees in starting their life anew;

Whereas in its 60 years of service, the International Rescue Committee has not only provided for victims of brutality and for those suffering from natural disasters with services essential for survival and the means to rebuild their lives, but also has given them reason to have renewed optimism in the compassion and goodwill of their fellow human beings; and

Whereas October 15, 1993, the 60th anniversary of the founding of the International Rescue Committee, is an appropriate day on which to give recognition to the International Rescue Committee for its great humanitarian endeavors: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That on the occasion of the 60th anniversary of the founding of the International Rescue Committee, the Congress hereby recognizes the International Rescue Committee for its great humanitarian endeavors.

• Mr. PELL. Mr. President, today the distinguished senior Senator from New York and I are submitting a concurrent resolution proclaiming October 15, 1993, as a day of recognition for the International Rescue Committee for its great humanitarian endeavors.

I would like to take a moment to recount for my colleagues this organization's inspiring history. Let me add at the outset that I am not an unbiased observer. I worked for the IRC in Vienna during the Hungarian refugee crisis in 1956. I have been a vice president of the IRC and continue to serve on its board of directors.

The IRC was founded in 1933, at the urging of Albert Einstein, in response to the rising threat of Nazism to the safety of its opponents in Germany. The IRC's initial purpose was to raise America's consciousness, solicit funds, and assist in the escape of anti-Nazis and Jews in imminent danger. Throughout the war, IRC continued its mission and was instrumental in aiding the escape of thousands in danger, including leading intellectuals and artists such as Marc Chagall and Max Ernst and novelist Heinrich Mann.

After the war, the IRC continued and expanded its work. The IRC and its volunteers have provided assistance in many of the world's trouble spots, in Africa, Europe, Central and South America, and Asia. Often this assistance has been provided at great personal risk. I ask unanimous consent that a more detailed history of the IRC appear immediately following my remarks in the RECORD.

As we approach October 15, I think it is fitting that the Congress act to recognize an organization that has given so much to the world.•

• Mr. MOYNIHAN. Mr. President, the International Rescue Committee [IRC] is celebrating 60 years of providing humanitarian relief to refugees. I am proud to be a co-sponsor of Senator PELL'S resolution to commemorate this event.

There are estimated to be a staggering 18 million refugees in the world today. Ethnic conflicts, long suppressed by the cold war have now been rekindled creating a steady flow of refugees in places like Bosnia, Armenia, Sudan, and now Georgia. Natural disasters and other armed conflicts make no small contribution to the pool of displaced persons.

The IRC has worked diligently over the last 60 years to provide relief to those who have been forced from their homes. It works not only to provide for the immediate needs of refugees by providing food, shelter, and medicine, but the IRC also seeks to provide for the long-term well being of refugees through education and worker training and by employing refugees.

The IRC is a frugal organization and a testament to their commitment to providing for refugees concentrates the bulk of its resources on the refugees. In 1991 Money magazine named IRC the best managed large U.S. charity, with 94.9 percent of its annual budget spent directly on assisting refugees.

The collapse of empires has historically been followed by periods of turmoil as the world readjusts to the power vacuum created by its sudden disintegration. Unfortunately, the need for organizations such as the IRC may well continue to grow. Being forced to leave ones home is a terribly devastating and traumatic experience and those who endure such hardship have my deepest sympathy. I would hope that those who are unfortunate enough to become refugees, do have the fortune of finding the IRC at the end of their long journey. IRC is a beacon of hope and testimony to the fact that human nature is not irredeemably savage.•

SENATE RESOLUTION 148—RELATIVE TO TAIWAN

Mr. SIMON submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 148

Whereas the United States has had a long history of friendship with the government of the Republic of China, more widely known as Taiwan;

Whereas Taiwan has the largest foreign reserves of any nation and a strong, vibrant economy, and now has the 20th largest gross national product in the world;

Whereas Taiwan has dramatically improved its record on human rights and now routinely holds free and fair elections in a multiparty political system;

Whereas agencies of the United States Government or the United Nations' working with Taiwan does not prevent or imperil a possible voluntary union between the People's Republic of China and Taiwan any more than recognizing separate governments in the former West Germany and the former East Germany prevented the voluntary reunification of Germany;

Whereas Taiwan has much to contribute to the work and funding of the United Nations;

Whereas governments of other nations that maintain diplomatic relations with the People's Republic of China, such as France and Norway, have also had ministerial-level exchanges with Taipei; and

Whereas it is in the interest of the United States and the United Nations to maintain good relations with a government and an economy as significant as that on Taiwan: Now, therefore, be it

Resolved, That it is the sense of the Senate that—

(1) the President, acting through the United States Permanent Representative to the United Nations, should encourage the United Nations to permit representatives of Taiwan to participate fully in the activities of the United Nations and its specialized agencies; and

(2) Cabinet-level exchanges between Taiwan and the United States should take place in the interests of both nations.

SEC. 2. The Secretary of the Senate shall transmit a copy of this resolution to the President.

SENATE RESOLUTION 149—RELATIVE TO THE SENATE ARMS CONTROL OBSERVER GROUP RESOLUTION

Mr. MITCHELL (for himself and Mr. DOLE) submitted the following resolution; which was considered and agreed to:

S. RES. 149

Resolved, That (a) the provisions of Senate Resolution 105 of the One Hundred First Congress (agreed to April 13, 1989) (as extended by Senate Resolution 358 of the One Hundred First Congress (agreed to October 28, 1990), and further extended by Senate Resolution 365 of the One Hundred Second Congress (agreed to October 8, 1992)), shall remain in effect until December 31, 1994.

(b) Section 2(b) of Senate Resolution 105 of the One Hundred First Congress is amended—

(1) in paragraph (1)—

(A) by inserting "or more" after "one" each place it appears; and

(B) by striking "staff member" each place it appears and inserting in lieu thereof "staff members";

(2) by striking paragraph (2);

(3) by redesignating paragraphs (3), (4) and (5) as paragraphs (2), (3) and (4), respectively; and

(4) in paragraph (2) (as redesignated), by striking "or secretary" each place it appears.

(c) Section 2(c) of Senate Resolution 105 of the One Hundred First Congress is amended by striking the first sentence and inserting in lieu thereof the following: "The Majority Leader and Minority Leader may each designate one or more staff members to be responsible to the respective Leaders.".

(d) Section 3 of the Senate Resolution 105 of the One Hundred First Congress is amended—

(1) in subsection (a)—

(A) by striking "$600,000" and inserting in lieu thereof "$380,000"; and

(B) by striking the period at the end thereof and inserting a comma and the following: "except that not more than $100,000 shall be available for each Administrative Cochairman and the Cochairman's staff, and not more than $60,000 shall be available for each Cochairman of the Group who is not an Administrative Cochairman and the Cochairman's staff."; and

(2) in subsection (b), by striking "$300,000" and inserting in lieu thereof "$200,000".

(e) This resolution, and the amendments made by this resolution, shall be deemed to have become effective as of March 30, 1993.

AMENDMENTS SUBMITTED

DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES APPROPRIATIONS ACT, 1994

WARNER (AND OTHERS) AMENDMENT NO. 1015

Mr. WARNER (for himself, Mr. THURMOND, Mr. GRAHAM, Mr. COATS, Mr. LUGAR, Mr. BOREN, Mr. HOLLINGS, Mr. HELMS, Mr. FAIRCLOTH, Mr. DANFORTH, Mr. KOHL, and Mr. ROBB) proposed an amendment to 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, as follows:

On page 54, line 14, beginning with "under", strike out all through "Code" on line 15.

BRADLEY AMENDMENT NO. 1016

Mr. BRADLEY proposed an amendment to the bill (H.R. 2750), supra, as follows:

At the appropriate place in the bill insert the following:

SEC. . (a) Congress finds that.

(1) The Federal Aviation Administration is in the process of testing alernatives to the microwave landing system, which might prove more cost effective and capable of supporting category I, II, and III landings.

(2) Proceeding with full scale production of the microwave landing system, without seriously considering alternatives, could result in a waste of Government resources.

(b) It is the sense of the Senate that Congress should not fund full production of the microwave landing system in the future until the Federal Aviation Administration determines whether other alternatives to the current system can meet its needs in a more cost effective manner.

WALLOP (AND SIMPSON) AMENDMENT NO. 1017

Mr. D'AMATO (for Mr. WALLOP, for himself and Mr. SIMPSON) proposed an amendment to the bill (H.R. 2750), supra, as follows:

At the appropriate place in the bill, insert the following:

SEC. . It is the same of the Senate that the Secretary of Transportation should take such action as may be necessary to revise the Department of Transportation's cost/benefit analyses process to fully take projected military enplanement and cost savings figures into consideration with regard to radar installations at joint-use civilian/military airports. It is further the sense of the Senate that the Secretary of Transportation shall require the Federal Aviation Administration to reevaluate the radar needs at the Cheyenne, Wyoming Airport, and enter into an immediate dialogue with officials of the Wyoming Air Guard, F.E. Warren Air Force Base, and Cheyenne area leaders in the phase II radar installation reevaluation of the Federal Aviation Administration and adjust cost/benefit determinations based to some appropriate degree on already provided military figures and concerns and other enplanement projections in the region. The Senate further believes that the Secretary of Transportation should report the results of this reevaluation concerning the Cheyenne Airport's and Southeast Wyoming's aircraft radar needs to Congress within 60 days following the date of the enactment of this Act and explain how military figures and concerns with appropriately solicited and fully utilized in future radar decisions involving joint-use airport facilities.

BURNS (AND OTHERS) AMENDMENT NO. 1018

Mr. BURNS (for himself, Mr. DORGAN, Mr. CONRAD, and Mr. BROWN) proposed an amendment to the bill (H.R. 2750), supra, as follows:

On page 68, between lines 5 and 6, insert the following new section:

SEC. . CARGO PREFERENCE.

(a) INAPPLICABILITY OF CARGO.—For fiscal year 1994, the cargo preference requirements of section 901 of the Merchant Marine Act, 1936 (46 U.S.C. App. 1241), and the Act of March 26, 1934 (48 Stat. 500, chapter 90; 46 U.S.C. App. 1241-1), shall not apply in the case of shipments of grain to Russia from Pacific Northwest ports under the Food For Progress program announced at the Vancouver Summit on April 4, 1993, if the Secretary of Transportation, in consultation with the Secretary of Agriculture, determines that there is an insufficient number of privately owned United States-flag commercial vessels available to transport such grain.

(b) DEFINITION.—The term "Pacific Northwest" means the region defined by section 1(b) of Public Law 88-552 (16 U.S.C. 837(b)), except that for the purposes of this section, the term includes the entire State of Montana.

BROWN AMENDMENT NO. 1019

Mr. BROWN proposed an amendment to amendment No. 1018 proposed by Mr. BURNS to the bill (H.R. 2750), supra; as follows:

At the end of the amendment, add the following:

SEC. . LIMITATION ON COST OF CARGO PREFERENCE.

Notwithstanding any other provision of law, no Federal agency shall contract for the transportation of goods with any carrier whose rates are more than 100 percent above the average competitive world market shipping rate, as determined by the Secretary of Commerce.

MURKOWSKI (AND STEVENS) AMENDMENT NO. 1020

Mr. D'AMATO (for Mr. MURKOWSKI, for himself and Mr. STEVENS) proposed an amendment to the bill (H.R. 2750), supra; as follows:

At the appropriate place in the bill, insert the following:

SEC. . None of the funds appropriated by this Act shall be available for use for closing or otherwise reducing the services of any flight service station in the State of Alaska in operation on the date of the enactment of this Act, until after the expiration of the 90-day period following the date that the Secretary of Transportation has reported to Congress regarding the effects on safety of the flight service station closing and reduction in services plan being carried out by the Federal Aviation Administration in the State of Alaska on the date immediately preceding the date of the enactment of this Act. Such report shall be submitted no later than 90 days after enactment of this Act.

BOXER (AND FEINSTEIN) AMENDMENT NO. 1021

Mrs. BOXER (for herself and Mrs. FEINSTEIN) proposed an amendment to the bill (H.R. 2750), supra; as follows:

At the appropriate place under the heading Federal-aid Highways, insert the following:

"For an additional amount for emergency relief resulting from the Loma Prieta earthquake of October 17, 1989, as authorized by 23

U.S.C. 125, $315,000,000, to be derived from the highway trust fund and to remain available until expended: *Provided*, That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended."

CATAWBA INDIAN TRIBE OF SOUTH CAROLINA LAND CLAIMS SETTLEMENT ACT OF 1993

INOUYE AMENDMENT NO. 1022

Mr. LAUTENBERG (for Mr. INOUYE) proposed an amendment to the bill (H.R. 2399) to provide for the settlement of land claims of the Catawba Tribe of Indians in the State of South Carolina and the restoration of the Federal trust relationship with the tribe, and for other purposes; as follows:

In the text of the bill designated as subsection (b) of section 4, strike the word "entitled" each place it appears and insert in each such place the word "eligible".

Amend the text of the bill designated as subsection (c) of section 15 to read as follows:

(c) LAWS AND REGULATIONS OF THE UNITED STATES.—The provisions of any Federal law enacted after the date of enactment of this Act, for the benefit of Indians, Indian nations, tribes, or bands of Indians, which would affect or preempt the application of the laws of the State to lands owned by or held in trust for Indians, or Indian nations, tribes, or bands of Indians, as provided in this Act and the South Carolina State Implementing Act, shall not apply within the State of South Carolina, unless such provision of such subsequently enacted Federal law is specifically made applicable within the State of South Carolina.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. LAUTENBERG. 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., October 5, 1993, to consider pending calendar business.

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

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. LAUTENBERG. Mr. President, I ask unanimous consent that the full Committee on Environment and Public Works be authorized to meet during the session of the Senate on Tuesday, October 5, beginning at 9:30 a.m., to conduct a business meeting to consider H.R. 2824, to modify the project for flood control, James River Basin, Richmond, VA, and to consider the nominations of—

Robert Perciasepe, nominated by the President to be Assistant Administrator for the Office of Water, Environmental Protection Agency.

Lynn R. Goldman, nominated by the President to be Assistant Administrator for the Office of Prevention, Pesticides and Toxic Substances, Environmental Protection Agency.

Elliot P. Laws, nominated by the President to be Assistant Administrator for the Office of Solid Waste and Emergency Response, Environmental Protection Agency.

Jean C. Nelson, nominated by the President to be General Counsel, Environmental Protection Agency.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. LAUTENBERG. Mr. President, I ask unanimous consent that the Committee on Foreign Relations, be authorized to meet during the session of the Senate on Tuesday, October 5, 1993, at 10 a.m. to hold a hearing on Bosnian peace negotiations and during the course of the hearing to hold a brief business meeting to vote on pending nominations and noncontroversial resolutions.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. LAUTENBERG. Mr. President, I ask unanimous consent that the Committee on Foreign Relations, be authorized to meet during the session of the Senate on Tuesday, October 5, 1993, at 4:30 p.m. to hold a closed hearing on the status of Bosnian peace negotiations.

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

COMMITTEE ON LABOR AND HUMAN RESOURCES

Mr. LAUTENBERG. Mr. President, I ask unanimous consent that the Committee on Labor and Human Resources be authorized to meet for a hearing on the "Health Security Act of 1993: Views of Health Care Providers," during the session of the Senate on Tuesday, October 5, 1993, at 10 a.m.

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

SUBCOMMITTEE ON PATENTS, COPYRIGHTS AND TRADEMARKS

Mr. LAUTENBERG. Mr. President, I ask unanimous consent that the Committee on the Judiciary Subcommittee on Patents, Copyrights, and Trademarks be authorized to meet during the session of the Senate on Tuesday, October 4, 1993, at 10 a.m. to hold a hearing on S. 1346, the Copyrights Royalty Tribunal Reform Act of 1993.

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

SUBCOMMITTEE ON HOUSING AND URBAN AFFAIRS

Mr. LAUTENBERG. Mr. President, I ask unanimous consent that the Subcommittee on Housing and Urban Affairs of the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate, Tuesday, October 5, 1993, at 10 a.m. to conduct a hearing on nationwide banking and branching and insurance activities of national banks.

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

ADDITIONAL STATEMENTS

HATE CRIMES

• Mr. SIMON. Mr. President, today I wish to address the growing number of racially motivated incidents in this country. In 1990, I sponsored the Hate Crimes Statistics Act, which mandated the Attorney General to gather hate crime statistics and identify trends to help us better predict and combat racially motivated crimes. Last year, I mentioned that I would monitor incidents of hate crime and report about them in the Senate RECORD.

A particularly disturbing incident occurred in our local area just last week. Swastikas were spray-painted on mailboxes, newspaper stands, walls and telephone booths in several areas in the District. Swastikas were found on newsstands outside the Justice Department, the Christian Science Monitor, and the Holocaust Museum. Last Friday morning, George Washington University students and staff members noticed a number of swastikas and commuters noticed some at the Farragut West Metro stop.

These are not isolated incidents. Hate crimes are increasing in number throughout the country. We live in a country today where there are students afraid to wear yarmulkes in public out of fear for their safety. The Anti-Defamation League reports that traditional racist groups like the Ku Klux Klan and the White Aryan Resistance are recruiting teenagers to boost their memberships.

Mr. President, we cannot allow these incidents to go unnoticed. Not only must we be aware of the prevalence of these incidents, but we need to work together to rid this country of hatred. A great America must be a tolerant and understanding America. We have to learn to care about one another more, and when we do, the twisted minds that want us to hate one another will find few takers. Let us follow the example set by the Aspen Hill community residents who responded in a positive fashion to a racial attack on two of its residents last year. The evening following the attack, community residents marched in protest at the site, carrying signs which said "Love thy neighbor no matter what color," "Stop hating," and "We the people." Mr. President, let us continue to uphold this neighborhood's message of unity and peace and let us hope their message will permeate throughout our country.•

JOE AGREDANO AND THE AZATLAN BOXING GYM

• Mr. DECONCINI. Mr. President, I rise today to share with the Senate the achievements of a man who is working to show the young people of Tucson, AZ, an alternative to gang membership and the violence and crime associated with it. Joe Agredano has been training young people in the sport of boxing for over 16 years. In addition to having produced three national champions, Joe has coached numerous State, regional, and Golden Glove champions. Joe was invited by the United States Olympic Committee to serve as head coach of the United States Olympic team for its meeting against the Russian team in a tournament held on March 26, 1993. Forty-four of these meets have been held since 1969, of which the United States team had beaten the Russian team only 7 times. In light of this history, Joe's achievement is all the more outstanding. His team defeated the Russian team in 11 out of 12 bouts.

Even more worthy of respect are the contributions Joe has made to the community of Tucson and to its young people. For 15 years now, the Azatlan Boxing Gym has been the site of an important transformation for the young people to whom Joe has reached. Training in this corrugated steel hut with no cooling system, hard concrete floors, dim lighting, and stale air has not been easy, but Joe and the young people he works with have persevered. He has not only given these young people the identity and sense of belonging that gang membership normally provides, but he has imparted to them both the desire to formulate and achieve goals and the discipline that will last a lifetime.

Mr. President, I would like to commend the efforts of Joe Agredano in providing the young people of Tucson an alternative to gang membership. In teaching these young people the value of wielding boxing gloves rather than weapons, he has blessed the community by inculcating in its youth the discipline and the desire for achievement necessary to become tomorrow's leaders.•

SCHOOL UNIFORMS

• Mr. SIMON. Mr. President, I want to bring to the attention of my colleagues an article that appeared recently in the New York Times. The author, Mark Mathabane, points out the many problems that are caused in American schools by a preoccupation with clothing. Too often, students are judged by what they can afford to wear.

I have long felt that school uniforms are a wise approach to addressing these problems. While I do not suggest that the Federal Government get involved in this issue, it does seem to be an appropriate approach for school officials.

I ask that the article "Appearances Are Destructive," by Mark Mathabane, New York Times, August 26, 1993, be printed in the RECORD.

The article follows:

APPEARANCES ARE DESTRUCTIVE

(By Mark Mathabane)

KERNERSVILLE, NC.—As public schools reopen for the new year, strategies to curb school violence will once again be hotly debated. Installing metal detectors and hiring security guards will help, but the experience of my two sisters makes a compelling case for greater use of dress codes as a way to protect students and promote learning.

Shortly after my sisters arrived here from South Africa I enrolled them at the local public school. I had great expectations for their educational experience. Compared with black schools under apartheid, American schools are Shangri-Las, with modern textbooks, school buses, computers, libraries, lunch programs and dedicated teachers.

But despite these benefits, which students in many parts of the world only dream about, my sisters' efforts at learning were almost derailed. They were constantly taunted for their homely outfits. A couple of times they came home in tears. In South Africa students were required to wear uniforms, so my sisters had never been preoccupied with clothes and jewelry.

They became so distraught that they insisted of transferring to different schools, despite my reassurances that there was nothing wrong with them because of what they wore.

I have visited enough public schools around the country to know that my sisters' experiences are not unique. In schools in many areas, Nike, Calvin Klein, Adidas, Reebok and Gucci are more familiar names to students than Zora Neale Hurston, Shakespeare and Faulkner. Many students seem to pay more attention to what's on their bodies than in their minds.

Teachers have shared their frustrations with me at being unable to teach those students willing to learn because classes are frequently disrupted by other students ogling themselves in mirrors, painting their fingernails, combing their hair, shining their gigantic shoes or comparing designer labels on jackets, caps and jewelry.

The fiercest competition among students is often not over academic achievements, but over who dresses most expensively. And many students now measure parental love by how willing their mothers and fathers are to pamper them with money for the latest fads in clothes, sneakers and jewelry.

Those parents without the money to waste on such meretricious extravagances are considered uncaring and cruel. They often watch in dismay and helplessness as their children become involved with gangs and peddle drugs to raise the money.

When students are asked why they attach so much importance to clothing, they frequently reply that it's the cool thing to do, that it gives them status and earns them respect. And clothes are also used to send sexual messages, with girls thinking that the only things that make them attractive to boys are skimpy dresses and gaudy looks, rather than intelligence and academic excellence.

The argument by civil libertarians that dress codes infringe on freedom of expression is misleading. We observe dress codes in nearly every aspect of our lives without any diminution of our freedoms—as demonstrated by flight attendants, bus drivers, postal employees, high school bands, military personnel, sports teams, Girl and Boy Scouts, employees of fast-food chains, restaurants and hotels.

In many countries where students outperform their American counterparts academically, school dress codes are observed as part of creating the proper learning environment. Their students tend to be neater, less disruptive in class and more disciplined, mainly because their minds are focused more on learning and less on materialism.

It's time Americans realize that the benefits of safe and effective schools far outweigh any perceived curtailment of freedom of expression brought on by dress codes.•

DIETARY SUPPLEMENT HEALTH AND EDUCATION ACT

• Mr. EXON. Mr. President, recently I joined the Senator from Utah [Mr. HATCH] as a cosponsor of S. 784, the Dietary Supplement Health and Education Act of 1993.

I joined as a cosponsor for a number of reasons. First and foremost is the fact that millions of Americans rely on dietery supplements and I believe that access to safe and effective supplements should continue.

I also believe, as we explore options for improving our health care system, that we ought to take every reasonable step to encourage preventative health care. In some cases, dietary supplements may contribute to this effort and provide a cost-effective alternative.

Unfortunately, the dietary supplements marketplace is often very confusing and it is difficult for consumers to find consistent, objective information. Some supplement makers are responsible, while others take considerable liberties with claims made about their products. Moreover, enforcement of current law has led to a variety of charges and countercharges involving the FDA.

I am hopeful that the Senate Committee on Labor and Human Resources will take a close look at S. 784 for changes that remove some of this confusion. My ultimate support for S. 784, or any related legislation, rests on such improvements.•

THE BRADLEY AMENDMENT TO REDUCE THE FUNDING LEVELS OF THE BUREAU OF RECLAMATION AND THE ARMY CORPS OF ENGINEERS

• Mr. MCCAIN. Mr. President, last week during consideration of the energy and water appropriations bill an amendment was offered by Senator BRADLEY to reduce funding for the Bureau of Reclamation and the Army Corps of Engineers by 6.5 percent, to the President's request. I would like to offer a brief explanation of my vote in favor of this amendment.

Let me begin by saying that my vote does not indicate my support or opposition to any specific program. I voted in favor of this amendment because I am

concerned about runaway Federal spending and a $4 trillion debt that is facing our Nation.

I do not always agree with the President, but when I recognize an effort on his part to control spending, as he has here—then we have an obligation to support him. We must cut spending. We have a perfect opportunity to do so.

All of us have made speeches about cutting spending and our desire to ensure fiscal responsibility. Yet each year we continue to pass appropriation bills which do not cut spending. In this instance, accounts for these agencies have been increased by the committee above the request made by the President. I believe we should support the President's request and cut the additional funds.

The amendment would simply reduce the amount of the appropriation and allow the conferees to determine specifically where the cuts would come from. I supported the amendment with the understanding that the conferees would apply these cuts fairly throughout the program and not target specific projects unduly.

I realize that the bill contains funding for programs within my own State. Nevertheless, if we are sincere in our efforts to reduce the deficit we must realize that cuts will eventually affect us all. While this amendment did not pass, I assure my colleagues that I will continue my efforts to reduce Federal spending where appropriate.●

ORDER OF BUSINESS

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

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

ORDERS FOR TOMORROW

Mr. LAUTENBERG. Madam President, on behalf of the majority leader, I ask unanimous consent that when the Senate completes its business today, it stand in recess until 9:30 a.m., Wednesday, October 6; that following the prayer, the Journal of the proceedings be deemed approved to date; that the time for the two leaders be reserved for their use later in the day; that the Senate then resume consideration of H.R. 2750, the Department of Transportation appropriations bill.

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

UNANIMOUS-CONSENT AGREEMENT

Mr. LAUTENBERG. Madam President, I ask unanimous consent that when the Senate resumes the debate on H.R. 2750, amendment No. 1021, the amendment by Senator BOXER, from California, be the pending business.

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

RECESS UNTIL 9:30 A.M. TOMORROW

Mr. LAUTENBERG. Madam President, if there is 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 6:45 p.m., recessed until Wednesday, October 6, 1993, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate October 5, 1993:

DEPARTMENT OF STATE

ROBERT S. GELBARD, OF WASHINGTON, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE ASSISTANT SECRETARY OF STATE FOR INTERNATIONAL NARCOTICS MATTERS, VICE MELVYN LEVITSKY, RESIGNED.

FOREIGN SERVICE

THE FOLLOWING-NAMED CAREER MEMBERS OF THE SENIOR FOREIGN SERVICE OF THE AGENCY FOR INTERNATIONAL DEVELOPMENT FOR PROMOTION IN THE SENIOR FOREIGN SERVICE TO THE CLASSES INDICATED:

CAREER MEMBERS OF THE SENIOR FOREIGN SERVICE OF THE UNITED STATES OF AMERICA, CLASS OF CAREER MINISTER:

FRANK ALMAGUER, OF VIRGINIA
JANET C. BALLANTYNE, OF CALIFORNIA
JOHN F. HICKS, OF FLORIDA

CAREER MEMBERS OF THE SENIOR FOREIGN SERVICE OF THE UNITED STATES OF AMERICA, CLASS OF MINISTER-COUNSELOR:

MARGARET I. BONNER, OF TEXAS
LESLIE A. DEAN, OF CALIFORNIA
PHILIP-MICHAEL GARY, OF WASHINGTON
NORMA JEAN PARKER, OF NEW YORK
MARIO PITA, OF FLORIDA
BONNIE A. POUNDS, OF FLORIDA
WILLIAM S. RHODES, OF VIRGINIA
GEORGE A. WACHTENHEIM, OF FLORIDA

THE FOLLOWING-NAMED CAREER MEMBERS OF THE FOREIGN SERVICE OF THE AGENCY FOR INTERNATIONAL DEVELOPMENT FOR PROMOTION INTO THE SENIOR FOREIGN SERVICE, AND FOR APPOINTMENT AS CONSULAR OFFICER AND SECRETARY IN THE DIPLOMATIC SERVICE, AS INDICATED:

CAREER MEMBERS OF THE SENIOR FOREIGN SERVICE OF THE UNITED STATES OF AMERICA, CLASS OF COUNSELOR:

L. MARCIA BERNBAUM, OF FLORIDA
DONALD W. BOYD, JR., OF FLORIDA
LISA CHILES, OF THE DISTRICT OF COLUMBIA
TONY L. CULLY, OF FLORIDA
PHILIPPE L. DARCY, OF CALIFORNIA
ROSE MARIE DEPP, OF MARYLAND
ALAN V. GETSON, OF VIRGINIA
DAVID E. MUTCHLER, OF MARYLAND
GERALD L. NELL, OF PENNSYLVANIA
WILLARD J. PEARSON, JR., OF CALIFORNIA
KENNETH R. RIKARD, OF MISSOURI
JOEL SCHLESINGER, OF MARYLAND
GORDON H. WEST, OF VIRGINIA
FREDERICK A. WILL, OF DELAWARE
FRANK J. YOUNG, OF VIRGINIA

CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, AND CONSULAR OFFICER AND SECRETARY IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

JAMES R. DEMPSEY, OF NEW HAMPSHIRE

THE FOLLOWING-NAMED CAREER MEMBERS OF THE SENIOR FOREIGN SERVICE OF THE DEPARTMENT OF STATE FOR PROMOTION IN THE SENIOR FOREIGN SERVICE TO THE CLASSES INDICATED:

CAREER MEMBER OF THE SENIOR FOREIGN SERVICE OF THE UNITED STATES OF AMERICA, CLASS OF CAREER MINISTER:

CURTIS WARREN KAMMAN, OF THE DISTRICT OF COLUMBIA

CAREER MEMBERS OF THE SENIOR FOREIGN SERVICE OF THE UNITED STATES OF AMERICA, CLASS OF MINISTER-COUNSELOR:

LESLIE M. ALEXANDER, OF FLORIDA
JOHNNIE CARSON, OF ILLINOIS
WILLIAM HARRISON COURTNEY, OF WEST VIRGINIA
PETER S. FLYNN, OF MASSACHUSETTS
OLIVER PASTRANO GARZA, OF TEXAS
RONALD D. GODARD, OF TEXAS
ANNE M. HACKETT, OF CALIFORNIA
MARK G. HAMBLEY, OF CALIFORNIA
DONNA J. HAMILTON, OF VIRGINIA
DONNA JEAN HRINAK, OF PENNSYLVANIA
DENNIS COLEMAN JETT, OF NEW MEXICO
STEVEN D. JOHNSON, M.D., OF GEORGIA
HARRY E. JONES, OF VIRGINIA
MELINDA L. KIMBLE, OF ARIZONA
JAMES A. LAROCCO, OF MICHIGAN
JAMES F. MACK, OF VIRGINIA
MARSHALL FLETCHER MCCALLIE, OF TENNESSEE
RICHARD A. MORFORD, OF VIRGINIA
LARRY C. NAPPER, OF TEXAS
J. MICHAEL O'BRIEN, OF PENNSYLVANIA
DONALD K. STEINBERG, OF CALIFORNIA
CAROL K. STOCKER, OF ILLINOIS
JENNIFER CLAUDETTE WARD, OF THE DISTRICT OF COLUMBIA
MOLLY K. WILLIAMSON, OF CALIFORNIA

THE FOLLOWING-NAMED CAREER MEMBERS OF THE FOREIGN SERVICE FOR PROMOTION INTO THE SENIOR FOREIGN SERVICE, AND FOR APPOINTMENT, AS CONSULAR OFFICER AND SECRETARY IN THE DIPLOMATIC SERVICE, AS INDICATED:

CAREER MEMBERS OF THE SENIOR FOREIGN SERVICE OF THE UNITED STATES OF AMERICA, CLASS OF COUNSELOR:

GARY ROY ALEXANDER, OF CALIFORNIA
OLLIE PALMER ANDERSON, JR., OF MARYLAND
MICHAEL R. ARIETTI, OF CONNECTICUT
MARSHALL F. ATKINS, OF FLORIDA
SHIRLEY ELIZABETH BARNES, OF NEW YORK
DAVID C. BENNETT, OF CALIFORNIA
PEGGY BLACKFORD, OF NEW JERSEY
CLIFFORD GEORGE BOND, OF NEW JERSEY
ANNA ANDERSON LEHEL BORG, OF THE DISTRICT OF COLUMBIA
JULEE A. BRAND, OF NEVADA
WILLIAM J. BRENCICK, OF MISSOURI
RALPH EDWIN BRESLER, OF VIRGINIA
SHAUN M. BYRNES, OF CALIFORNIA
GERALDEEN G. CHESTER, OF CALIFORNIA
GWEN C. CLARE, OF CONNECTICUT
JOHN R. DAWSON, OF NEW YORK
RICHARD W. ERDMAN, OF MARYLAND
JOHN SEABURY FORD, OF OHIO
W. DOUGLAS FRANK, OF MARYLAND
CONSTANCE J. FREEMAN, OF MARYLAND
DANIEL FRIED, OF CALIFORNIA
PATRICIA LASBURY HALL, OF CALIFORNIA
ERNESTINE S. HECK, OF OREGON
KEVIN F. HERBERT, OF NEW YORK
PAUL W. HILBURN, JR., OF VIRGINIA
FRANKLIN HUDDLE, JR., OF CALIFORNIA
MARIE T. HUHTALA, OF CALIFORNIA
CAMERON R. HUME, OF CONNECTICUT
MARILYN F. JACKSON, OF TEXAS
TERESA CHIN JONES, OF VIRGINIA
JIMMY J. KOLKER, OF SOUTH DAKOTA
SHELDON I. KREBS, OF WASHINGTON
JAMES B. LANE, JR., OF OHIO
GEORGE C. LANNON, OF TEXAS
DAVID C. LITT, OF FLORIDA
EILEEN ANNE MALLOY, OF CONNECTICUT
NANCY M. MASON, OF THE DISTRICT OF COLUMBIA
EDMUND F. MCWILLIAMS, JR., OF VIRGINIA
SHARON K. MERCURIO, OF CALIFORNIA
DAVID RICHARD MORAN, OF VIRGINIA
ROBERT B. NOLAN, OF VIRGINIA
JOHN MALCOLM ORDWAY, OF CALIFORNIA
BARBRO A. OWENS, OF CALIFORNIA
MILDRED ANNE PATTERSON, OF VIRGINIA
MARY C. PENDLETON, OF KENTUCKY
KATHERINE H. PETERSON, OF CALIFORNIA
WILLIAM PINCKNEY POPE, OF VIRGINIA
JOYCE B. RABENS, OF CALIFORNIA
ELIZABETH RASPOLIC, OF TEXAS
NEIL EDWARD SILVER, OF VIRGINIA
STEPHANIE A. SMITH, OF FLORIDA
ROBERT J. SMOLIK, OF CALIFORNIA
GARY S. USREY, OF VIRGINIA
HOWARD C. WIENER, III, OF VIRGINIA

CAREER MEMBERS OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, AND CONSULAR OFFICERS AND SECRETARIES IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

MICHAEL WADE BECKNER, OF VIRGINIA
RICHARD A. BIENIA, M.D., OF VIRGINIA
DAVID P. BORTER, OF VIRGINIA
JOE H. CHADDIC, OF VIRGINIA
RICHARD M. GANNON, OF VIRGINIA
DOUGLAS PAUL HOBSON, M.D., OF VIRGINIA
JEROME M. LAFLEUR, OF LOUISIANA
KENNETH S. MCGUIRE, OF VIRGINIA
JANET ELAINE MULES, M.D., OF WASHINGTON
BRUCE T. MULLER, M.D., OF MICHIGAN
ROBERT LEROY RETKA, OF MARYLAND
GARY DAVIS SCHATZ, OF OHIO
JOHN D. SLIGH, OF FLORIDA
BRIAN R. STICKNEY, OF VIRGINIA
WALLACE RAY WILLIAMS, OF WASHINGTON
THOMAS W. YUN, M.D., OF VIRGINIA

CONFIRMATION

Executive nomination confirmed by the Senate October 5, 1993:

DEPARTMENT OF DEFENSE

THE FOLLOWING-NAMED OFFICER, UNDER THE PROVISIONS OF TITLE 10, UNITED STATES CODE, SECTION 152, FOR APPOINTMENT AS CHAIRMAN OF THE JOINT CHIEFS OF STAFF AND REAPPOINTMENT TO THE GRADE OF GENERAL WHILE SERVING IN THAT POSITION:

To be Chairman of the Joint Chiefs of Staff

To be general

GEN. JOHN M. SHALIKASHVILI, [redacted], U.S. ARMY.

HOUSE OF REPRESENTATIVES—*Tuesday, October 5, 1993*

The House met at 12 noon and was called to order by the Speaker pro tempore [Mr. MONTGOMERY].

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
October 5, 1993.

I hereby designate the Honorable G.V. (SONNY) MONTGOMERY to act as Speaker pro tempore on this day.

THOMAS S. FOLEY,
Speaker of the House of Representatives.

PRAYER

The Reverend Leslie Klingensmith, Westminster Presbyterian Church, Alexandria, VA, offered the following prayer:

Most Holy and Almighty God, we ask that You be with the leaders of our Nation as they make decisions that affect our future. We thank You for the freedoms that we have as Americans, and we ask You to help all Americans and all people remember their responsibilities to one another. Help our country's leaders to work together to bring about peace and justice. Although we as individuals and as a nation all too often forget You and Your will for the world, we thank You for never forgetting us and for the unending mercy that You have shown us.

We pray on this glorious day in the name of Your Son and our Redeemer, Jesus Christ. Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. The Pledge of Allegiance will be given by the gentleman from Michigan [Mr. KNOLLENBERG].

Mr. KNOLLENBERG led the Pledge of Allegiance as follows:

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

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Hallen, one of its clerks, announced that the Senate had passed without amendment a bill of the House of the following title:

H.R. 3123. An act to improve the electric and telephone loan programs carried out under the Rural Electrification Act of 1936, and for other purposes.

The message also announced that the Senate had passed without amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H.R. 2445. An act making appropriations for energy and water development for the fiscal year ending September 30, 1994, and for other purposes, and

H.R. 2446. An act making appropriations for military construction for the Department of Defense for the fiscal year ending September 30, 1994, and for other purposes.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 2445) entitled "An act making appropriations for energy and water development for the fiscal year ending September 30, 1994, and for other purposes" requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. JOHNSTON, Mr. BYRD, Mr. HOLLINGS, Mr. SASSER, Mr. DECONCINI, Mr. REID, Mr. KERREY, Mr. HATFIELD, Mr. COCHRAN, Mr. DOMENICI, Mr. NICKLES, Mr. GORTON, and Mr. MCCONNELL, to be the conferees on the part of the Senate.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 2446) entitled "An act making appropriations for military construction for the Department of Defense for the fiscal year ending September 30, 1994, and for other purposes" requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. SASSER, Mr. INOUYE, Mr. REID, Mr. KOHL, Mr. BYRD, Mr. GORTON, Mr. STEVENS, Mr. MCCONNELL, and Mr. HATFIELD, to be the conferees on the part of the Senate.

The message also announced that the Senate agrees to the amendments of the House to the resolution (S. Con. Res. 4) entitled "Concurrent resolution to authorize printing of 'Senators of the United States: A Historical Bibliography,' as prepared by the Office of the Secretary of the Senate."

The message also announced that the Senate agrees to the amendments of the House to the resolution (S. Con. Res. 5) entitled "Concurrent resolution to authorize printing of 'Guide to Research Collections of Former United States Senators' as prepared by the Office of the Secretary of the Senate."

The message also announced that the Senate agrees to the amendments of the House to the resolution (S. Con. Res. 6) entitled "Concurrent resolution to authorize printing of 'Senate Election, Expulsion, and Censure Cases,' as prepared by the Office of the Secretary of the Senate."

PERMISSION TO HAVE UNTIL MIDNIGHT TONIGHT TO FILE CONFERENCE REPORT ON H.R. 2518, DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 1994

Mr. NATCHER. Mr. Speaker, I ask unanimous consent that the managers on the part of the House may have until midnight tonight, October 5, 1993, to file a conference report on the bill (H.R. 2518) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 1994, and for other purposes.

Mr. Speaker, this request has been cleared with the minority.

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

Mr. BURTON of Indiana. Mr. Speaker, reserving the right to object, I would like to make a parliamentary inquiry under my reservation.

PARLIAMENTARY INQUIRY

The SPEAKER pro tempore. The gentleman will state the parliamentary inquiry.

Mr. BURTON of Indiana. I would like to inquire under my reservation: In the event that unanimous consent is not granted, will this have to be sent back to the Committee on Rules?

The SPEAKER pro tempore. This is just a request to file. It would not have to be sent back.

Mr. BURTON of Indiana. So it would not have to go back to the Rules Committee.

The SPEAKER pro tempore. It would not go back to the Committee on Rules.

Mr. BURTON of Indiana. Mr. Speaker, further reserving the right to object, let me just say that any time I can send additional work back to the Rules Committee because of the procedures that they have followed in sending closed rules to this floor week after week, in violation of minority rights, I will do so.

However, since this does not have to go back to the Rules Committee, I withdraw my reservation of objection.

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

There was no objection.

SITUATION IN SOMALIA: LET US DECLARE VICTORY AND SAFELY WITHDRAW

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

Mr. BROWN of Ohio. Mr. Speaker, in July I introduced a resolution calling for withdrawal of our troops from Somalia. I introduced that resolution 3½ months ago because our mission had become clouded in Somalia and our role was undefined.

What do we say, Mr. Speaker, to the families of the 12 dead servicemen? What do we say to the families of the four servicemen who were killed a couple of weeks ago? What do we say to the Americans who have lost their lives? How do you explain why they died in Somalia?

We went to Somalia back 9 months ago for the right reasons: to feed people, to help people. We as an American people can be proud of what we did in Somalia. We can be proud of the people we helped and the lives we saved.

But today, Mr. Speaker, we should declare victory because we did what was right in Somalia and we should pull out as quickly as we can safely withdraw.

REPUBLICAN LEADERS STAND BEHIND PRESIDENT CLINTON ON SOMALIA

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

Mr. HUNTER. Mr. Speaker, in the wake of the tragedy and the deaths in the recent 48 hours in Somalia, the Republican leadership, while understanding and maintaining that we must debate the Somalia issue, long-range policy issue, stands strongly behind President Clinton in what must now be his two major goals; one, to bring the perpetrators to justice; second, to secure the safety of the American troops remaining in Somalia.

DEFICIT REDUCTION LOCK BOX

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

Mr. BREWSTER. Mr. Speaker, last Friday, October 1, 1993, was New Year's Day, so to speak. It was New Year's Day of the new fiscal year. And, like all New Year's, I propose to the Congress to make a New Year's resolution: Lock away all spending cuts for deficit reduction.

There is a growing frustration among Members that cuts we make in the appropriations bills are not real cuts. The money we think we cut from programs is later spent when an appropriations bill goes to conference. In fact, often times, the overall spending in a conference report is actually higher than the House- or Senate-passed bill.

Mr. Speaker, this is a ridiculous practice, and it must be stopped.

This New Year's Day of the fiscal year, my colleagues, CHARLES SCHUMER, CHET EDWARDS, JANE HARMAN, and I introduced a bill called the deficit reduction lock box. That bill will guarantee that the deficit will be reduced when Congress approves spending cuts. The lock box is an air tight budget measure that ends the game of phantom spending cuts.

Mr. Speaker, I request the support of the Members of this House for the deficit reduction lock box.

WITHDRAW UNITED STATES TROOPS FROM SOMALIA NOW

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

Mr. RAMSTAD. Mr. Speaker, the President had better get his foreign policy act together before Somalia becomes another Vietnam.

Last December, I warned that failure of our new Commander in Chief to stick to the original mission of humanitarian aid for Somalia would inevitably lead to the United States getting bogged down in a prolonged and deadly operation.

Now, 10 months later, American GI's are dying in a bloodbath and the President is sending more GI's to Somalia this very day.

Why, Mr. Speaker? Why let the Somalis drag more dead GI's by ropes through the streets of Mogadishu, kicking and spitting on them? Why let the Somalis take more American hostages?

What, pray tell, is our national interest in escalating United States military involvement in Somalia?

Mr. Speaker, to expand our mission in Somalia and commit more troops is the height of foreign policy folly.

I urge my colleagues to join me as a cosponsor of House Resolution 239, which calls for the President to withdraw all United States Armed Forces from Somalia immediately.

THE WACO TRAGEDY

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

Mr. PICKLE. Mr. Speaker, as chairman of the Ways and Means Subcommittee on Oversight, our committee conducted the first hearing that reviewed the operations of the Bureau of Alcohol, Tobacco and Firearms in the ill-fated Waco incident. In that hearing, I asked Director Higgins repeatedly why his agency would proceed with their raid when they knew the element of surprise had been lost. Despite my repeated query, Mr. Higgins, apparently under direction from his Treasury Department superiors, continued to evade the question, repeatedly exhorting our committee to wait for the results of the internal investigation.

The results are now in and, unfortunately, they confirm our worst fears: The ATF knew they had lost the element of surprise but went in anyway, with the disastrous consequences with which we are all too familiar.

When the goal of a particular operation ceases to be the suppression of crime and the detention of the perpetrators, and when it becomes getting good publicity and exciting video, we have gone seriously astray. I cannot say with certainty that the people in charge in Waco were merely "playing to the media," but it is clear to me that this had a huge influence on their actions.

We have had a tremendous explosion of syndicated television shows that track law enforcement officers on actual busts of criminals. Hollywood has realized that there is a large audience for these kinds of gritty, sensational shows, and many law enforcement groups have realized that their exposure on these shows leads to good publicity and, often, bigger budgets.

The downside to this is that we may now be seeing a few groups who have in the glare of the spotlights lost sight of their real mission. I suspect that that is what happened in Waco.

Mr. Speaker, I sincerely hope that the members of the news media, the producers of these shows, the law enforcement community, we politicians who oversee much of this process and the citizens who ultimately suffer from this will all take a hard look at ourselves and consider the role we may be playing, unwittingly or not, in perpetuating this tragic practice. If nothing else, let the memory of those innocent children in Waco spur us to do at least this much.

□ 1210

ENOUGH IS ENOUGH IN SOMALIA

(Mr. WELDON asked and was given permission to revise and extend his remarks.)

Mr. WELDON. Mr. Speaker, enough is enough. Twelve more Americans dead, hundreds of Americans, including one of my constituents injured, six American POW's. Downed airmen paraded through the streets of Mogadishu, while their tormenters kick them and chant anti-American slogans.

As I have said on this floor repeatedly, let us get out of Somalia today, not in 6 months or a year. Our troops should not be used to fulfill the grand delusions of U.N. bureaucrats. We are bogged down in an urban guerrilla nightmare.

Just last week in a resolution that I labeled a CYA sham, this House requested that the President tell us what our mission is by October 15, 10 months after we went in.

Mr. Speaker, and my colleagues, if we do not have a clear mission after 10 months, another 2 weeks will not matter.

So today, I am introducing a resolution to get all our forces out and bring our troops home from Somalia by November 15. I am also initiating a discharge petition to bring this bill to the floor immediately.

Mr. Speaker, enough is enough. We have done our part. We have fed the starving masses. We have stopped starvation and saved thousands of lives. It is time to bring our troops home.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair would like to inform our guests that they cannot participate in this debate by applauding or even making any comments, so we ask for your indulgence and your respect for the House.

THE QUAGMIRE OF SOMALIA

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

Mr. MAZZOLI. Mr. Speaker, it is a truism to say that you can get out of a quagmire by getting further and deeper into it. That is exactly what it appears will happen if we deploy further troops to Somalia. We are in a quagmire, and we will not get out of that quagmire by getting further and deeper into it.

Starting this summer in July, I have been speaking from this well, from this floor, urging the President to get our troops home. The original mission in Somalia has been accomplished and it was done laudably and honorably and done very well. That mission of feeding the starving people of Somalia is behind us.

The next mission, which I must remind everyone is being directed by the United Nations, not by U.S. commanders, but by U.N. commanders, it was the United Nations that sent the U.S. troops into battle yesterday that claimed 12 lives and injured 78, left our forces undefended for 6 hours, is nation-building and government-creating. That mission is a quagmire.

Mr. Speaker, the quicker we can get our people home, the better.

TIME TO BRING TROOPS HOME FROM SOMALIA

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

Mr. ZELIFF. Mr. Speaker, I am deeply concerned about President Clinton's decision to send hundreds of additional United States troops to Somalia.

Yesterday, I, along with millions of Americans, watched the results of our current policy in the horrible images being broadcast from that country.

At least 12 U.S. soldiers are dead and 78 are wounded from this past weekend's fighting.

The bodies of American soldiers killed in action were being literally dragged through the streets by cheering Somalis.

And CWO Michael Durant, a New Hampshire native and a neighbor of mine from Berlin, NH, was being interviewed by his Somali captors about the mortality of his mission.

The events of the last few days should encourage the President not to place any more Americans unnecessarily in harm's way. We have not clearly defined our objectives or our mission, and we should not escalate this conflict.

Our original humanitarian goal to feed the starving people was legitimate. To now insist on continuing an ineffective U.N. police action makes no sense at all.

As far as I am concerned, Mr. Speaker, the humanitarian mission in Somalia is over. It is time for us to bring our troops home.

BREAST CANCER AWARENESS IS THEME OF OCTOBER PROMOTION

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

Mr. HUTTO. Mr. Speaker, I rise today to join the efforts promoting breast cancer awareness during October and comment on this issue as an element of health care reform.

By now, most of us should know that 182,000 American women will be diagnosed with breast cancer this year and over 40,000 women will be fatally affected. Although many women survive the cancer, they may still suffer long-term physical and emotional pain.

One component of health care reform which enjoys bipartisan support is preventive care. Preventive services not only save lives, but also reduce health care spending. While breast cancer may not be fully prevented, it can be detected early enough, through regular screening mammography, to be effectively treated. Early detection can further help minimize the physical and emotional impact of the cancer.

As the Congress embarks on health care reform, I urge all of my colleagues to give special attention to breast cancer and the advances made in detecting and treating this disease. Despite what method of reform you may support, please remember that screening mammography fulfills both reform goals—saving health care dollars, and more importantly, saving lives.

1993 YOUTH HEALTH REPORT CARD REVEALS ALARMINGLY POOR GRADES

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

Mr. FISH. Mr. Speaker, yesterday was Child Health Day 1993. The American Health Foundation of Valhalla, NY, organized a number of events to commemorate it, including the release of the 1993 Youth Health Report Card.

The overall grade on that report card is an alarming C−. Out of a total of 64 categories of health indicators, F's were given in 4, D's in 18, C's in 32, B's in 6, and A's in only 4. Performance is particularly weak in the areas of teen pregnancies, prenatal care, child abuse, blood lead levels in children, cases of syphilis and AIDS, and intentional injuries by suicide, homicide, and firearms in those aged 10 to 19 years old.

These grades are unacceptable. While reform of our national health care system should be a step in the right direction toward improving these scores, our approach to solving this problem must be multifaceted. As Dr. Ernst Wynder, president of the American Health Foundation, pointed out, poverty, neglect, abuse, family disintegration, education failure, violence, and crime are all pieces of the child health puzzle.

I urge all of my colleagues to join this year's recipients of the Child Health Day Award, Senator TOM HARKIN and Marian Wright Edelman, president of the Children's Defense Fund, in the search for innovative and comprehensive solutions to this pressing problem.

GO, ATLANTA BRAVES

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

Mr. LEWIS of Georgia. Mr. Speaker, I rise today, not to speak about a crisis on foreign soil, or NAFTA, or even health care.

I rise today to speak about Justice, David Justice, and the rest of America's team, the Atlanta Braves. This great team from the great city of Atlanta, with the leadership of Bobby Cox and Terry Pendleton: with Nixon and Blauser setting the table; with the power of Gant, McGriff, and Justice; and with baseball's best pitching staff. This great team has inspired Atlanta

to believe that by working hard and working together anything is possible.

Tomorrow, tomorrow, tomorrow, the best team in baseball will travel to the city of brotherly love. I say to my friends in Philadelphia, the gentleman from Pennsylvania [Mr. BLACKWELL], the gentleman from Pennsylvania [Mr. FOGLIETTA] and my other Philadelphia colleagues—get ready. The Braves do not come seeking love, but victory. And they will prevail.

Today I rise to cheer a team that came from 10 games back, that won 104 games, that won the National League West—the Atlanta Braves.

Go Braves, go Braves, go Braves.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair would thank the gentleman for not putting on the cap or doing any chopping.

INTRODUCTION OF CHILDREN'S EDUCATION OPPORTUNITY ACT

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

Mr. KNOLLENBERG. Mr. Speaker, today I am introducing the second in a series of welfare reform initiatives. This is the Children's Education Opportunity Act, often referred to as learnfare.

This legislation, which has been introduced in the Senate by Senator DON NICKLES, permits each State to implement incentives for school attendance. Specifically, a State would be permitted to withhold a portion of welfare funds if school age children in a welfare dependent family are not attending school.

Education is critical if poor children are going to have a brighter future.

This legislation is consistent with my philosophy that the States should be given much more control over the administration and design of welfare programs. My own State of Michigan, under the leadership of Gov. John Engler, has been at the forefront of welfare reform.

This learnfare proposal follows my introduction in August of comprehensive public housing rent reform. My rent reform legislation restructures Federal rent formulas to encourage and reward residents who work.

Reform of our Nation's welfare system is critical. I ask my colleagues to cosponsor both learnfare and rent reform.

CANCEL HALLOWEEN THIS YEAR

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

Mrs. SCHROEDER. Mr. Speaker, I think we could probably cancel Halloween this year, because there is no horror show that could equal those awful photographs coming out of Somalia this weekend.

I was one of the people who hated going in because I said it is so easy to go in and so hard to come out, but we do know that we have done a great job delivering food in the rural area.

We also know that there is no way we can do nationbuilding with tanks. Even if the United Nations wants us to do nationbuilding with tanks, it will not work.

□ 1220

I think the time has come to say that we have done what we went to do, and we must come home, and I hope we learned a tremendous lesson, that we do not get called into the former Yugoslavia, or other places, under the idea that we can just run in and run out.

BRING OUR TROOPS HOME FROM SOMALIA NOW

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

Mr. DUNCAN. Mr. Speaker, we need to get out of Somalia immediately. We do not need any studies. We do not need any reassessments. We do not need any delays. We need to bring our troops home now.

Instead, Mr. Speaker, the President is increasing our presence there. This is a bad mistake. There is no threat to our national security there. There is no vital U.S. interest there.

I certainly feel sorry for those who are suffering, but apparently the Somalian people do not want us there.

In 1963, Mr. Speaker, President Kennedy said:

> We must face the fact that the U.S. is neither omnipotent, nor omniscient, that we are only 6 percent of the world's population, that we cannot impose our will upon the other 94 percent, that we cannot right every wrong or reverse each adversity, and that, therefore, there cannot be an American solution to every world problem.

Mr. Speaker, we do not have either the financial resources or the manpower to solve the problems in Somalia. We should get our troops out of there now, and the sooner the better.

OCTOBER IS NATIONAL BREAST CANCER AWARENESS MONTH

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

Ms. SHEPHERD. Mr. Speaker, we are all too familiar with the tragedy of breast cancer as we are with the sluggish track record of Federal breast cancer research and education efforts. Despite this past neglect, we are beginning to see many signs of hope.

At the University of Utah federally funded researchers under the leadership of Dr. Ray White have isolated the genes that, when damaged, are responsible for the growth of life-threatening tumors. Now with additional funds from the Jon M. Huntsman family, University of Utah researchers will be able to bring the fruits of their labor directly into clinics to help women fight breast cancer and win.

Still, we have a long way to go. One in nine women in the United States are diagnosed with breast cancer. Too often they avoid or do not have access to the routine checkups that identify the disease before it has the power to kill. Designating October 1993 "National Breast Cancer Awareness Month" is important. It helps women across the country take responsibility for their health and their future. I commend my colleagues for making breast cancer a national priority in October, and urge them to continue to make it a priority throughout the year.

GET OUR TROOPS OUT OF SOMALIA

(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, the Clinton administration has advocated control of our troops in Somalia to the United Nations, and they are in harm's way. Mr. Speaker, we should have learned from the Vietnam war that fighting in foreign lands without a clear mission, without a clear plan and without public approval is a bad idea. I hope that President Clinton understands this very simple lesson. If he does, he will pull American troops out of Somalia.

Let us make it clear. We all support our troops wherever they are deployed around the world, but, Mr. Speaker, the mission was to define a mission, accomplish a mission, and get out. We did that in the Gulf war, and we did it in Panama. Our clear plan was to feed the starving. That we have done. Now we must get out.

Mr. Speaker, the President needs to change his doctrine. He has been traveling around this country advocating new, and expensive and expansive new social programs, and he needs to come back to Washington, spend some time on foreign policy and get our troops out of Somalia.

SAY NO TO NAFTA

(Miss COLLINS of Michigan asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Miss COLLINS of Michigan. Mr. Speaker, as the House this week considers another extension of emergency unemployment benefits to American

workers, it raises for me the fear that if this Congress passes NAFTA, future votes on unemployment benefits will become more frequent. Thousands and thousands of American jobs have already been lost to Mexico. Compound those losses with a weak economy, defense conversion, worker retraining, and the growth of the working poor, it becomes clear that Americans and the American economy will be further harmed by NAFTA.

Just yesterday the Census Bureau reported that the number of Americans living in poverty rose for the 3rd consecutive year, while median income remained stagnant. With this sobering statistic in mind, we must evaluate NAFTA guided by one principle—will it provide a great benefit to our people? Let us look at this issue. The pro-NAFTA forces argue that increased exports will create jobs on top of jobs. I have my doubts. The facts say that many of those exports are materials going into United States owned factories in Mexico that will in turn ship a finished product back to the United States although these United States supplies sent to Mexico are classified as exports, where are the benefits? I question whether new American jobs will be created under this scenario. It is all an illusion.

The bottom line is many of us were elected on the promise of jobs and putting people first. It is about time we honored that promise without smoke and mirrors. Just say no to NAFTA.

NEW REVELATIONS IN THE RON BROWN AFFAIR

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

Mr. BURTON of Indiana. Mr. Speaker, there have been some new revelations in the Ron Brown affair. I think most of my colleagues know that Ron Brown is the Secretary of Commerce and he has been accused of wrongdoing. He has been accused that he may have taken $700,000 in payoffs from the Vietnamese Government in order to use his influence to normalize relations with that government even though we have not had a full accounting of our POW/MIA's.

Now, tonight, when we have special orders, I am going to go through the entire chronology of events that took place in this debacle, or this alleged debacle, with these new revelations. I think the President should have a complete investigation of the Ron Brown affair. It should not be swept under the rug, and I hope all of my colleagues who are concerned about this, both Democrat and Republican, will be watching special orders tonight.

APPOINT MAJORITY OF CONFEREES WHO OPPOSE COLLIDER

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

Mr. SLATTERY. Mr. Speaker, the House of Representatives will have the opportunity in the next few days to save American Taxpayers well over $8 billion by terminating the superconducting super collider.

Earlier this year, 280 Members of the House voted against further spending on the SSC. The cost of this project has already tripled, and it is less than 20 percent complete. Overwhelming majorities on both sides of the political aisle in the House have said enough is enough, it's time to pull the plug on the SSC.

This week the House will decide whether to stand behind that overwhelming vote. The Speaker will appoint conferees for the energy and water appropriations bill. Over 120 members have signed a letter to the Speaker asking that he appoint a majority of limited conferees for this question who supported the position of the House.

While this would be a break from the tradition that only the Appropriations Subcommittee members serve on the conference, I believe it is time to reform a process that makes it too difficult to cut projects that Congress has said it doesn't want.

House rule 10, clause 6(f) states that the Speaker "shall appoint no less than a majority of members who * * * supported the House position" and "include the principal proponents of the major provisions of the bill."

Mr. Speaker, I hope you do so.

OUT OF SOMALIA NOW

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

Mr. BALLENGER. Mr. Speaker, what is going on in Somalia? Why are we still there? Why are American troops getting killed for no apparent reason?

When we first went in under President Bush, we had a clearly defined mission: Feed the starving.

Now, this humanitarian mission has turned into a quagmire.

We try to chase down a Somali warlord because a U.N. Commander says we must. We turn the Somali people against us, and American troops get killed. This is complete nonsense.

Mr. Speaker, when is the President going to act with decisiveness, and pull our soldiers out of there?

I realize the President wanted to concentrate on the economy like a laserbeam. But by ignoring foreign affairs, and by failing to define our mission in Somalia, the President has far too often put our troops in harms way.

Mr. Speaker, it is time for the President to exert some real leadership and get our troops out of Somalia.

□ 1230

YOUTH HEALTH REPORT CARD

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

Mr. CLEMENT. Mr. Speaker, yesterday the American Health Foundation issued the 1993 Youth Health Report Card. The report card compares children's health indicators from 1980, 1985, and 1990 and sets goals for the year 1995. While some areas showed slight improvements over the 12 year period, the overall health of U.S. children scored only a C-minus.

The report card indicated that large numbers of children, 40 to 60 percent, are not completely immunized. Child abuse and neglect is still a huge problem and getting worse. In addition, many children are subjected to poor nutrition, substance abuse and lack of physical activity, all of which leads to numerous diseases and conditions.

We can do better, Mr. Speaker. We must do better. No issue is more important than the health and well-being of our children.

If we fail to be involved in improving our children's health, the costs down the road will be enormous in terms of their future well being and expenditures associated in addressing their health needs. The neglect of our children affects all of us.

As a result, I have introduced the children's health care resolution which expresses the sense of Congress that any health care reform include the special needs of children, emphasize preventative care, and address the uninsured status of many children.

This is an important issue. Cosponsor the children's health care resolution.

UNITED STATES INVOLVEMENT IN SOMALIA

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

Mr. CAMP. Mr. Speaker, like all Americans, I have grave concern for the safety of United States forces—the men and women of our military in Somalia.

The original mission of United States Armed Forces in Somalia was to provide humanitarian assistance, not to become involved in a war. The administration has not defined the compelling national interest to justify a continued American presence in Somalia. The commitment to put American men and women in harm's way is a far different and greater commitment than providing humanitarian assistance.

Mr. Speaker, 20 Americans have been killed to date in Somalia. Before more Americans are killed in the streets of Mogadishu, it is time for them to come home.

While this has been a United Nations' operation, men and women of the United States military have shouldered

most of the responsibilities. The United States can't build a nation for the people of Somalia.

Mr. Speaker, U.S. troops have been in Somalia since Christmas 1992. They have made a considerable effort to get food and medicine to the people who need it. It is now up to the people of Somalia. Bring our troops home—now.

SOMALIA

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

Mr. HEFLEY. Mr. Speaker, what has happened with our mission in Somalia? It seems to me in the last few months it has become horribly muddled. The original goal, which I though I understood, was to open routes and feed starving people.

Well, we have fed the people now. Why are we still there? Is it so we can hunt a fugitive warlord? Is it to create a new police state? What is it going to take to get Clinton to bring our troops home? Will it take more dead Americans being dragged through the streets of Somalia? Will that do it?

We should not risk the lives of even one more American soldier. We have had enough of this.

Mr. Speaker, that is why I am introducing legislation that would insist on bringing our troops home by cutting off the funding for this operation. We need our troops out of there. We need them out of there now, and if Clinton will not do it, we must.

SOMALIA

(Mr. SAM JOHNSON of Texas asked and was given permission to address the House for 1 minute.)

Mr. SAM JOHNSON of Texas. Mr. Speaker, can we trust this administration? Let us look at Somalia. We have been waiting for 10 months for a plan. Where is the focus? Is it U.N. control, is it nation building, or is it just to put U.S. lives at risk?

It tore me up as a POW from Vietnam to see that POW tortured the way he was. And he was tortured, you could see it. And it tore me up to see those bodies dragged down the streets with ropes around their hands. How do we know they were dead when those guys caught them? We do not.

The Department of Defense says now we can fix everything with four tanks. It is a total lack of focus. The totals for America are 23 dead, 75 wounded, 5 missing, and at least 1 captured.

Now, let us switch to the year 1961, the place Vietnam, the second year of that involvement. The totals were 11 dead and 3 wounded. Look where we went.

Mr. Speaker, is this the beginning of a repeat performance? We need U.S. leadership. Let us get out of Somalia or get a plan.

MORE FATALITIES IN SOMALIA

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

Mr. KLUG. Mr. Speaker, one of my families back in Wisconsin got the phone call Sunday night. Their son had been killed in an attack on a United States helicopter in Somalia.

Why, Mr. Speaker? What is the mission of the United States military in Somalia?

I supported the original humanitarian relief mission, but I do no support the idea that we should be the beat cop for the United Nations, chasing a two-bit punk from village to marketplace all across the country.

Listen to this. In the last year we have spent $1.5 billion on the military mission but only $167 million on the relief mission. We have accomplished the defined humanitarian mission. A year later we do not have a defined military mission.

Bring our soldiers home, Mr. President. I do not want another phone call to another one of my families in Wisconsin.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. MONTGOMERY). The Chair would tell Members that they cannot address the President of the United States directly. They should address the Chair, and that message will be delivered to the President.

THE MISSION IN SOMALIA

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

Mr. ROTH. Mr. Speaker, we have been in Somalia almost 8 months longer than we originally were told we were going to be. The reason was because we listened to the interventionists and the adventurists in the Congress.

We had a vote here on May 25 before this Congress which set a date certain for us to get out. We in this Congress have the power within our hands to move out of Somalia, and we have got to use that power.

The Republican leadership came into the well here this morning and said, "Oh, we are with the President in Somalia." Where is the Republican leadership? We do not find them anywhere. The leadership is here speaking out this morning. Those are the people we are following.

Look at the Secretary of State. He says we have got to stabilize the country in Somalia before we get out, as though that were possible. The chairman of the Foreign Affairs Committee says we cannot leave because it would harm United States and United Nations credibility. The President says we are putting in more troops, but we are not expanding the conflict. Yes, we believe that. Right.

It is about time we listened to the American people. Enough is enough. No more American prisoners; no more dead soldiers being dragged through the streets of Mogadishu; no more bodies being displayed and mutilated.

Mr. Speaker, the time is now. We are going to leave.

RECOGNIZING OCTOBER AS BREAST CANCER AWARENESS MONTH

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

Mrs. VUCANOVICH. Mr. Speaker, during this month of October, millions of women will be reminded to take care of their health and their lives. This month is National Breast Cancer Awareness Month.

A decade ago, I discovered I had breast cancer, a disease for which there was no cure. Ten years later there still is no cure and breast cancer continues to frighten women and men of all ages. In 1993, 182,000 women and 1,000 men will have to come to terms with this devastating disease.

It is the responsibility of this Congress and every Member to get the word out to citizens about preventive measures and early detection of breast cancer. This month and next, I will be hosting Breast Cancer Public Education Fairs in my own State of Nevada designed to educate women on breast self-examination and mammography, as well as the status of legislation in the Halls of Congress.

I encourage all of my colleagues to reach out to the women, men, and families in their districts on this important issue. I truly believe we can save lives if we all work together.

TIME TO WITHDRAW FORCES FROM SOMALIA

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

Mr. ALLARD. Mr. Speaker, I rise today to add my voice to the many who question the continued involvement of United States forces in Somalia. Mr. Speaker we have gone far beyond the point of diminishing returns on this policy. It is time to say enough is enough. Yesterday newscasts placed the number of U.S. casualties at 16. We cannot continue to ask our soldiers to stay in Somalia with these risks and an undefined mission without a clear timetable for final withdrawal. The brave soldiers we sent to Somalia have

for the most part met our humanitarian goals. Our American forces have made a heroic effort in the face of a constantly changing mission. I will admit that I had strong doubts about sending our troops to Somalia in the first place with an unclear mission. But I wonder * * * if in advance of this mission everyone had known our U.S. forces would be reduced to chasing a dangerous rebel warlord through the streets of Mogadishu * * * if the mission would have been supported. The bottom line is this—our troops have done their job and their safety should be our first concern. It is time to get them out—before it is too late.

□ 1240

LEAVE SOMALIA MISSION TO UNITED NATIONS

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

Mr. LEWIS of Florida. Mr. Speaker, I rise today with a heavy heart over yesterday's events in Somalia.

In June, I sent a letter to the President asking him to remove our troops since our humanitarian goals had changed to disarming Mogadishu.

Now, our goal is to establish democratic institutions in a nation that has never known true democracy.

We are caught in an open-ended, poorly defined mission in Somalia for which there is no public mandate. We only have to go back to Vietnam to see the pitfalls of such a strategy.

If Vietnam taught us anything, it is that getting involved in another nation's internal troubles is dangerous. It is worse when the intervention is ill-defined and unappreciated.

The solution is not to send even more troops. It is to recover the hostages, get out, and leave the mission to the United Nations.

Finally, I say to my colleagues, we can no longer stand by while Americans are being taken hostage, killed, and their bodies mutilated. It is time to assert our own authority.

Chief Warrant Officer Durant, our prayers are with you, along with the families of the dead and wounded. They are also with the troops who are on their way to Somalia, and their families. Let us hope it will be a short trip.

SOMALIAN CRIMES MUST NOT GO UNPUNISHED

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

Mr. MICA. Mr. Speaker, earlier this year, I was one of the first Members of the Congress to call for the withdrawal of American troops from Somalia.

Recently, this House and the Congress expressed its will relating to the Somalia issue. I can even temporarily accept the weak compromise that I personally view as unsatisfactory.

What I cannot accept is the wanton and savage murder of 12 more Americans. Americans sent to maintain peace.

What this Congress cannot accept is the brutal killing and acts of armed aggression against U.S. peacekeeping forces.

Our Nation sought peace. The armed Somalis have declared war. We went to save their dying children, now they parade the slain bodies of our youth.

No American leader or civilized nation should rest until these and other savage murders are punished. Even if United States forces leave Somalia, the world must know that these acts of murder and war will be avenged.

We urge the President and Secretary of Defense to take what ever means, force, or actions necessary to bring these international murderers to justice.

These crimes must not go unpunished.

GET UNITED STATES TROOPS OUT OF SOMALIA

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

Mr. GILMAN. Mr. Speaker, last week the House responded to the Gephardt-Gilman resolution calling on the President to report to Congress by October 15 on his policy goals in Somalia—and to seek congressional authorization by November 15 for continued deployment of United States forces there.

Tragically, new United States casualties in Somalia sharply underscore the futility of our Somalia military operations. We cannot afford to wait any longer for the President to explain why our forces are being sent to bleed and die in Somalia.

Nor can we afford to wait a month beyond that to vote on this critical issue. Today I am calling on the President to send up his report promptly—so that the Congress can act as soon thereafter as possible to pull our forces out of the sinkhole that Somalia has become and let us get them out now.

OPEN RULE NEEDED ON HEALTH CARE REFORM

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

Mr. BAKER of California. Mr. Speaker, President Clinton wants openness and bipartisan cooperation on health care reform. I share the President's wishes.

That's why I am introducing legislation today to express the sense of the House that health care reform should be brought to the floor under an open rule.

The American people want an open and forthright debate. They do not want to see health care reform crafted in secret in the dead of the night.

But a fresh breeze is blowing, Mr. Speaker. With the passage of the bill to make discharge petitions open to public scrutiny, the Congress has begun to change the way business is done in Washington.

Now we have another chance for change. My bill will ensure that every Member of the Congress will be able to amend whatever health care bill is brought before this body. I already have over 60 bipartisan original cosponsors.

The American people want choices. They do not want to be coerced into accepting health reform which denies our citizens the right to obtain their current health plan without being taxed for this privilege. This Congress needs open and fair debate.

I urge my colleagues to cosponsor the Baker resolution for an open rule on health care reform.

TIME TO BRING AMERICANS HOME FROM SOMALIA

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

Mr. BUNNING. Mr. Speaker, last winter, the President sent United States troops under United States command to Somalia to help save the country from famine and starvation.

Getting food and supplies through to the people that needed it. That was our goal.

Our troops did the job. That job is done. Our troops should come home.

We did not send them there to become a permanent U.N. force under U.N. command.

We did not send them there to participate in a U.N. experiment in nation building—whatever that means.

Our men and women are in grave danger over there. This isn't just fun and games. Today, there are reports of U.S. troops being captured and being held hostage by a warlord and his thugs. Several days ago, a soldier from Fort Campbell, KY, was shot down and captured.

Our job is done—but our people are still standing in harm's way for no good reason that I can see.

Mr. Speaker, it is time to bring them all home.

SOMALIANS UNGRATEFUL FOR AMERICAN HELP

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

Mr. TAUZIN. Mr. Speaker, King Lear knew nothing about ingratitude. He

should have been watching television this weekend, to see the ugly spectacle of American troops killed, their bodies being dragged through the streets of Somalia by children; a people ungrateful for the fact that we sent our young men and women there to feed them and to protect them from poverty.

If ever there was an ugly picture of ingratitude carried to its extreme, it is the pictures we saw on television this weekend. It is time to bring those troops home and to understand that this kind of ingratitude ought not be rewarded with any continued United States presence in Somalia.

TRIBUTE TO THE HONORABLE ROBERT H. MICHEL

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

Mr. CRANE. Mr. Speaker, I am sure I speak for all Members of the House of Representatives when I say it was with great regret that I learned of the decision of our good friend and colleague, House Republican leader, BOB MICHEL, not to run for reelection in 1994.

BOB certainly deserves the right to step down and take it easy after almost 40 years of fighting for his fellow citizens in this Chamber. But the Nation, the citizens of the 18th Illinois Congressional District, and this House of Representatives will suffer the loss of BOB MICHEL.

Against the advice of many of his friends, he dropped out of night law school to run in 1956 for the seat being vacated by the man he was serving as administrative assistant, Harold Velde. It was the seat once held by another outstanding Illinois legislator, Everett McKinley Dirksen. And for the 4 years I taught at Bradley University in Peoria, "Uncle BOB" was my congressman.

As a combat infantryman, he fought for his country in World War II, seeing combat in France, Belgium, and Germany. In one of this country's greatest wartime struggles—the Battle of the Bulge—he was cut down by German machinegun bullets. Besides being awarded the Purple Heart, he also earned the Bronze Star and four battle stars.

BOB succeeded another Illinois Member, Leslie Arends, in 1975 as House minority whip, and 6 years later his Republican colleagues elected him as House minority leader, a post he still holds.

Just as he had fought for his country on the bloody field of war, he fought for his Nation on the sometimes stormy floor of the House. Those of a different political persuasion will tell you they disagreed with BOB on countless arguments before this body, but none will deny BOB MICHEL is an outstanding leader and Member—a good man—a man of his word.

We look forward to another year of work under the leadership of BOB MICHEL. We certainly do not look forward to the day he steps down and leaves the Chamber a lesser body by his departure.

ADVANCED SOLID ROCKET MOTOR

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

Mr. HANSEN. Mr. Speaker, as a Member of this body for the past 13 years, I have never witnessed a sorrier example of congressional waste and pork-barrel spending than on the Advanced Solid Rocket Motor [ASRM] Program.

This body has voted several times over the past 2 years to kill the ASRM by overwhelming margins, yet somehow, the ASRM, always manages to survive—courtesy of the joint appropriations conference.

It is turning out to be a farce. The House voted, overwhelmingly last July in favor of an amendment by the gentleman from Wisconsin [Mr. KLUG]—379 voted in favor of termination. Only 43 supported retaining ASRM.

Yet, somehow, last Friday, the conferees felt compelled to ignore the will of the House and to continue funding ASRM to the tune of $157.5 million. This is an outrage.

If this body does not have enough courage to kill the ASRM, a blatant pork-barrel program, we can never hope to put a dent in the Federal debt.

The point remains—there is no reason to build an expensive and redundant rocket motor. The existing boosters are working just fine.

It is clear, Mr. Speaker, we must send the conferees back to do the job we asked them to—I urge my colleagues to support a motion to recommit when the VA/HUD conference report comes before the House. Let us drive a stake through the heart of the ASRM once and for all.

□ 1250

DON'T VIETNAMIZE SOMALIA

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

Mr. GOSS. Mr. Speaker, the calls in the last 36 hours to my office have been overwhelming: People are understandably upset about the horror in Somalia and concerned that the White House does not know what's going on. The response from the administration to the death of U.S. soldiers has been unacceptable. The sickening images of our young men's bodies dragged through the streets and the haunting face of an American held hostage have been riveting and distressing. The danger that this administration will Vietnamize Somalia is very real. Our troops have no clear mission; the chain of command is blurred; the rules of engagement are unclear. Now Americans are dying and being taken captive. Sending another handful of troops and a few pieces of military machinery to that troubled region only provides more targets for the warlords and violence-mongers. It is time to bring all Americans home from our humanitarian mission to Somalia. It is not time to risk another Vietnam.

RETIREMENT OF MINORITY LEADER BOB MICHEL

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

Mr. MCCOLLUM. Mr. Speaker, yesterday the U.S. House of Representatives learned that one of its great Members will be departing at the end of this Congress.

The retirement of BOB MICHEL will mean the loss of a great voice who has often been a source of strength and true leadership in the many challenging times that this Nation has faced since he came to the Congress in 1956.

For more than 37 years BOB has provided his Illinois constituency with solid representation in the House of Representatives and since 1981 he has kept the House Republicans working together for the good of the Nation and the good of the party as our Republican leader.

His candor, his decency, and his willingness to work with Members on both sides of the aisle are recognized by both Democrats and Republicans and when he steps down he will be missed. Fortunately for the next 14 very crucial months, BOB MICHEL will still be our Republican leader.

Mr. Speaker, I look forward to working with him during his remaining tenure for the betterment of our Nation and the good of our country.

THE PRESIDENT'S HEALTH REFORM PLAN

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

Mr. LAZIO. Mr. Speaker, the White House has announced that it underestimated, by $16 billion, the costs of subsidizing small businesses who, under the President's health reform plan, will be required to provide health insurance for those employees who are not fired because of this new mandate.

The health sector comprises fully one-seventh of our total economy—$900 billion each year—and this one component of the President's reform proposal is now estimated to cost $421 billion over the first 5 years.

Mr. Speaker, we must be honest with our constituents. As we work to craft a compromise reform plan, it is only fair and reasonable to ask three fundamental questions: How much will reform cost; how will it be financed; and who will pay? Unfortunately, we are still waiting for the answers to these questions from the President.

In the case of mandates to businesses, it is also fair to ask whether in the fevor to provide health security, we don't take away job security.

Mr. Speaker, my constituents know the truth in the old adage, "There's no such thing as a free lunch."

TAKE MATTERS IN SOMALIA INTO OUR OWN HANDS, THEN GET OUT

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

Mr. STEARNS. Mr. Speaker, I would first like to express my sympathies to the families of the American troops who have been killed, wounded, and captured in Somalia. All Americans share your loss and are grateful for the service of your sons.

In spite of my reservations over this situation, I have tried to give President Clinton, like President Bush before him, a fair opportunity to handle this situation. I have become increasingly unsettled, however, by the mounting casualties that have occurred as this mission changed from one of humanitarian relief led by the United States to nation-building led by the United Nations. Clearly, this mission has gone astray with terrible consequences.

I believe that President Clinton must present Congress immediately with a plan for settling matters with Mr. Aideed, obtaining the release of all Americans held against their will in Somalia and withdrawing our troops from an entanglement that is not in our vital national interest.

Throughout this operation, I have felt it important not to politicize this operation. We should not play partisan games with American lives. However, from the debate last week, it is clear that Democrats and Republicans share the same concerns of the American people over this situation. Americans are dying in Somalia while they have no clear battle plan, direction, or long-term strategy.

It is apparent we need to relearn painful lessons of sending our troops abroad only when it in the clear national interest, and providing them with clear objectives and overwhelming force to accomplish their missions. It is a matter we will deal with again and again in the post-cold-war world.

UNITED STATES FOR THE UNITED STATES NOT THE UNITED NATIONS

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

Mr. HOKE. Mr. Speaker, the distinguished chairman of the other body's Appropriations Committee recently stated what many Americans have been thinking * * *. "I do not see in front of this chamber the U.N. Flag," he said. "I have never saluted the U.N. flag. I salute Old Glory, the American flag."

Mr. Speaker, why are we still in Somalia? Is it to chase down a two-bit Somali war lord? Is it to follow the lead of a U.N. commander who has no idea of what he is doing? Is it to ensure that every single Somalian citizen curses the United States?

When we first went over there, we had a clear mission, to feed the hungry. That mission has been accomplished. Now it is time to get out. We have all seen the gruesome photos of the murdered American soldier. Why was he killed and why does he have to die?

If the President cannot come up with a good answer to these questions, and I do not think he can, he needs to pull our troops out of this faraway country. We have done our duty. Now we must get out.

APPOINTMENT OF AN INDEPENDENT COUNSEL

(Mr. GEKAS asked and was given permission to revise and extend his remarks.)

Mr. GEKAS. Mr. Speaker, there are allegations of wrongdoing swirling around the President's Cabinet and allegations of wrongdoing as to the White House itself in the Travelgate situation. In previous administrations, there would be a hue and cry immediately for the appointment of an independent counsel to look into allegations of wrongdoing wherever it may have appeared to grow. But we do not have an independent counsel statute in front of us now.

Yet, we have passed it out of the Committee on the Judiciary. It is itself hovering around someplace in the Capitol. The House leadership has not seen fit to bring it up for a debate before the House.

We need an independent counsel, one that would have the right to look into the wrongdoing of Members of Congress as well as members of the Cabinet or people in the staff at the White House. We ask the House leadership to act immediately to bring the matter to the House for debate.

SOMALIA

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

Mr. ROHRABACHER. Mr. Speaker, sending more American soldiers to Somalia is absolutely insane. Somalia is not worth one American life.

This is not just President Clinton who is making this mistake. This is not President Clinton or a partisan issue. This is also part of President Bush's cockamamie idea about a new world order.

We should not be sending our troops all over the world. And if we do have to send them, because it is in the interest of the United States, they should be under American command. We should never send our boys to risk their lives and be under the command of the United Nations or any other foreigners who do not care about them and can see the bodies of our troops being dragged through the dust of some African village and not care as much as we do.

It is time to bring these people home. They have put their lives on the line for us.

Let us applaud our military. It was well-meaning, but it was not a good thing to keep them there after those people got fed in the first place.

APPOINTMENT OF CONFEREES ON H.R. 2446, MILITARY CONSTRUCTION APPROPRIATIONS ACT, 1994

Mr. HEFNER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 2446) making appropriations for military construction for the Department of Defense for the fiscal year ending September 30, 1994, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

□ 1300

The SPEAKER pro tempore (Mr. MONTGOMERY). Is there objection to the request of the gentleman from North Carolina?

Mr. BURTON of Indiana. Mr. Speaker, reserving the right to object, this is like the previous issue I raised. This would not be sent, Mr. Speaker, to the Committee on Rules if I objected, is that correct?

The SPEAKER pro tempore. The Chair would advise the Member that it would not necessarily go to the Committee on Rules, since the Appropriations Committee has authorized a motion to that effect.

Mr. BURTON of Indiana. Further reserving the right to object, let me just say that the Committee on Rules of this House continues to send restrictive and closed rules to this body which eliminates the possibility of the minority to express itself in the form of amendments trying to correct legislation that we think is in error, so any time I can send something back to the

Committee on Rules so they will have to do additional work, I would like to do so.

Mr. Speaker, in this particular case, since it will not involve going back to the Committee on Rules, I withdraw my reservation of objection.

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

The Chair hears none, and without objection, appoints the following conferees: Mr. HEFNER, Mr. FOGLIETTA, Mrs. MEEK, MESSRS. DICKS, DIXON, FAZIO, HOYER, COLEMAN, and NATCHER, Mrs. VUCANOVICH, Mr. CALLAHAN, Mrs. BENTLEY, Mr. HOBSON, and Mr. MCDADE.

There was no objection.

COMMUNICATION FROM THE CLERK OF THE HOUSE OF REPRESENTATIVES

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

HOUSE OF REPRESENTATIVES,
Washington, DC, October 5, 1993.

Hon. THOMAS S. FOLEY,
The Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 5 of Rule III of the Rules of the U.S. House of Representatives, I have the honor to transmit a sealed envelope received from the White House on Monday, October 4, 1993 at 3:35 p.m. and said to contain a message from the President wherein he reports under section 8 (b) of the Fishermen's Protective Act (Pelly Amendment) that he has directed the development of a list of potential sanctions against Norway.

With great respect, I am

Sincerely yours,

DONNALD K. ANDERSON,
Clerk.

POTENTIAL SANCTIONS AGAINST NORWEGIAN IMPORTS—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 93-146)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, without objection, referred to the Committee on Foreign Affairs and the Committee on Merchant Marine and Fisheries and ordered to be printed:

To the Congress of the United States:

On August 5, 1993, the Secretary of Commerce certified that Norway's resumption of commercial harvesting of minke whales has diminished the effectiveness of the International Whaling Commission (IWC). The IWC acted to continue the moratorium on all commercial whaling at its most recent meeting last spring. Despite this action, Norway has recommenced commercial whaling of the Northeastern Atlantic minke, noting that it has lodged an objection to the moratorium. This letter constitutes my report to the Congress pursuant to section 8(b) of the Fishermen's Protective Act of 1967, as amended (Pelly Amendment) (22 U.S.C. 1978(a)).

The United States is deeply opposed to commercial whaling: the United States does not engage in commercial whaling, and the United States does not allow the import of whale meat or whale products. While some native Alaskans engage in narrowly circumscribed subsistence whaling, this is approved by the IWC through a quota for "aboriginal whaling." The United States also firmly supports the proposed whale sanctuary in the Antarctic.

The United States has an equally strong commitment to science-based international solutions to global conservation problems. The United States recognizes that not every country agrees with our position against commercial whaling. The issue at hand is the absence of a credible, agreed management and monitoring regime that would ensure that commercial whaling is kept within a science-based limit.

I believe that Norway's action is serious enough to justify sanctions as authorized by the Pelly amendment. Therefore, I have directed that a list of potential sanctions, including a list of Norwegian seafood products that could be the subject of import prohibitions, be developed. Because the primary interest of the United States in this matter is protecting the integrity of the IWC and its conservation regime, I believe our objectives can best be achieved by delaying the implementation of sanctions until we have exhausted all good faith efforts to persuade Norway to follow agreed conservation measures. It is my sincere hope that Norway will agree to and comply with such measures so that sanctions become unnecessary.

WILLIAM J. CLINTON.
THE WHITE HOUSE, *October 4, 1993.*

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to the provisions of clause 5 of rule I, the Chair announces that he will postpone further proceedings today on both motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 4 of rule XV.

Such rollcall votes, if postponed, will be taken at the end of legislative business today.

GOVERNMENT SECURITIES REFORM ACT OF 1993

Mr. MARKEY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 618) to extend and revise rulemaking authority with respect to government securities under the Federal securities laws, and for other purposes, as amended.

The Clerk read as follows:

H.R. 618

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 "Government Securities Reform Act of 1993".

TITLE I—AMENDMENTS TO THE SECURITIES EXCHANGE ACT OF 1934

SEC. 101. EXTENSION OF GOVERNMENT SECURITIES RULEMAKING AUTHORITY.

Section 15C of the Securities Exchange Act of 1934 (15 U.S.C. 78o-5) is amended by striking subsection (g).

SEC. 102. TRANSACTION RECORDS.

(a) AMENDMENT.—Section 15C(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78o-5(d)) is amended by adding at the end thereof the following new paragraph:

"(3) GOVERNMENT SECURITIES TRADE RECONSTRUCTION.—

"(A) FURNISHING RECORDS.—Every government securities broker and government securities dealer shall furnish to the Commission on request such records of government securities transactions, including records of the date and time of execution of trades, as the Commission may require to reconstruct trading in the course of a particular inquiry or investigation being conducted by the Commission. In requiring information pursuant to this paragraph, the Commission shall specify the information required, the period for which it is required, the time and date on which the information must be furnished, and whether the information is to be furnished directly to the Commission, to the Federal Reserve Bank of New York, or to an appropriate regulatory agency or self-regulatory organization with responsibility for examining the government securities broker or government securities dealer. The Commission may require that such information be furnished in machine readable form notwithstanding any limitation in subparagraph (B).

"(B) LIMITATION; CONSTRUCTION.—The Commission shall not utilize its authority under this paragraph to develop regular reporting requirements, except that the Commission may require information to be furnished under this paragraph as frequently as necessary for particular inquiries or investigations. This paragraph shall not be construed as requiring, or as authorizing the Commission to require, any government securities broker or government securities dealer to obtain or maintain any information for purposes of this paragraph which is not otherwise maintained by such broker or dealer in accordance with any other provision of law or usual and customary business practice. The Commission shall, where feasible, avoid requiring any information to be furnished under this paragraph that the Commission may obtain from the Federal Reserve Bank of New York.

"(C) PROCEDURES FOR REQUIRING INFORMATION.—At the time the Commission requests any information pursuant to subparagraph (A) with respect to any government securities broker or government securities dealer for which the Commission is not the appropriate regulatory agency, the Commission shall notify the appropriate regulatory agency for such government securities broker or government securities dealer and, upon request, furnish to the appropriate regulatory agency any information supplied to the Commission.

"(D) CONSULTATION.—Within 90 days after the date of the enactment of this paragraph,

and annually thereafter, or upon the request of any other appropriate regulatory agency, the Commission shall consult with the other appropriate regulatory agencies to determine the availability of records that may be required to be furnished under this paragraph and, for those records available directly from the other appropriate regulatory agencies, to develop a procedure for furnishing such records expeditiously upon the Commission's request.

"(E) EXCLUSION FOR EXAMINATION REPORTS.—Nothing in this paragraph shall be construed so as to permit the Commission to require any government securities broker or government securities dealer to obtain, maintain, or furnish any examination report of any appropriate regulatory agency other than the Commission or any supervisory recommendations or analysis contained in any such examination report.

"(F) AUTHORITY TO LIMIT DISCLOSURE OF INFORMATION.—Notwithstanding any other provision of law, the Commission and the appropriate regulatory agencies shall not be compelled to disclose any information required or obtained under this paragraph. Nothing in this paragraph shall authorize the Commission or any appropriate regulatory agency to withhold information from Congress, or prevent the Commission or any appropriate regulatory agency from complying with a request for information from any other Federal department or agency requesting information for purposes within the scope of its jurisdiction, or from complying with an order of a court of the United States in an action brought by the United States, the Commission, or the appropriate regulatory agency. For purposes of section 552 of title 5, United States Code, this subparagraph shall be considered a statute described in subsection (b)(3)(B) of such section 552.".

(b) CONFORMING AMENDMENTS.—(1) Section 15C(a)(4) of the Securities Exchange Act of 1934 (15 U.S.C. 78o–5(a)(4)) is amended by inserting ", other than subsection (d)(3)," after "subsection (a), (b), or (d) of this section".

(2) Section 15C(f)(2) of such Act is amended—

(A) in the first sentence, by inserting ", other than subsection (d)(3)", after "threatened violation of the provisions of this section"; and

(B) in the second sentence, by inserting "(except subsection (d)(3))" after "other than this section".

SEC. 103. LARGE POSITION REPORTING.

Section 15C of the Securities Exchange Act of 1934 (15 U.S.C. 78o–5) is amended—

(1) by redesignating subsection (f) as subsection (h); and

(2) by inserting after subsection (e) the following new subsection:

"(f) LARGE POSITION REPORTING.—

"(1) REPORTING REQUIREMENTS.—The Secretary may adopt rules to require specified persons holding, maintaining, or controlling large positions in to-be-issued or recently issued Treasury securities to file such reports regarding such positions as the Secretary determines to be necessary or appropriate for the purpose of monitoring the impact in the Treasury securities market of concentrations of positions in Treasury securities and for the purpose of otherwise assisting the Commission in the enforcement of this title. Reports required under this subsection shall be filed with the Federal Reserve Bank of New York, acting as agent for the Secretary, and shall be provided by that Federal Reserve Bank to the Commission on a timely basis.

"(2) RECORDKEEPING REQUIREMENTS.—Rules under this subsection may require persons holding, maintaining, or controlling large positions in Treasury securities to make and keep for prescribed periods such records as the Secretary determines are necessary or appropriate to ensure that such persons can comply with reporting requirements under this subsection.

"(3) AGGREGATION RULES.—Rules under this subsection—

"(A) may prescribe the manner in which positions and accounts shall be aggregated for the purpose of this subsection, including aggregation on the basis of common ownership or control; and

"(B) may define which persons (individually or as a group) hold, maintain, or control large positions.

"(4) DEFINITIONAL AUTHORITY; DETERMINATION OF REPORTING THRESHOLD.—

"(A) In prescribing rules under this subsection, the Secretary may, consistent with the purpose of this subsection, define terms used in this subsection that are not otherwise defined in section 3 of this title.

"(B) Rules under this subsection shall specify—

"(i) the minimum size of positions subject to reporting under this subsection, taking into account the purposes of this subsection and the potential for price distortions or other anomalies resulting from large positions;

"(ii) the types of positions (which may include financing arrangements) to be reported;

"(iii) the securities to be covered; and

"(iv) the form and manner in which reports shall be transmitted, which may include transmission in machine readable form.

"(5) LIMITATION ON DISCLOSURE OF INFORMATION.—Notwithstanding any other provision of law, the Secretary and the Commission shall not be compelled to disclose any information required to be kept or reported under this subsection. Nothing in this subsection shall authorize the Secretary or the Commission to withhold information from Congress, or prevent the Secretary or the Commission from complying with a request for information from any other Federal department or agency requesting information for purposes within the scope of its jurisdiction, or from complying with an order of a court of the United States in an action brought by the United States, the Secretary, or the Commission. For purposes of section 552 of title 5, United States Code, this paragraph shall be considered a statute described in subsection (b)(3)(B) of such section 552.".

SEC. 104. AUTHORITY OF THE COMMISSION TO REGULATE TRANSACTIONS IN EXEMPTED SECURITIES.

(a) PREVENTION OF FRAUDULENT AND MANIPULATIVE ACTS AND PRACTICES.—Section 15(c)(2) of the Securities Exchange Act of 1934 (15 U.S.C. 78o(c)(2)) is amended—

(1) by inserting "(A)" after "(2)";

(2) by striking "fictitious quotation, and no municipal securities dealer" and inserting the following:

"fictitious quotation.

"(B) No municipal securities dealer";

(3) by striking "fictitious quotation. The Commission shall" and inserting the following:

"fictitious quotation.

"(C) No government securities broker or government securities dealer shall make use of the mails or any means or instrumentality of interstate commerce to effect any transaction in, or induce or attempt to induce the purchase or sale of, any government security in connection with which such government securities broker or government securities dealer engages in any fraudulent, deceptive, or manipulative act or practice, or makes any fictitious quotation.

"(D) The Commission shall"; and

(4) by inserting at the end thereof the following:

"(E) The Commission shall, prior to adopting any rule or regulation under subparagraph (C), consult with and consider the views of the Secretary of the Treasury and each appropriate regulatory agency. If the Secretary of the Treasury or any appropriate regulatory agency comments in writing on a proposed rule or regulation of the Commission under such subparagraph (C) that has been published for comment, the Commission shall respond in writing to such written comment before adopting the proposed rule.".

(b) FRAUDULENT AND MANIPULATIVE DEVICES AND CONTRIVANCES.—Section 15(c)(1) of the Securities Exchange Act of 1934 (15 U.S.C. 78o(c)(1)) is amended—

(1) by inserting "(A)" after "(c)(1)";

(2) by striking "contrivance, and no municipal securities dealer" and inserting the following:

"contrivance.

"(B) No municipal securities dealer";

(3) by striking "contrivance. The Commission shall" and inserting the following:

"contrivance.

"(C) No government securities broker or government securities dealer shall make use of the mails or any means or instrumentality of interstate commerce to effect any transaction in, or to induce or attempt to induce the purchase or sale of, any government security by means of any manipulative, deceptive, or other fraudulent device or contrivance.

"(D) The Commission shall"; and

(4) by inserting at the end thereof the following:

"(E) The Commission shall, prior to adopting any rule or regulation under subparagraph (C), consult with and consider the views of the Secretary of the Treasury and each appropriate regulatory agency. If the Secretary of the Treasury or any appropriate regulatory agency comments in writing on a proposed rule or regulation of the Commission under such subparagraph (C) that has been published for comment, the Commission shall respond in writing to such written comment before adopting the proposed rule.".

SEC. 105. BROKER/DEALER SUPERVISION RESPONSIBILITIES.

Section 15C of the Securities Exchange Act of 1934 (15 U.S.C. 78o-5) is amended by inserting after subsection (f) (as added by section 103 of this Act) the following new subsection:

"(g) POLICIES AND PROCEDURES TO PREVENT AND DETECT VIOLATIONS.—Every government securities broker and government securities dealer shall establish, maintain, and enforce written policies and procedures reasonably designed, taking into consideration the nature of such person's business, to prevent and detect in connection with the purchase or sale of government securities, insofar as practicable, fraud and manipulation in violation of this title and the rules and regulations thereunder and violations of such other provisions of this title and the rules and regulations thereunder as the appropriate regulatory agency for such government securities broker or government securities dealer shall designate by rule.".

SEC. 106. SALES PRACTICE RULEMAKING AUTHORITY.

(a) RULES FOR FINANCIAL INSTITUTIONS.—Section 15C(b) of the Securities Exchange Act of 1934 (15 U.S.C. 78o–5(b)) is amended—

(1) by redesignating paragraphs (3), (4), (5), and (6) as paragraphs (4), (5), (6), and (7), respectively; and

(2) by inserting after paragraph (2) the following new paragraph:

"(3) SALES PRACTICE RULES.—(A) With respect to any financial institution that has filed notice as a government securities broker or government securities dealer or that is required to file notice under subsection (a)(1)(B) of this section, the appropriate regulatory agency for such government securities broker or government securities dealer may issue such rules with respect to transactions in government securities as may be necessary to prevent fraudulent and manipulative acts and practices and to promote just and equitable principles of trade.

"(B) Each appropriate regulatory agency shall consult with the other appropriate regulatory agencies for the purpose of ensuring the consistency of the rules prescribed by such agencies under this paragraph. The appropriate regulatory agencies shall consult with and consider the views of the Secretary and the Commission with respect to the impact of such rules on the operations of the market for government securities, consistency with analogous rules of self-regulatory organizations, and the enforcement and administration of such rules. The consultation required by this paragraph shall be conducted prior to the appropriate regulatory agency adopting a rule under this paragraph, unless the appropriate regulatory agency determines that an emergency exists requiring expeditious and summary action and publishes its reasons therefor. If the Secretary or the Commission comments in writing to the appropriate regulatory agency on a proposed rule that has been published for comment, the appropriate regulatory agency shall respond in writing to such written comment before adopting the rule.".

(b) RULES BY REGISTERED SECURITIES ASSOCIATIONS.—

(1) REMOVAL OF LIMITATIONS ON AUTHORITY.—(A) Section 15A of the Securities Exchange Act of 1934 (15 U.S.C. 78o–3) is amended—

(i) by striking subsections (f)(1) and (f)(2); and

(ii) by redesignating subsection (f)(3) as subsection (f).

(B) Section 15A(g) of such Act is amended—

(i) by striking "exempted securities" in paragraph (3)(D) and inserting "municipal securities";

(ii) by striking paragraph (4); and

(iii) by redesignating paragraph (5) as paragraph (4).

(2) OVERSIGHT OF REGISTERED SECURITIES ASSOCIATIONS.—Section 19 of the Securities Exchange Act of 1934 (15 U.S.C. 78s) is amended—

(A) in subsection (b), by adding at the end thereof the following new paragraph:

"(5) The Commission shall consult with and consider the views of the Secretary of the Treasury prior to approving a proposed rule change filed by a registered securities association that primarily concerns conduct related to transactions in government securities, except where the Commission determines that an emergency exists requiring expeditious or summary action and publishes its reasons therefor. If the Secretary comments in writing to the Commission on such proposed rule change that has been published for comment, the Commission shall respond in writing to such written comment before approving the proposed rule change.";

(B) in subsection (c), by adding at the end thereof the following new paragraph:

"(5) Before adopting a rule to amend a rule of a registered securities association that primarily concerns conduct related to transactions in government securities, the Commission shall consult with and consider the views of the Secretary, except where the Commission determines that an emergency exists requiring expeditious or summary action and publishes its reasons therefor. If the Secretary comments in writing to the Commission on such proposed rule change that has been published for comment, the Commission shall respond in writing to such written comment before approving the proposed rule change.".

(3) CONFORMING AMENDMENT.—

(A) Section 3(a)(12)(B)(ii) of such Act (15 U.S.C. 78c(a)(12)(B)(ii)) is amended by striking "15, 15A (other than subsection (g)(3)), and 17A" and inserting "15 and 17A".

(B) Section 15(b)(7) of such Act (15 U.S.C. 78o(b)(7)) is amended by inserting "or government securities broker or government securities dealer registered (or required to register) under section 15C(a)(1)(A)" after "No registered broker or dealer".

SEC. 107. MARKET INFORMATION.

Section 23(b)(4) of the Securities Exchange Act of 1934 (15 U.S.C. 78w) is amended—

(1) by striking subparagraphs (C), (D), and (H);

(2) by redesignating subparagraphs (E), (F), and (G) as subparagraphs (C), (D), and (E), respectively;

(3) by redesignating subparagraphs (I), (J), and (K) as subparagraphs (F), (G), and (H), respectively;

(4) by striking "and" at the end of such redesignated subparagraph (G);

(5) by striking the period at the end of such redesignated subparagraph (H) and inserting "; and"; and

(6) by inserting after such redesignated subparagraph (H) the following new subparagraph:

"(I) the steps that have been taken and the progress that has been made in promoting the timely public dissemination and availability for analytical purposes (on a fair, reasonable, and nondiscriminatory basis) of information concerning government securities transactions and quotations, and its recommendations, if any, for legislation to assure timely dissemination of (i) information on transactions in regularly traded government securities sufficient to permit the determination of the prevailing market price for such securities, and (ii) reports of the highest published bids and lowest published offers for government securities (including the size at which persons are willing to trade with respect to such bids and offers).".

SEC. 108. STUDY OF REGULATORY SYSTEM FOR GOVERNMENT SECURITIES.

(a) JOINT STUDY.—The Secretary of the Treasury, the Securities and Exchange Commission, and the Board of Governors of the Federal Reserve System shall—

(1) evaluate the effectiveness of any rules promulgated or amended after October 1, 1991, pursuant to section 15C of the Securities Exchange Act of 1934 or any amendment made by this title, and any national securities association rule changes applicable principally to government securities transactions approved after October 1, 1991, in carrying out the purposes of such Act;

(2) evaluate the effectiveness of surveillance and enforcement with respect to government securities, and the impact on such surveillance and enforcement of defects in any available audit trails with respect to transactions in such securities; and

(3) submit to the Congress, not later than March 31, 1998, any recommendations they may consider appropriate concerning—

(A) the regulation of government securities brokers and government securities dealers,

(B) the dissemination of information concerning quotations for and transactions in government securities,

(C) the prevention of sales practice abuses in connection with transactions in government securities, and

(D) such other matters as they consider appropriate.

(b) GAO STUDY.—The Comptroller General shall—

(1) conduct a study of the effectiveness of regulation of government securities brokers and government securities dealers pursuant to section 15C of the Securities Exchange Act of 1934 and the effectiveness of the amendments made by this title; and

(2) submit to the Congress, not later than March 31, 1997, the Comptroller General's recommendations for change, if any, or such other recommendations as the Comptroller General considers appropriate.

(c) TREASURY STUDY.—The Secretary of the Treasury, in consultation with the Securities and Exchange Commission, shall—

(1) conduct a study of—

(A) the identity and nature of the business of government securities brokers and government securities dealers that are registered with the Securities and Exchange Commission under section 15C of the Securities Exchange Act of 1934; and

(B) the continuing need for, and regulatory and financial consequences of, a separate regulatory system for such government securities brokers and government securities dealers; and

(2) submit to the Congress, not later than 18 months after the date of enactment of this Act, the Secretary's recommendations for change, if any, or such other recommendations as the Secretary considers appropriate.

SEC. 109. TECHNICAL AMENDMENTS.

(a) AMENDMENTS TO DEFINITIONS.—Section 3(a) of the Securities Exchange Act of 1934 (15 U.S.C. 78c(a)) is amended—

(1) in paragraph (34)(G) (relating to the definition of appropriate regulatory agency), by amending clauses (ii), (iii), and (iv) to read as follows:

"(ii) the Board of Governors of the Federal Reserve System, in the case of a State member bank of the Federal Reserve System, a foreign bank, an uninsured State branch or State agency of a foreign bank, a commercial lending company owned or controlled by a foreign bank (as such terms are used in the International Banking Act of 1978), or a corporation organized or having an agreement with the Board of Governors of the Federal Reserve System pursuant to section 25 or section 25A of the Federal Reserve Act;

"(iii) the Federal Deposit Insurance Corporation, in the case of a bank insured by the Federal Deposit Insurance Corporation (other than a member of the Federal Reserve System or a Federal savings bank) or an insured State branch of a foreign bank (as such terms are used in the International Banking Act of 1978);

"(iv) the Director of the Office of Thrift Supervision, in the case of a savings association (as defined in section 3(b) of the Federal Deposit Insurance Act) the deposits of which are insured by the Federal Deposit Insurance Corporation;";

(2) by amending paragraph (46) (relating to the definition of financial institution) to read as follows:

"(46) The term 'financial institution' means—

"(A) a bank (as defined in paragraph (6) of this subsection);

"(B) a foreign bank (as such term is used in the International Banking Act of 1978); and

"(C) a savings association (as defined in section 3(b) of the Federal Deposit Insurance Act) the deposits of which are insured by the Federal Deposit Insurance Corporation."; and

(3) by redesignating paragraph (51) (as added by section 204 of the International Securities Enforcement Cooperation Act of 1990) as paragraph (52).

(b) EFFECTIVE DATE OF BROKER/DEALER REGISTRATION.—

(1) GOVERNMENT SECURITIES BROKERS AND DEALERS.—Section 15C(a)(2)(ii) of the Securities Exchange Act of 1934 (15 U.S.C. 78o–5(a)(2)(ii)) is amended by inserting before "The Commission may extend" the following: "The order granting registration shall not be effective until such government securities broker or government securities dealer has become a member of a national securities exchange registered under section 6 of this title, or a securities association registered under section 15A of this title, unless the Commission has exempted such government securities broker or government securities dealer, by rule or order, from such membership.".

(2) OTHER BROKERS AND DEALERS.—Section 15(b)(1)(B) of such Act (15 U.S.C. 78o(b)(1)(B)) is amended by inserting before "The Commission

may extend" the following: "The order granting registration shall not be effective until such broker or dealer has become a member of a registered securities association, or until such broker or dealer has become a member of a national securities exchange if such broker or dealer effects transactions solely on that exchange, unless the Commission has exempted such broker or dealer, by rule or order, from such membership.".

(c) INFORMATION SHARING.—Section 15C(d)(2) of such Act is amended to read as follows:

"(2) Information received by an appropriate regulatory agency, the Secretary, or the Commission from or with respect to any government securities broker, government securities dealer, any person associated with a government securities broker or government securities dealer, or any other person subject to this section or rules promulgated thereunder, may be made available by the Secretary or the recipient agency to the Commission, the Secretary, the Department of Justice, the Commodity Futures Trading Commission, any appropriate regulatory agency, any self-regulatory organization, or any Federal Reserve Bank.".

SEC. 110. OFFERINGS OF CERTAIN GOVERNMENT SECURITIES.

Section 15(c) of the Securities Exchange Act of 1934 (15 U.S.C. 78o(c)) is amended by adding at the end the following new paragraph:

"(7) In connection with any bid for or purchase of a government security related to an offering of government securities by or on behalf of an issuer, no government securities broker, government securities dealer, or bidder for or purchaser of securities in such offering shall knowingly or willfully make any false or misleading written statement or omit any fact necessary to make any written statement made not misleading.".

SEC. 111. RULE OF CONSTRUCTION.

(a) IN GENERAL.—No provision of, or amendment made by, this title may be construed—

(1) to govern the initial issuance of any public debt obligation, or

(2) to grant any authority to (or extend any authority of) the Securities and Exchange Commission, any appropriate regulatory agency, or a self-regulatory organization—

(A) to prescribe any procedure, term, or condition of such initial issuance,

(B) to promulgate any rule or regulation governing such initial issuance, or

(C) to otherwise regulate in any manner such initial issuance.

(b) EXCEPTION.—Subsection (a) of this section shall not apply to the amendment made by section 110 of this Act.

(c) PUBLIC DEBT OBLIGATION.—For purposes of this section, the term "public debt obligation" means an obligation subject to the public debt limit established in section 3101 of title 31, United States Code.

TITLE II—REPORTS ON PUBLIC DEBT

SEC. 201. ANNUAL REPORT ON PUBLIC DEBT.

(a) GENERAL RULE.—Subchapter II of chapter 31 of title 31, United States Code, is amended by adding at the end thereof the following new section:

"§3130. Annual public debt report

"(a) GENERAL RULE.—On or before June 1 of each calendar year after 1993, the Secretary of the Treasury shall submit a report to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate on—

"(1) the Treasury's public debt activities, and

"(2) the operations of the Federal Financing Bank.

"(b) REQUIRED INFORMATION ON PUBLIC DEBT ACTIVITIES.—Each report submitted under subsection (a) shall include the following information:

"(1) A table showing the following information with respect to the total public debt:

"(A) The past levels of such debt and the projected levels of such debt as of the close of the current fiscal year and as of the close of the next 5 fiscal years under the most recent current services baseline projection of the executive branch.

"(B) The past debt to GDP ratios and the projected debt to GDP ratios as of the close of the current fiscal year and as of the close of the next 5 fiscal years under such most recent current services baseline projection.

"(2) A table showing the following information with respect to the net public debt:

"(A) The past levels of such debt and the projected levels of such debt as of the close of the current fiscal year and as of the close of the next 5 fiscal years under the most recent current services baseline projection of the executive branch.

"(B) The past debt to GDP ratios and the projected debt to GDP ratios as of the close of the current fiscal year and as of the close of the next 5 fiscal years under such most recent current services baseline projection.

"(C) The interest cost on such debt for prior fiscal years and the projected interest cost on such debt for the current fiscal year and for the next 5 fiscal years under such most recent current services baseline projection.

"(D) The interest cost to outlay ratios for prior fiscal years and the projected interest cost to outlay ratios for the current fiscal year and for the next 5 fiscal years under such most recent current services baseline projection.

"(3) A table showing the maturity distribution of the net public debt as of the time the report is submitted and for prior years, and an explanation of the overall financing strategy used in determining the distribution of maturities when issuing public debt obligations.

"(4) A table showing the following information as of the time the report is submitted and for prior years:

"(A) A description of the various categories of the holders of public debt obligations.

"(B) The portions of the total public debt held by each of such categories.

"(5) A table showing the relationship of federally assisted borrowing to total Federal borrowing as of the time the report is submitted and for prior years.

"(6) A table showing the annual principal and interest payments which would be required to amortize in equal annual payments the level (as of the time the report is submitted) of the net public debt over the longest remaining term to maturity of any obligation which is a part of such debt.

"(c) REQUIRED INFORMATION ON FEDERAL FINANCING BANK.—Each report submitted under subsection (a) shall include (but not be limited to) information on the financial operations of the Federal Financing Bank, including loan payments and prepayments, and on the levels and categories of the lending activities of the Federal Financing Bank, for the current fiscal year and for prior fiscal years.

"(d) RECOMMENDATIONS.—The Secretary of the Treasury may include in any report submitted under subsection (a) such recommendations to improve the issuance and sale of public debt obligations (and with respect to other matters) as he may deem advisable.

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

"(1) CURRENT FISCAL YEAR.—The term 'current fiscal year' means the fiscal year ending in the calendar year in which the report is submitted.

"(2) TOTAL PUBLIC DEBT.—The term 'total public debt' means the total amount of the obligations subject to the public debt limit established in section 3101 of this title.

"(3) NET PUBLIC DEBT.—The term 'net public debt' means the portion of the total public debt which is held by the public.

"(4) DEBT TO GDP RATIO.—The term 'debt to GDP ratio' means the percentage obtained by dividing the level of the total public debt or net public debt, as the case may be, by the gross domestic product.

"(5) INTEREST COST TO OUTLAY RATIO.—The term 'interest cost to outlay ratio' means, with respect to any fiscal year, the percentage obtained by dividing the interest cost for such fiscal year on the net public debt by the total amount of Federal outlays for such fiscal year."

(b) CLERICAL AMENDMENT.—The analysis for subchapter II of chapter 31 of title 31, United States Code, is amended by adding at the end thereof the following new item:

"3130. Annual public debt report."

SEC. 202. TREASURY AUCTION REFORMS.

(a) ABILITY TO SUBMIT COMPUTER TENDERS IN TREASURY AUCTIONS.—By the end of 1995, any bidder shall be permitted to submit a computer-generated tender to any automated auction system established by the Secretary of the Treasury for the sale upon issuance of securities issued by the Secretary if the bidder—

(1) meets the minimum creditworthiness standard established by the Secretary; and

(2) agrees to comply with regulations and procedures applicable to the automated system and the sale upon issuance of securities issued by the Secretary.

(b) PROHIBITION ON FAVORED PLAYERS.—

(1) IN GENERAL.—No government securities broker or government securities dealer may receive any advantage, favorable treatment, or other benefit, in connection with the purchase upon issuance of securities issued by the Secretary of the Treasury, which is not generally available to other government securities brokers or government securities dealers under the regulations governing the sale upon issuance of securities issued by the Secretary of the Treasury.

(2) EXCEPTION.—

(A) IN GENERAL.—The Secretary of the Treasury may grant an exception to the application of paragraph (1) if—

(i) the Secretary determines that any advantage, favorable treatment, or other benefit referred to in such paragraph is necessary and appropriate and in the public interest; and

(ii) the grant of the exception is designed to minimize any anticompetitive effect.

(B) ANNUAL REPORT.—The Secretary of the Treasury shall submit an annual report to the Congress describing any exception granted by the Secretary under subparagraph (A) during the year covered by the report and the basis upon which the exception was granted.

(c) MEETINGS OF TREASURY BORROWING ADVISORY COMMITTEE.—

(1) OPEN MEETINGS.—

(A) IN GENERAL.—Except as provided in subparagraph (B), any meeting of the Treasury Borrowing Advisory Committee of the Public Securities Association (hereafter in this subsection referred to as the "advisory committee"), or any successor to the advisory committee, shall be open to the public.

(B) EXCEPTION.—Subparagraph (A) shall not apply with respect to any part of any meeting of the advisory committee in which the advisory committee—

(i) discusses and debates the issues presented to the advisory committee by the Secretary of the Treasury; or

(ii) makes recommendations to the Secretary.

(2) MINUTES OF EACH MEETING.—The detailed minutes required to be maintained under section 10(c) of the Federal Advisory Committee Act for any meeting by the advisory committee shall be made available to the public within 3 business days of the date of the meeting.

(3) PROHIBITION ON RECEIPT OF GRATUITIES OR EXPENSES BY ANY OFFICER OR EMPLOYEE OF THE BOARD OR DEPARTMENT.—In connection with any meeting of the advisory committee, no officer or employee of the Department of the Treasury, the Board of Governors of the Federal Reserve System, or any Federal reserve bank may accept any gratuity, consideration, expense of any sort, or any other thing of value from any advisory committee described in subsection (c), any member of such committee, or any other person.

(4) PROHIBITION ON OUTSIDE DISCUSSIONS.—

(A) IN GENERAL.—Subject to subparagraph (B), a member of the advisory committee may not discuss any part of any discussion, debate, or recommendation at a meeting of the advisory committee which occurs while such meeting is closed to the public (in accordance with paragraph (1)(B)) with, or disclose the contents of such discussion, debate, or recommendation to, anyone other than—

(i) another member of the advisory committee who is present at the meeting; or

(ii) an officer or employee of the Department of the Treasury.

(B) APPLICABLE PERIOD OF PROHIBITION.—The prohibition contained in subparagraph (A) on discussions and disclosures of any discussion, debate, or recommendation at a meeting of the advisory committee shall cease to apply—

(i) with respect to any discussion, debate, or recommendation which relates to the securities to be auctioned in a midquarter refunding by the Secretary of the Treasury, at the time the Secretary makes a public announcement of the refunding; and

(ii) with respect to any other discussion, debate, or recommendation at the meeting, at the time the Secretary releases the minutes of the meeting in accordance with paragraph (2).

(C) REMOVAL FROM ADVISORY COMMITTEE FOR VIOLATIONS OF THIS PARAGRAPH.—In addition to any penalty or enforcement action to which a person who violates a provision of this paragraph may be subject under any other provision of law, the Secretary of the Treasury shall—

(i) remove a member of the advisory committee who violates a provision of this paragraph from the advisory committee and permanently bar such person from serving as a member of the advisory committee; and

(ii) prohibit any director, officer, or employee of the firm of which the member referred to in clause (i) is a director, officer, or employee (at the time the member is removed from the advisory committee) from serving as a member of the advisory committee at any time during the 10-year period beginning on the date of such removal.

(d) REPORT TO CONGRESS.—

(1) REPORT REQUIRED.—The Secretary of the Treasury shall submit an annual report to the Congress containing the following information with respect to material violations or suspected material violations of regulations of the Secretary relating to auctions and other offerings of securities upon the issuance of such securities by the Secretary:

(A) The number of inquiries begun by the Secretary during the year covered by the report regarding such material violations or suspected material violations by any participant in the auction system or any director, officer, or employee of any such participant and the number of inquiries regarding any such violations or suspected violations which remained open at the end of such year.

(B) A brief description of the nature of the violations.

(C) A brief description of any action taken by the Secretary during such year with respect to any such violation, including any referrals made to the Attorney General, the Securities and Exchange Commission, any other law enforcement agency, and any Federal banking agency (as defined in section 3 of the Federal Deposit Insurance Act).

(2) DELAY IN DISCLOSURE OF INFORMATION IN CERTAIN CASES.—The Secretary of the Treasury shall not be required to include in a report under paragraph (1) any information the disclosure of which could jeopardize an investigation by an agency described in paragraph (1)(C) for so long as such disclosure could jeopardize the investigation.

SEC. 203. REPORT ON TREASURY MODIFICATIONS TO AUCTION PROCESS.

The Secretary of the Treasury shall report to the Congress concerning significant modifications to the auction process for issuing United States Treasury obligations at the time such changes are implemented.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Massachusetts [Mr. MARKEY] will be recognized for 20 minutes, and the gentleman from Texas [Mr. FIELDS] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Massachusetts [Mr. MARKEY].

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

Mr. Speaker, today the House is taking up consideration of legislation aimed at reforming regulations of the Government securities market. All investors and taxpayers have a stake in the regulation of the most important financial market that we have, the $4.5 trillion market for the U.S. Government's debt. This market provides the fuel for the Nation's fiscal engine, establishes a benchmark for interest rates throughout the global economy, and is used by the Federal Reserve to carry out monetary policy.

The Government securities market is also vitally important to a wide range of investors, including State and local governments, pension funds, mutual funds, securities firms, insurance companies, banks, and individual investors.

Two years ago, shocking revelations of wrongdoing by Salomon Brothers in connection with several Treasury auctions dramatically underscored the consequences of relying on an antiquated system of clubby informal regulation to guide this important market. Subsequent SEC investigations revealed a wide range of violations of the Federal securities laws, including the submission of false bids at nine separate Treasury auctions, failures to supervise, fictitious tax trades, and numerous books and records violations. Under the terms of the settlement reached by the SEC and Salomon Brothers, the firm agreed to pay fines and forfeitures totaling $290 million, and to establish a claims fund to compensate those damaged by its actions. This represents the third largest monetary penalty in history ever levied for violations of Federal securities laws, and is exceeded in size only by the fines and penalties levied against Drexel Burnham and Michael Milken for their illegal activities.

The most disturbing possibility raised by Salomon Brothers scandal was the possibility that sophisticated and unscrupulous operators might be able to manipulate the market for the U.S. Government's securities by effectively cornering the market for a particular Treasury issue, generating a short squeeze, and profiting from the artificially inflated prices that would result. Such a development, if left unchecked, would have a most devastating effect on the public's confidence in the fairness and integrity of the Government securities market.

Unfortunately, the shocking revelations of wrongdoing by Salomon Brothers were not an isolated incident. They were soon followed by disclosures that 98 securities firms and banks were culpable for inflating customer orders and maintaining false books in connection with sales of the securities of various Government-sponsored enterprises. These firms reached a settlement with regulators that involved monetary penalties approximating $100,000 per firm and an agreement to cease further violations.

These abuses, in turn, were followed by reports of abuses associated with noncompetitive bidding for Treasury securities, evidence of prearranged trades aimed at generating fictitious tax losses, and revelations that convicted swindler Steven Wymer used the Government market as the vehicle for carrying out a series of ripoffs of nearly 100 local and State governments. Today, Government investigations into these areas, as well as broad-ranging investigations into other instances of possible market manipulation or antitrust violations, are continuing.

I believe that Salomon Brothers and related scandals have amply demonstrated the need for comprehensive reforms in the regulation of the Government securities market. That is why in January of this year I joined with the gentleman from Michigan [Mr. DINGELL], the gentleman from Texas [Mr. FIELDS], the gentleman from Oregon [Mr. WYDEN], the gentleman from Oklahoma [Mr. SYNAR], the gentleman from Tennessee [Mr. COOPER], and the gentleman from California [Mr. MOORHEAD] in introducing H.R. 618, the Government Securities Reform Act of 1993. This broad legislative reform package we believe gets at the heart of the problems which have been identified in the marketplace.

Mr. Speaker, I will return briefly to outlining the details in the legislation, but I would like to note that we were able to successfully bring to closure the product which we bring to the floor here today only by the cooperation between Democrats and Republicans on our committee, and similarly, cooperation between the Committee on Ways and Means, among the Committee on Ways and Means, the Committee on Banking, Finance and Urban Affairs, and the Committee on Energy and

Commerce, in producing this fine product. I want to compliment all involved in the process.

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

Mr. DINGELL. Mr. Speaker, the Committee on Energy and Commerce, with the cooperation of the Committee on Ways and Means and the Committee on Banking, brings before the House important legislation to enhance the integrity and efficiency of the market in U.S. Government securities. I strongly urge passage of this bill.

The Secretary of the Treasury is authorized under chapter 31 of title 31, United States Code, to issue Treasury securities and to prescribe terms and conditions for their issuance and sale. The Secretary may issue bonds under 31 U.S.C. 3102, notes under 31 U.S.C. 3103, and certificates of indebtedness and Treasury bills under 31 U.S.C. 3104. Under 31 U.S.C. 3121, the Secretary may prescribe the form of such securities and the terms and conditions for the issuance and sale of the securities. Treasury auction rules are issued under this authority.

Compliance and enforcement responsibility for the auction rules rests with the Treasury. The Treasury may bar or suspend a firm from auctions, and the Treasury reserves the right to reject bids in auctions. However, securities fraud is the enforcement responsibility of the SEC and the Justice Department.

Congress passed the Government Securities Act of 1986—the GSA—to close then-existing gaps in the regulation of market participants that had been highlighted by the failure of certain previously unregulated Government securities dealers, involving substantial losses for investors and, in some cases, fraudulent activity in the market for repurchase agreements.

Prior to the enactment of the GSA, some Government securities brokers and dealers were not registered with or regulated by any Federal Government agency. The GSA required this group of brokers and dealers to register with the SEC. In addition, the GSA granted the Treasury limited rulemaking authority over all Government securities brokers and dealers, including financial institutions engaged in this business. Under the GSA, the Treasury has promulgated regulations concerning financial responsibility, protection of investor securities and funds, recordkeeping, reporting, and auditing of Government securities brokers and dealers. The Treasury also was given responsibility for the development of regulations related to the custody of Government securities held by depository institutions. The GSA required the SEC and the Federal Reserve Board to promulgate rules establishing the procedures and forms to be used by Government securities brokers and dealers for the registration and notice process.

In promulgating the regulations, the Treasury was required to consult with the SEC and the Federal Reserve Board. As a result of these consultations and the Treasury's analysis, most of the SEC regulations—for example, customer protection, recordkeeping, reports, and audits—that applied to registered brokers and dealers were, with limited exceptions, adopted for firms registered pursuant to the GSA. Enforcement authority for these rules rests with the SEC and the SRO's or with financial institution regulators, depending on the entity.

Treasury's rulemaking authority under the GSA expired on October 1, 1991. Before both Houses of Congress had voted to renew that authority, Salomon Brothers admitted various violations involving fraudulent Treasury auctions bids and market squeezes, and improprieties involving 98 bank and broker-dealer selling group members in GSE securities were disclosed, triggering intense scrutiny of the market for Government securities.

Against this backdrop, the Treasury, SEC, and the Federal Reserve issued a "Joint Report on the Government Securities Market" in January 1992 that outlined a number of administrative and regulatory changes voluntarily undertaken by the agencies to improve the fairness and efficiency of the market. The Joint Report also made certain legislative recommendations that are embodied in H.R. 618.

Title I of H.R. 618 includes the legislation reported by the Committee on Energy and Commerce. This legislation amends the Securities and Exchange Act of 1934—Exchange Act—to provide the SEC, Treasury, and appropriate regulatory agencies—as defined in Section 3(a)(34)(G) of the Exchange Act—with expanded authority to monitor the Government securities market, detect and prosecute fraudulent or manipulative activities, permit all registered securities associations or appropriate regulatory agencies to establish and enforce sales practice regulations in this market, and monitor the public availability of market information. In addition, the legislation requires Government securities brokers and dealers to develop and enforce internal controls aimed at preventing and detecting fraud and manipulation in connection with the purchase or sale of Government securities. It also would permanently reauthorize the Treasury's rulemaking authority under Section 15C of the Exchange Act.

Title II includes amendments to title 31, United States Code agreed to between the Committee on Ways and Means, Treasury, and the Banking Committee with respect to: First, annual reports to Ways and Means on the Treasury's public debt activities; second, reports to Congress on significant changes in the auction process; and third, modest Treasury auction and Treasury Borrowing Advisory Committee reforms.

I am inserting in the RECORD following my remarks the exchange of letters between our committees.

The administration supports House passage of this bill. I urge the support of my colleagues.

COMMITTEE ON WAYS AND MEANS,
Washington, DC, September 23, 1993.

Hon. JOHN D. DINGELL,
Chairman, Committee on Energy and Commerce, Washington, DC.

DEAR JOHN: During the 102nd Congress, on June 24, 1992, the Committee on Ways and Means approved an amendment which we asked to have included in H.R. 3927, the Government Securities Reform Act, a bill which had been ordered reported by your Committee.

That amendment would have made it an explicit violation of the law to make false or misleading written statements to an issuer of Government securities in connection with the primary issuance of such securities, and would have required certain reports by Treasury concerning its public debt operations and changes in the Treasury debt auction process.

It is my understanding that H.R. 618, recently ordered reported by your Committee, represents the successor legislation to H.R. 3927 for the 103rd Congress. The amendment approved previously by the Committee on Ways and Means continues to be relevant to H.R. 618. It is also my understanding that you may ask to place H.R. 618 on the suspension calendar when it is reported from your Committee. I would respectfully request that the amendment approved by the Committee on Ways and Means and the provisions of your bills be merged, and that the new bill be placed on the suspension calendar.

I look forward to working with you on these and other matters of mutual interest.

Sincerely,

DAN ROSTENKOWSKI,
Chairman.

COMMITTEE ON ENERGY AND COMMERCE,
Washington, DC, September 30, 1993.

Hon. DAN ROSTENKOWSKI,
Chairman, Committee on Ways and Means, Washington, DC.

DEAR DAN: I am writing with reference to your letter of September 13, 1993 to me concerning H.R. 618, the Government Securities Reform Act of 1993.

I want to thank your Committee for your great courtesy and cooperation in working with us to facilitate the processing of this legislation through the development of a friendly amendment. The fair and efficient operation of the U.S. government securities market is of great global import. This market must absorb efficiently the enormous amounts of Treasury securities made necessary by the massive borrowing requirements of the U.S. Government. This market must also serve the needs of the Federal Reserve in conducting open market operations, the Federal Reserve's most important monetary policy tool.

The liquidity and pricing efficiency of the market provide incalculable benefits to other financial markets in the United States and worldwide by providing a continuous benchmark for interest rates on dollar-denominated instruments across the maturity spectrum. I appreciate your recognition of these matters and therefore the need to move forward expeditiously on this legislation. Pursuant to our agreement, H.R. 618 has been scheduled for consideration on the suspension calendar on Tuesday, October 5, 1993.

In closing, I look forward to working with you and your Committee in achieving prompt enactment of H.R. 618, and in assuring the continued integrity and efficiency of the U.S. government securities market.

Sincerely,

JOHN D. DINGELL,
Chairman.

COMMITTEE ON BANKING,
FINANCE AND URBAN AFFAIRS,
Washington, DC, September 27, 1993.

Hon. JOHN D. DINGELL,
Chairman, Committee on Energy and Commerce, Washington, DC.

DEAR MR. CHAIRMAN: This is with reference to H.R. 618, the Government Securities Reform Act of 1993, ordered reported by your Committee on September 21, 1993.

H.R. 618 contains various amendments to the Government Securities Act of 1986. Generally, the Secretary of the Treasury is given

rulemaking authority and the financial institutions regulatory agencies are given enforcement authority under the Government Securities Act for government securities brokers and government securities dealers that are financial institutions (as defined in section 3(a)(46) of the Securities Exchange Act). The amendments to the Government Securities Act contained in H.R. 618 make some changes to this general scheme.

Under Section 3 of H.R. 618, the Securities and Exchange Commission (the "Commission") may obtain records of government securities transactions directly from financial institutions as the Commission may require to reconstruct trading in the course of a particular surveillance inquiry or enforcement investigation being conducted by the Commission. As stated in your Committee report, we have agreed that requests of records from financial institutions must be authorized by the full Commission, the director of any division of the Commission, or the head of any regional office of the Commission. Section 3 also requires the Commission to consult with the financial institutions regulatory agencies regarding the availability of records that may be required to be furnished on an annual basis or upon request, as well as to notify the regulatory agencies whenever the Commission requests records from a government securities broker or dealer that is a financial institution.

The Commission's rulemaking authority under Sections 15(c) (1) and (2) of the Exchange Act is extended to all government securities brokers and dealers by Section 5 of H.R. 618. The Commission currently has such authority with respect to municipal securities brokers and dealers that are financial institutions. The Commission's new rulemaking authority extends to insured depository institutions in this particular instances because of the importance of having uniform antimanipulation and antifraud rules that apply to all government securities brokers and dealers. However, in recognition of the regulatory and enforcement authority of the financial institutions regulators over government securities brokers and dealers that are financial institutions, the Committee report reflects our intention that the Commission must consult with and respond in writing to any written comments of such regulators and the Secretary of the Treasury when promulgating antifraud and antimanipulation rules.

Under clause (1)(d)(1) of Rule X of the Rules of the U.S. House of Representatives, the Committee on Banking, Finance and Urban Affairs has jurisdiction over banks and banking, including the government securities activities of banks. Pursuant to extensive discussions with your Committee with regard to the provisions of H.R. 618 that fall within this Committee's jurisdiction, and in the interests of expediting consideration of this bill by the House, the Banking Committee will not request a sequential referral of H.R. 618. This action is taken without any prejudice to this Committee's jurisdiction, or its intent to request that Banking Committee Members be named as conferees on the legislation.

I appreciate the cooperative and thoughtful spirit in which you have worked with the Committee on Banking, Finance and Urban Affairs on the legislative and report language of H.R. 618. I look forward to continuing to work with your Committee in that same spirit.

Sincerely,

HENRY B. GONZALEZ,
Chairman.

COMMITTEE ON ENERGY AND COMMERCE,
Washington, DC, October 4, 1993.

Hon. HENRY B. GONZALEZ,
Chairman, Committee on Banking, Finance and Urban Affairs, Washington, DC.

DEAR HENRY: I am writing with reference to your letter of September 27, 1993 to me concerning H.R. 618, the Government Securities Reform Act of 1993. H.R. 618 represents the response of this Committee to scandals in the government securities market that have threatened to shake public confidence in the fairness and integrity of that market.

As you know, the Committee on Ways and Means has legislative jurisdiction over the bonded debt of the United States pursuant to clause 1(v)(5), Rule X of the Rules of the U.S. House of Representatives, which authority includes jurisdiction over the issuance of Federal debt obligations and the process by which such obligations are issued by the Treasury. The Committee on Energy and Commerce has legislative jurisdiction over securities and exchanges, including the secondary trading market in U.S. government securities, pursuant to clause 1(h)(13), Rule X of the Rules of the U.S. House of Representatives. Under that authority, this Committee wrote the Government Securities Act of 1986 (GSA), Public Law No. 99-571.[1]

I want to thank your Committee for working with us to facilitate the processing of H.R. 618 through the development of a friendly amendment. The fair and efficient operation of the U.S. govenment securities market is of great global import. This market must absorb efficiently the enormous amounts of Treasury securities made necessary by the massive borrowing requirements of the U.S. Government. This market must also serve the needs of the Federal Reserve in conducting open market operations, the Federal Reserve's most important monetary policy tool.

The liquidity and pricing efficiency of the market provide incalculable benefits to other financial markets in the United States and worldwide by providing a continuous benchmark for interest rates on dollar-denominated instruments across the maturity spectrum. While I am unable under the Rules to agree with your broad assertion of legislative jurisdiction over the government securities activities of banks, I appreciate your Committee's strong interest in the integrity and efficiency of this market as a result of your jurisdiction over banks and Federal monetary policy pursuant to clause 1(d)(1), Rule X of the Rules of the U.S. House of Representatives, and I pledge my continuing cooperation on these and other matters of mutual interest. Pursuant to our agreement, H.R. 618 has been scheduled for consideration on the suspension calendar on Tuesday, October 5, 1993.

Sincerely,

JOHN D. DINGELL,
Chairman.

Mr. FIELDS of Texas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 618, the Government Securities Reform Act of 1993. Mr. Speaker, I want to compliment our chairman on his work in bringing this bill to the floor.

The purpose of the Government securities market is to finance the national debt at the lowest possible cost. Public confidence in the integrity of the market is essential. It was to help preserve that confidence that Congress enacted the Government Securities Act of 1986, and for the same reason we act today.

The GSA established a Federal system for regulating the Government securities market, including previously unregulated brokers and dealers, in order to protect investors and to ensure the maintenance of a fair, honest, and liquid market.

In that bill, the Department of the Treasury was instructed to adopt rules to prevent fraudulent and manipulative acts and practices. Its efforts have been successful for the most part. Treasury's rulemaking authority, however, sunset on October 1, 1991.

I believe it is incumbent upon Congress to remedy the situation in which the Treasury Department is without authority to regulate its own marketplace. Our legislation does this by reauthorizing the Treasury Department to adopt rules as necessary.

In 1987, Treasury, the Federal Reserve, and the GAO examined the Government securities market and concluded that brokers and dealers should make more quotation information available. Increasing the amount of information available to the public makes financial markets more efficient without any risk to their safety.

In testimony at our hearings during both the 102d and 103d Congresses, many witnesses agreed that additional disclosure would help. They urged us, however, to allow private industry to lead the development of market information systems. Our committee agreed, and H.R. 618 preserves the incentives for the industry itself to promote modernization and innovation.

The 1986 act did not give Treasury authority to enact sales practice rules. It also restricted the NASD from applying its already existing sales practices rules to its member Government securities dealers. Over the 7 years of operation of the Government Securities Act, it has become apparent that the removal of restrictions on sales practice regulation would be in the interest of investors. This too is accomplished in H.R. 618.

I believe that the Government has a role to play in ensuring that this critically important marketplace is not disrupted by the frauds and scandals it has endured during the last 3 years. I want to commend committee Chairman DINGELL, Chairman MARKEY of the Finance Subcommittee, and the full committee ranking Republican CARLOS MOORHEAD for their work in fashioning an appropriate response to the need to update the oversight regulations of

[1] Congress passed the GSA to close then-existing gaps in the regulation of market participants that had been highlighted by the failure of certain previously unregulated government securities dealers, involving losses for investors and, in some cases, fraudulent activity in the market for repurchase agreements. Brokers and dealers (including financial institutions) in the secondary market for government securities are regulated under the authority of the GSA.

this important market. I urge my colleagues to vote for this legislation.

□ 1310

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

Mr. MARKEY. Mr. Speaker, I yield 5 minutes to the gentleman from Texas [Mr. GONZALEZ], chairman of the full Committee on Banking, Finance and Urban Affairs, with whom the Committee on Energy and Commerce and the Committee on Ways and Means worked very closely over the last several months in crafting legislation.

Mr. GONZALEZ. Mr. Speaker, I am pleased to speak in favor of this legislation. I regret, however, that unnecessary jurisdictional maneuvering last year has delayed passage of this bill for over a year. Our cooperation this year demonstrates what can be accomplished when committees learn to respect each others concerns.

However, H.R. 618 contains several important long term reforms to the Government securities auction process. These reforms will break the stranglehold of the primary dealer cartel, and bring equitable bidding to the Government securities auction process. By ending the preferential treatment of big investment houses, these provisions will increase competition and lower the cost of financing the Government's debt.

The first provision guarantees that any bidder who meets a minimum creditworthiness standard will be eligible to participate in the new automated auction system. Currently, only the primary dealers are allowed to participate in the new automated system. This gives them an unfair competitive advantage.

The second provision prohibits the Treasury Department from giving an auction bidder any advantage, favorable treatment, or other benefit. Only reasonable and necessary exceptions in the public interest would be allowed. The favored treatment historically given to the primary dealers for no valid reason would be stopped once and for all.

Third, the activities of the secretive Treasury Advisory Borrowing Committee will be pried open to the public.

The part having to do with the Federal Reserve Board, which is critical, is a part which we generated in legislation last year and it forms an integral part of this legislation.

Generally, all meetings are open, except for those where the committee deliberates and reports to the Treasury. The minutes of these meetings must be available to the public within 3 business days. Also, committee members are strictly prohibited from divulging the contents of the committee's discussions. A person violating this provision will be permanently banned from the committee and the firm the person was associated with would also be banned from the committee for 10 years.

In addition, I have received assurances from the Chairman of the Securities and Exchange Commission that committee members who violated this prohibition would be subject to liability under insider trading laws. I insert into the RECORD at this point a letter I have received from Chairman Arthur Levitt on this point.

The letter referred to is as follows:

SECURITIES AND EXCHANGE COMMISSION,
Washington, DC, October 4, 1993.

Hon. HENRY B. GONZALEZ,
Chairman, Committee on Banking, Finance and Urban Affairs, House of Representatives, Rayburn House Office Building, Washington, DC.

DEAR MR. CHAIRMAN: I understand that you have requested a description of the prohibitions against insider trading under the federal securities laws, including the extent to which those prohibitions might apply to a member of the Treasury Borrowing Advisory Committee (the "committee") who disclosed nonpublic matters discussed at committee meetings, or engaged in securities trading based on matters learned at such meetings.

The law of insider trading has been developed through judicial and SEC decisions construing the general antifraud provisions of the federal securities laws, primarily Section 10(b) of the Securities Exchange Act of 1934 and Rule 10b-5 thereunder. These provisions cover trading in "any" securities including government securities and options, but they do not cover futures trading.[1] The provisions are applicable to bids or purchases in the auction and trading in the secondary market, which includes the "when issued" trading market, as well as trading after the auction.

Under this body of law, "insider trading" refers generally to the act of purchasing or selling a security, in breach of a fiduciary duty or other relationship of trust and confidence, while in possession of material, nonpublic information relating to that security. The law prohibits such trading by corporate officers and directors and other persons having a relationship of trust and confidence with the issuer or its shareholders. The law also prohibits trading by persons who "misappropriate" (i.e., obtain or convert in breach of a duty) material, nonpublic information from sources other than the issuer. Finally, the law prohibits such persons from "tipping" (i.e., wrongfully communicating the material, nonpublic information) to other persons, and the "tippees" of such persons are also prohibited from trading or tipping.

Depending on the circumstances, a committee member who engaged in improper conduct could potentially incur insider trading liability under either a "misappropriation theory" analysis or a tipping analysis. If a committee member purchased or sold securities while in possession of material, nonpublic information that he or she learned at such meetings, liability could result under the theory that the member's trading constituted the "misappropriation" of such information.

One critical issue in such a case would be whether the committee member was subject to the type of duty arising from a relationship of trust and confidence that is required to establish liability under the law. In general, if information is communicated in a context where it is agreed or understood between the parties that the information is confidential, the courts will find the requisite duty of trust and confidence. A relevant factor in such an analysis would be the nature and scope of any procedures instituted by the Treasury Department with respect to a committee member's obligation to maintain the confidentiality of committee meetings. Although there have not been any insider trading cases involving committee members, the courts have held in similar contexts that employees (including government employees) or other types of advisers (e.g., investment bankers, lawyers) owe the type of duty of confidentiality sufficient to create liability under the misappropriation theory. As noted above, however, this description assumes that the relevant trading involves securities, as opposed to futures.

Alternatively, even if a committee member did not personally engage in securities trading, he or she could be liable under a "tipping" analysis. Liability under this theory could result if the member improperly disclosed the information to another person who engaged in securities trading. As a general matter, an individual who communicates nonpublic information in breach of a duty is liable only if he does so knowingly or recklessly.

All of the foregoing analysis assumes that the information learned by the committee member was "material" with respect to an investment decision that a reasonable investor might make in connection with such securities.

Sincerely,

ARTHUR LEVITT,
Chairman.

I have also received assurances from the Treasury Department that it will improve the diversity of the committee membership to reflect more accurately the array of participants in the Government securities market, including greater participation by minorities and women. The Treasury Department will ensure that at least one-fourth of the committee's membership turns over every 2 years, with a complete turnover every 8 years.

Finally, the Secretary must report to Congress every year on violations and suspected violations of the auction rules. The Treasury will continue its practice of referring all such violations to the SEC or Justice Department for further investigation or prosecution.

The balance of the bill contains various amendments to the Government Securities Act designed to promote stronger regulation and enforcement. The Banking Committee has worked with the Energy and Commerce Committee to ensure that the bank regulators remain the primary regulatory and enforcement authority for Government securities brokers and dealers that are depository institutions. That is those institutions that have the taxpayer guarantee of their depositors.

I insert in the RECORD at this point my letter to Chairman DINGELL outlining the agreement reached between our

[1] Section 214 of PL-546 amends Section 9 of the Commodity Exchange Act to prohibit (1) certain commodity exchange and futures association officials or employees in violation of CFTC rules from trading on the basis of non-public information obtained through special access related to the performance of their official duties and (2) any person from trading on the basis of non-public information which the person knows was obtained from such official or employee in violation of such prohibition.

committees with respect to title I of the bill.

The letter referred to is as follows:

COMMITTEE ON BANKING, FINANCE AND URBAN AFFAIRS,
Washington, DC September 27, 1993.

Hon. JOHN D. DINGELL,
Chairman, Committee on Energy and Commerce, Washington, DC.

DEAR MR. CHAIRMAN: This is with reference to H.R. 618, the Government Securities Reform Act of 1993, ordered reported by your Committee on September 21, 1993.

H.R. 618 contains various amendments to the Government Securities Act of 1986. Generally, the Secretary of the Treasury is given rulemaking authority and the financial institutions regulatory agencies are given enforcement authority under the Government Securities Act for government securities brokers and government securities dealers that are financial institutions (as defined in section 3(a)(46) of the Securities Exchange Act). The amendments to the Government Securities Act contained in H.R. 618 make some changes to this general scheme.

Under section 3 of H.R. 618, the Securities and Exchange Commission (the "Commission") may obtain records of government securities transactions directly from financial institutions as the Commission may require to reconstruct trading in the course of a particular surveillance inquiry or enforcement investigation being conducted by the Commission. As stated in your Committee report we have agreed that requests of records from financial institutions must be authorized by the full Commission, the director of any division of the Commission, or the head of any regional office of the Commission. Section 3 also requires the Commission to consult with the financial institutions regulatory agencies regarding the availability of records that may be required to be furnished on an annual basis or upon request, as well as to notify the regulatory agencies whenever the Commission requests records from a government securities broker or dealer that is a financial institution.

The Commission's rulemaking authority under Sections 15(c) (1) and (2) of the Exchange Act is extended to all government securities brokers and dealers by Section 5 of H.R. 618. The Commission currently has such authority with respect to municipal securities brokers and dealers that are financial institutions. The Commission's new rulemaking authority extends to insured depository institutions in this particular instance because of the importance of having uniform antimanipulation and antifraud rules that apply to all government securities brokers and dealers. However, in recognition of the regulatory and enforcement authority of the financial institutions regulators over government securities brokers and dealers that are financial institutions, the Committee report reflects our intention that the Commission must consult with and respond in writing to any written comments of such regulators and the Secretary of the Treasury when promulgating antifraud and antimanipulation rules.

Under clause (1)(d)(1) of Rule X of the Rules of the U.S. House of Representatives, the Committee on Banking, Finance and Urban Affairs has jurisdiction over banks and banking, including the government securities activities of banks. Pursuant to extensive discussions with your Committee with regard to the provisions of H.R. 618 that fall within this Committee's jurisdiction, and in the interests of expediting consideration of this bill by the House, the Banking Committee will not request a sequential referral of H.R. 618. This action is taken without any prejudice to this Committee's jurisdiction, or its intent to request that Banking Committee Members be named as conferees on the legislation.

I appreciate the cooperative and thoughtful spirit in which you have worked with the Committee on Banking, Finance and Urban Affairs on the legislative and report language of H.R. 618. I look forward to continuing to work with your Committee in that same spirit.

Sincerely,

HENRY B. GONZALEZ,
Chairman.

The Salomon Brothers scandal will always illustrate the propensity of Wall Street to cross the line in an insatiable attempt to beat the system. The auction reforms contained in this bill are one more step to combat those who would abuse the market. I urge all Members to support passage of the bill.

Mr. FIELDS of Texas. Mr. Speaker, for purposes of control, I yield the balance of my time to the gentleman from California [Mr. MOORHEAD], the distinguished ranking member on the full committee.

The SPEAKER pro tempore (Mr. TAYLOR of Mississippi). Without objection, the gentleman from California will control the remainder of the time of the gentleman from Texas.

There was no objection.

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

Mr. Speaker, I rise in support of H.R. 618, the Government Securities Reform Act.

In response to the failure of a number of unregulated Government securities dealers between 1975 and 1985, Congress passed the Government Securities Act of 1986. For the last 3 years our committee has been working on legislation that will update the 1986 act. This legislation will change regulation in order to address problems that have become apparent in the markets since the 1986 act was passed.

When enacted into law, H.R. 618 will prevent the type of scandal we saw when Paul Mozer, a single individual, showed us that it was indeed possible to manipulate a Treasury auction.

After enactment of this bill, dealers in Government-sponsored enterprise securities will be guilty of fraud if they puff up statements of buying interest. This was once a common practice because, by saying they had more buyers than they actually did, firms got a greater share of securities to sell. H.R. 618 will put a stop to this practice.

Similarly, the authority delegated to the Department of the Treasury by this legislation will work against cherry-picking schemes and the manipulation of noncompetitive bidding practices.

For these reasons, I support this legislation. Congress took action in 1986. It must take action in 1993 and, indeed, it must continue to take action whenever necessary, to ensure a fair and reliable Government securities market.

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

Mr. MARKEY. Mr. Speaker, I yield 5 minutes to the gentleman from Texas [Mr. PICKLE].

Mr. PICKLE. Mr. Speaker, I rise in support of this legislation and urge its passage. I am glad to hear the remarks of my colleague, the gentleman from Massachusetts [Mr. MARKEY], as well as the gentleman from Texas [Mr. GONZALEZ], chairman of the Committee on Banking, Finance and Urban Affairs.

Mr. Speaker, I rise today in strong support of H.R. 618, the Government Securities Reform Act of 1993. This legislation represents an important and appropriate legislative response to the misconduct which occurred in 1991 in the primary market for Federal Government securities.

In August 1991, the Congress and the public were shocked to learn that employees at the highest levels of Salomon Brothers, one of our country's largest brokerage houses, had violated Treasury Department rules governing the issuance of Government securities. These repeated violations involved the sale of tens of billions in Government securities in an attempt to corner and squeeze the market in certain issues of Treasury debt. Such actions, left unpunished, would undermine the integrity of the entire Government securities market and threaten the issuance of the bonded debt of the United States.

Since first hearing these shocking allegations of misconduct in the Government securities market, the Oversight Subcommittee of the Committee on Ways and Means has worked diligently to ensure that the Government securities market continues to operate fairly and efficiently. The subcommittee held hearings on September 26, 1991, to receive testimony from Salomon Brothers, the administration, and other concerned market participants. The subcommittee's investigation revealed significant shortcomings in the manner in which Treasury securities were marketed.

On February 3, 1992, the subcommittee held additional hearings to review the administrative and legislative recommendations of the administration. On March 12, 1992, on a bipartisan basis, the subcommittee issued a report to the full Committee on Ways and Means containing several recommendations for reforming the Government securities market.

After earlier voting to approve this report, the Committee on Ways and Means marked up and approved the legislative provisions that are contained in the legislation now before the House of Representatives.

With respect to the primary market for Government securities, H.R. 618 would make it an explicit violation of Federal law to knowingly or willfully make any false or misleading written

statement in connection with the issuance of any public debt obligation. Such violations would be subject to criminal and civil penalties. This provision reflects the intent of the committee that such violations in the Government securities market should be subject to the same standard that is now applied to other securities under the antifraud and antimanipulation provisions of the Securities and Exchange Act.

Title II of H.R. 618 would also require the Secretary of the Treasury to make an annual report to the Committees on Ways and Means and the Senate Finance Committee on the Treasury's public debt activities and the operations of the Federal Financing Bank. In addition, the Secretary of the Treasury would be required to report to Congress on any reforms to the current system for issuing public debt obligations.

Mr. Speaker, these reforms, which have been developed on a bipartisan basis and which have been supported by the administration, represent a measured and meaningful response to the market manipulations uncovered in 1991. This legislation reflects the work and concerns not only of the members of the Committee on Ways and Means, but of those who serve on the committee on Energy and Commerce and the Committee on Banking and Urban Affairs. This legislation is the result of long and intense review. It provides meaningful protection for all parties to the Government securities market. Therefore, at this time, I urge its favorable consideration by all the Members of the House.

□ 1320

Mr. MOORHEAD. Mr. Speaker, I yield such time as he may consume to the gentleman from Iowa [Mr. LEACH].

Mr. LEACH. I thank the gentleman for yielding this time to me.

Mr. Speaker, this is a very thoughtful bill. It is not majestic in scope, but it is a good, solid step in the right direction.

When money is at issue, there is always the potential for corruption. In a free enterprise system, the best antidote to corruption is competition and public knowledge of what is happening.

This bill enhances competition and gives equal access to automated bidding to a lot of smaller parties who have been shut out of the automated bidding process for Treasury auctions. It also prohibits favored players, that is, giving certain participants advantage over other players, which has been the circumstance in too many instances in the past. It also improves public knowledge and increases transparency, by making it clear that meetings of the Treasury Advisory Borrowing Committee will be made public, at least the relevant information of what takes place in those meetings, on a fairly timely basis, 3 business days.

I personally think this is a positive step. It is a noncontroversial bill, in terms of the controversy. I would, however, as the ranking member of the Committee on Banking, Finance and Urban Affairs, like to tip my hat particularly to my chairman, the gentleman from Texas [Mr. GONZALEZ], who worked diligently on this, and also to express my personal appreciation to the Committee on Energy and Commerce for taking into consideration the Banking Committee's views and also for moving forth in areas that I think are quite progressive and quite reasonable.

Mr. Speaker, I urge adoption of the bill.

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

Mr. MARKEY. Mr. Speaker, I yield myself such time as I may consume, and that will not be long at all.

Mr. Speaker, I want to outline what is in the legislation itself.

First, it permanently extends the rulemaking authorities granted to Treasury under the Government Securities Act of 1986.

Second, it requires all Government securities brokers and dealers to furnish to the Securities and Exchange Commission upon request records of transactions in Government securities needed to reconstruct trading for surveillance or enforcement purposes.

Third, it authorizes Treasury to adopt rules requiring reporting by holders of large positions in Treasury securities in order to enhance market surveillance and enforcement efforts.

Fourth, it requires all Government securities brokers and dealers to establish and enforce strong internal controls aimed at preventing wrongdoing by their officers or employees.

Fifth, it empowers the National Association of Securities Dealers and the appropriate regulatory agencies for financial institutions to develop and enforce sales practices and other rules of fair practice for Government securities brokers and dealers.

Sixth, it makes it an explicit violation of the securities laws for any person to make false or misleading statements in connection with any bid for or purchase of a Government security.

Seventh, it supplements the SEC's basic antifraud authorities over this market by empowering it to prescribe prophylactic antifraud and antimanipulation rules for the Government securities market.

Eighth, it directs the SEC to continuously monitor the nature and adequacy of public access to market quotation and transaction information.

Ninth, it mandates joint interagency, Treasury and GAO studies of the regulatory system for Government securities, and

Tenth, it requires certain reports by Treasury concerning its public debt obligations and changes in the Treasury debt auction process, which have been worked out in cooperation, again, with the Committee on Ways and Means and the Committee on Banking, Finance and Urban Affairs. Both of those committees, through the gentleman from Texas [Mr. PICKLE] and the gentleman from Texas [Mr. GONZALEZ], have publicly stated here in this debate this afternoon their committees' approval of these provisions.

This 10-point program for reform in the marketplace response to the troubles which were identified as the Salomon Bros. scandal and began to be made public 2 and 3 years ago.

H.R. 618 represents a truly bipartisan reform package that is targeted at the specific abuses and problem areas that were uncovered by the Subcommittee on Telecommunications and Finance during its 3-year investigation of the Government securities market.

I would like to also express my appreciation to the gentleman from Michigan [Mr. DINGELL], chairman of the full committee, and Consuela Washington of the full committee staff for their hard work and efforts and insight in the final passage of this legislation; to the distinguished ranking minority member of the subcommittee, the gentleman from Texas [Mr. FIELDS] and to the ranking minority member of the full committee, the gentleman from California [Mr. MOORHEAD], along with their staffs, Steve Blumenthal and Peter Rich, for their leadership and cooperation in crafting this important legislation.

I also want to express my special thanks to Treasury Undersecretary Frank Newman and his staff for their work in helping to craft this legislation, as well as to the Chairman of the Securities and Exchange Commission, Arthur Levitt, Commissioner Mary Schapiro, and to the staff of the SEC which helped so ably to bring this product to the floor today.

□ 1330

Their hard work, their technical support was invaluable in helping to bridge the differences that have previously separated the various parties interested in this legislation.

As well I want to thank our legislative counsel, Steve Pope, Mr. Howard Homooff who worked on the subcommittee staff for several years and no longer works for the Congress, but gave invaluable service.

And in conclusion as well, to the Committee on Ways and Means and to the Committee on Banking. We had some difficulties initially. We have worked them out. The legislation is clearly and palpably in the public interest. Working with the minority on each and every issue at each stage of the development of the legislation, we present to the House today, we believe, a 10-point program that will make it

highly unlikely that we will see a recurrence of the types of activities which the Salomon Bros. and 98 other firms were able to engage in the latter part of the eighties and the early part of this decade.

Mr. Speaker, in conclusion I would like to thank Jeff Duncan from my staff as well for all his hard work and dedication which he brought to this legislation. Without it, this legislation would not be possible.

Mr. BILIRAKIS. Mr. Speaker, the National Organ Transplant Act of 1984 established the organ procurement and transplantation network to develop a national patient selection system and ensure equitable access to organs. When Congress created the National Organ Transplant Act, it emphasized the need for a national list based on the medical need of the transplant patient.

Unfortunately, the United Network for Organ Sharing [UNOS] made a decision to change that policy. Instead of providing transplants to those in dire medical need, the current organ allocation system is based on geographic location, not the medical status of the patient.

During both the subcommittee and full committee markup sessions, I withdrew amendments due to apparent lack of support that would have required that the medical status of the patient and the viability of the organ be the primary factors considered when making organ allocation decisions. Many committee members believed that before a national list could be developed, the feasibility of creating such a list based on the medical need of the patient must be examined in great detail.

In response to my concerns, this bill requires that a study be conducted on the "feasibility, fairness, and enforceability of allocating organs in the United States based solely upon the clinical need of the patient involved and the viability of the organ involved, with no consideration given to the geographic area in which the transplant is to be performed or the geographic area in which the donation of the organ is made."

While the legislation before us today does not directly address my concerns, I believe it is a step in the right direction. I have been pleased by the willingness of Health and Environment Subcommittee Chairman HENRY WAXMAN and Energy and Commerce Committee Chairman JOHN DINGELL to consider these issues and work with me in reaching a compromise on this matter.

While I am encouraged by the committee's sensitivity to my concerns, I still continue to be troubled by current policy for transplants which only considers the geographic location of the patient and not his or her medical status.

I am hopeful that once the study is complete, my concerns on organ allocation will be addressed through the regulations which the legislation requires the Health and Human Services Secretary to issue within 1 year of the enactment of this legislation.

Mr. YOUNG of Florida. Mr. Speaker, I rise in support of H.R. 2659, the Organ and Bone Marrow Transplantation Amendments of 1993, which reauthorizes the National Marrow Donor Program through fiscal year 1996.

I want to commend my colleague from California, Mr. WAXMAN, the chairman of the Health Subcommittee, and my colleague from Virginia, Mr. BLILEY, the ranking Republican, for their work on this legislation and their special attention to the many medical, scientific, and ethical questions that surround this program which is saving lives every day throughout our Nation and the world.

Consideration of this legislation in the House could not come at a more appropriate time, as the national marrow donor registry has just exceeded the 1 million donor mark, a remarkable achievement for a program that is just beginning its seventh year. The chairman, Mr. WAXMAN, may recall a hearing by his subcommittee a number of years ago when some medical experts predicted we would never be able to recruit more than 50,000 donors.

It is with great pride that we proved them wrong and, in fact, now have in place a national registry which grows by 20,000 to 30,000 donors every month.

There are many, many heroes who have contributed so much to the success of our program. They include my colleagues, Mr. WAXMAN and Mr. BLILEY, the members of the Energy and Commerce Committee who are now authorizing its operations for the third time, my colleagues on the Appropriations Committee, who continue to support my requests for funding of the registry's operations and for donor recruitment, education, and typing activities, and to every Member of this House who has supported this program here in Congress and back home in their congressional districts. In fact, more than 60 of my colleagues have even taken the quick and simple blood test that is required to become listed in the national registry.

Earlier this year, the chairman, Mr. WAXMAN, and his subcommittee held an extensive hearing on the National Marrow Donor Program. During that hearing, we heard many of the complex issues that surround this program and, after a good discussion, a number of positive changes have been made to improve upon the process of matching patients with donors to save lives.

I want to thank the committee for being sensitive to many of the issues surrounding donor confidentiality which we discussed with them and which protect the integrity of the program and its 1 million volunteer donors.

My colleagues will note that this legislation makes one major change to the program and that is the shift in oversight responsibilities from the National Heart, Lung and Blood Institute [NHLBI], to the Health Resources and Services Administration. Dr. Claude Lenfant, the Director of NHLBI, has devoted an extraordinary amount of his personal time on this program, for which he is to be commended. We will miss our daily working relationship with the National Institutes of Health on this program but look forward to establishing a new working relationship with HRSA, which I am sure will likewise become a stalwart champion of the program.

One of the matters which we have discussed at great length over the years, and in the committee's hearing earlier this year, is the ongoing need to increase minority representation in the national registry. As many of my colleagues know, race and ethnic background are a major factor in determining the genetic signature which is used to identify matched donors.

That is why it is so important that we continue our efforts to increase the number of minority donors to improve the chances of finding matched donors for minority patients.

The national registry was activated in 1987 and it took only a few months for us to realize that minority recruitment was not keeping pace with the general population. That is why I decided in 1990 to ask my colleagues on the Appropriations Committee to earmark specific funds for minority recruitment and testing. That year Congress approved $1.5 million for this effort, and with those funds we recruited 25,000 volunteers from minority communities; 25,000 donors may not sound like a lot until you consider that prior to those Federal funds being made available we had only recruited 16,000 minority donors in the program's first 3 years.

In fiscal year 1992, I was able to double to $3 million the amount specifically made available for minority recruitment. With those funds we added another 44,700 volunteers to the registry.

In the current year, we have increased the funding set aside for minority recruitment to $4.2 million and we expect to recruit another 70,000 donors by the end of this year. Some of these funds are being used to undertake an 11 city drive targeted specifically at African-Americans. I had the opportunity to kick off the drive in the Tampa Bay area of Florida and it is my understanding that a number of our colleagues will be joining in similar programs later this year in their home districts.

It is with such confidence that this program will succeed in energizing our communities that I convinced my colleagues on the Appropriations Committee to add an additional $3 million to the 1994 Defense appropriations bill specifically for minority recruitment. it is estimated that with the $7.7 million this would make available—compared to the $8.7 million we have made available over the past 3 years—we can add 131,000 minority donors to our rolls in the next year alone. This is a major goal when you compare this to the total of 154,000 minority donors that are in the registry today. But it is one that together we can achieve.

Mr. Speaker, in closing I want to thank every Member of the House for their support of the National Marrow Donor Program. The legislation before us reaffirms the fact that it truly has been a modern medical miracle which has brought the gift of hope and life to so many people throughout our Nation and the world. There is no greater cause and my colleagues can join me in strongly supporting this legislation to continue our work to save lives.

Mr. PICKETT. Mr. Speaker, I rise today to express my grave concern regarding the current system of organ procurement and allocation for transplantation in this country.

I must begin by commending Chairman WAXMAN's Subcommittee on Health and the Environment as well as the full Committee on Energy and Commerce for the fine work they have done on H.R. 2659, the Organ and Bone Marrow Transplantation Amendments of 1993, and in investigating and responding to some of the problems of allocating organs for transplant.

Transplant candidates in the United States currently face widely disparate waiting times

for organs depending upon their geographic location, because national policy gives priority to distribution within the locality where the organ was donated, regardless of whether patients elsewhere have a greater medical need. The result is a situation where various localities have an overconcentration of patients from around the country yet a relative undersupply of organs. For example, in the Organ Procurement Organization [OPO] serving my district, the number of patients waiting for a heart transplant at any given time is 160 percent of a full year's local heart supply. Throughout the entire country, however, the number of patients waiting for transplant is only 120 percent of a full year's supply. Patients awaiting transplants cluster near the Nation's leading transplant centers, many believing that these institutions, by virtue of their reputations, can afford them a better chance of survival. While the patients may be concentrated around these centers, the organs may not.

The disparity of supply and demand harms patients who have traveled to the regional and national transplant centers by restricting their access to organs to the limited local supply. It also harms local patients by forcing them to compete with an inflated candidate population for access to limited local resources. At the same time, other areas of the country have a relative oversupply of organs and routinely transplant patients of lower medical and equitable priority than persons on the waiting list in my district.

In the May 17, 1993, issue of American Hospital Association News, Dr. Oscar Bronsther, a transplant physician and associate professor of surgery at the University of Pittsburgh Hospital, expressed that the regionalization of the allocation and procurement system has led to longer waits for transplant candidates and a doubling of the patient-mortality rate at his hospital.

According to a General Accounting Office [GAO] report released to the House Energy and Commerce Committee in April 1993, 10,000 people died waiting for organ transplants between 1988 and 1992. During that same 5-year period, the annual number of people waiting for transplants rose by 66 percent, while the number of organ donors grew by only 13 percent.

As long as this country continues to procure and allocate organs for transplantation using the current geographical-based system, which inaccurately assumes that supply and demand ratios in different parts of this country are comparable, patients will continue to die waiting for organs to be donated in their local areas. To keep pace with the national flow of patients seeking transplants, we need a regional or national allocation system based on medical and equitable criteria and unfettered by arbitrary "local" boundaries that restrict the national flow of organs.

The Committee on Energy and Commerce, in section 9 of H.R. 2659, the Organ and Bone Marrow Transplantation Amendments of 1993, requires the Secretary of Health and Human Services to conduct a study of the feasibility, fairness, and enforceability of allocating solid organs to patients based solely on the clinical need of the patient involved and the viability of the organ involved.

I would hope that if the opportunity presents itself during the conference with our colleagues in the Senate, that we seize the chance to require not just study, but also implementation, of some form of regional or national allocation system.

As one example of such an allocation system, I call to the attention of my colleagues a proposal prepared by the two transplant centers in my district, Sentara Norfolk General Hospital and Children's Hospital of the King's Daughters, which I enter into the RECORD at this time. This proposal, currently being considered by the United Network for Organ Sharing, illustrates how a workable regional or national allocation system for transplantable organs might operate.

ALLOCATION OF HEARTS FOR TRANSPLANT: ARTIFICIAL BOTTLENECKS ON THE DISTRIBUTION OF HEARTS AND A PROPOSAL FOR REDUCING NATIONAL DISPARITIES IN WAITING TIMES

August 19, 1993

(Sentara Norfolk General Hospital, Children's Hospital of The King's Daughters)

(Abstract: Heart transplant patients throughout the United States face widely disparate waiting times depending upon their geographic location. This paper contends that such disparities are inequitable and are a result of the current national policy of giving priority to distribution within the locality where the organ was donated, regardless of whether patients elsewhere have a greater medical need. We propose an alternative policy to allocate organs nationwide first on the basis of medical need, second on the basis of waiting time, and third on the basis of logistics and cost considerations. The proposed policy would ensure that the patients with the greatest medical need receive priority for hearts regardless of where they are located. Nationwide allocation as proposed in this paper would reduce the current disparities in waiting times among medically similar patients, and, where possible, would save money by reducing transportation costs.)

Sentara Norfolk General Hospital and Children's Hospital of The King's Daughters (the "Eastern Virginia Hospitals") operate a joint adult and pediatric transplantation program in eastern Virginia. The Eastern Virginia Hospitals submit this position paper regarding the effects on heart transplant patients of the arbitrary constraints on distribution imposed by current national policy giving local distribution precedence over medical need. Of particular concern to the Eastern Virginia Hospitals is the interaction between local procurement and distribution of hearts and the national movement of patients seeking transplants. These differing geographic sources of the supply of and demand for transplantable hearts create a situation whereby various localities have an overconcentration of patients from around the country yet a relative undersupply of organs obtained primarily from the local area. The disparity of supply and demand in these localities harms patients who have traveled to the regional and national transplant centers by restricting their access to organs to the limited local supply available, and harms local patients by forcing them to compete with a much larger group for access to limited local resources. To remedy this problem the Eastern Virginia Hospitals propose a nationwide allocation system based on medical and equitable criteria and unfettered by arbitrary "local" boundaries that restrict the national flow of organs.

CURRENT HEART ALLOCATION IS LOCAL FIRST, NATIONAL LAST, REGARDLESS OF NEED

The National Organ Transplant Act, 42 U.S.C. §273, *et seq.*, passed in 1984 and amended several times since then, directs the Department of Health and Human Services to contract with a third party to establish a national computer network to facilitate organ procurement, sharing, and equitable distribution.[1] The contractor selected for this task is the United Network for Organ Sharing (UNOS), which maintains a computer-based national waiting list to match patients with available organs. UNOS also establishes policies for hospitals, organ procurement organizations (OPOs), and transplant centers, to ensure that organs are effectively and safely obtained and then allocated according to medical and equitable criteria. While these policies do not themselves have the force of law, an organization's failure to comply with UNOS policies could render that organization ineligible for various Medicare reimbursements. *See* 42 U.S.C. §1320b–8. As a practical matter, members of the transplant community treat UNOS policies as mandatory. This paper focuses on UNOS allocation policies as they relate to heart transplants.

One of the central features of the UNOS policies regarding heart procurement and allocation is their dependence on a local-regional-national priority system. UNOS Policy 3.7. Hearts are distributed first within the local OPOs where they are donated. There are 69 different OPOs throughout the country, each with arbitrarily drawn service areas covering anywhere from a portion of a single metropolitan area to an entire state to a multi-state area. Within an OPO hearts are offered initially to patients who are in urgent medical need of a transplant (Status I patients) and then to patients whose conditions, although less urgent, still require transplantation for long-term survival (Status II patients). Within a given medical Status, priority is given to the patient who has been on the waiting list the longest.[2] An available heart will be offered to patients outside the OPO only if there are no suitable local recipients of any medical status. Such unused hearts are offered first to patients within 500 miles of the organ, then to patients within 1000 miles, and finally to patients anywhere in the country.

In contrast to the numerous rules regulating distribution of hearts, heart transplant patients are free to seek a transplant at any transplant center that will accept them. Individual patients often travel far from their homes to go to a preferred transplant center, or one with more lenient medical criteria for accepting transplant candidates.[3] Regardless of where patients come from, however, they will be listed on the local OPO waiting list for the transplant center where they will be treated. OPO demand for transplants thus is determined by the redistribution of patients from around the country rather than by the needs of the local population alone.

ALLOCATION METHODS MUST BE JUDGED ACCORDING TO UTILITY AND FAIRNESS

Scarce resources such as hearts for transplant can be allocated to patients in a variety of ways. Hearts can be distributed randomly, given out first come-first served, given to the patients who most urgently need the hearts, given to the patients who can benefit most from the hearts, or distributed pursuant to combinations of these methods. When evaluating any particular allocation method, however, two broad concerns must always be considered: utility and fairness.

[1] Footnotes at end of articles.

Utility as an evaluation criterion encompasses both the medical and social value of a given allocation method. Medical value is often thought of in terms of saving or prolonging a patient's life, or improving the quality of a patient's life.[4] In situations of scarcity where it is impossible to save the lives of all patients, the medical utility of an allocation method will be judged according to its ability to maximize either the number of lives saved, or the length of time added to the lives of those saved, or increase in the quality of life for those receiving transplants. When evaluating medical utility, it is important to articulate clearly the nature of the medical gains (deaths prevented in the short term vs. prolongation of lives over the long-term) be articulated clearly. Where different aspects of utility must be compared, the question becomes social or political rather than medical.

In addition to medical utility, an allocation system must also be judged according to its overall costs and benefits to society. Considerations include the relative cost of different allocation methods (such costs are often borne by the government through Medicare and Medicaid payments), economic gains to the government and society from the improved health of transplant recipients, relative incentives or disincentives to organ donation by the public in general, and the opportunity costs of spending scarce financial resources or transplants as opposed to some other worthy cause. A final aspect of utility is the susceptibility of any allocation scheme of effective implementation. No matter how beneficial a method is in theory, the method may be distorted or circumvented when applied in the real world, thus undermining any hoped-for advantages. All benefits therefore must be discounted by the relative difficulty of obtaining perfect implementation of the theoretical allocation method.

The other major area of evaluation is the equity or fairness of an allocation method. Unfortunately, there are many different views of what is equitable. One view is that in a situation of scarcity fairness is achieved best by strictly maximizing medical utility. Another view is that certain issues of fairness take precedence over strict adherence to medical utility. For example, open discrimination on the basis of race, wealth, or gender is unlikely to be acceptable from a fairness perspective, regardless of any utility gains such a system might have. Even starting from the assumption that maximization of medical utility is the primary—though not absolute—goal of an allocation system, there is still ample room for equitable considerations to influence how we structure that system. Because medicine cannot predict with certainty how long patients will live either before or after a transplant, or how much their health will improve, the transplant community is regularly faced with choosing between patients who, for practical purposes, are equivalent from a medical utility perspective. At a minimum, considerations of fairness must be available as tie-breakers in such circumstances.

Equitable concerns such as improving access to transplants for poor or minority patients therefore must be considered, and, if serious inequities are present, have the potential to take precedence over strictly medical concerns. Issues arising under the rubric of fairness include, but are not limited to, concerns over equal opportunity for all patients to receive a transplant, the notion of first come-first served, concerns over the right of local communities to utilize local resources, and concern over freedom of choice for patients with regard to where and from whom they will receive their medical treatment. Many of these concerns may not impact a comparative evaluation of two particular allocation methods, but all of these concerns must at least be considered in order to gain consensus for any allocation method.

CURRENT ALLOCATION POLICY IS MEDICALLY AND EQUITABLY UNSOUND

The present heart allocation system is objectionable because it fails adequately to coordinate the supply of hearts with the demand for heart transplants. The supply of hearts to any given OPO is primarily local, based on the deaths and organ donations of the local population. Demand for hearts within an OPO, however, can include both local and national patients. OPOs with national centers experience a relative over-demand for hearts while OPOs without national centers experience a relative under-demand. The variations in demand are not matched by variations in supply, however, because present policy allows localities to have priority for all locally procured hearts regardless of medical need, thus erecting a barrier to national redistribution of scare hearts. Fluctuating demand and static supply creates serious imbalances in the "market" for hearts.

This very phenomenon is occurring in the OPO serving central and eastern Virginia. Two of the transplant centers in central Virginia treat patients from all over the country, thus creating a great burden on local supplies of hearts. In fact, many of the national patients are intentionally transferred by the Veterans Administration from around the country to the VA transplant center in Richmond. A similar situation exists in Utah, where the VA also has a national heart transplant center. Numerous out-of-area patients are brought in for transplant, but the local supply of hearts remains constant, thus leading to difficulties in meeting the expanded demand for transplants.

The overconcentration of demand in OPOs containing national and regional transplant centers adversely affects the utility and fairness of the current allocation system. First, medical utility is hurt because a seriously ill Status I patient in an overburdened OPO will be forced to wait an extended time for transplant, even though an underburdened OPO simultaneously is transplanting a suitable heart into a Status II patient. For example, transplant centers in Florida regularly transplant Status II patients even though Status I patients in Virginia who could use the same hearts languish and die on the local waiting list. Such a result contravenes the present medical consensus that we should transplant first the patients most in need.[5] Fairness is also undermined by the current supply/demand imbalances in that medically equivalent patients regularly face widely divergent waiting times, depending upon their geographic location. Patients in overburdened OPOs wait longer and die more frequently even as available hearts are transplanted into patients who are no different from a medical perspective and who have been waiting a shorter period of time.[6]

In the past, the waiting times experienced by patients in overburdened OPOs were ameliorated by the supply of national hearts allocated through the UNOS national list. Because national hearts are allocated on the basis of waiting time, and because patients in overburdened OPOs tend to have longer waiting times than the national average, national hearts would eventually flow to patients in such OPOs, thus alleviating some of the burden. This safety valve, however, is quickly closing. UNOS policy—or at least its long-held practice—has been to encourage the consolidation of OPOs and sharing arrangements between neighboring OPOs. *See UNOS Policy 3.7.3* (procedure for inter-OPO sharing agreements). Consolidation and inter-OPO sharing has not led to any demonstrable efficiencies in organ procurement, but these procedures have increased the area in which an organ may be detained before being offered nationally. These practices have also made it more likely that the "local" waiting lists will absorb a greater percentage of available organs.[7] Fewer hearts are therefore sent on for national distribution. In addition to OPO consolidation and sharing, the overall growth in demand for transplants also swells local waiting lists, thus absorbing more hearts at the local level and causing geography to play a greater role than medical necessity in overall heart allocation. Due to these factors, the UNOS national list no longer is an effective means of redistributing hearts to where they are needed most.

The present allocation system fails to direct hearts to the patients most in need, and fails to allocate organs fairly based on waiting time rather than on geographic happenstance. As the former safety valve of the national list ceases to function, the disutility and unfairness of the present system will continue to grow. Only a system that rejects arbitrary geographic barriers to allocation can hope to satisfy the twin goals of utility and fairness.

NATIONWIDE ALLOCATION PROVIDES GREATER UTILITY AND FAIRNESS

To correct the local imbalances in supply and demand created by the present allocation system, the Eastern Virginia Hospitals propose the following alternative that would allocate hearts nationwide first on the basis of medical criteria, and then on the basis of waiting times grouped according to standard deviation from the national average waiting times for medically similar patients. A final criterion would address logistical issues; saving resources without sacrificing medical utility or fairness.

A. Description of Allocation Model

The proposed allocation model represents a move away from OPO-specific waiting lists and acceptance of a single national list for each donated heart. All heart transplant patients throughout the country would register with UNOS just as they do now. Each time a heart is donated anywhere in the country, a national list will be generated based on identical blood type, acceptable weight range, and maximum distance the recipient center is willing to travel to recover a heart. Patients on this national list will be prioritized according to present definitions for Status I (urgent need) and Status II (less urgent need) patients. Under all circumstances a Status I patient on the list will receive priority over a Status II patient on the list.

Within Status level, patients will be categorized based upon waiting-time categories defined by standard deviations from the national average waiting time of all similar patients transplanted in the previous 30 days. These waiting-time categories will be as follows:

A =3 0-day running average (TDRA) + 2 standard deviations (SDs)[8]
B = TDRA + 1 SD to TDRA + 2 SDs
C = TDRA to TDRA + 1 SD
D = TDRA - 1 SD to TDRA
E = TDRA - 2 SDs to TDRA - 1 SD
F = TDRA - 2 SDs

Waiting time for Status I patients will be calculated based only on time within Status I, as currently proposed by UNOS. Status II waiting time will include time spent in either Status I or II. Organs would be allocated first to Status IA patients, then IB, IC, etc. After all Status I patients on a given list had been transplanted, organs would then be allocated to Status IIA patients, then IIB, IIC, etc. Priority thus goes to the sickest patients who have been waiting the longest.

If there is more than one patient within a subcategory of the national list, priority will go to the patient awaiting transplant at the center closest to the donated organ.

B. Benefits of the Proposed Model

The proposed model is superior to the present allocation system in several respects. First medical utility is better served through national allocation because there is virtually no instance where an available heart will go to a Status II patient when it could have gone to a Status I patient. Whereas now the most important factors in allocation are the locations of the patient and donor, the new proposal would make medical need and waiting time the most important allocation factors. For each and every organ recovered, a national list of medically appropriate candidates would be generated, and the patient at the top of that list would receive the organ.[9] Location of recipient and donor becomes the lowest priority in the determination of allocation after blood type, weight and waiting time. Furthermore, by correctly determining the standard deviation range, the waiting time variation among all similar patients nationally would be 1–2 weeks. This would make transplants far more predictable and thus make it easier to prepare the patients and ensure their readiness for the upcoming operation.

Medical utility is further served under the proposed model by improving the ability to match patients with sensitivity to multiple antigens. Such patients are very difficult to match with an appropriate organ, and often die on the waiting list. Under the proposed model, highly sensitive patients could be exposed to as large a donor pool as logistically possible, and if their waiting times deviated significantly from the average, they would soon find themselves alone in a waiting-time category and thus would receive top priority for virtually any suitable organ in the country. By having access to such a large donor pool, the odds of finding a match for even highly sensitive patients are vastly improved.

Second, fairness is better served by the proposed system as a result of grouping patients according to standard deviations from the national average. Patients within the same medical Status who have waited longer than their peers will receive priority regardless of where they or any donors are located. This outcome promotes a notion of equity that, where all other things are roughly equal, patients should be treated on a first come-first served basis. The proposed model views this from a national perspective insofar as the support for organ transplantation is primarily a result of federal programs, and therefore all citizens throughout the country should have equal rights and benefits under such programs. The proposed system will move waiting times for all patients closer to the national average thereby creating a system where everybody bears equally the burdens of an organ shortage or benefits equally from improvements in donation rates.[10]

One issue that should be noted is that many localities feel they have a vested right in the organs donated in their area and procured by their OPO. While there is no doubt that local communities have historically favored local charities and sought to benefit those in their own back yard first, this approach is inappropriate in the area of organ allocation. Organ donations have long been viewed as an act of national charity to be given to those persons in greatest need, regardless of where they are located. The federal involvement in the area of organ transplants further demonstrates the national, rather than local, character of transplantation. In this context, organs should not be treated as a species of local property, but as donations to a national cause that were meant to be distributed fairly to all. Even though the proposed model takes a national view, however, it does not abandon localities. In fact, in many ways, the new model would help localities by assuring them access to a national supply of organs based on the genuine needs of patients. Local hospitals in currently overburdened OPOs would no longer have to compete for limited resources with large national programs in their backyards, but would instead have access to national organs on an equal basis with any other hospital in the country.

One potential cost to this system is that organs will likely be transported greater distances than under the present system. Some additional travel is the likely result of any system designed to send the organ to where it is needed most. Concomitant increases in cost would be in the service of medical need and fairness. The proposed allocation model, however, contains a substantial safeguard to assure that added transportation is not undertaken frivolously. For patients in the same Status with comparable waiting times, distance from the heart is a valid factor in determining where to send the heart. For example, if the national waiting list for a donated heart contained to Status IC patients—whose waiting times likely would differ by a week or less—the available heart would be offered to the patient closer to the donation site, thus reducing transportation costs. No heart would be flown across the country merely due to a minor difference between patients otherwise medically equivalent. Using proximity in close cases also serves medical utility in that, where reasonable, it minimizes the amount of time a donated heart spends outside the body. As the national variation in waiting times was reduced, it would become easier to direct organs to a nearby patient without sacrificing medical utility or fairness. A patient who had been passed over based upon distance probably would not have to wait long for the next heart to become available, but if that patient did continue to wait, he would soon move up to the next waiting category, thus gaining priority for the next heart regardless of whether patients in a lower waiting category were closer to the donation.

Even were transportation costs to increase somewhat under the proposed allocation model, greater attention to medical criteria and waiting time likely would decrease total costs related to transplantation by decreasing the hospital expenses that accrue while a Status I patient is waiting. (Status II patients either wait at home or require less expensive hospital care.) The proposed model would reduce the aggregate waiting time of Status I patients by ensuring that Status I patients receive nationwide priority over Status II patients. Reducing the wait of a Status I patient by several days will save far more than any added transportation expense for a long-distance heart. Furthermore, this savings will become more significant under a revamped health care system. Third-party payers for medical care increasingly are encouraging large groups of patients to contract with one or more medical centers for tertiary care. As this aspect of managed competition spreads, patients will be referred in greater numbers to cost-effective centers. Without a national allocation system, any cost benefits from high-volume centers will be lost on excessive in-hospital waiting times.

CONCLUSION

Current UNOS policy rests on the inaccurate notion that supply and demand ratios in different parts of the country are roughly comparable and, therefore, patients in different areas have comparable opportunities for obtaining needed organs. Any incidental variations in the local supply/demand profiles are theoretically solved through the national list. The consolidation of OPOs and the expansion of inter-OPO sharing arrangements has imposed a barrier to such market adjustments, however, ensuring that local surpluses never make it to national patients. Coupled with the uneven distribution of large regional and national transplant centers that draw patients from around the country into single local areas, the entire distribution scheme breaks down; organs stay close to home, patients travel around the country, and OPOs with regional or national transplant centers are faced with demand that far outstrips supply.

This is precisely the situation that now exists in the OPO serving central and eastern Virginia and in many other OPOs around the country. Until such time as UNOS or HHS overhauls the national organ distribution system to adequately supply regional and national transplant centers, patients will continue to suffer and die due to relative local shortages of hearts. A long-term solution should look to reconciling the schizophrenic nature of the present local-regional-national system, and to providing a mechanism whereby transplant patients throughout the country have an equal opportunity to receive a heart, regardless of where they are to receive their transplant. The alternative proposed by this paper would provide such equal opportunity and would make medical, rather than geographic, criteria the primary force behind organ allocation. Although this proposal is designed specifically for hearts, the general principle applies equally to all other transplantable organs and should be considered for those organs as well.

FOOTNOTES

[1] The National Organ Transplant Act requires "equitable distribution of organs." 42 U.S.C. §273(b)(1)(E) (1991), *see also* 42 U.S.C. §273(b)(3)(E) (an organ procurement organization shall have "a system to allocate donated organs equitably among transplant patients according to established medical criteria").

[2] Waiting time is currently calculated from the time a patient first registers with the UNOS national list, regardless of the patient's initial Status or any subsequent change in Status. UNOS has recently offered for public comment a policy that would credit only time spent in Status I as waiting time for Status I patients.

[3] Some patients, such as those in the VA hospital system, are not given a choice, but instead are required to relocate to one of a few VA regional transplant centers. *SEE VHA Directive 10-93-028*, Attachment C, March 11, 1993. The VA's intentional concentration of national patients in a few OPOs exacerbates the supply/demand imbalance that results from the individual movements of private patients.

[4] Quality of life is used here in a strictly medical sense: freedom from pain, improved physical ability to go about daily activities without tiring rapidly, etc. No judgment is made regarding the use to which patients will ultimately put their improved health.

For medical utility purpose, freedom from pain and improved physical ability count equally for either prince or pauper.

[5]Some doctors have occasionally suggested that transplanting healthier patients will improve overall success rates. While such claims certainly warrant consideration, current policy declares urgency of need be the primary medical criterion for sorting patients. At this time there seems to be insufficient data to challenge that criterion, and the Eastern Virginia Hospitals will accept the medical standard of urgency when proposing an alternative model.

[6]One measure of the consequences of the supply and demand imbalance is the ratio of patients who die while waiting for a transplant to patients who actually receive a transplant. The higher the ratio the greater the imbalance between supply and demand, and the greater the percentage of transplant candidates who are dying due to lack of available organs. For example, in 1992, then national ratio of deaths-while-waiting to transplants for hearts was 0.35:1, while this statistic was 1:1 for the VA transplant center in Richmond, Virginia and 0.72:1 for the Eastern Virginia hospitals. Patients seeking transplants in the OPO covering central and eastern Virginia are thus significantly worse off than the average patient throughout the country.

[7]A larger waiting list is more diverse, and therefore more likely to contain a compatible recipient for any given heart. These improved odds resulting from OPO consolidation hold true even though the ratio of the hearts procured to patients waiting remains constant.

[8]The temporal boundaries of the subcategories are subject to change based upon the eventual size of the groupings and the size of the standard deviations from average waiting time. After this model has operated for a while, standard deviations from average waiting time would decrease as patient waiting time became more uniform. Ideally, each sub-category would include only patients whose waiting times differed by a week or less.

[9]Certain patients who are otherwise medically eligible for an organ may not make it onto the waiting list if they are too far from the donor organ to make it medically reasonable to transport the organ. Hearts can remain outside of the body only for approximately four hours, making long-distance transportation difficult or impossible. Even when it is possible to transport a heart over relatively long distances, transplant surgeons may prefer to wait for a closer heart in order to minimize the time the heart spends outside the body. In any event, the proposed model leaves the individualized medical balancing of an increased donor pool versus a potentially "fresher" heart up to the transplant team and its patient.

[10]One initial step the Federal Government could take to reduce the inequities of the current allocation system would be to forbid its agencies such as the VA from transferring people from their home OPO to a different OPO when there is an available transplant center in the home OPO. By preventing the active concentration of patients in a few chosen OPOs, the government would eliminate a factor contributing significantly to the current imbalance in local supply and demand. Such a move would have the added benefit of helping veterans who are awaiting transplant. More often than not, the VA takes a veteran out of an OPO with reasonably adequate supplies of organs, and transfers the patient to an OPO facing a critical undersupply of organs. This severely damages that veteran's chances of receiving a transplant before dying.

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

The SPEAKER pro tempore (Mr. TAYLOR of Mississippi). The question is on the motion offered by the gentleman from Massachusetts [Mr. MARKEY] that the House suspend the rules and pass the bill, H.R. 618, as amended.

The question was taken; and (two-thirds having voted in favor thereof), the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

Mr. MARKEY. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the Senate bill (S. 422) to amend the Securities Exchange Act of 1934 to ensure the efficient and fair operation of the government securities market, in order to protect investors and facilitate government borrowing at the lowest possible cost to taxpayers, and to prevent false and misleading statements in connection with offerings of government securities, and ask for its immediate consideration.

The Clerk read the title of the Senate bill.

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

There was no objection.

The Clerk read the Senate bill, as follows:

S. 422

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 "Government Securities Act Amendments of 1993".

SEC. 2. FINDINGS.

The Congress finds that—

(1) the liquid and efficient operation of the government securities market is essential to facilitate government borrowing at the lowest possible cost to taxpayers;

(2) the fair and honest treatment of investors will strengthen the integrity and liquidity of the government securities market;

(3) rules promulgated by the Secretary of the Treasury pursuant to the Government Securities Act of 1986 have worked well to protect investors from unregulated dealers and maintain the efficiency of the government securities market; and

(4) extending the authority of the Secretary and providing new authority will ensure the continued strength of the government securities market.

SEC. 3. EXTENSION OF TREASURY RULEMAKING AUTHORITY.

Section 15C of the Securities Exchange Act of 1934 (15 U.S.C. 780–5) is amended by striking subsection (g).

SEC. 4. SALES PRACTICE RULEMAKING AUTHORITY.

(A) RULES FOR FINANCIAL INSTITUTIONS.—Section 15C(b) of the Securities Exchange Act of 1934 (15 U.S.C. 780–5(b)) is amended—

(1) by redesignating paragraphs (3), (4), (5), and (6) as paragraphs (4), (5), (6), and (7), respectively; and

(2) by inserting after paragraph (2) the following new paragraph:

"(3)(A) With respect to any financial institution that has filed notice as a government securities broker or government securities dealer or that is required to file notice under subsection (a)(1)(B), the appropriate regulatory agency for such government securities broker or government securities dealer may issue such rules and regulations with respect to transactions in government securities as may be necessary to prevent fraudulent and manipulative acts and practices and to promote just and equitable principles of trade, if the Secretary has not determined that the rule or regulation, if implemented would, or as applied does—

"(i) adversely affect the liquidity or efficiency of the market for government securities; or

"(ii) impose any burden on competition not necessary or appropriate in furtherance of the purposes of this section.

"(B) The appropriate regulatory agency shall consult with and consider the views of the Secretary prior to approving or amending a rule or regulation under this paragraph, except where the appropriate regulatory agency determines that an emergency exists requiring expeditious and summary action and publishes its reasons therefor. If the Secretary comments in writing to the appropriate regulatory agency on a proposed rule or regulation that has been published for comment, the appropriate regulatory agency shall respond in writing to such written comment before approving the proposed rule or regulation.

"(C) In promulgating rules under this section, the appropriate regulatory agency shall consider the sufficiency and appropriateness of then existing laws and rules applicable to government securities brokers, government securities dealers, and persons associated with government securities brokers and government securities dealers.".

(b) RULES BY REGISTERED SECURITIES ASSOCIATIONS.—Section 15A(f)(2) of the Securities Exchange Act of 1934 (15 U.S.C. 78o–3(f)(2)) is amended—

(1) by striking "and" at the end of subparagraph (E); and

(2) by striking the period at the end of subparagraph (F) and inserting ", and (G) with respect to transactions in government securities, to prevent fraudulent and manipulative acts and practices and to promote just and equitable principles of trade.".

(c) OVERSIGHT OF REGISTERED SECURITIES ASSOCIATIONS.—Section 19 of the Securities Exchange Act of 1934 (15 U.S.C. 78s) is amended—

(1) in subsection (b), by adding at the end the following new paragraphs:

"(5) The Commission shall consult with and consider the views of the Secretary of the Treasury prior to approving a proposed rule filed by a registered securities association pursuant to section 15A(f)(2)(G), except where the Commission determines that an emergency exists requiring expeditious or summary action and publishes its reasons therefor. If the Secretary of the Treasury comments in writing to the Commission on a proposed rule that has been published for comment, the Commission shall respond in writing to such written comment before approving the proposed rule. The Commission may approve a rule under this paragraph if the Secretary of the Treasury has not determined that the rule, if implemented, would, or as applied does—

"(A) adversely affect the liquidity or efficiency of the market for government securities; or

"(B) impose any burden on competition not necessary or appropriate in furtherance of the purposes of this section.

"(6) In approving rules filed by a registered securities association pursuant to section 15A(f)(2)(G), the Commission shall consider the sufficiency and appropriateness of then existing laws and rules applicable to government securities brokers, government securities dealers, and persons associated with government securities brokers and government securities dealers."; and

(2) in subsection (c), by adding at the end the following new paragraph:

"(5) With respect to rules adopted pursuant to section 15A(f)(2)(G), the Commission shall consult with and consider the views of the Secretary of the Treasury before abrogating, adding to, and deleting from such rules, except where the Commission determines that an emergency exists requiring expeditious or summary action and publishes its reasons therefor.".

SEC. 5. DISCLOSURE BY GOVERNMENT SECURITIES BROKERS AND GOVERNMENT SECURITIES DEALERS WHOSE ACCOUNTS ARE NOT INSURED BY THE SECURITIES INVESTOR PROTECTION CORPORATION.

Section 15C(a) of the Securities Exchange Act of 1934 (15 U.S.C. 78o-5(a)) is amended—

(1) by redesignating paragraph (4) as paragraph (5); and

(2) by inserting after paragraph (3) the following:

"(4) No government securities broker or government securities dealer that is not a member of the Securities Investor Protection Corporation shall effect any transaction in any security in contravention of such rules as the Commission shall prescribe pursuant to this subsection to assure that its customers receive complete, accurate, and timely disclosure of the inapplicability of Securities Investor Protection Corporation coverage to their accounts.".

SEC. 6. TECHNICAL AMENDMENT.

Section 15C(d)(2) of the Securities Exchange Act of 1934 (15 u.S.C. 78o-5(d)(2)) is amended to read as follows:

"(2) Information received by any appropriate regulatory agency or the Secretary from or with respect to any government securities broker or government securities dealer or with respect to any person associated with a government securities broker or a government securities dealer may be made available by the Secretary or the recipient agency to the Commission, the Secretary, any appropriate regulatory agency, any self-regulatory organization, or any Federal Reserve bank.".

SEC. 7. AMENDMENTS TO DEFINITIONS.

Section 3(a) of the Securities Exchange Act of 1934 (15 U.S.C. 78c(a)) is amended—

(1) in paragraph (34)(G), by amending clauses (ii), (iii), and (iv) to read as follows:

"(ii) the Board of Governors of the Federal Reserve System, in the case of a State member bank of the Federal Reserve System, a foreign bank, and uninsured State branch or State agency of a foreign bank, a commercial lending company owned or controlled by a foreign bank (as such terms are used in the International Banking Act of 1978), or a corporation organized or having an agreement with the Board of Governors of the Federal Reserve System pursuant to section 25 or section 25(a) of the Federal Reserve Act;

"(iii) the Federal Deposit Insurance Corporation, in the case of a bank insured by the Federal Deposit Insurance Corporation (other than a member of the Federal Reserve System or a Federal savings bank) or an insured State branch of a foreign bank (as such terms are used in the International Banking Act of 1978);

"(iv) the Director of the Office of Thrift Supervision, in the case of a savings association (as defined in section 3(b) of the Federal Deposit Insurance Act) the deposits of which are insured by the Federal Deposit Insurance Corporation;"; and

(2) by amending paragraph (46) to read as follows:

"(46) The term 'financial institution' means—

"(A) a bank (as defined in paragraph (6));

"(B) a foreign bank (as such term is used in the International Banking Act of 1978); and

"(C) a savings association (as defined in section 3(b) of the Federal Deposit Insurance Act) the deposits of which are insured by the Federal Deposit Insurance Corporation.".

SEC. 8. STUDY RELATING TO GOVERNMENT SECURITIES INFORMATION.

(a) IN GENERAL.—The Secretary of the Treasury, the Securities and Exchange Commission, and the Board of Governors of the Federal Reserve System shall monitor and evaluate the effectiveness of private sector efforts to disseminate government securities price and volume information, and determine whether such efforts—

(1) assure the prompt, accurate, reliable, and fair reporting, collection, processing, distribution, and publication of information with respect to quotations and transactions in government securities and the fairness and usefulness of the form and content of such information;

(2) assure that all government securities information processors may, for purposes of distribution and publication, obtain on fair and reasonable terms such information with respect to quotations for and transactions in government securities as is reported, collected, processed, or prepared for distribution or publication by any processor of such information (including self-regulatory organizations) acting in an exclusive capacity; and

(3) assure that all government securities brokers, government securities dealers, government securities information processors, and other appropriate persons may obtain on terms which are not unreasonably discriminatory such information with respect to quotations for and transactions in government securities as is published or distributed.

(b) REPORT.—A report describing any findings made under this section and any recommendations for legislation shall be submitted to Congress not later than 18 months after the date of enactment of this Act.

SEC. 9. OFFERINGS OF GOVERNMENT SECURITIES.

Section 15(c) of the Securities Exchange Act of 1934 (15 U.S.C. 78o(c)) is amended by adding at the end the following new paragraph:

"(7) In connection with any bid for or purchase of government security related to an offering of government securities by or on behalf of an issuer, no government securities broker, government securities dealer, or bidder for or purchaser of securities in such offering shall knowingly or willfully make any false or misleading written statement or omit any fact necessary to make any written statement made not misleading.".

MOTION OFFERED BY MR. MARKEY

Mr. MARKEY. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MARKEY moves to strike out all after the enacting clause of the Senate bill, S. 422, and to insert in lieu thereof the provisions of H.R. 681, as passed by the House.

The motion was agreed to.

The Senate bill was ordered to be read a third time, was read the third time, and passed.

The title of the Senate bill was amended so as to read: "A bill to extend and revise rulemaking authority with respect to Government securities under the Federal securities laws, and for other purposes."

A motion to reconsider was laid on the table.

A similar House bill (H.R. 618) was laid on the table.

GENERAL LEAVE

Mr. MARKEY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks, and indicate therein extraneous material, on S. 422, the Senate bill just passed.

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

There was no objection.

ORGAN AND BONE MARROW TRANSPLANTATION AMENDMENTS OF 1993

Mr. WAXMAN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2659) to amend the Public Health Service Act to revise and extend programs relating to the transplantation of organs and of bone marrow, as amended.

The Clerk read as follows:

H.R. 2659

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 "Organ and Bone Marrow Transplantation Amendments of 1993".

SEC. 2. ORGAN PROCUREMENT ORGANIZATIONS.

(a) IN GENERAL.—Section 371(a) of the Public Health Service Act (42 U.S.C. 273(a)) is amended—

(1) by striking paragraphs (2) and (3); and

(2) by inserting after paragraph (1) the following paragraph:

"(2)(A) The Secretary may make grants to, and enter into contracts with, qualified organ procurement organizations described in subsection (b) and other public or nonprofit private entities for the purpose of—

"(i) planning and conducting programs to provide information and education to the public on the need for organ donations; and

"(ii) training individuals in requesting such donations.

"(B) In making awards of grants and contracts under subparagraph (A), the Secretary shall give priority to carrying out the purpose described in such subparagraph with respect to minority populations.".

(b) REQUIREMENTS REGARDING QUALIFIED ORGAN PROCUREMENT ORGANIZATIONS.—Section 371(b) of the Public Health Service Act (42 U.S.C. 273(b)) is amended—

(1) in paragraph (1)—

(A) in the matter preceding subparagraph (A)—

(i) by striking "organization for which grants may be made under subsection (a) is" and inserting "organization described in this subsection is"; and

(ii) by striking "paragraph (2)" and inserting "paragraph (3)";

(B) in subparagraph (E), by moving the subparagraph 2 ems to the left; and

(C) in subparagraph (G)—

(i) in the matter preceding clause (i), by striking "has a board of directors or an advisory board which" and inserting the following: "has a board of directors (or an advisory board, in the case of a hospital-based organization) which"; and

(ii) in clause (i)(II), by striking "members" and all that follows and inserting the following: "individuals who have received a transplant of an organ, individuals who are part of the family of an individual who has donated an organ,

and individuals who have been medically referred to receive a transplant of an organ (or individuals who are part of the family of individuals who have been so referred), which individuals shall in the aggregate constitute not less than ⅓ of the membership of the board and which members shall, to the extent practicable, be residents of the service area involved,"; and

(2) in paragraph (3)—

(A) in subparagraph (A), by amending the subparagraph to read as follows:

"(A)(i) With respect to each hospital or other entity in its service area that has facilities for organ donations, the organization shall have an effective agreement with the entity under which the entity identifies potential organ donors and notifies the organization, subject to clause (ii).

"(ii) The Secretary may waive the requirement of clause (i) to the extent determined by the Secretary to be necessary to promote organ donation and the equitable allocation of organs.";

(B)(i) in the matter preceding subparagraph (A), by striking "shall—" and inserting "shall comply with the following:";

(ii) in each of subparagraphs (B) through (K), by inserting "The organization shall" before the first word of the subparagraph;

(iii) in each of subparagraphs (B) through (I), by striking the comma at the end and inserting a period; and

(iv) in subparagraph (J), by striking ", and" and inserting a period;

(C) in subparagraph (E)—

(i) by inserting "(i)" after the subparagraph designation; and

(ii) by adding at the end the following clauses:

"(ii) The organization shall, subject to clause (iii), ensure that the system under clause (i) allocates each type of organ on the basis of a single list, maintained exclusively by the organization, of individuals who have been medically referred to a transplant center in the service area of the organization in order to receive a transplant of the type of organ with respect to which the list is maintained, and who are citizens or permanent resident aliens of the United States.

"(iii) Upon the request of the organization, the Secretary may, with respect to the service area of the organization, waive the requirement of clause (ii) regarding a single list if the Secretary determines that the waiver is necessary to ensure the equitable allocation of organs of the type involved and maximize the opportunities for successful outcomes of transplants of such organs."; and

(D) in subparagraph (H), by striking "participate" and all that follows through "372" and inserting the following: "be a member of, and abide by the rules and requirements of, the Organ Procurement and Transplantation Network established under section 372".

SEC. 3. ORGAN PROCUREMENT AND TRANSPLANTATION NETWORK.

Section 372(b) of the Public Health Service Act (42 U.S.C. 274(b)) is amended—

(1) in paragraph (1)—

(A) in subparagraph (A), by striking "and" after the comma at the end; and

(B) by striking subparagraph (B) and inserting the following subparagraphs:

"(B) have a board of directors composed of not more than 32 members, whose membership includes—

"(i) representatives of organ procurement organizations, transplant centers, and voluntary health associations; and

"(ii) individuals who have received a transplant of an organ, individuals who are part of the family of an individual who has donated an organ, and individuals who have been medically referred to receive a transplant of an organ (or individuals who are part of the family of individuals who have been so referred), which individuals shall in the aggregate constitute not less than ⅓ of the membership of the board; and

"(C) establish, through such board of directors, an executive committee and other committees, the chairs of which shall be selected to ensure continuity of leadership for the board."; and

(2) in paragraph (2)—

(A) by striking "shall—" in the matter preceding subparagraph (A) and all that follows through the end of clause (i) of such subparagraph and inserting the following: "shall—

"(A) establish (in one location or through regional centers)—

"(i) with respect to each type of organ—

"(I) a national list of individuals who have been medically referred to receive a transplant of the type of organ with respect to which the list is maintained and who are citizens or permanent resident aliens of the United States (which list shall include the names of all individuals included on lists in effect under section 371(b)(3)(E)), and

"(II) a national list of individuals who have been so referred and who are in the United States but are not such citizens or such aliens, and"; and

(B)(i) in subparagraph (J), by striking "and" after the comma at the end;

(ii) in subparagraph (K), by striking the period at the end and inserting a comma;

(iii) in subparagraph (L), by striking the period at the end and inserting a comma; and

(iv) by adding at the end the following subparagraphs:

"(M) establish the condition that, with respect to the type of organ involved, the list under subclause (II) of subparagraph (A)(i) may be considered in allocating an organ only if no individual on the list under subclause (I) of such subparagraph is a medically appropriate recipient for the organ,

"(N) submit to the Secretary for review and approval any change in the amount of fees imposed by the Network for the registration of individuals on the lists maintained under subparagraph (A)(i) (which change is deemed to be approved if the Secretary does not provide otherwise before the expiration of the 30-day period beginning on the date on which the change is submitted to the Secretary),

"(O) make available to the Secretary such information, books, and records regarding the Network as the Secretary may require, and

"(P) meet such criteria regarding compliance with this part as the Secretary may establish.".

SEC. 4. NATIONAL BONE MARROW DONOR REGISTRY.

(a) IN GENERAL.—

(1) TRANSFER OF PROGRAM.—Section 379(a) of the Public Health Service Act (42 U.S.C. 274k(a)) is amended in the first sentence by inserting after "Secretary" the following: ", acting through the Administrator of the Health Resources and Services Administration,".

(2) TRANSITIONAL AND SAVINGS PROVISIONS.—

(A) With respect to amounts made available under appropriations Acts for the purpose of carrying out the program transferred pursuant to paragraph (1) from the National Institutes of Health, the transfer of the program may not be construed as affecting the availability of such amounts for such purpose.

(B) The Secretary shall ensure that, for fiscal 1994, the number of employees of the Department of Health and Human Services who are engaged in carrying out the program transferred by paragraph (1) is not less than the number of employees who were so engaged on June 28, 1993.

(b) PATIENT ADVOCACY; RECRUITMENT OF DONORS.—Section 379 of the Public Health Service Act (42 U.S.C. 274k) is amended—

(1) in subsection (b)—

(A) in paragraph (2), by striking "establish" and all that follows and inserting the following: "establish a program for patient advocacy in accordance with subsection (j);"; and

(B) in paragraph (5), by striking "recruit" and all that follows and inserting the following: "establish a program for the recruitment of bone marrow donors in accordance with subsection (k);";

(2) by striking subsection (j); and

(3) by inserting after subsection (i) the following subsections:

"(j) PATIENT ADVOCACY.—For purposes of subsection (b)(2), a program for patient advocacy is established in accordance with this subsection if—

"(1) the program is headed by a director;

"(2) with respect to the procurement of bone marrow, the program provides that the Director is to serve as an advocate on behalf of—

"(A) individuals who are registered with the Registry to become a recipient of a transplant from a biologically unrelated donor;

"(B) the families of such individuals; and

"(C) the physicians involved;

"(3) the program provides case management services for such individuals, families, and physicians; and

"(4) the program meets such other criteria as the Secretary may establish.

"(k) RECRUITMENT OF DONORS.—For purposes of subsection (b)(5), a program for the recruitment of bone marrow donors is established in accordance with this subsection if—

"(1) in recruiting an individual to enroll in the Registry, and in each subsequent stage of the process of recruitment, the program provides to the individual information regarding the possibility that, if it is determined that it is medically inappropriate for the individual to be a donor for the patient involved, a sibling of the individual may nevertheless be a medically appropriate donor for the patient;

"(2) in the case of an individual who is enrolled with the Registry, the program provides for annual (or more frequent) informational mailings to each such individual, which mailings concern the status of the activities of the Registry;

"(3) the program provides for the training of counselors to meet individually with individuals who are so enrolled and who, pursuant to the Registry, have been requested to undergo confirmatory testing pursuant to a search for bone marrow for a particular patient;

"(4) in the case of an individual described in paragraph (3), the program provides to the individual a general description of the medical condition of the patient involved and an assessment of the possibility that the individual is a medically appropriate donor for the patient; and

"(5) the program meets such other criteria as the Secretary may establish.".

SEC. 5. STUDY BY GENERAL ACCOUNTING OFFICE.

(a) IN GENERAL.—Section 379A(a) of the Public Health Service Act (42 U.S.C. 274l(a)) is amended by striking "conduct" in the matter preceding paragraph (1) and all that follows and inserting the following: "conduct a study for the purpose of—

"(1) assessing the extent to which the program carried out under section 379 maintains the confidentiality of the identity of individuals who are enrolled with the Registry;

"(2) assessing the extent to which such individuals cooperate with the Registry when the Registry requests the individuals to undergo supplemental testing regarding the donation of bone marrow;

"(3) assessing, in the case of such individuals who have been determined to be medically appropriate donors of bone marrow for the patients involved, the extent to which such individuals are willing to make a donation of bone marrow;

"(4) assessing the extent to which activities carried out pursuant to section 379(k) provide information to the individuals involved that is sufficient for the individuals to make informed decisions regarding the donation of bone marrow;

"(5) assessing the extent to which the case management services provided under section 379(j)(3) are effective in assisting patients in receiving the transplants involved;

"(6) developing recommendations on improving the program of the Registry, including proposals to increase the number of transplants with successful outcomes while maintaining the confidentiality of the identity of the individuals authorizing the donations of bone marrow;

"(7) assessing the extent to which efforts to recruit minority individuals to enroll in the Registry have been successful;

"(8) assessing, in the case of minority individuals who have been medically referred to receive a transplant of bone marrow, the measures that should be implemented to ensure that the Registry provides for such individuals a probability of locating a biologically unrelated, medically appropriate donor that is reasonably equivalent to the probability that exists with respect to Caucasian individuals who have been so referred; and

"(9) assessing the extent to which the fees imposed by transplant centers with respect to the search for a donor of bone marrow, when considered in light of the fees imposed by the Registry, constitute a significant obstacle to individuals in obtaining a transplant of bone marrow.".

(b) DATE CERTAIN FOR SUBMISSION OF REPORT.—Section 379A(b) of the Public Health Service Act (42 U.S.C. 274l(b)) is amended by striking "1 year" and all that follows through "this part" and inserting the following: "2 years after the date of the enactment of the Organ and Bone Marrow Transplantation Amendments of 1993".

SEC. 6. TRANSFER OF PROGRAMS; MISCELLANEOUS CONFORMING AMENDMENTS.

(a) IN GENERAL.—The Public Health Service Act (42 U.S.C. 201 et seq.), as amended by the preceding provisions of this Act, is amended—

(1) by striking title XVIII;

(2)(A) by transferring sections 371 through 377 from the current placement of such sections;

(B) by redesignating such sections as sections 1801 through 1807, respectively;

(C) by inserting such sections, in the appropriate sequence, after title XVII; and

(D) by inserting before section 1801 (as so redesignated) the following:

"TITLE XVIII—TRANSPLANTATION OF ORGANS AND OF BONE MARROW

"PART A—ORGAN TRANSPLANTATION";

(3)(A) by striking section 378;

(B) by transferring sections 379 and 379A from the current placement of such sections;

(C) by redesignating such sections as sections 1811 and 1813, respectively;

(D) by inserting such sections, in the appropriate sequence, at the end of title XVIII (as so designated); and

(E) by inserting before section 1811 (as so redesignated) the following:

"PART B—NATIONAL BONE MARROW DONOR REGISTRY";

and

(4) in title III (as amended by section 2008(i)(2)(B) of Public Law 103-43)—

(A) by striking the part designations and headings for each of parts H and I; and

(B) by redesignating parts J through N as parts H through L, respectively.

(b) CROSS-REFERENCES; OTHER CONFORMING AMENDMENTS.—Title XVIII of the Public Health Service Act, as added by subsection (a) of this section, is amended—

(1) in section 1801(b)(3)—

(A) in subparagraph (C), by striking "section 372(b)(2)(E)" and inserting "section 1802(b)(2)(E)"; and

(B) in subparagraph (H), by striking "section 372" and inserting "section 1802";

(2) in section 1802(b)(2)(A)(i)(I), by striking "section 371(b)(3)(E)" and inserting "section 1801(b)(3)(E)";

(3) in section 1803, by striking "section 376" and inserting "section 1806";

(4) in section 1804—

(A) in subsection (a), by striking "section 372 or 373" and inserting "section 1802 or 1803";

(B) in subsection (b)—

(i) in paragraph (1), by striking "section 371(a)(1)" and inserting "section 1801(a)(1)";

(ii) by striking paragraph (2);

(iii) by redesignating paragraph (3) as paragraph (2); and

(iv) in paragraph (2) (as so redesignated), by striking "section 371(a)(3)" and inserting "section 1801(a)(2)";

(C) in subsection (c), by striking "section 371 or 373" each place such term appears and inserting "section 1801 or 1803"; and

(D) in subsection (d)—

(i) in paragraph (2), by striking "section 373" and inserting "section 1803"; and

(ii) by adding at the end the following paragraph:

"(3) The term 'citizens or permanent resident aliens of the United States' means individuals who are citizens or nationals of the United States, or who are aliens lawfully admitted for permanent residence in the United States (or otherwise permanently residing in the United States under color of law).";

(5) in section 1807, by striking "SEC." and all that follows through "The Comptroller General" in subsection (a) and inserting the following:

"STUDY BY GENERAL ACCOUNTING OFFICE

"SEC. 1807. (a) IN GENERAL.—The Comptroller General";

(6) in section 1805(3), by striking "section 372" and inserting "section 1802";

(7) in section 1811, by striking "**SEC.**" and all that follows through "The Secretary" in the first sentence in subsection (a) and inserting the following:

"NATIONAL REGISTRY

"SEC. 1811. (a) ESTABLISHMENT.—The Secretary"; and

(8) in section 1813—

(A) by striking "**SEC.**" and all that follows through "The Comptroller General" in subsection (a) and inserting the following:

"STUDY BY GENERAL ACCOUNTING OFFICE

"SEC. 1813. (a) IN GENERAL.—The Comptroller General"; and

(B) in subsection (a)—

(i) in paragraph (1), by striking "section 379" and inserting "section 1811";

(ii) in paragraph (4), by striking "section 379(k)" and inserting "section 1811(k)"; and

(iii) in paragraph (5), by striking "section 379(j)(3)" and inserting "section 1811(j)(3)".

SEC. 7. INFORMATION, EDUCATION, AND TRAINING REGARDING TRANSPLANTATION OF BONE MARROW.

Part B of title XVIII of the Public Health Service Act, as added by section 6(a) of this Act, is amended by inserting after section 1811 the following section:

"INFORMATION, EDUCATION, AND TRAINING

"SEC. 1812. (a) IN GENERAL.—The Secretary may make grants to, and enter into contracts with, public or nonprofit private entities for the purpose of—

"(1) planning and conducting programs to provide information and education to the public on the need for donations of bone marrow; and

"(2) training individuals in requesting such donations.

"(b) PRIORITIES IN MAKING GRANTS.—In making awards of grants and contracts under subsection (a), the Secretary shall give priority to carrying out the purpose described in such subsection with respect to minority populations.".

SEC. 8. AUTHORIZATION OF APPROPRIATIONS FOR NEW TITLE XVIII.

Title XVIII of the Public Health Service Act, as added by section 6(a) of this Act, is amended by adding at the end the following part:

"PART C—GENERAL PROVISIONS

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 1821. For the purpose of carrying out this title (other than section 1801(a)(1)), there are authorized to be appropriated $20,000,000 for fiscal year 1994, and such sums as may be necessary for each of the fiscal years 1995 and 1996.".

SEC. 9. STUDY REGARDING SYSTEM FOR ALLOCATION OF ORGANS.

(a) IN GENERAL.—The Secretary of Health and Human Services (in this section referred to as the "Secretary") shall conduct a study for the purpose of determining the feasibility, fairness, and enforceability of allocating organs in the United States based solely upon the clinical need of the patient involved and the viability of the organ involved, with no consideration given to the geographic area in which the transplant is to be performed or the geographic area in which the donation of the organ is made.

(b) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Secretary shall submit to the Committee on Energy and Commerce of the House of Representatives, and to the Committee on Labor and Human Resources of the Senate, a report describing the findings made in the study required in subsection (a) and the actions taken by the Secretary to implement changes consistent with the findings.

SEC. 10. ISSUANCE OF REGULATIONS.

(a) ORGAN PROCUREMENT AND TRANSPLANTATION NETWORK.—

(1) IN GENERAL.—

(A) Not later than the expiration of the 90-day period beginning on the date of the enactment of this Act, the Secretary of Health and Human Services (in this section referred to as the "Secretary") shall issue a proposed rule to establish regulations for criteria under part A of title XVIII of the Public Health Service Act (as added by section 6(a) of this Act).

(B) Not later than the expiration of the 1-year period beginning on the date of the enactment of this Act, the Secretary shall issue a final rule to establish the regulations described in subparagraph (A).

(2) CONSIDERATION OF CERTAIN BYLAWS AND POLICIES.—In developing regulations under paragraph (1), the Secretary shall consider the bylaws and policies of the United Network for Organ Sharing (established by contract under section 1802 of the Public Health Service Act, as redesignated by section 6(a) of this Act), as contained in the document entitled "Bylaws and Policies of the United Network for Organ Sharing".

(3) FAILURE TO ISSUE REGULATIONS BY DATE CERTAIN.—If the Secretary fails to issue a final rule under subparagraph (B) of paragraph (1) before the expiration of the period specified in such subparagraph—

(A) the proposed rule issued under subparagraph (A) of such paragraph is upon such expiration deemed to be the final rule under subparagraph (B) of such paragraph (and shall remain in effect until the Secretary issues a final rule under such subparagraph); or

(B) if no such proposed rule is issued before such expiration, the bylaws and policies specified in paragraph (2) and in effect upon such expiration are deemed to be the final rule under

paragraph (1)(B) (and shall remain in effect until the Secretary issues a final rule under such paragraph).

(b) NATIONAL BONE MARROW DONOR REGISTRY.—

(1) IN GENERAL.—

(A) Not later than the expiration of the 90-day period beginning on the date of the enactment of this Act, the Secretary shall issue a proposed rule to establish regulations for standards, criteria, and procedures under part B of title XVIII of the Public Health Service Act (as added by section 6(a) of this Act).

(B) Not later than the expiration of the 1-year period beginning the date of the enactment of this Act, the Secretary shall issue a final rule to establish the regulations described in subparagraph (A).

(2) CONSIDERATION OF CERTAIN BYLAWS AND POLICIES.—In developing regulations under paragraph (1), the Secretary shall consider the bylaws and policies of the entity that operates the National Bone Marrow Donor Registry pursuant to a contract under section 1811 of the Public Health Service Act (as redesignated by section 6(a) of this Act).

(3) FAILURE TO ISSUE REGULATIONS BY DATE CERTAIN.—If the Secretary fails to issue a final rule under subparagraph (B) of paragraph (1) before the expiration of the period specified in such subparagraph—

(A) the proposed rule issued under subparagraph (A) of such paragraph is upon such expiration deemed to be the final rule under subparagraph (B) of such paragraph (and shall remain in effect until the Secretary issues a final rule under such subparagraph); or

(B) if no such proposed rule is issued before such expiration, the bylaws and policies specified in paragraph (2) and in effect upon such expiration are deemed to be the final rule under paragraph (1)(B) (and shall remain in effect until the Secretary issues a final rule under such paragraph).

SEC. 11. EFFECTIVE DATES.

(a) IN GENERAL.—The amendments described in this Act are made upon the date of the enactment of this Act. Except as provided in subsection (b), such amendments take effect October 1, 1993, or upon the date of the enactment of this Act, whichever occurs later.

(b) QUALIFIED ORGAN PROCUREMENT ORGANIZATIONS.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by section 2 take effect January 1, 1994. Before such date, section 371 of the Public Health Service Act, as in effect on the day before the date of the enactment of this Act, continues to be in effect.

(2) ADDITIONAL PROVISION.—The amendment made by section 2(b)(2)(A) (relating to effective agreements with entities with facilities for organ donations) takes effect upon the expiration of the 180-day period beginning on the date on which a final rule takes effect under section 10(a). Before such amendment takes effect under the preceding sentence, section 371(b)(3)(A) of the Public Health Service Act, as in effect on the day before the date of the enactment of this Act, continues to be in effect.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California [Mr. WAXMAN] will be recognized for 20 minutes, and the gentleman from Virginia [Mr. BLILEY] will be recognized for 20 minutes.

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

GENERAL LEAVE

Mr. WAXMAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks, and include therein extraneous material on H.R. 2659, the bill now being considered.

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

There was no objection.

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

The principal purpose of H.R. 2659 is to extend for 3 fiscal years the authorization of appropriations for the National Organ Transplant Act. That act provides statutory authority for the national procedures governing organ procurement, allocation and transplantation. Passage of this legislation is necessary to assure continuation of the national systems that facilitate the procurement and distribution of solid organs and bone marrow for transplantation. Authorized for fiscal year 1994 is $20 million.

Mr. Speaker, passage of the National Organ Transplant Act was a response to miraculous advances in medical technology. With the development of breakthrough immunosuppressive drugs, the life saving effectiveness of transplantation for patients with fatal heart, lung and liver disease dramatically improved. Kidney transplants also became more successful as new drugs improved the quality of life for thousands of patients with chronic kidney disease.

The National Organ Transplant Act provides the framework for a sound and equitable national policy on organ transplantation. Unfortunately, in recent years the gap between available donors and patients needing transplants has widened. Scientific and surgical advances have expanded the number of diseases that can be treated with transplantation. Today, almost 30,000 Americans are waiting for an organ transplant. Many will die because of the shortage of solid organs and bone marrow.

Tragically, efforts to encourage organ donation have not kept pace with demand. The number of organ donors has remained essentially flat. As the gap has widened, concerns over the equity and effectiveness of transplantation policies have increased.

A major goal of this reauthorization is to develop more successful means of promoting organ donation and reduce the gap between transplant patients and the supply of organs. To do this effectively, the legislation addresses public concerns about the fairness of the allocation process by which scarce, lifesaving organs are made available to patients in need.

For example, the legislation endorses a recommendation of the General Accounting Office and requires that most, if not all organ procurement organizations end the practice of maintaining separate, transplant center specific, patient waiting lists. The legislation also places restrictions on the transplantation of foreign nationals when U.S. citizens are waiting for a transplant. U.S. citizens and permanent residents will be given priority in the allocation process. The bill also requires the Secretary to consider a proposal that organs be allocated on the basis of patient need and organ viability rather than the geographic location in which the organ is procured.

Mr. Speaker, to expand the availability of organs for donation, the public must be confident that the system for allocating organs is fair and equitable. It is also critical that the needs of patients take precedence over the needs of individual transplant centers. These two principles are embodied in the reauthorization.

The legislation also includes a number of necessary reforms to the system for recruiting bone marrow donors and facilitating transplants. The legislation requires that patients be afforded access to case management services and that potential donors are provided more complete information about the donation process. In addition, the bill provides high priority for additional donor recruitment activities, particularly among minority communities. These initiatives will go far to increase the number of bone marrow transplants that are performed each year.

Finally, the legislation requires that the Secretary of Health and Human Services issue regulations to provide a legal foundation for the policies and procedures that control the solid organ and bone marrow procurement and transplantation systems. The Department's inability to issue final regulations has reflected an institutional abdication of responsibility to assure that donation and transplantation policies are effective, fair, and enforceable. Under the legislation the Secretary is directed to issue proposed regulations within 90 days and to finalize those regulations within 1 year.

I want to acknowledge the invaluable assistance of the full committee chairman, Mr. DINGELL, and the subcommittee's ranking minority member, Mr. BLILEY. Each was instrumental in the drafting of the bill and was personally committed to strengthening the Nation's organ transplantation system.

Mr. Speaker, passage of this reauthorization will help give renewed hope to the thousands of patients for whom organ and bone marrow donation is truly the gift of life.

Mr. Speaker, I urge support for the legislation.

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

Mr. Speaker, I am a strong supporter of both the National Organ Transplant Program and the National Bone Marrow Donor Program. To date, the Bone Marrow Program has facilitated 1,766

unrelated transplants. In 1992, 16,475 individuals received solid organ transplants as a result of the Organ Transplant Program. Twenty years ago such progress in the science of transplantation and in the quality of life of transplant patients would have been unthinkable.

However, it is clear that the pace of science has exceeded the awareness of the American people about the importance of organ donation, and particularly bone marrow donation. To date, there are more than 30,000 potential transplant patients waiting for solid organs and currently, the chances of finding a matched bone marrow donor and having a transplant are about 40 percent for nonminorities and 15 percent for African-Americans. It is essential that we make every effort to increase the number of donors.

I am a very strong supporter of the Bone Marrow Program. We should remember that this program has proven to be a great success because of the principles of volunteerism and altruism. I was very concerned about some provisions in the bill reported out of subcommittee that I felt could have led potential donors to feel inappropriately pressured into continuing their participation in the program. I am pleased that the full committee adopted the en bloc amendments I worked out with the chairman of the Health Subcommittee to address these concerns.

I also had some serious concerns about a number of changes the bill made to the Solid Organ Program which I felt could interfere with the practical operations of the program including the requirements for the single OPO wide organ list, the single OPO designation for hospitals, the board structure and the ability of the organ procurement and transplantation network to provide services to their members. Again, the en block amendment adopted by the full committee does address these concerns. While many of these changes do not go as far as I would have liked, they definitely improve the bill.

I would also like to express my appreciation to the chairman in not rushing to the floor with this bill. The compromise amendment was agreed to at the last minute and I wanted to ensure that both Members and the transplant community had sufficient time to review the legislation. This has permitted us to bring to the floor a bipartisan, noncontroversial bill.

□ 1340

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

Mr. WAXMAN. Mr. Speaker, we have no requests for time at the moment, but I will continue to reserve my time.

Mr. BLILEY. Mr. Speaker, I yield such time as he may consume to the gentleman from California [Mr. MOORHEAD], the ranking minority member of the full Committee on Energy and Commerce.

Mr. MOORHEAD. Mr. Speaker, I rise in support of H.R. 2659. Organ and bone marrow transplants have become one of the many medical miracles of this century. Since the original Organ Transplant Act was enacted in 1984, we have seen even more advances due to the development of breakthrough drugs and the growing effectiveness of transplants for patients afflicted with fatal heart, lung, and liver diseases.

This bill provides a simple renewal of existing authorities for both the Solid Organ Program and the National Bone Marrow Transplantation Program. The bill also requires that the Secretary issue regulations establishing enforceable procedures for the procurement, allocation, and transplantation of solid organs and bone marrow. In addition, the bill requires that each hospital may only have an agreement with one organ procurement organization. This provision was of particular concern to me because it could have unnecessarily disrupted longstanding relationships that have proven highly beneficial to transplant patients. I am pleased that a waiver provision was included in the bill. The Secretary is authorized to grant waivers if she determines that the waiver is necessary to promote organ donation and to ensure the equitable allocation of organs.

I urge my colleagues to join me in supporting this bill.

Mr. BLILEY. Mr. Speaker, I yield such time as he may consume to the gentleman from New York [Mr. GILMAN].

Mr. GILMAN. Mr. Speaker, I am pleased to rise today in support of H.R. 2657, the Organ and Bone Marrow Transplantation Amendments, and I would like to commend the chairman of the Subcommittee on Health and the Environment, the gentleman from California [Mr. WAXMAN], and the ranking minority member, the gentleman from Virginia [Mr. BLILEY], for their support of this measure.

H.R. 2659 reauthorizes the National Organ Transplant Act through fiscal year 1996. Additionally, this measure also improves the act by expanding the National Marrow Donor Program to enhance minority-donor recruitment, and establishes a system of advocacy for bone marrow transplant patients.

Some of my colleagues may know, I have a constituent who is in desperate need of a bone marrow transplant. Jay Feinberg is a 25-year-old, who has been desperately searching for a compatible bone marrow donor since 1991.

Jay was diagnosed with chronic myelogenous leukemia in June 1991. The only potential cure for this dreadful disease is a bone marrow transplant and without such a transplant, Jay will die because chemotherapy does not alter the natural cause of this disease.

Mr. Speaker, an estimated 82,600 American children and adults are stricken each year with leukemia, aplastic anemia or other fatal blood diseases. For many, the only hope for survival is a bone marrow transplant. Nearly 70 percent cannot find a suitable transplant match within their own families. These patients need to find unrelated donors—people who have offered to give the living gift of life to a specific patient in need. As the pool of potential marrow donors increases, so do the odds of a match for the thousands of patients in need. The chance that a patient will find a matching, unrelated donor in the general population is somewhere between one in a hundred and one in a million.

Jay has continued to run blood drives and his family has tested over 35,000 people. Although a donor has not yet been found for Jay, his family continues to find donors for others.

Mr. Speaker, I urge my colleagues to educate their constituents on the importance and ease of becoming a marrow donor and giving the living gift of life.

The requirements to be a marrow donor are relatively simple. To be a marrow donor, you must be between the ages of 18 and 55 and be in good health. All it takes is 10 minutes and two tablespoons of blood to join the National Marrow Donor Program registry. Those interested in becoming donors should call the National Marrow Donor Program at 1-800-654-1247.

Accordingly, Mr. Speaker, I support H.R. 2659, and urge all of my colleagues to vote in favor of this legislation which enhances the Organ and Bone Marrow Transplant Donor Programs.

Mr. BLILEY. Mr. Speaker, I want to thank the chairman of the subcommittee, the gentleman from California [Mr. WAXMAN]. I want to thank our staffs, his staff, mine, and the staff of the chairman of the full committee, for working together to smooth the rough edges on this bill and to make a good product that we can all be proud of and support.

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

Mr. WAXMAN. Mr. Speaker, I thank the gentleman from Virginia [Mr. BLILEY] for his cooperation in this legislation and for the work that our staffs have done to prepare this bill for today as a bill that all of us can join in supporting. Mr. Speaker, I yield back the balance of our time.

The SPEAKER pro tempore (Mr. TAYLOR of Mississippi). The question is on the motion offered by the gentleman from California [Mr. WAXMAN] that the House suspend the rules and pass the bill, H.R. 2659, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended, and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

□ 1350

COUNTRY MUSIC MONTH

Ms. BYRNE. Mr. Speaker, I ask unanimous consent that the Committee on Post Office and Civil Service be discharged from further consideration of the Senate joint resolution (S.J. Res. 102) to designate the months of October 1993 and October 1994 as "County Music Month," and ask for its immediate consideration.

The Clerk read the title of the Senate joint resolution.

The SPEAKER pro tempore (Mr. TAYLOR of Mississippi). Is there objection to the request of the gentlewoman from Virginia?

Mr. BURTON of Indiana. Mr. Speaker, reserving the right to object, I will not object, but I simply would like to inform the House that the minority has no objection to the legislation now being considered.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Virginia?

There was no objection.

The Clerk read the Senate joint resolution, as follows:

S.J. RES. 102

Whereas country music derives its roots from the folk songs of our Nation's workers, captures the spirit of our religious hymns, reflects the sorrow and joy of our traditional ballads, and echoes the drive and soulfulness of rhythm and blues;

Whereas country music has played an integral part in our Nation's history, accompanying the growth of our Nation and reflecting the ethnic and cultural diversity of our people;

Whereas country music embodies a spirit of the American people and the deep and genuine feelings individuals experience throughout life;

Whereas the distinctively American refrains of country music have been performed for audiences throughout the world, striking a chord deep within the hearts and souls of fans everywhere; and

Whereas October 1993 and October 1994 mark, respectively, the twenty-ninth and thirtieth annual observances of Country Music Month: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the months of October 1993 and October 1994 are designated as "Country Music Month", and that the President is authorized and requested to issue a proclamation calling upon the people of the United States to observe such months with appropriate ceremonies and activities.

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

GENERAL LEAVE

Ms. BYRNE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the Senate joint resolution just considered and passed.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Virginia?

There was no objection.

CONGRESSIONAL ACTION URGED TO WITHDRAW TROOPS FROM SOMALIA

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

Mr. WELDON. Mr. Speaker, I rise today for a brief period of time to talk about the outrageous situation in Somalia and the need for this body to do something more than the sham resolution we passed last week in terms of our feelings on what action we should take to bring our troops back home.

I would invite our colleagues also who are in their offices to realize that following the 5-minute special orders today, our colleague, the gentleman from New York [Mr. SOLOMON] will be doing a 1-hour special order, and he has invited many of us to get involved in this debate so that we can focus attention on the need for America to take action to bring our troops home.

Mr. Speaker, when President Bush first decided we were going to send our troops to Somalia, as a member of the Armed Services Committee I had reservations, reservations about committing so many troops 7,800 miles away to a mission that I was not quite sure was the responsibility of the military. But I supported him because the original mission was to secure the port, secure the airstrips, and secure the feeding centers so that people could be fed and so that the relief planes could get in and out of Somalia. And we did that. I was over in Somalia, in both Mogadishu and Baidoa, in January and February of this year, and I saw the success that our troops had had in accomplishing their missions. In fact, they did it with a great deal of pride and completeness in terms of feeding the people of Somalia.

In fact, Mr. Speaker, as we all know, for the past 8 months there have been no photographs on TV of starving people in Somalia because the American troops did their job. The problem is, Mr. Speaker, that the current administration does not know what the mission of our troops is at the current time. So for the last 8 months, since January of this year, our troops have gotten involved in a whole new operation, from going house to house and arresting people to trying to get involved in the internal conflict and the civil war that is going on inside that country.

That was not the original purpose for which we sent our troops to Somalia, and it has gotten us in a great amount of trouble, and which, as we saw this past weekend, caused 12 of our Americans to be added to the casualty list.

We have spent $2 billion in Somalia. We tell the workers in America that we have no money to extend unemployment benefits, but we spent $2 billion in going over to a country and staying there well beyond the need to stay in terms of accomplishing our objectives. And this administration and its chief spokesman on Somalia operations, Mr. Shinn, has said he could see us keeping troops in Somalia through 1994 and 1995.

It is time, Mr. Speaker, for this body to take some decisive action. We had a CYA sham vote on the defense bill last week which allowed Members to cover their butts and say that we want the President to report back to us in 2 weeks on what our missions are. If we have been there 10 months and do not know what our missions are in Somalia, then 2 weeks is not going to give us those missions. It was a sham vote and just an attempt to allow Members to have some cover.

I stood up here with our colleague, the gentleman from Arizona [Mr. STUMP], and we called the vote what it was, a sham, and we at that point in time said we should be voting on an amendment to bring our troops home now. We were not given that opportunity because of the rules of this House.

Over this past weekend one of my constituents, Michael Carroll, was injured. He was shot in the shoulder in trying to go in when those two helicopters were down. He lies right now in a hospital in Germany. His parents talked to him yesterday, and let me tell the Members what Michael said to his parents, Mr. Speaker. He said he understood the reason we were there initially, but he cannot understand why the Army is not allowed to do their job right, why, when there were thousands and thousands of troops there, no one attacked them, but now that we have cut all but 4,000 to 5,000 troops, they are under constant attack. He does not understand it as someone we have asked to go to Somalia to protect what he thinks are our national interests.

Mr. Speaker, this President and this administration have got to take decisive action. We have got to get back our hostages, use whatever force is necessary, and commit whatever amount of troops it requires to get them back first of all, and then we have got to bring our troops home immediately, not 6 months from now, not in 1994 or 1995, not in January or December, but immediately, and bring those POW's as well as our troops back home to America.

This job should be handled by the Organization of African Nations or by the United Nations, not by America. We have spent too much of our taxpayers' money, we have committed too many

lives, and we have seen too much blood already shed in a situation that is not in our national interest.

Mr. Speaker, I implore our colleagues to come down and sign a discharge petition to force legislation to the floor for an up-or-down vote on bringing our troops home immediately, getting our hostages back, bringing the troops home, and stopping this craziness that is going on in committing our troops to a country that does not want them in the middle of a civil war which just sees more and more American blood being shed.

Mr. Speaker, I am submitting for inclusion in the RECORD the report of my constituent, Michael Carroll. I wish him well in the hospital, as I do all those families and all those military personnel who have been injured or killed in the line of duty in that country, and I would implore our President to take some leadership as Commander in Chief and bring our troops back home.

MICHAEL CARROLL INJURED IN SOMALIA, OCTOBER 3, 1993

Michael K. Carroll, E-4 was shot in the shoulder on Sunday, October 3, 1993, at 7:10 a.m. in Mogadishu, Somalia. He is a resident of Drexel Hill, PA. and his parents, Michael and Stephanie, live at 853 Gainsboro Road.

Michael Carroll was part of a team that was trying to secure the two crashed helicopters that were down in Mogadishu, and he and his company came under heavy fire. Michael received gunshots to the shoulder and was evacuated to Langstock Military Hospital Base. He is still there as of October 5.

He is part of the 10th Mountain Division, 214th Infantry Battalion, C-Company, out of Fort Drum.

According to his parents the bottom line was that Michael understood the reason why he was there, but he can't understand why the Army is not allowed to do their job right. For example, when there were thousands and thousands of troops there, no one attacked them. Now that the troop levels are very low, they're under constant attack. If they are there, they should be able to do the job right. If not, they should be sent home.

□ 1400

GREATER OVERSIGHT OF HMO'S IS WARRANTED

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

Mr. STARK. Mr. Speaker, last month, the House District of Columbia Committee held a hearing on the proposed sale of Group Health Association [GHA] to Humana. It is not the role of Congress to grant approval or disapproval of the sale. But as the President's health proposal will speed the trend toward super HMO's and other large managed care plans, and as the sale impacts over 130,000 GHA members in the Washington area, a hearing was warranted. The focus of the hearing was how we can ensure that the HMO's and other plans in which we enroll are financially sound and will provide us with high quality care.

I thought some important points were made at the hearing, points relevant to the GHA-Humana buyout and to HMO's at large.

First, with the growth of HMO's, regulator must shift from a focus on the problems of overutilization to those of underutilization. Dr. Linda Peeno, who formerly served as medical director of an HMO in Kentucky and who also performed medical reviews for Humana, identified why we must worry about underutilization by HMO's. When she began her work, her job was explained very clearly: "We take in a premium; we use about 10 to 15 to run the business, and we try to keep as much as possible of the rest. Your job is to help us do that."

Doctors and nurses are increasingly employed by insurers as medical reviewers, as was Dr. Peeno, and often paid more than $200,000 a year to do the job. But what we need are doctors in HMO's who are not afraid to stand up for patients. I plan to introduce legislation that would ensure that a physician or nurse is not fired by a health plan for advocating on behalf of their patients.

Second, State regulation of HMO's, at best, focuses on their financial solvency. Few pay attention to quality. The District of Columbia, until the morning of the hearing, lacked any regulatory authority over HMO's as insurers. The District's move to monitor HMO financial solvency is absolutely necessary. In the hearing, it was reported that 178 HMO failures occurred nationally in the 1980 to 1990 period; this is out of a maximum number of HMO's in any 1 year of 633. But while financial solvency must be ensured, consideration to issues of quality must also be heightened.

Third, the Federal Government has a system to respond to complaints about HMO quality. But, the Federal regulatory authority over HMO's is less defined than it should be and the Health Care Financing Administration [HCFA] lags in implementing the authority it has. It is time for HCFA to get on with issuing the necessary regulations. Congress needs to grant additional authority to HCFA to suspend enrollments in HMO's which have recurring quality problems.

Fourth, until governments do a better job ensuring HMO quality, we shouldn't weaken malpractice laws that try to protect abused patients. In her testimony, Dr. Peeno described two cases where patients were clearly hurt, but she identified a more insidious problem: "using my medical expertise for the financial benefit of the organization, often at great harm to patients." This may not be true in every managed care company, but to the extent it exists we must develop means to eliminate it.

But even making all the changes that the September 14 hearing suggested, I worry about the ability of regulators and consumer groups to protect against substandard care in an increasingly price-competitive world. An additional remedy might be found in legislation I recently introduced. This legislation would require Members of Congress to enroll in the least costly health plan serving their place of residence. If the health insurance plan is good enough for a Member of Congress, then I will have greater confidence that it will be good enough for our constituents.

MEXICAN GOVERNMENT REFUSES TO EXTRADITE CITIZENS TO AMERICA

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

Mr. SHAW. Mr. Speaker, I rise today to discuss a matter that disturbs me greatly and that would outrage Americans all across this country if they only knew this sad and senseless story.

In the middle of the night just over a year ago, on September 14, 1992, a man broke into a home in southern California, abducted a helpless 4-year-old girl—an innocent child, violently attacked and sexually assaulted her in ways that are not fit to describe in this Chamber, then wrapped her in a blanket and left her for dead, tied to a tree. I know this because I have read the police report and spoken with the little girl's family.

Thank God, Mr. Speaker, this small child survived, and her parents are caring for her the best way they know how, but the dreadful odyssey this family has suffered during the last year is far from over.

Following this heinous crime the only suspect in this case, 29-year-old Serapio Zuniga Rios, fled to his native Mexico. The child's family, however, like any decent family, wanted justice.

Through great personal expense the family located Mr. Rios and began efforts through the extradition treaty between the United States and Mexico to have him returned to the United States and tried in Riverside County, CA, where the crime occurred. I am sure that at the time they believed that authorities would be eager to help. They found otherwise.

You see, Mr. Speaker, the Mexican Government does not extradite its nationals to the United States for crimes

committed on American soil, no matter how gross, willful, or malicious—even though we have an extradition treaty with that country. We have learned that there are hundreds of Mexican nationals accused of committing vicious criminal acts in this country who, with good reason, have absolutely no worry about standing trial here. You pick the crime—it doesn't matter. We can't get them.

Is this because our Government responds likewise in these cases? No, not at all. We routinely send American citizens to Mexico for crimes committed there and will, no doubt, continue to do so.

Mr. Speaker, I along with my colleagues GEORGE BROWN and KEN CALVERT, wrote to President Salinas in July, asking for his help and the cooperation of the Mexican Government in extraditing Mr. Rios. In a letter dated September 22 we received a reply from the Mexican Ambassador. In short, the Mexican Government will not extradite Mr. Rios. I offer a copy of that letter, as well as our earlier correspondence, for inclusion in the RECORD.

Mr. Speaker, we have reached a critical period in the development of commercial relations between the United States and Mexico. NAFTA would only increase severalfold the traffic of people and goods across the border between our two countries. But how can we enter into such a sweeping agreement as NAFTA without confidence that Mexico will have respect for the enforcement of United States law—at least for crimes committed here on our soil? Personally, I have not yet been convinced that we can.

The legal enforcement of trade agreements cannot and should not be divorced from the mutual enforcement of criminal law. It is a matter of simple human rights for the citizens of the United States.

The debate over NAFTA and the extradition treaty discussions now in progress present a prime opportunity to make real progress in pursuit of justice in the Riverside County, CA, case and, at the same time, achieve badly needed, lasting improvements in extradition policies between Mexico and the United States.

Mr. Speaker, I do not understand and cannot accept the manner in which the Rios case has been handled by Mexican authorities to date. It calls into question the honor and good faith in the broad spectrum of relations between our two countries. More specifically, it is unacceptable for the United States-Mexico extradition treaty to be interpreted as a one-way street in which the United States extradites our nationals to stand trial in Mexico, but the Government of Mexico refuses to reciprocate.

Finally, let me once again strongly urge the Mexican Government to reconsider its decision and extradite Serapio Zuniga Rios to stand trial for the heinous crime he is accused of having committed last year in Riverside County, CA. Our citizens and this small child's family deserve it.

CONGRESS OF THE UNITED STATES,
Washington, DC, July 22, 1993.

Hon. CARLOS SALINAS DE GORTARI,
President, Republic of the United Mexican States, Mexico City, Mexico.

DEAR PRESIDENT SALINAS: In many ways, your government has come to represent a new age in the politics and development of our hemisphere. We also believe that your efforts to broaden and improve relations between our two countries hopefully presages a new era of cooperation and mutual respect that will benefit the peoples of both nations, and we commend your leadership.

In that vein, we wish to bring to your attention a matter of the utmost concern to us, in the hope that your government will help us achieve a resolution satisfactory to all concerned.

In the early morning hours of September 14, 1992, a man broke into a family home in Riverside County, California. That intruder kidnapped a 4-year-old girl and then raped and sodomized her at a nearby work site. After that attack, this little girl was completely enwrapped in a blanket, tied to a tree, and left to die. It was a miracle that she survived this brutal assault.

The prime suspect in this crime is a 29-year-old Mexican national, Serapio Zuniga Rios, who was in the U.S. legally at that time on a green card. He is suspected of having fled across the border into Mexico immediately after the crime occurred. We have knowledge of his current whereabouts inside Mexico.

Pursuant to the terms of the U.S.-Mexico Extradition Treaty now in effect, the U.S. Government last month formally requested the extradition of this suspect for whom a felony warrant has been issued in Riverside County, California.

Our purpose in writing is to request in the strongest terms possible that your government take immediate action to have this suspect placed in custody by the appropriate Mexican law enforcement authorities and extradited forthwith to stand trial in the U.S.

We view this situation as an opportunity for our two countries to work together in an area of concern that has, in the past, been fraught with problems for both of our governments. But as you know, new bilateral discussions on extradition and related matters have begun. Since we recognize problems have arisen under the terms of the existing U.S.-Mexico Extradition Treaty, we strongly urge you to assist us in this pending case, thus setting the stage for resolution of broader extradition policy concerns.

Certainly, both of our governments should be responsive to the needs of the other in important matters such as this. Your help in this extradition case would also be greatly appreciated by the family of the 4-year old victim, the people of California and the rest of the United States, as well as members of Congress and other U.S. Government officials.

We thank you for your assistance and look forward to hearing from you.

Sincerely yours,

CLAY SHAW,
Member of Congress.
GEORGE E. BROWN, Jr.,
Member of Congress.
KEN CALVERT,
Member of Congress.

EMBAJADA DE MEXICO,
Washington, DC, September 22, 1993.

Hon. E. CLAY SHAW, Jr.,
U.S. House of Representatives, Rayburn House Office Building, Washington, DC.

DEAR MR. SHAW, Jr.: I refer to your letter of July 22, 1993, concerning Mr. Serapio Zúñiga Ríos, who is believed to have raped a four year old girl in the United States of America.

In the regard, I wish to point out that this subject was discussed by Secretaries Christopher and Solana, and Attorneys General Reno and Carpizo during the last Mexico-U.S. Binational Meeting. At that time, the Government of Mexico restated to the U.S. Government that Mr. Zúñiga will undergo criminal proceedings in Mexico. To that end, U.S. authorities have collaborated with Mexico by providing with the information they have on the case. Moreover, on the basis of the information provided by U.S. authorities, the competent Judge for criminal matters in Mexico has already issued a warrant of arrest against Mr. Zúñiga Ríos, and the Mexican Office of the Attorney General has assigned a special task group of the Federal Judicial Police to locate and arrest Mr. Zúñiga, who is apparently in Mexico.

I deeply appreciate your interest in this matter, and I hope that this information will be satisfactory and useful for you.

Should you have any additional questions, please do not hesitate to contact me.

Sincerely,

JORGE MONTAÑO,
Ambassador.

DESIGNATING OCTOBER 1993 AND 1994 AS COUNTRY MUSIC MONTH

The SPEAKER pro tempore (Mr. TANNER). Under a previous order of the House, the gentleman from Tennessee [Mr. CLEMENT] is recognized for 5 minutes.

Mr. CLEMENT. Mr. Speaker, I am proud to rise in support of the resolution designating October 1993 and 1994, as "Country Music Month."

I would, in particular, like to thank the Post Office and Civil Service Committee for bringing this resolution to the floor today. And I thank the majority of my colleagues who joined in cosponsoring the House resolution.

As the representative of Music City, U.S.A., I can attest to the importance of country music to the lives of our fellow citizens. Music, as you know, plays an invaluable role. Not only does it celebrate the wide range of human emotions, but it also reflects the changing values of our Nation and her people through its lyrics and musical style itself.

Country music is a blend of several musical styles and, in itself, is unique to America. As the joint resolution says, country music derives its roots from the folk songs of our country's workers, captures the spirit of our religious hymns, reflects the sorrow and joy of our traditional ballads, and echoes the drive and soulfulness of rhythm and blues.

Country music has accompanied the growth of our Nation and reflects the ethnic and cultural diversity of our

people. Its current popularity is due, no doubt, to the fact that country music embodies a spirit of America and the deep and genuine feelings each of us experiences throughout our lives. Country music commemorates working life and strikes a responsive chord deep within the hearts and souls of its fans.

Country music remains rooted in the individual concerns of the common people. As my friend, Johnny Cash, once wrote "country music is the one voice that the working man has to express himself to the world." Thus, it is perhaps clear why country music is so popular in these difficult economic times.

Mr. Speaker, October 1993 and October 1994 mark respectively the 29th and 30th anniversary celebrations of country music. I am honored to be the sponsor of House Joint Resolution 106, and, again, I thank my colleagues for their support and I thank the committee for bringing the country music resolution to the floor.

CHRONOLOGY OF EVENTS CONCERNING SECRETARY OF COMMERCE RON BROWN

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana [Mr. BURTON] is recognized for 60 minutes.

Mr. BURTON of Indiana. Mr. Speaker, I hope all of my colleagues are paying attention to this special order tonight, because it bears on a very important issue involving a Cabinet officer of the Clinton administration, Mr. Ron Brown, the Secretary of Commerce.

There has been over the past week, and especially this weekend, a lot of news reports about Mr. Brown's activities. I watched a number of political talk shows this weekend.

□ 1410

There were a lot of gaps in the discussions about what went on during the events that took place, possibly, between Mr. Brown, Mr. Hao, and Mr. Binh Ly. So what I would like to do during this special order, for anyone who cares to pay attention, but particularly my colleagues, I would like to go through the chronology of events as laid out to me by Mr. Binh Ly, who was the gentleman who was involved in this series of events, this debacle, if you want to call it that.

I spent 2½ hours with him in my office last week, and we tape recorded his entire testimony. I gave that tape to many members of the media as well as a paper chronology of the events that took place.

In addition to the chronology of events, which I am going to go through, which take probably 15 or 20 minutes, I also have some additional information that came out this weekend regarding Mr. Brown and some things that have taken place. Bear in mind, this is a discussion between Mr. Binh Ly and myself, and it makes allegations about Mr. Brown, Secretary of Commerce Brown, that have not yet been verified but surely need investigating.

July 1992, Binh Ly, a naturalized American from South Vietnam, met with Mr. Hao through a family introduction. Mr. Hao, I will explain in a few minutes, used to be an official in the South Vietnamese Government.

After their meeting, Mr. Hao formed a corporation called the Vietnam Development Corp., and he asked Mr. Binh Ly's assistance in raising money and working with him in getting a prospectus, if you will, involving the United States and Vietnam and negotiating an end to their hostility toward one another and normalizing relations with Vietnam. That was the purpose of the Vietnam Development Corp., to start developing things in Vietnam that will get the country back on its feet.

Following the Presidential election of November 3, a package was sent on November 13 by Federal Express to Ron Brown from Mr. Hao's home by Mr. Binh Ly. Mr. Binh Ly took this package, this prospectus, if you will. He sent this to Mr. Ron Brown from Mr. Hao's home.

On November 23, about 20 days later, Mr. Hao called Binh Ly for a meeting. Hao explained that Secretary Brown had chartered a private jet, which he said cost $8,000, and he flew down to Florida to meet with Mr. Hao.

Mr. Hao, Mr. Binh Ly, a gentleman named Xay Le and a gentleman named Tan Nguyen then flew to Vietnam. Tan Nguyen had been the principal assistant to Mr. Hao when Mr. Hao was the Deputy Prime Minister of the Republic of South Vietnam. Xay Le is a Houston businessman with connections with Mr. Hao.

Hao at that time showed Mr. Binh Ly Ron Brown's business card and said he had talked with him. While in Vietnam, from November 30 to December 19, 1992, the Prime Minister of Vietnam called from Hanoi to talk to Hao. I believe they were at that time in Saigon or what is now called Ho Chi Minh City. But the Prime Minister of Vietnam called from Hanoi to talk to Mr. Hao. The delegation also met with the Chairman of the People's Committee, the Communist People's Committee, while they were there in Ho Chi Minh City.

They were there for 2 weeks. The group then flew to Hanoi at Hanoi government expense and stayed in the government guesthouse. The delegation had a 3-hour meeting with the Prime Minister of Vietnam and his chief of staff. Mr. Hao then asked for and received a private meeting with the Prime Minister of Vietnam.

Hao then told Binh Ly, immediately after the meeting with the Prime Minister, that the deal was done, the deal was done, and Brown, Secretary Brown, was in.

Mr. Hao asked Binh Ly to draft a letter to Brown for the Prime Minister to sign. He then wanted a letter of understanding signed by the Prime Minister to Brown so Brown would know that this was a legitimate offer or was an offer coming straight from the Government of Vietnam.

Binh Ly edited the letter and he changed it into English.

The letter said, in part, to Brown, please sit down and arrange the details of the road map between the United States and Vietnam.

The following day, Mr. Hao met with the Chairman of the Communist Party of Vietnam, Du Muoi. The delegation saw the signed letter from Vo Kiet, the Prime Minister of Vietnam, to Brown. Hao also faxed a letter to Marc Ashton from Saigon.

Now, this letter that was faxed to Marc Ashton was faxed by Binh Ly. And Binh Ly, when he tried to fax it, he said Mr. Ashton picked up the phone. And he talked to Mr. Ashton briefly, and then Mr. Ashton put the phone down and the faxed letter went through.

The letter said that things were going well. They had had a successful trip and, when they got back, they were going to go to Washington to meet with Mr. Brown.

Binh Ly then took a separate flight, because they had differing things they wanted to do on their way back from Vietnam. And Binh Ly went through Taipei, I believe, and he came back to the United States another way on a different plane.

Mr. Hao then, when they got back to the United States, met with Binh Ly and told him that he had been to Washington, DC. Mr. Hao said that he had hand-carried the letter from Prime Minister Kiet to Secretary Brown. Brown was to respond and then Hao would return to Vietnam hand-carrying a letter back to the Prime Minister.

Brown had promised to lift the Vietnam trade embargo and then to establish most-favored-nation status. There were six other items in the letter as well.

I want all my colleagues to get this. Secretary Brown, it is alleged, then sent a letter back to the Prime Minister of Vietnam saying that we were going to lift, he would work to lift the trade embargo and then to establish most-favored-nation status to Vietnam, and there were six other items in the letter as well.

Hao described the deal as $700,000 to Brown from the Vietnamese Government, plus a concession on oil and gas reserves.

I want to tell my colleagues that I believe that the oil and gas reserves in Vietnam are the third largest in the

world. So when a lot of these commentators and others say, "Well, $700,000, why would Brown do that? He is a very wealthy man in his own right."

We are not talking about $700,000. We are probably talking about hundreds of millions of dollars and maybe even billions of dollars. Because if he got royalties on oil and gas reserves from Vietnam, we are talking about money that you can hardly imagine.

In addition to that, Brown was to receive a percentage of or equity in all new business from companies from the United States that went to Vietnam to do business through Brown's entree.

Now, later on, we will find out that Brown was supposed to have agreed to bring about 150 new American businesses to Vietnam. There is another large amount of money, maybe another few hundred million dollars that could have been acquired because 150 major corporations going to Vietnam and him getting a percentage was a lot of money.

The $700,000 was to be placed in an offshore account through close friends, possibly in the name of Marc Ashton or Lillian Madsen, who is the sister of Ashton's wife, or Mr. Hao.

On December 28, Binh Ly confronted Hao during a face-to-face meeting over the ethics of continuing to work with Brown, when he had been nominated for Secretary of Commerce.

□ 1420

Hao told Binh Ly that he should follow his leadership and be patient, that he was a young man and he had a lot to learn, and that Hao would groom Binh Ly as a new leader in the new Vietnam. Hao said he believed that he himself, Hao, if all this worked out, could win future elections and become Prime Minister of Vietnam himself.

Hao called Binh Ly on approximately December 30, to help pack a gift for the mayor of Saigon. Hao told him he had gotten the letter from Brown that afternoon. The next morning Hao left for Vietnam, but Binh was not asked to go on the trip. The reason Binh Ly felt he was not asked to go on the trip was because he had raised some objections to dealing with Brown, since he was now about to become Secretary of Commerce, and because of that they thought they might have a little problem with him down the road, they might not be able to trust him, so they did not ask him to go on this trip.

Binh Ly consulted with a friend and mentor. Here Binh Ly is concerned about this. He sees deep water, he told me, and because of that he and his wife got in the car while Mr. Hao went to Vietnam and they drove to Louisiana, I believe. There he met with Mr. Howard Crawford, who is kind of like a father image to Binh Ly. He told him the whole story. He told him how he got involved and everything.

Mr. Crawford recommended that Binh Ly remove himself from the group, but also, to listen to Hao when he returned to Vietnam. He suggested that the group could be subject to criminal charges if Brown stayed in the partnership.

When Binh Ly returned from Louisiana or from Lafayette, Louisiana, there were several messages on his answering machine from a very worried Mr. Hao. On January 21, Mr. Hao met with Binh Ly. He threw a bank account statement on Hao's breakfast table, saying that the account had been opened in the Banque Indosuez in Singapore. One of Hao's partners in Bangladesh, a Mr. Uyen Quang Le, is the senior vice president for the Banque Indosuez and an ex-governor of the Central Bank of Vietnam. He is the senior vice president of Banque Indosuez in Bangladesh.

He said that he had opened the account, Mr. Hao said this gentleman had opened the account in Singapore. There was to be $1 million put into the account, with $700,000 for Secretary Brown and $300,000 for the Vietnam Development Corp.

Hao then told Binh, Binh Ly, that he would be appointed as head of the energy group in Vietnam, working with the Vietnamese Government and possibly the 150 United States companies that Brown was to introduce to Vietnam. Hao told Binh that Binh and his family would have to then move to Washington, DC, because they were going to be opening an office there for the Vietnam Development Corp.

On February 3, Binh wrote a resignation letter to Mr. Hao. In the letter he said that Hao had breached their terms of agreement, and what he said he meant by that was that there would be no dishonesty or any collusion or anything that would smack of dishonesty in the negotiations for normalizing relations with Vietnam.

On February 14, Ly's brother-in-law said that Hao had demanded through him that Binh attend a meeting with him the next day. Hao and Binh met and Hao asked Binh to keep everything quiet, to keep his mouth shut, and asked how much money he wanted in cash. Hao said that if Binh kept his mouth shut he would pay him right now. Binh Ly said that was not the issue. He kept saying that over and over again. He said Mr. Hao got pretty upset, and said, "How much do you want? How much do you want? How much do you want?"

The meeting ended, and Binh Ly decided that it was time to contact the media, because he was concerned about possibly his safety, because Mr. Hao was so upset. So he contacted the Miami Herald, and the Miami Herald interviewed Binh Ly for an hour on February 18. On February 24, after the story ran in the paper, the FBI contacted Binh Ly. He was interviewed for 2 hours, and they asked him to take a lie detector test or polygraph test.

On February 25 they gave him a 6-hour, very comprehensive lie detector test. The next day the FBI contacted Bihn Ly and said that he passed with flying colors. I want all my colleagues to remember that. Binh Ly took a 6-hour lie detector test, going into all this, and he passed it with flying colors.

On March 14 Binh Ly or Binh Ly's brother-in-law said that the Miami Herald had called Mr. Hao on the phone to ask him about the story, and to try to get some answers. The message was relayed from Mr. Hao to Binh Ly through his brother-in-law to stop what he was doing with the press, because the Government of Vietnam would regard Binh Ly as an enemy. It was a threat.

He said, "If you keep this up, the Government of Vietnam is going to consider you an enemy, and you might be in real jeopardy."

The FBI suggested after the meeting on February 24 that Binh Ly try to work again with Mr. Hao. Binh Ly agreed. They tried to tap several phone conversations between Binh Ly and Mr. Hao. Mr. Hao by this time, since it was in the papers, was very concerned, and he would not say anything on the telephone, so the effort to try to get Mr. Hao to admit anything on the phone was fruitless.

On April 23 the FBI asked Binh Ly to return his beeper. Mr. Ly was very concerned. "Why do you want me to return the beeper," because they had given him a beeper so they could stay in touch with him about the case.

The FBI said they wanted the beeper back because their section was the victim of budget cuts. Mr. Ly could not understand that, because the beeper only cost about $10 a month. He said he looked at the FBI guy and said, "You are taking my beeper back, you want to break off contact with me, because you have budget cuts?" And the FBI guy kind of winked and shook his head and said, "Well, it is budget cuts." The FBI thanked him for his help and asked Binh Ly what he would do next. Binh Ly said that he was going to go to the press.

I would like to say to my colleagues, and I am making no allegations, except that Janet Reno was confirmed as the Attorney General of the United States, I believe, in March, early March, and a little over a month later the FBI decided to take the beeper back and eliminate the investigation that was involving Mr. Ly.

Nothing happened for about 3 or 4 months. Then there was a news story in one of the magazines, and my colleagues will have to forgive me, I cannot think of which magazine it was, but it went into great detail on this. Three weeks after the magazine article a grand jury was empaneled in Miami,

and the grand jury investigation is going on as we speak.

Mr. Binh Ly has not yet been called by the grand jury. We wonder why he has not been called, because his testimony it seems to me is extremely relevant to the possible prosecution, if they feel prosecution is necessary, of Mr. Brown.

I want to go into just a few more things that have happened in the past few days, but before I do that I want to go into the chronology of things that I think are very relevant. Remember that on February 25 Binh Ly took a 6-hour polygraph test, lie detector test, and he passed it with flying colors. Remember that Binh Ly said that Mr. Hao met three times with Ron Brown to seek his help in lifting the trade embargo against Vietnam. Secretary Brown denied ever meeting with Mr. Hao, denied ever knowing Mr. Hao, through a press secretary down at the Commerce Department. He said he didn't know Mr. Hao, had never had any meetings with him.

Then the gentleman at the Department, the Commerce Department, Mr. Desler, said, "I may have misinterpreted the Secretary, in what the Secretary told me in explaining that he had never met with Mr. Hao," because later on the attorney for Mr. Brown said that yes, Mr. Brown had met with Mr. Hao, not once, not twice, but three times. After his press secretary denied all this, the attorney for Mr. Brown then admitted that he did know Mr. Hao and had met with him three times.

The last time he met with Mr. Hao was at the Department of Commerce. They had dinner and then they went over to the Department of Commerce to talk. Mr. Brown alleges that his meetings were social. He denied meeting this gentleman three times, then he admits meeting the man three times. Now he is saying they were just social meetings.

Binh Ly made the statement that he and Mr. Hao traveled to Vietnam in December and met with Prime Minister Vo Van Kiet. Binh Ly drafted a letter from the Prime Minister to Ron Brown asking him to prepare a road map for better relations between the United States Government and Vietnam. The Vietnam Government has denied that it sought help from Ron Brown or offered him money. However, on October 1, ABC News reported that the FBI has obtained two fax notes from Mr. Hao to a high-level government official in Vietnam describing his meetings with Ron Brown in November and December as very positive. I don't know why he would have said that in these letters, after having been to Vietnam, twice, this was before the second time he went back to Vietnam, but after having been there, and saying they were very positive meetings.

Mr. Ly stated on January 21 that Mr. Hao met with Binh Ly and showed him a bank statement from Banque Indosuez in Singapore. He said $700,000 was to be deposited into an account for Mr. Brown or somebody, and another $300,000 to set up their office here in Washington.

□ 1430

On October 2 the New York Times reported that Federal investigators, and this is very important for our colleagues, Federal investigators have uncovered evidence that the Vietnamese Government was preparing to establish a special bank account in Singapore. The evidence is in the form of the transfer of undisclosed sums of money between East Asian banks to some bank in Singapore.

These allegations are so important and so severe that there needs to be a complete and thorough investigation by the Congress of the United States. Many of my colleagues have said well, wait a minute, you have a grand jury investigation going on right now down in Miami; why are you suggesting we do something while that grand jury investigation is going on. The grand jury investigation deals with whether or not a Cabinet official, Mr. Brown, did something corrupt for which he should be indicted and brought to justice through a trial. But the Clinton administration has taken two steps to normalize relations with Vietnam, once in July and once in September. And those steps to normalize relations create a cloud over this administration that needs to be cleared up. And the only way we can clear up that is by the Congress of the United States conducting an investigation to find out if a Cabinet official used his influence to normalize relations with Vietnam when we still have not had a full accounting of the 2,200 POW-MIA's that are over there.

We have said continually that we would never normalize relations with Vietnam until we had a full accounting of all of those POW-MIA's, and yet in July and September steps were taken to normalize relations with Vietnam by withdrawing our opposition to our allies giving loans to Vietnam so that they could get themselves in a position where financially they could request IMF and World Bank loans.

Then in September the Clinton administration approved a program where American businesses can go over there, and if World Bank loans are forthcoming, they can bid for that business and start doing business in Vietnam and the communist Vietnamese Government.

Ron Brown said in testimony before our committee last week, and I asked him directly, he told me that he has never discussed with Mr. Hao or the administration normalizing relations with Vietnam during this period, and he has never discussed with his top Commerce Department officials normalizing relations with Vietnam. And yet we found out that in June, when the National Security Council met to talk about Vietnam, it was at the principal level, which is the highest Cabinet level, either the Cabinet official or their designees are supposed to be in those meetings, that normalization of Vietnam was discussed very thoroughly. And I have been led to believe that in those meetings the Commerce Department, Mr. Brown's Commerce Department took the lead in pushing for normalization of relations.

Now if that is true, and if Mr. Brown or one of his chief lieutenants that has discussed this with Mr. Brown was at those meetings, and led the fight to normalize relations with Vietnam, then if that is true Mr. Brown misled the Congress last week when he appeared before our committee.

All of these things must be investigated. This is very, very important not just for the 2,200 families of the POW's and MIA's, but to this government as a whole. I say to my colleagues we need either to have a special prosecutor, or an independent counsel law passed so that we can have an independent counsel, or we need to have a complete investigation by the Congress, or possibly two of the three. That is, having a special prosecutor and an investigation.

I have written letters to the President of the United States asking for a lot of answers. We will be writing another letter to him asking for more information, a letter of inquiry. We will be writing a letter to Mr. Brown asking for in-depth information about these transactions and allegations. And if we do not receive a response from them within 10 days or 2 weeks, then I will be filing a resolution of inquiry with the Congress, which I believe will be referred to the Committee on Government Operations, which should be the committee of jurisdiction. And we will urge them to have a complete investigation, to bring all of this to light. This is extremely important. Every day new revelations come forth, and we as a Congress representing the people of this country need to get to the bottom of this.

If Mr. Brown is innocent, then he should be exonerated, and be able to go on about his business, conducting his office over there at the Department of Commerce. But if he is guilty, then he needs to be removed from office and brought to justice. And if he used his influence to normalize relations with Vietnam at a time when we have had no full accounting of the POWs and MIAs, then by golly, this administration should stop the negotiations with Vietnam immediately. And we have already written a letter to the President asking him to stop these negotiations with Vietnam right now, until all of this is cleared up.

But we should cut off relations with Vietnam until we get that full accounting on the POW's and MIA's, No. 1; and No. 2, until the entire issue has been eliminated by the administration and by this Congress.

This is very serious. And my colleagues on the other side, many of them have said to me, "Oh, DAN, this is a witch hunt." I want to tell them that we had other witch hunts in the past. We had Watergate, we had Irangate, we had what else, we had two or three other things, and I never heard any of them objecting to that. These are very serious allegations, and the man who made the charges, Mr. Binh Ly, passed a 6-hour lie detector test. And the FBI was so convinced that they gave him a beeper, and they conducted a very thorough investigation, and even tapped Mr. Hao's phone.

We need to get to the bottom of things. We can trace a lot of these things if we have the ability to, if we get a subpoena from the Congress of the United States. We can find out, for instance, if Mr. Brown chartered that plane for $8,000 to fly down to Florida, which he said, or initially his spokesman said he did not do. We can find out through Federal Express if that package of information was sent up to Mr. Brown from Mr. Hao's home early on. And we can get a lot of other things like telephone records. We can find out if Mr. Brown received phone calls for Mr. Hao at the Commerce Department, or before, and we can find out through phone records over at the Commerce Department if Mr. Brown was contacting Mr. Hao. There are a ton of things we can find out if we get the authority through subpoena, and through investigation in this Congress.

I submit to my colleagues we need to get to the bottom of this.

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

Mr. BURTON of Indiana. I am happy to yield to the gentleman from New York.

Mr. SOLOMON. Mr. Speaker, first of all I just want to commend the gentleman from Indiana for taking this special order to bring out these facts.

You know, the American people, and a large number of the American people have felt for years that there has been a cover-up over the whole Vietnam POW-MIA issue. There are still, as the gentleman said, over 2,000 American servicemen who are unaccounted for. That means that there are 2,000 families who do not have the peace of mind of knowing what happened to those young men and women who have served this country so valiantly.

I can recall having taken a CODEL there 7 years ago in which we met with the Foreign Minister at that time in Vietnam in which he finally, for the first time 7 years ago, said that there was a possibility that alive American POW's and MIA's could possibly be in their country, not under the official control of the Federal Government, but perhaps back in the caves, or with local gendarmes, as he used the term, but not under their control. And even to this day there has still not been a total cooperation.

We have word now that even during the Korean war American soldiers were sent into Russia and Siberia. We know that they were sent from Vietnam into the Soviet Union. We need to have that accounting.

There should be absolutely no normal relations with that country until there is full cooperation.

Again, this whole thing with Mr. Brown just tends to lead to that assumption that there was some kind of a cover-up all along in this Government, and that should not be. So if Mr. Brown is innocent, then by all means let him prove it. If he is not, let us get to the bottom of this thing.

I really admire the gentleman for taking this special order and bringing this to the attention of this Congress, and I thank the gentleman.

Mr. BURTON of Indiana. I thank the gentleman for his contribution.

Let me just end up by saying that this is not the end of this. This is just the beginning. A number of us, myself included, are going to do every single thing in our power to force this issue until we get these answers.

There is a lot at stake here, the credibility of our Government is at stake, and the credibility of Mr. Brown is at stake, the families and loved ones of the POW's and MIA's are at stake, and we cannot leave these things unanswered. So we need to do a number of things in this Congress, and I urge my colleagues to join with me in asking for a full accounting on all of these issues to get to the bottom of it.

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

□ 1440

THE SITUATION IN SOMALIA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York [Mr. SOLOMON] is recognized for 60 minutes.

Mr. SOLOMON. I thank the Speaker.

Mr. Speaker, yesterday I spoke at length on the situation that is taking place in Somalia. I am going to do the same thing today because there are so many unanswered questions concerning this situation which is taking the lives of American soldiers today.

I am taking this special order to express my concern again, my profound concern, about the ongoing situation in that place called Somalia. The events of the past 72 hours have taken a fearsome toll: 12 American lives have been taken, 12 dead; 78 seriously wounded; and perhaps as many as 8 being held hostage in a place called Mogadishu.

Mr. Speaker, this carnage, this madness must stop. The so-called rebuilding of Somalia is not worth the price of one American life, much less the carnival of death that has been displayed on our television screens, such a despicable situation.

When American troops were first sent to Somalia 10 months ago, their mission was supposed to be humanitarian in nature and it was supposed to be short term in duration. Few Americans had any quarrel with such a proposition because we are a nation that cares about people, particularly starving people. Indeed, our troops performed their intended mission with professionalism and with skill, as they did in Desert Storm under a different kind of mission. They should have come home, mission accomplished, when that mission was completed. And it was completed.

Now they are confronted with an altogether different situation, an altogether different mission. Our troops have been thrust into a primitive and hostile environment and are now being expected to come up with the solutions to Somalia's problems, solutions which the diplomats and politicians around the world have failed to produce.

Mr. Speaker, call it nation-building, call it stabilizing the situation, call it anything you like; this new mission has nothing to do with the training that our forces have received, the equipment at their disposal, or the reasons for which they were sent there in the first place.

Mr. Speaker, if anyone in the United Nations or the Clinton administration can offer an explanation as to how our troops are supposed to perform this new mission, I would certainly like to hear about it. And I would especially like to hear how any operation can be conducted under a United Nations command and control structure which is so inept that a contingent of our forces, our American forces, could be pinned down for a full 7 hours the other day before reinforcements were ever sent in. That is unheard of.

The plain fact is, Mr. Speaker and colleagues, that there is nothing in Somalia to rebuild or to reestablish in the first place. This is a country which scarcely fits any plausible definition of a viable nation-state, even in the best of times. Somalia has been a basket case ever since its independence was declared back in 1960. There is nothing there for our troops to rebuild. The Somalis are essentially a nomadic people, and their fighters can disappear into the shifting sands in the wink of an eye.

Mr. Speaker, the Gannett papers in my district expressed this dilemma very well in an editorial just this morning. To quote them:

> A humanitarian United Nations mission to help starving Somalis is quickly turning into an undeclared war with American casualties.

The mission has changed, which makes the original U.S. policy no policy at all. President Clinton must avoid dragging the United States deeper and deeper into a war for an uncertain and possibly unachievable mission.

Mr. Speaker, I would like to make just one final observation. Suggestions have been made in some quarters that a United States pullout from Somalia would endanger future U.N. peacekeeping efforts. I would simply respond by saying that this debacle in Somalia is a perfect example of how misguided idealism can distort our policies and our understanding of our own national interest. The only time that American troops should be used anywhere in the world is when there is a compelling national United States of America interest.

Furthermore, the United Nations must also show some sense of discrimination and proportion.

The United States simply cannot be a party to a process that elevates each and every civil war between tin-pot dictators into a full-blown international crisis that requires our country and our troops to act as referee.

Mr. Speaker and Members of this House, the time has come to do two things: We must go into Somalia with everything we have, full-blast, to get our hostages, all eight of them, and any dead besides, out of there. And then we have to get our troops out of Somalia and we have to keep them out. This misguided, deadly adventure in Somalia has got to stop, and it must stop today.

Mr. Speaker, in about 1 hour, those Members who want to, are going to be meeting, with Secretary of Defense Les Aspin and Secretary of State Warren Christopher. I just hope and pray that they are going to be able to say to us what I have just said to you, that the administration is going to bring those troops home. They have no business being in Somalia. American foreign policy under all modern Presidents, going all the way back to Franklin Delano Roosevelt, Harry Truman, Dwight Eisenhower, John F. Kennedy, Ronald Reagan and all the rest, has been to support the sovereignty and the boundaries of sovereign, democratic nations. Ladies and gentlemen, this is not protecting the sovereign boundaries of a democracy or a nation; this is nothing but anarchy and chaos, and we should not be there. Hopefully, Warren Christopher and Les Aspin will be able to give the American families who have servicemen serving in the Armed Forces today the answers we want to hear, to confirm the overwhelming thought that we should not be in Somalia in the first place.

Mr. Speaker, I appreciate the House taking the time to hear me talk about this issue, and hopefully we will not have to keep doing this day by day.

□ 1450

Mr. Speaker, I would continue my special order and yield to the gentleman from Louisiana [Mr. LIVINGSTON], a very respected member of the Subcommittee on Foreign Operations, Export Financing and Related Programs of the Committee on Appropriations, who has been very much involved in the foreign affairs of our country for so many years.

Mr. LIVINGSTON. Mr. Speaker, I thank my friend for yielding to me. I congratulate him on taking this special order.

I have to say, Mr. Speaker, that I am very concerned about our Somali policy.

I was concerned about it when we first agreed to go in there, but we had a clear and concise motivation. We were sending our troops in to stop the starvation, and we did so. We accomplished that feat in a matter of 3 or 4 weeks.

I went over there to Somalia in January. Our young marines and our young soldiers were doing an outstanding job of maintaining security, maintaining peace so that the private volunteer organizations could get around the country and feed the starving people of Somalia.

We have maintained that peace, but in the process, in the last couple months, we have all of a sudden found ourselves engaged in a partisan war. We were not being partisan at the outset. We were intermediaries. We were neutral.

Now it seems that we are not only partisan, but that we are in the process of killing citizens of Somalia and they are in the process of killing young men in American uniforms. That process has to stop.

I regret very strongly that we were not able to complete the task and pull out peacefully. I thought we should have been out of Somalia in the spring, but we were not. Now it has come to havoc.

I believe strongly that we should get our prisoners back this weekend, but then we should declare victory over hunger and get every last American troop out of Somalia.

It is not in the American interest, it is not in the interest of the United States for us to remain any longer than it is necessary to get our troops out and get our prisoners back.

So whether General Aideed is found or not, it seems to me that if he is ultimately captured, there will be other warlords to take his place.

Somalia does not have a single infrastructure of government in place. If we are there truly to nationbuild, we will be there for the rest of our natural lives.

Unfortunately, for too many of our young soldiers and marines, that time limit is bad because they will be killed in action.

It is not in our interest to stay there. It is not in our interest to send 40,000 troops under the auspices of the United Nations to Bosnia. It is not in our interest to send 600 young soldiers under the auspices of the United Nations to Haiti. We have to act in our own national interest. We have to act in the interests of the free world. Those interests are not being threatened in any one of those three places, Somalia, Bosnia, or Haiti.

We should not deploy American lives there. We should not risk American soldiers. We should not risk American marines any longer than is absolutely necessary to pull out every last troop from Somalia. Come back home and then make sure that we do not risk lives unnecessarily, except in the national interest.

Mr. Speaker, I thank my friend for yielding to me.

Mr. SOLOMON. Mr. Speaker, I thank the gentleman for those cogent remarks.

I might add that this is not any kind of a partisan attack. Yesterday on this floor during a special order that I conducted on the same subject, the gentleman from Missouri [Mr. SKELTON], a very valuable member of the Armed Services Committee and the chairman of the Subcommittee on Personnel talked about the very serious problems we have now with severe cuts in our military budget. The gentleman from Louisiana knows because he serves on the Appropriations Committee that makes the appropriations for the defense of our Nation. He talked about the fact that we cannot be involved in civil wars all over the world with the kind of defense budget we have today. We have to be able to maintain a readiness against situations that could occur in a place called Russia. I recall being with the gentleman in Moscow not too many months ago when we met with this criminal Vice President of Russia, Mr. Rutskoi. He pointed to a map on the wall and he said, "That is my vision of Russia." It took in all of Central and Eastern Europe, and God knows what else. We have to be prepared to defend against such things.

Mr. LIVINGSTON. Mr. Speaker, if the gentleman will yield just for one more comment, in the last 5 years we have cut roughly half a million people in uniform out of the armed services of the United States. In the last year alone we have cut $15 billion out of our defense budget, and yet we currently have 73,000 troops scattered all around the world under 17 difference peacekeeping missions. We currently have about 4,000 or 5,000 people in Somalia. We are planning on putting 30,000 people in Bosnia. We have 300 in Macedonia. We are talking about 600 in Haiti to restore a fellow who was elected in a democratic fashion, but who is quoted as saying that he favors necklacing such as they did in South

Africa where they put tires over people's heads and fill them up with gasoline and light them on fire. We are going to put 600 of our soldiers in there to secure that man in power? Thank you, no.

That is not in the national interest of the United States. We should not be doing this to our young men and women in uniform.

Frankly, I hope that the President goes back and re-reads his speech to the United Nations in which he stated very clearly the criteria and conditions under which we should be deploying troops. Those conditions do not apply to Somalia. They do not apply to Bosnia. They do not apply to Haiti and we should not be having troops there.

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

Mr. SOLOMON. I am happy to yield to the gentleman from Pennsylvania.

Mr. WELDON. Mr. Speaker, on that one point, when my colleague and good friend and I were over in Somalia earlier this year in the winter, in January or February, one of the things we heard repeatedly from the troops were that many of these young men had been away from their families three of the last four holiday seasons because of commitments we had made on their behalf either in Desert Storm or in exercises around the world and in Somalia.

We do not realize when we make the level of cuts that this President is proposing what it does to ordinary human beings, and yet this President in cutting back so much on defense wants to send them all over the place for these excursions where we lose more lives and keep them away from their families and ultimately cause morale to go down and readiness to go down.

Mr. LIVINGSTON. Mr. Speaker, if the gentleman will yield further, by making the cuts we force these young men and women in uniform to be deployed more frequently constantly and in more places around the world on a more frequent basis.

Even in January with the cuts that went on in the Bush administration, we saw people flying 7 days a week, flying C-130's, the pilots and the air crews, 13- to 15-hour days without a break for a month at a time.

The young Marines and sailors who had been deployed were already at sea for 6 months and they were unlikely to get back for another 2 or 3 months, even though it is our stated naval policy to not keep people at sea for longer than 6 months.

You cannot cut, cut, cut on the one hand, and expect these youngsters who are absolutely wonderful to go out and represent our interests all over the world with greater and greater frequency and be deployed in more increasingly hazardous situations that are not in our national interest, without suffering some adverse fallback. We are suffering it today. We have lost some of the prime of our youth, and I think it has got to stop.

Mr. SOLOMON. Mr. Speaker, the gentleman from Louisiana as well as the gentleman from Pennsylvania [Mr. WELDON] makes a terribly important point.

You know, you have to go back to look at Desert Storm. The reason that we had so very few losses of life during that situation was because we had the best trained, the best equipped, the most highly motivated troops we have ever had in this country.

Go back to 12 years before that, go back to 1979 when American hostages were being held in a place called Iran. To get those hostages out, the Army had to cannibalize about 15 helicopter gunships in order to get 5 that would work, and 3 of those failed. Then the two went in and the mission failed and we never did bring those hostages home under those conditions. That is what we are going back to, back to the days when American families who had their main breadwinner in the service were on food stamps all over this world, whether they were in Germany or in South Korea, wherever they were. In the 1970's, we lost all the good qualified technical people out of the military, both officers and noncommissioned officers.

We are headed back that way again. The time will come if we continue in this direction when our troops will be equipped the same way they were back in the seventies, and we will suffer terrible losses if we ever have to get these troops back into a place called Bosnia, which never will work. Adolf Hitler put 42 divisions in the Balkans, into Yugoslavia, and they failed miserably.

□ 1500

They got knocked off 1, and 5, and 10 at a time by snipers. That is what is going to happen to American troops, whether it is 25,000 or 250,000.

Let me yield to a former member of the Committee on Foreign Affairs and a gentleman who now serves with me on the Committee on Rules, the gentleman from Florida [Mr. GOSS].

Mr. GOSS. I say to the gentleman, thank you very much. I thank the gentleman from Glens Falls, my ranking member on the Rules Committee.

Mr. Speaker, as the gentleman knows, I have got to go to a Committee on Rules meeting very shortly, but I welcome this opportunity to address this issue which the gentleman from Louisiana [Mr. LIVINGSTON] and the gentleman from New York [Mr. SOLOMON] have already addressed so eloquently, along with many others today in the 1-minutes.

I picked up the paper today, the Washington paper, and the headline on it is: Rebellion Against Yeltsin Collapses After Army Shells Russian Parliament.

Mr. Speaker, that should be the headline of the century. That is about the equivalent of the unthinkable, of tanks being down on the Mall shelling the U.S. Capitol, in Russian history. That is a tremendously dramatic event, the Bolshevik Revolution replayed in our time, as it were.

But that is not the headline, Mr. Speaker. If my colleagues unfold the paper, the top headline is: Somalia Battle Killed 12 Americans, Wounded 78.

When did we declare war on Somalia? Was the U.S. Congress advised? How did we get into this all of a sudden, that the Washington paper's main headline, after the event of the century in Russia, is that we have a battle where we have a loss of life in a place called Somalia? What precisely is going on? Is the White House telling us? Is the White House telling America what the rules of engagement are? What our purposes are? What we are trying to accomplish?

I read in this story that the distinguished Secretary of State says in the face of these kinds of attacks it is time for Americans to be steady in our response and not to talk about getting out.

The people of this country are talking about getting out of Somalia; wake up, the word is out, we are talking about it.

Supposedly we are going to say it is still a secure environment is obtained. Now is that going to be the same policy we have had in Haiti, we are going to have in Haiti, for these 8,600 troops that the gentleman from Louisiana [Mr. LIVINGSTON] talks about? I do not know what the rules of engagement for Haiti are going to be, but, if we stay in Haiti until we have a stable environment, and it has been 200 years since we have had a stable environment, since the founding of the country, it will probably be another 200 years. I am not sure that is a good criterion to commit out trooops overseas.

Was it not the President of the United States that just last week suggested to us that the U.N. needs to know when to say no?

Now Americans are beginning to say, "Yes, the U.N. needs to know when to say no, and we need to know when to say no to subcontracting our troops to the U.N."

I do not think there is a single person who wants to see American armed service personnel responding to an officer corps that is not just as well trained and just as well versed in the military arts as the American officer corps, and I think that is a concern we all have to worry about.

But behind it all, the most troubling thing, even after one has said all of that, comes down to the lesson that General Powell, and my colleagues all remember General Powell; he only retired a few days ago. He said, "Don't commit a few troops. Commit enough troops to do the job."

And what is our response so far? Sending a few hundred more with a few pieces of military equipment into a situation where they do not have the manpower, the firepower or the air power, to control the situation, extract our people and conduct a successful military event without unnecessary risk to our Armed Forces personnel.

That is the mistake. We are making the very mistake that Colin Powell advised us against, and he has only been gone a very short time. One would think that our memories would be a little bit better than that.

The final point I would like to make, if the gentleman would yield for just a second more, that bothers me on this is that I am not sure the American people are comfortable in thinking that the White House knows what is going on or just how they are responding to it right now. I think that this is a debate we should have here, but as the gentleman of this Chamber, the gentlewoman of this Chamber, know, we tried to have this debate here. We have tried to have the voice of Congress speak on this subject, and we have been shut off, as those of us on the Committee on Rules very well know. We have had a weak substitute out there, but the basic, hardcore debate about getting out of Somalia now has been shut off, and that debate needs to be turned on.

Mr. SOLOMON. Mr. Speaker, I certainly appreciate the learned gentleman's remarks, and let me at this time yield to really one of the outstanding Members of this House from Wisconsin. I served with him on the Committee on Foreign Affairs for many years. He is still there as one of the senior ranking members and one of the most knowledgeable Members of this House, the gentleman from Wisconsin [Mr. ROTH].

Mr. ROTH. Mr. Speaker, I thank the gentleman from New York [Mr. SOLOMON], my friend, for yielding, and I thank him for taking this special order.

I want to say that I am very proud of the people that spoke here this afternoon. I do not think we have heard more eloquent debate on this floor ever than we have heard today because I think it has been heartfelt, this morning in the speeches and also this afternoon, and I think people are opening up their hearts to this problem because they can see that it is going to create more and more pain for our country in the future.

I say to the gentleman from New York [Mr. SOLOMON], a little while ago you had mentioned, and I appreciate your demeanor, you had mentioned that this is really a bipartisan issue. I don't quite see it that way, if you forgive me for saying that, although I respect your opinion very much. The reason I say that is this, is that when you look at all the evidence, the people speaking out against our policy in Somalia are all Republicans. I don't see any of the Democrats.

Mr. Speaker, when I see who wants to stay in Somalia, I talk with all of our Republicans. I did not find a single Republican today that said he wants to stay in Somalia, not a single one.

But yet the President wants to stay. The President said that we are going to put more troops into Somalia, and we are not going to widen the effort.

Secretary of State Christopher stated that no one should even think about getting out of Somalia. He is Democrat.

Secretary of our Committee on Foreign Affairs, the gentleman from Indiana [Mr. HAMILTON], said it would be a serious mistake to pack up and come home because it would harm U.S. and U.N. credibility. Now he is a Democrat.

We have Secretary Aspin say that we have to stay. Now he is a Democrat.

Mr. Speaker, all these people right down the line who want to stay are all Democrats. I have been going around this Chamber today. As my colleagues know, I did not find a single Republican that said he wanted to stay.

Therefore, Mr. Speaker, my conclusion is that the Democrats want to stay in Somalia, and the Republicans are saying, "Hey, we have done enough, we have done our share, it's time to come out." Every one of the Republicans that I talked to say the same thing.

Mr. Speaker, the United States cannot be the 911 for every trouble spot in the world. It is unfair to our soldiers, it is unfair to our troops, unfair to our taxpayers.

As my colleagues know, last night I had a chance to see the movie "Gettysburg," and my colleagues here today probably had a chance to go down and see it, too. It is an interesting metaphor for what is going on in our country today. As General Lee knew, once you commit yourself, it is almost impossible to get out of a situation, and so on the first day, when General Meade came to Gettysburg and engaged the Union Army, after that they were locked in. They could not retreat.

As my colleagues know, that is the same thing that happens in Bosnia, that is going to happen if we allow troops in Bosnia. We already have troops in Macedonia. It happened in Somalia.

I remember when we put our troops into Somalia in December. I called the White House, and I asked, "When are we going to get out of Somalia?"

Do my colleagues know what they told me?

"We are going to be out by Inauguration Day"; that is, January 20.

Well, January 20 came and went, and I went down to the White House after the new administration came in, and I said, "When are we going to leave Somalia?"

They said, "By the springtime we will be gone."

What happened in the springtime? In the springtime we had a resolution on this floor saying that we are going to be in Somalia for a year, but, if my colleagues read the fine print, it was a year or longer.

Mr. Speaker, if we Republicans do not take the initiative, we are going to be in Somalia at the turn of the century, and we are going to lose hundreds and hundreds of soldiers, and it is not fair to them. The Americans do not realize today that we had 4,000 troops in Somalia. Today we have got 5,700, and they are some of our elite troops, and the President wants to put more troops into Somalia. This is a real quagmire, and we have got to have the stamina and the courage to say no. Somebody has got to speak up for the American people.

And that is where the gentleman from New York [Mr. SOLOMON], he and some of our other friends that spoke here this afternoon, have to come in. We have got to take the leadership. If the President does not speak for the American people, if the Secretary of State, the Secretary of Defense do not, then we, in this Congress, have the obligation to speak up for our people because, after all, they put their trust and confidence in us, and that is why I say to my colleagues, "I'm proud of you gentleman for taking this special order today because, if no one else does it, then, by golly, we are going to do it. We have got to do that for our people. We owe it to the people who put their trust and confidence in us."

I thank the gentleman from New York [Mr. SOLOMON] for having yielded to me on this very, very crucial issue, and I hope, when the President and the administration come down here, and they ask us to put troops into Bosnia, I hope this is a real object lesson for us.

□ 1510

Because they always say that is the one thing we learn from history, is that we never learn from history. Let us for once say we are going to learn a historical lesson.

Barbara Tuchman, in her great book, "Guns of August," which is really a classic of how the world slipped into World War I, and I know all of you have read it, there is an interesting example where the British General says to the French General Foch, "How many troops do you want, General?" And the French General said, "Just send me one. And after you send me one, you will send me all you have got."

That is something we have to remember when we debate these issues here on the floor of Congress.

Mr. SOLOMON. Mr. Speaker, I commend the gentleman from Wisconsin [Mr. ROTH] on that statement, because that statement needs to be heard all over this Chamber. The American people need to let the President know exactly what the gentleman has just said.

As a matter of fact, we just got the cost of maintaining our troops in Somalia. In this short period of time, it has cost us over $1 billion. That money comes out of the readiness of this Nation. If we were to put 25,000 troops into Bosnia, it would cost 50 times that much in a short period of time. Just think what that would do to the readiness of our defense posture, to the operations and maintenance of our regular forces.

Mr. Speaker, let me yield to a very distinguished member of the Committee on Foreign Affairs whom I served with for many years, the gentleman from New York [Mr. GILMAN], now the ranking member on that committee.

Mr. GILMAN. Mr. Speaker, I thank my good friend and distinguished colleague from New York, Mr. SOLOMON, for arranging for this special order to enable the House to address this most critical issue—the United States role in Somalia.

Listening to my colleagues earlier today, it has become apparent that the time has come for the Congress to take matters in hand and end our military involvement in Somalia.

On December 8, 1992, President Bush began deploying United States military forces in Somalia to help bring food to hundreds of thousands who faced death from starvation.

President Bush acted in response to a U.N. Security Council resolution to establish as "soon as possible a secure environment for humanitarian relief operations" there.

President Bush emphasized that United States forces would be withdrawn from Somalia—and replaced by a new U.N. peacekeeping operation—as soon as that secure environment was established.

In May, the U.N. Security Council, with support from the Clinton administration, changed the rules while we in Congress weren't looking.

There was an evolution in our role in Somalia.

The U.N. Security Council turned the humanitarian mission of feeding hungry people to a political mission of building a nation in a land whose people consider themselves not citizens of Somalia, but members of a particular clan or subclan.

In assuming the leading military position, the United States has truly been handed a mission impossible. This has become more and more evident as the number and intensity of armed clashes has grown—to the tragedy we have witnessed these past few days.

But the Clinton administration has yet to tell the American people why their sons and daughters are being sent into what has become a maelstrom of violence.

Last July, I submitted an amendment to the fiscal 1994 Defense authorization bill to cut off all funding for military operations in Somalia by December 31, 1993.

When it became evident that the Rules Committee would not act on that amendment, I joined with the distinguished gentleman from Missouri, the majority leader, Mr. GEPHARDT, in a resolution that calls on the President to report on Somalia to Congress by October 15, and to request and receive congressional authorization by November 15 for continued deployment of United States forces there.

Mr. Speaker, today I called on the President urging him to send up his policy statement as soon as possible. We can't afford to wait any longer for that report—and yet another month to vote.

We must act quickly, before the lives of any more brave young American service men and women are snuffed out in Somalia.

Mr. SOLOMON. Mr. Speaker, I thank the gentleman from New York [Mr. GILMAN] for his remarks. The gentleman is a very valuable Republican leader on the Committee on Foreign Affairs.

At this time let me yield to another valuable Member of this House, a member of the Committee on Armed Services, the gentleman from Arizona [Mr. KYL].

Mr. KYL. Mr. Speaker, I thank the gentleman for yielding, and compliment him for calling this special order on this most important topic.

Clearly the debate over our policy in Somalia is overdue. This debate should have occurred a long time ago. It is elemental that in a plan for a military campaign, the first thing that is accomplished is the development of the goals, and then the plan to achieve those goals, very specific goals, including when you know you have won, when you know it is time to pull out, to leave.

Unfortunately, the administration had apparently not developed with sufficient specificity the goal, the plan, and, therefore, a timetable for the United States to extricate its forces from that region. As a result, the facts have now changed. Unfortunately, we cannot any more simply call for the immediate withdrawal of our troops, because we now have American casualties and, as important, apparently American POW's.

Obviously our first priority must be to gain the release of those POW's. In addition to that, the administration may now want to have a goal of securing the end of the Aideed regime, the people who are causing all of the trouble there. I do not know whether that is the administration's goal or not. If it is, it cannot be achieved by merely sending another 200 troops and a couple of tanks to that region. Obviously more is required than that.

We have to have this debate in order to determine what specifically our goals are. Now that we have achieved a situation of stability, where people can be fed, is there something more that needs to be done? Is it law and order? Is it the establishment of a predicate for the evolution of a democratic regime and a free market in that country? Is it, beyond that, the capture of Aideed and the establishment and maintaining of peace?

If so, is this to be achieved with U.N. forces and U.S. forces under the U.N. command? I think not. I hope not.

These are all questions that have to be answered, and answered now. That is why the Congress is appropriately debating this, and I again compliment the gentleman from New York [Mr. SOLOMON] for calling this special order so that we can continue to debate it.

Mr. Speaker, I would just offer these quick thoughts for the benefit of the Congress and the President. Our options are now more limited than they were just a few days ago, because now we have some necessary military objectives which did not exist before, namely, how to deal with the American POW's. We have got to get that issue behind us. That may take much more military force than we contemplated originally.

But we also have to identify when we have achieved success. As soon as we have achieved that, it is not necessarily a specific date, but the achievement of a goal. And when we have achieved that, we have got to have our forces home.

It is very clear, based upon the calls to my office just today, that my constituents want us to get out of Somalia. They are very much in approval of the idea we would help those people from a humanitarian point of view. Beyond that, they do not believe we should be there. And I think these casualties and POW's demonstrate the wisdom of my constituents' views.

Goal one, let us set that set of goals; two, the specific plans; three, a specific delineation of when we know we have achieved our objective so that we can get our troops out of Somalia. I hope that that can be accomplished just as soon as humanly possible.

Mr. Speaker, with that, let me again express my appreciation to the gentleman from New York [Mr. SOLOMON] for engaging in this very important debate.

Mr. SOLOMON. Mr. Speaker, I certainly thank the gentleman from Arizona [Mr. KYL] for his contribution. Again, the gentleman is one of the most knowledgeable Members of this House, particularly on national defense issues.

Mr. Speaker, let me yield to another member of the Committee on Armed Services, the gentleman from Pennsylvania [Mr. WELDON].

Mr. WELDON. Mr. Speaker, I thank my colleague for yielding. I want to thank the gentleman for taking out this special order on the whole situation in Somalia.

Mr. Speaker, I want to begin with a quote, because it ties in with our discussion of what this administration's intent is in terms of being involved in Somalia.

We have heard a lot of rhetoric coming out of the White House and the leadership in this body on what our real time limit should be. Many of us on the Republican side have repeatedly said we should come out immediately.

The gentleman from Louisiana [Mr. LIVINGSTON], who was here earlier, and I, when we came back from Somalia in January, said we should come out within the first quarter of this year, because we had accomplished our mission. There were votes on this floor in the spring where we supported our leader, the gentleman from New York [Mr. GILMAN], in trying to bring the troops home immediately. Not 3 months from now, not 6 months from now, not years from now, but immediately.

□ 1520

We lost that vote. Once again, the leadership and the White House were on the side of keeping our troops there longer.

Let me give you a quote from August 15, 1993. This quote is from David Shinn, who was the United States Special Coordinator for Somalia. This is what he said. He is speaking of getting out in 1994 or 1995. This is the chief spokesman for the Clinton administration on Somalia saying that he sees us involved in Somalia through 1995.

I would submit to you, Mr. Speaker, this is absolutely unacceptable. It is outrageous, and it is not what the American people want to see occurring here.

As was mentioned earlier today, we had a full and open debate on whether or not to use force in Desert Storm. It was probably this body's finest hour. We have had no such debate on our presence in Somalia, as we have redefined the mission. In fact, we do not even know what the mission is today.

What outraged me so much was the vote we had last Wednesday on the Defense authorization bill, when many of us tried to have a straight up or down vote on whether or not to bring the troops home immediately. The Rules Committee and the leadership of this body would not let us have that up or down vote so they forced us to vote on what I called a sham amendment, a sham resolution that said that by October 15, the President has to give us our mission.

We have been there for 10 months. We have had 24 troops killed. But it is going to take him until October 15 to define for this body what our mission is in Somalia and, by October 15, to report back to us on whether or not he wants to continue our forces there and to what time period.

This is outrageous. This is not what the American people want. This is not what we want, and it is in violation of everything this country stands for.

It was earlier this year, when Ambassador Robert Oakley and Brigadier General Tony Zinni, who were both involved as junior officers during the Vietnam era, they were doing separate interviews on the Somalia situation, yet their quotes were very similar. They said three basic and simple things in terms of advice to us in avoiding another Vietnam.

They said, go in quickly, avoid entanglements with one side or the other, and get out.

We have not followed that advice. We are entangled. We now have POW's. We have troops being fired upon on a daily basis, and we cannot see the light at the end of the tunnel. That is why we have to bring our troops home.

Let me read a quotation from a letter that I had faxed to me from a family in my district, Michael and Stephanie Carroll. This letter will be hand-delivered by me tomorrow to the White House, when I go over for another ceremony. I want to read one paragraph of this letter, because it is very important. I think it sums up the frustration of the American people.

"We supported the successful humanitarian relief effort provided by maybe 10 times the American troops strength in December than by what are currently in Mogadishu. As a proud father and former serviceman with the 82d Airborne, I can say with much pride how much I appreciate the effort and courage of the American troops in Somalia today. However, it is my feeling, after speaking with Michael," their son, "and I stress this is my personal feeling, that the military of the United States should do one of two things—withdraw all American troops from Somalia or supply adequate reinforcements to complete the mission so the American troops and people can continue to hold their heads high with pride and respect."

Their son was ambushed and shot in the shoulder, had his shoulder torn apart, and is in a hospital in Germany right now, when he was trying to stabilize the situation when the two helicopters were shot down. These parents feel as the American people and many of us in this Congress feel. We have lost our mission.

The President had the White House lawn ceremony where he paraded down the green pasture of the White House with the troops behind him and he said, we are back home again. Welcome home, America. But he forgot to tell the American people, we left 4,000 and now 5,700 troops behind. This past weekend 12 of them were brutally murdered and massacred.

It is time that this President stopped worrying about the cameras and what looks good walking down the White House lawn and start worrying about the young men and women who are serving in Somalia. It is time that he bring them back home. And if he will not do that, then we have to do it legislatively.

Many of us tried to do it on the floor of the House last week, and the Rules Committee and the leadership would not let us have an up or down vote. Why? because they knew they would be embarrassed. Democrats as well as Republicans would have voted to cut off all funding for the Somalia operation, so the leadership of this body said, do not authorize that type of an amendment on the House floor.

I want to ask my colleagues to do something very simple. H.R. 239 was introduced by the gentleman from Florida [Mr. MICA] on August 4 of this year. It is a very simple resolution. It says, bring the troops home.

I have asked the Clerk of the House today to prepare a discharge petition to force this bill on the House floor for a vote within 7 legislative days. I am asking all of our colleagues, those that are on the floor tonight, those that are back in their offices and those that might be watching any other place inside the beltway, to come down to this well today, tomorrow, and Thursday and sign the discharge petition for H. Res. 239.

If this President will not face up to reality, if the leadership of this body will not face up to reality, then we have an obligation to take care of those troops who are currently in harm's way.

We have got to bring out our POW's. We have got to bring all of our troops back home to America.

I would urge all our colleagues to join with us in that effort, and I thank the gentleman for yielding to me.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. TANNER). The Chair would like to remind Members that it is not in order to direct remarks in debate to persons viewing the proceedings in the galleries or on television or even to other Members who, not being present in the Chamber, might be viewing the proceedings on television. All remarks should be addressed to the Chair.

Mr. SOLOMON. Mr. Speaker, I yield to the gentleman from Wisconsin [Mr. ROTH].

Mr. ROTH. Mr. Speaker, I thank the gentleman for yielding, and I make my remarks to the Chair.

I would like to compliment the previous speaker for the excellent statement he made, because had this Congress joined the previous speaker and myself in that May 25 vote, our soldiers would be home today. And they would not be coming home in body bags or be prisoners of war in Somalia. They would be here in this country today.

What concerns me, Mr. Speaker, is that we have a President who wants to

stay there. And, Mr. Speaker, we have a Secretary of State who wants to stay there. We have a Secretary of Defense who wants to stay there. We have a chairman of the Foreign Affairs Committee, all Democrats, who wants to stay there.

But every Republican I have talked to wants to bring our soldiers home.

Mr. Speaker, that is precisely why we have to have this special order, because the American people are asking us to act for them, if their leadership does not. So we have to speak for the American people. That is why I want to thank the previous speaker and all the speakers we had here this afternoon and the gentleman from New York [Mr. SOLOMON] for taking this special order. I think it is important to point out that the people who want to stay there are the Democrats. The people who want to come home are the Republicans.

Mr. SOLOMON. Mr. Speaker, I thank the gentleman from Wisconsin.

We also have another outstanding Member of this House, the gentlewoman from Maryland [Mrs. BENTLEY].

Mr. Speaker, I yield to the gentlewoman from Maryland [Mrs. BENTLEY].

Mrs. BENTLEY. Mr. Speaker, I thank the gentleman from New York for yielding to me and also for taking this special order on a very, very vital subject.

I want to associate myself with the remarks of the gentleman from Pennsylvania [Mr. WELDON] and to point out to the gentleman from New York [Mr. SOLOMON] and others that my office has been inundated in the last 24 hours, in particular, with calls from constituents who are absolutely irate that our men are being abused as they are in Somalia. And they are saying, come home. We have no business being over there.

I think what we need to do is maybe review these things a little bit. I know it has been done in this special order already, but I am going to do it once more, because I have a couple of comments I want to put on the end.

In December, President Bush deployed more than 20,000 troops in Somalia to restore order and disperse food. The House approved U.S. participating in May, but the Senate left the resolution in limbo.

Since May, Republicans have been trying to get our troops out. As many people who could be fed have been fed.

The situation has degenerated into a civil war.

I have voted constantly to remove our troops.

The situation reminds me of Vietnam. In 1961, the United States sent 275 observers. Eventually, we had to send troops to protect our observers. Finally, we were in war—without knowing why nor knowing how to extricate ourselves.

I think the so-called Powell Doctrine sums up the Republican position—don't go anywhere unless one, it is in the national interest, two, there are defined objectives, and three, there is a definitive exit strategy.

The current United States strategy in Somalia fails on all three points.

This is simply a situation of knowing when to say "when." We have done what we could do to ease the suffering in Somalia. I would venture to say that the continued presence of American troops will only add to the suffering of these people.

Last week—as has happened several times before, the House Democrat leadership stopped an up-and-down vote on American participation in Somalia.

What started as an American peacekeeping mission is rapidly becoming a Democrat leadership war. We should bring our troops home now, and let the Somalis fight their own civil war.

□ 1530

We should let all countries everywhere fight their own civil war, without risking the lives of Americans.

Mr. SOLOMON. I thank the gentlewoman from Maryland. As always, she is right on the mark, and I have a great deal of respect for her.

Mr. Speaker, in bringing this special order to a close, let me just point out that the humanitarian mission of our military in Somalia was accomplished weeks and months ago. Troops should have come home weeks and months ago. Now look at what has happened: 12 dead, 8 missing or held prisoner, and maybe even more; 78 seriously wounded, and maybe even more.

That situation is going to get worse and worse and worse, because there is no visible enemy there to fight. This is not fighting a country that has been invaded. This is not really even a civil war, as I alluded to before. It is nothing but anarchy and chaos in a country that does not even have a government. We have no business being there.

Mr. Speaker, the gentleman from Pennsylvania [Mr. WELDON] mentioned that we had a resolution on this floor which was offered in the form of a motion to recommit, which would have required the President to come to this Congress and state the United States' interest and goals that will be served by continuing our troops in this place called Somalia. That motion to recommit was voted down.

I have to say, there were about 20 good Democrats who voted "yes" with about 175 Republicans. But there were about 240 Democrats who voted against that very reasonable resolution. If it had passed, these deaths may not have happened. Mr. Speaker, there is no United States interest and no United States goal in keeping our troops in Somalia today.

That is why I urge all Members to attend the 4 o'clock meeting in SC-5 over on the Senate side, where Secretary of Defense Aspin and Secretary of State Christopher are going to speak to Members and give us reasons. Good reasons are not going to be there.

I ask all Members to go to that meeting and speak up on behalf of the constituents they represent, because they know that the public overwhelmingly rejects our troops being kept in Somalia today. Please go to the meeting, please tell the President to bring these troops home. That is real humanitarianism.

RECESS

The SPEAKER pro tempore. The House will stand in recess subject to the call of the Chair.

Accordingly (at 3 o'clock and 35 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 1634

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. BONIOR) at 4 o'clock and 34 minutes p.m.

REPORT ON RESOLUTION WAIVING POINTS OF ORDER AGAINST CONFERENCE REPORT ON H.R. 2491, DEPARTMENTS OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT, AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 1994

Mr. DERRICK, from the Committee on Rules, submitted a privileged report (Rept. No. 103-274) on the resolution (H. Res. 268) waiving points of order against the conference report to accompany the 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 officers for the fiscal year ending September 30, 1994, and for other purposes, which was referred to the House Calendar and order to be printed.

NOTIFICATION OF MEMBERS REGARDING CONSIDERATION OF H.R. 1804, GOALS 2000: EDUCATE AMERICA ACT

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

Mr. DERRICK. Mr. Speaker, this is to notify members of the House of the Rules Committee's plans regarding H.R. 1804, Goals 2000: Educate America Act. The committee is planning to meet the week of October 11, 1993 to take testimony and grant a rule on the bill. In order to assure timely consideration of the bill on the floor, the Rules Committee is considering a rule that may limit the offering of amendments.

Any Member who is contemplating an amendment to H.R. 1804 should submit to the Rules Committee in H-312 in the Capitol, 55 copies of the amendment and a brief explanation of the amendment no later than 12 noon on Tuesday, October 12, 1993.

The Rules Committee is expected to make in order the text of H.R. 3210 as original text for the purposes of amendment. This text, in addition to a number of necessary technical and conforming changes, incorporates changes requested by the administration into the Goals 2000 bill that was reported from the Committee on Education and Labor. Therefore, all amendments should be drafted to that text. It is my understanding that this substitute will be available from the document room tomorrow. Members should instruct legislative counsel to draft their amendments to conform to the text of H.R. 3210.

We appreciate the cooperation of all Members in this effort to be fair and orderly in granting a rule for H.R. 1804.

CONFERENCE REPORT ON H.R. 2518

Mr. NATCHER submitted the following conference report and statement on the bill (H.R. 2518) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 1994, and for other purposes:

CONFERENCE REPORT (H. REPT. 103-275)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 2518) "making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies, for the fiscal year ending September 30, 1994, and for other purposes," having met after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 13, 21, 26, 31, 39, 67, 71, 72, 109, 116, 118, 121, 125, 126, 127, 134, and 135.

That the House recede from its disagreement to the amendments of the Senate numbered 5, 8, 9, 10, 12, 14, 16, 17, 18, 19, 20, 22, 30, 50, 52, 61, 63, 73, 78, 82, 87, 90, 101, 112, 113, 114, 115, 119, and 122, and agree to the same.

Amendment numbered 1:

That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$4,615,801,000*; and the Senate agree to the same.

Amendment numbered 2:

That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$64,218,000*; and the Senate agree to the same.

Amendment numbered 3:

That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$85,576,000*; and the Senate agree to the same.

Amendment numbered 4:

That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$5,579,000*; and the Senate agree to the same.

Amendment numbered 7:

That the House recede from its disagreement to the amendment of the Senate numbered 7, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$1,122,000*; and the Senate agree to the same.

Amendment numbered 27:

That the House recede from its disagreement to the amendment of the Senate numbered 27, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$2,926,381,000*; and the Senate agree to the same.

Amendment numbered 32:

That the House recede from its disagreement to the amendment of the Senate numbered 32, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$2,051,132,000*; and the Senate agree to the same.

Amendment numbered 33:

That the House recede from its disagreement to the amendment of the Senate numbered 33, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$331,915,000*; and the Senate agree to the same.

Amendment numbered 35:

That the House recede from its disagreement to the amendment of the Senate numbered 35, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$128,701,000*; and the Senate agree to the same.

Amendment numbered 36:

That the House recede from its disagreement to the amendment of the Senate numbered 36, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$21,677,000*; and the Senate agree to the same.

Amendment numbered 37:

That the House recede from its disagreement to the amendment of the Senate numbered 37, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$119,981,000*; and the Senate agree to the same.

Amendment numbered 38:

That the House recede from its disagreement to the amendment of the Senate numbered 38, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$233,605,000*; and the Senate agree to the same.

Amendment numbered 40:

That the House recede from its disagreement to the amendment of the Senate numbered 40, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$111,039,000*; and the Senate agree to the same.

Amendment numbered 42:

That the House recede from its disagreement to the amendment of the Senate numbered 42, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$3,750,000*; and the Senate agree to the same.

Amendment numbered 43:

That the House recede from its disagreement to the amendment of the Senate numbered 43, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$69,917,000*; and the Senate agree to the same.

Amendment numbered 44:

That the House recede from its disagreement to the amendment of the Senate numbered 44, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$135,409,000*; and the Senate agree to the same.

Amendment numbered 46:

That the House recede from its disagreement to the amendment of the Senate numbered 46, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$2,189,960,000*; and the Senate agree to the same.

Amendment numbered 47:

That the House recede from its disagreement to the amendment of the Senate numbered 47, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$2,189,960,000*; and the Senate agree to the same.

Amendment numbered 55:

That the House recede from its disagreement to the amendment of the Senate numbered 55, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$300,000,000*; and the Senate agree to the same.

Amendment numbered 62:

That the House recede from its disagreement to the amendment of the Senate numbered 62, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$4,237,050,000*; and the Senate agree to the same.

Amendment numbered 64:

That the House recede from its disagreement to the amendment of the Senate numbered 64, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$871,282,000*; and the Senate agree to the same.

Amendment numbered 66:

That the House recede from its disagreement to the amendment of the Senate numbered 66, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$63,590,000*; and the Senate agree to the same.

Amendment numbered 75:

That the House recede from its disagreement to the amendment of the Senate numbered 75, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$6,924,497,000*; and the Senate agree to the same.

Amendment numbered 76:

That the House recede from its disagreement to the amendment of the Senate numbered 76, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$6,896,052,000*; and the Senate agree to the same.

Amendment numbered 77:

That the House recede from its disagreement to the amendment of the Senate numbered 77, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$5,642,000,000*; and the Senate agree to the same.

Amendment numbered 79:

That the House recede from its disagreement to the amendment of the Senate numbered 79, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$41,434,000*; and the Senate agree to the same.

Amendment numbered 80:

That the House recede from its disagreement to the amendment of the Senate numbered 80, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$91,373,000*; and the Senate agree to the same.

Amendment numbered 81:

That the House recede from its disagreement to the amendment of the Senate numbered 81, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$305,193,000*; and the Senate agree to the same.

Amendment numbered 83:

That the House recede from its disagreement to the amendment of the Senate numbered 83, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$798,208,000*; and the Senate agree to the same.

Amendment numbered 84:

That the House recede from its disagreement to the amendment of the Senate numbered 84, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$613,445,000*; and the Senate agree to the same.

Amendment numbered 85:

That the House recede from its disagreement to the amendment of the Senate numbered 85, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$123,129,000*; and the Senate agree to the same.

Amendment numbered 86:

That the House recede from its disagreement to the amendment of the Senate numbered 86, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$33,437,000*; and the Senate agree to the same.

Amendment numbered 88:

That the House recede from its disagreement to the amendment of the Senate numbered 88, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$1,376,659,000*; and the Senate agree to the same.

Amendment numbered 89:

That the House recede from its disagreement to the amendment of the Senate numbered 89, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$1,050,603,000*; and the Senate agree to the same.

Amendment numbered 91:

That the House recede from its disagreement to the amendment of the Senate numbered 91, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$250,998,000*; and the Senate agree to the same.

Amendment numbered 93:

That the House recede from its disagreement to the amendment of the Senate numbered 93, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$240,155,000*; and the Senate agree to the same.

Amendment numbered 94:

That the House recede from its disagreement to the amendment of the Senate numbered 94, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$36,431,000*; and the Senate agree to the same.

Amendment numbered 95:

That the House recede from its disagreement to the amendment of the Senate numbered 95, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$38,992,000*; and the Senate agree to the same.

Amendment numbered 96:

That the House recede from its disagreement to the amendment of the Senate numbered 96, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$3,108,702,000*; and the Senate agree to the same.

Amendment numbered 97:

That the House recede from its disagreement to the amendment of the Senate numbered 97, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$2,149,686,000*; and the Senate agree to the same.

Amendment numbered 98:

That the House recede from its disagreement to the amendment of the Senate numbered 98, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$339,257,000*; and the Senate agree to the same.

Amendment numbered 99:

That the House recede from its disagreement to the amendment of the Senate numbered 99, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$253,152,000*; and the Senate agree to the same.

Amendment numbered 100:

That the House recede from its disagreement to the amendment of the Senate numbered 100, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$116,878,000*; and the Senate agree to the same.

Amendment numbered 102:

That the House recede from its disagreement to the amendment of the Senate numbered 102, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$2,296,936,000*; and the Senate agree to the same.

Amendment numbered 103:

That the House recede from its disagreement to the amendment of the Senate numbered 103, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$78,435,000*; and the Senate agree to the same.

Amendment numbered 105:

That the House recede from its disagreement to the amendment of the Senate Numbered 105, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$1,481,183,000*; and the Senate agree to the same.

Amendment numbered 106:

That the House recede from its disagreement to the amendment of the Senate numbered 106, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$38,077,000*; and the Senate agree to the same.

Amendment numbered 107:

That the House recede from its disagreement to the amendment of the Senate numbered 107, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$23,455,000*; and the Senate agree to the same.

Amendment numbered 110:

That the House recede from its disagreement to the amendment of the Senate numbered 110, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$8,020,160,000*; and the Senate agree to the same.

Amendment numbered 128:

That the House recede from its disagreement to the amendment of the Senate numbered 128, and agree to the same with an amendment, as follows:

In lieu of the matter stricken and inserted by said amendment insert: *$205,097,000*.

And the Senate agree to the same.

Amendment numbered 130:

That the House recede from its disagreement to the amendment of the Senate numbered 130, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$1,690,000*; and the Senate agree to the same.

Amendment numbered 131:

That the House recede from its disagreement to the amendment of the Senate numbered 131, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$8,657,000*; and the Senate agree to the same.

Amendment numbered 132:

That the House recede from its disagreement to the amendment of the Senate numbered 132, and agree to the same with an amendment, as follows:

Restore the matter stricken by said amendment, amended to read as follows:

SEC. 507. No funds appropriated pursuant to this Act may be expended by an entity unless the entity agrees that in expending the assistance the entity will comply with sections 2 through 4 of the Act of March 3, 1933 (41 U.S.C. 10a-10c, popularly known as the "Buy American Act").

And the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 6, 11, 15, 23, 24, 25, 28, 29, 34, 41, 45, 48, 49, 51, 53, 54, 56, 57, 58, 59, 60, 65, 68, 69, 70, 74, 92, 104, 108, 111, 117, 120, 123, 124, 129, and 133.

WILLIAM H. NATCHER,
NEAL SMITH,
DAVID R. OBEY,
LOUIS STOKES,
STENY H. HOYER,

NANCY PELOSI,
NITA M. LOWEY,
JOSÉ E. SERRANO,
ROSA L. DELAURO,
JOHN EDWARD PORTER,
BILL YOUNG,
HELEN DELICH BENTLEY,
HENRY BONILLA,
JOSEPH M. MCDADE,
Managers on the Part of the House.

TOM HARKIN,
ROBERT C. BYRD,
ERNEST F. HOLLINGS,
DANIEL K. INOUYE,
DALE BUMPERS,
HARRY REID,
HERB KOHL,
PATTY MURRAY,
ARLEN SPECTER,
MARK O. HATFIELD,
TED STEVENS,
THAD COCHRAN,
SLADE GORTON,
CONNIE MACK,
CHRISTOPHER S. BOND,
Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and Senate at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 2518) making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies, for the fiscal year ending September 30, 1994, and for other purposes, submit the following joint statement to the House and Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report.

TITLE I—DEPARTMENT OF LABOR

EMPLOYMENT AND TRAINING ADMINISTRATION

TRAINING AND EMPLOYMENT SERVICES

Amendment No. 1: Appropriates $4,615,801,000 instead of $4,943,181,000 as proposed by the House and $4,588,536,000 as proposed by the Senate.

The conference agreement includes $4,234,000 to continue the Samoan, Pacific Islander and Asian American employment and training initiative, including $3,234,000 to be allocated to the State of Hawaii, $2,970,000 for labor market information and $1,500,000 for microenterprise grants under title IV of JTPA. The conferees agree that the $12,537,000 provided for the McKinney homeless program includes $7,482,000 for the Employment and Training Administration and $5,055,000 for the Assistant Secretary for Veterans Employment and Training.

Amendment No. 2: Earmarks $64,218,000 for Native American job training instead of $61,871,000 as proposed by the House and $65,000,000 as proposed by the Senate.

Amendment No. 3: Earmarks $85,576,000 for migrants and seasonal farmworkers instead of $78,303,000 as proposed by the House and $88,000,000 as proposed by the Senate. The conferees are agreed that the farmworker housing program should be continued in its current form, with the understanding that grants may be awarded on a competitive basis; the agreement includes $3,000,000 for this program.

Amendment No. 4: Earmarks $5,579,000 for all activities conducted by and through the National Occupational Information Coordinating Committee instead of $5,357,000 as proposed by the House and $5,800,000 as proposed by the Senate.

Amendment No. 5: Earmarks $3,861,000 for rural concentrated employment programs as proposed by the Senate instead of $3,831,000 as proposed by the House.

Amendment No. 6: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment, as follows:

In lieu of the first sum named in said amendment, insert: *$206,000,000*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement provides an additional $206,000,000 for the summer youth employment program for the summer of 1994, instead of $300,000,000 as proposed by the House and $178,000,000 as proposed by the Senate. The agreement also provides for a separate appropriation of $50,000,000 for the school-to-work program to be available for obligation for the period October 1, 1993 through June 30, 1995.

With the amount appropriated in this bill for summer youth employment for program year 1993, it is the intent of the conferees to ensure that the Department of Labor has sufficient funds to maintain the program year 1992 participant level of 655,000 youths.

Amendment No. 7: Appropriates $1,122,000 for the National Center for the Workplace instead of $744,000 as proposed by the House and $1,500,000 as proposed by the Senate.

Amendment No. 8: Inserts separate appropriation of $750,000 for the Women in Apprenticeship and Nontraditional Occupations Act as proposed by the Senate. The House bill did not include a separate appropriation for this.

Amendment No. 9: Deletes language proposed by the House providing that certain summer youth employment funds shall be available for obligation for the period October 1, 1993 through June 30, 1994. This matter has been addressed under amendment number 6. Also deletes language proposed by the House that would have provided that funds are to be available for the period beginning October 1, 1993 to carry out the women in Apprenticeship and Nontraditional Occupations Act. This matter has been addressed under amendment number 8.

STATE UNEMPLOYMENT INSURANCE AND EMPLOYMENT SERVICE OPERATIONS

Amendment No. 10: Appropriate $77,042,000 as proposed by the Senate instead of $69,542,000 as proposed by the House.

Amendment No. 11: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment, as follows:

In lieu of the sum proposed by said amendment, insert: *$3,376,617,000*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement includes $9,140,000 for unemployment insurance automation grants and $9,000,000 for employment service automation grants.

Amendment No. 12: Earmarks $74,986,000 for activities under the Wagner-Peyser Act as proposed by the Senate instead of $67,486,000 as proposed by the House.

Amendment No. 13: Inserts unemployment workload threshold level of 3.28 million proposed by the House instead of 3.437 million as proposed by the Senate.

PENSION AND WELFARE BENEFITS ADMINISTRATION

SALARIES AND EXPENSES

Amendment No. 14: Appropriates $64,058,000 as proposed by the Senate instead of $64,408,000 as proposed by the House.

EMPLOYMENT STANDARDS ADMINISTRATION

SALARIES AND EXPENSES

Amendment No. 15: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment, as follows:

In lieu of the matter inserted by said amendment, insert: *: Provided, That the Secretary of Labor is authorized to accept, retain and spend in the name of the Department of Labor all sums of money ordered to be paid to the Secretary of Labor, in accordance with the terms of the Consent Judgment in Civil Action No. 91-0027 of the United States District Court for the District of the Northern Mariana Islands (May 21, 1992)*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

Inserts language proposed by the Senate that would authorize the Secretary of Labor to accept and spend funds received as a result of a consent judgment in U.S. District Court for the Northern Mariana Islands. Deletes language proposed by the Senate expressing the sense of the Congress that Members of Congress should participate on an equal basis with all other Americans in the health care system that results from health care reform legislation.

BLACK LUNG DISABILITY TRUST FUND

Amendment No. 16: Appropriates $1,002,175,000 as proposed by the Senate instead of $1,001,575,000 as proposed by the House.

Amendment No. 17: Earmarks $29,529,000 for transfer to the salaries and expenses account as proposed by the Senate instead of $28,929,000 as proposed by the House. The increase over the House bill is for the financing of an additional 39 FTE's to prevent the closings of the black lung field offices.

OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION

SALARIES AND EXPENSES

Amendment No. 18: Appropriates $297,244,000 as proposed by the Senate instead of $294,640,000 as proposed by the House. The conference agreement includes $31,112,000 for the onsite consultation program.

MINE SAFETY AND HEALTH ADMINISTRATION

SALARIES AND EXPENSES

Amendment No. 19: Appropriates $195,002,000 as proposed by the Senate instead of $193,858,000 as proposed by the House.

BUREAU OF LABOR STATISTICS

SALARIES AND EXPENSES

Amendment No. 20: Appropriates $282,018,000 as proposed by the Senate instead of $281,768,000 as proposed by the House. The conference agreement includes $250,000 for continuation of the BLS publication of the aircraft manufacturers employment cost index; this funding is provided for one additional year of publication, with the intent that the industry and interested Federal agencies cooperate in seeking any funding for subsequent fiscal years.

Amendment No. 21: Makes available $51,927,000 from the Unemployment Trust Fund as proposed by the House instead of $51,227,000 as proposed by the Senate.

DEPARTMENTAL MANAGEMENT

SALARIES AND EXPENSES

Amendment No. 22: Appropriates $143,127,000 as proposed by the Senate instead of $142,242,000 as proposed by the House.

WORKING CAPITAL FUND

Amendment No. 23: Reported in technical disagreement. The managers on the part of

the House will offer a motion to recede and concur in the amendment of the Senate with an amendment, as follows:

In lieu of the matter stricken and inserted by said amendment, insert:

For expenses necessary during the fiscal year ending September 30, 1994, and each fiscal year thereafter, for the maintenance and operation of a comprehensive program of centralized services which the Secretary of Labor may prescribe and deem appropriate and advantageous to provide on a reimbursable basis under the provisions of the Economy Act (subject to prior notice to OMB) in the national office and field: *Provided*, That such fund shall be reimbursed in advance from funds available to agencies, bureaus, and offices for which such centralized services are performed at rates which will return in full cost of operations including services obtained through cooperative administrative services units under the Economy Act, including reserves for accrued annual leave, worker's compensation, depreciation of capitalized equipment, and amortization of ADP software and systems (either acquired or donated): *Provided further*, That funds received for services rendered to any entity or person for use of Departmental facilities, including associated utilities and security services, shall be credited to and merged with this fund.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement includes the Senate language with regard to the Working Capital Fund amended to make it permanent in nature.

GENERAL PROVISIONS

Amendment No. 24: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment, as follows:

In lieu of the matter inserted by said amendment, insert:

SEC. 102. None of the funds in the Employees' Compensation Fund under 5 U.S.C. 8147 shall be expended for payment of compensation, benefits, and expenses to any individual convicted of a violation of 18 U.S.C. 1920, or of any felony fraud related to the application for or receipt of benefits under subchapters I or III of chapter 81 of title 5, United States Code.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement includes language prohibiting the payment of benefits under the Federal Employees' Compensation Act to any individual who has been convicted of defrauding the program.

Amendment No. 25: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which prohibits the Secretary of Labor from implementing, during fiscal year 1994 only, certain Davis-Bacon "helper" regulations and certain proposed regulations concerning apprenticeship in the construction industry. The conferees have taken this action on a one-time basis and are agreed that any further action on this matter should be taken by the authorizing committees of jurisdiction.

TITLE II—DEPARTMENT OF HEALTH AND HUMAN SERVICES

HEALTH RESOURCES AND SERVICES ADMINISTRATION

HEALTH RESOURCES AND SERVICES

Amendment No. 26: Deletes a legal citation proposed by the Senate.

Amendment No. 27: Appropriates $2,926,381,000 instead of $2,833,588,000 as proposed by the House and $2,954,341,000 as proposed by the Senate.

Within the total provided for the health care for the homeless program, the conferees have included $3,250,000 to provide school-based primary health care services to homeless and at-risk youth.

The conferees support the continued efforts to establish a Statewide health care system and health scholarship program for Native Hawaiians. Of the funds made available, $450,000 is intended for the administration of Papa Ola Lokahi, and $700,000 is for the Native Hawaiian Health Care Scholarship Program to support a wide variety of health care disciplines, particularly nurse practitioners. The remaining funds are to be utilized for the operation of the five island health care systems.

The conferees intend that $1,500,000 of the funds made available under the Pacific Basin initiative be allocated to the Medical Officer Training Program.

If any funds are available under the Area Health Education Centers program to initiate any new core centers, the conferees encourage the agency to give consideration, among other factors, to applicants in States that demonstrate a strong financial commitment to Area Health Education Centers.

The conferees do not intend to require the Health Resources and Services Administration to revise its procedures for allocating fiscal year 1994 lending authority in the Health Education Assistance Loan Program.

Amendment No. 28: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which establishes a limitation on funds that may be used for the health centers malpractice claims fund.

VACCINE INJURY COMPENSATION PROGRAM TRUST FUND

Amendment No. 29: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which appropriates $3,000,000 for administrative costs rather than $2,500,000 as proposed by the House.

VACCINE INJURY COMPENSATION

Amendment No. 30: Appropriates $110,000,000 as proposed by the Senate instead of $80,000,000 as proposed by the House.

CENTERS FOR DISEASE CONTROL AND PREVENTION

DISEASE CONTROL, RESEARCH, AND TRAINING

Amendment No. 31: Deletes a legal citation proposed by the Senate.

Amendment No. 32: Appropriates $2,051,132,000 instead of $1,910,182,000 as proposed by the House and $2,088,781,000 as proposed by the Senate.

The conference agreement includes sufficient funds to support the full cost of the Tuskegee reimbursement program within the sexually transmitted diseases grants and infertility programs.

The conferees commend the Centers for Disease Control and Prevention (CDC) for undertaking a comprehensive review of their HIV prevention activities and for initiating a process for community-level planning. Within the funds provided for HIV prevention programs, the conferees intend that the CDC have the flexibility to respond to the changing nature of the HIV epidemic by implementing administrative reforms. Meanwhile, the CDC is encouraged to continue the direct funding of community-based organizations until such time as comprehensive reforms are in place and evaluated.

The conference agreement includes $116,769,000 for tuberculosis control activities rather than $120,269,000 as proposed by the House and $106,269,000 as proposed by the Senate.

NATIONAL INSTITUTES OF HEALTH

NATIONAL CANCER INSTITUTE

The conferees encourage the Institute to provide grants to meet the important equipment and instrumentation needs in cancer research, with a particular emphasis on those emerging institutions of excellence so recognized with cancer center planning grant awards. The conferees believe it is of critical importance to provide for the unique needs of emerging institutions of excellence to enable them to attract the quality researchers necessary to build a highly competitive research institution.

The conferees intend that the Director of the Institute have the discretion in reviewing cancer research facilities construction needs to address excellent and outstanding projects with the funds provided in fiscal year 1994.

The conferees encourage the Institute to permit citizens of the State of Hawaii, and particularly Native Hawaiians, to participate in Federally-supported clinical trials.

NATIONAL HEART, LUNG, AND BLOOD INSTITUTE

The conferees are encouraged by the progress that the Institute has made with respect to both sickle cell disease and bone marrow transplantation. The conferees encourage the Institute to continue to capitalize on the research opportunities it has created in these areas, including, for example, applying the new approaches of gene therapy and bone marrow transplants to curing sickle cell disease.

The conferees are pleased that the Director is moving ahead with the establishment of the National Center for Sleep Disorders Research and encourages support for the full range of Center activities.

NATIONAL INSTITUTE OF MENTAL HEALTH

The conferees remain concerned about suicide, particularly among youths, and are supportive of the suicide centers. The conferees strongly encourage the Institute to continue its commitment to basic and epidemiological research on potential causes and risk factors for suicide, as well as interventions to prevent suicide and suicidal behavior.

NATIONAL CENTER FOR RESEARCH RESOURCES

Amendment No. 33: Appropriates $331,915,000 instead of $328,915,000 as proposed by the House and $332,915,000 as proposed by the Senate.

Amendment No. 34: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment, as follows:

In lieu of the sum named in said amendment, insert: *$7,000,000*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement identifies $7,000,000 for construction of extramural facilities instead of $8,000,000 as proposed by the Senate. The House had no comparable provision. In accordance with the National Institutes of Health Revitalization Act of 1993, the conferees expect twenty-five percent of the extramural facilities construction funds appropriated to be awarded to institutions of emerging excellence.

NATIONAL CENTER FOR HUMAN GENOME RESEARCH

Amendment No. 35: Appropriates $128,701,000 instead of $119,030,000 as proposed by the House and $131,925,000 as proposed by the Senate.

JOHN E. FOGARTY INTERNATIONAL CENTER

Amendment No. 36: Appropriates $21,677,000 instead of $22,240,000 as proposed by the House and $19,988,000 as proposed by the Senate.

NATIONAL LIBRARY OF MEDICINE

Amendment No. 37: Appropriates $119,981,000 instead of $118,481,000 as proposed by the House and $120,481,000 as proposed by the Senate.

OFFICE OF THE DIRECTOR

(Including Transfer of Funds)

Amendment No. 38: Appropriates $233,605,000 instead of $224,746,000 as proposed by the House and $241,225,000 as proposed by the Senate.

Amendment No. 39: Deletes language proposed by the Senate earmarking $15,000,000 for a director's discretionary fund and directing that $12,000,000 of this amount be allocated for Decade of the Brain activities.

The conference agreement includes $7,500,000 for a director's discretionary fund instead of $15,000,000 as proposed by the Senate. The House bill did not include funds for this purpose. The amount agreed to will permit the Director to respond quickly to problems which emerge during the fiscal year without having to transfer funds from other priorities. The conferees note that the Office of the Director appropriation is unique within the National Institutes of Health in permitting full funding of the cost of scientific projects through the use of multiyear awards. The conferees expect the Director to use this authority for any initiatives which are undertaken within the discretionary fund. None of these funds are to be used to initiate projects requiring additional funding in future years without the formal approval of the House and Senate Committees on Appropriations through the normal reprogramming process. The conferees believe that the portion of this amount which should be allocated to Decade of the Brain activities should be determined by the Director after considering the full range of scientific needs at the National Institutes of Health. Accordingly, the conferees have not specified a funding level for Decade of the Brain activities.

The conference agreement also includes $3,505,000 for the Office of Alternative Medicine and $11,138,000 for the Office of Research on Women's Health.

The conferees are concerned about serious charges of racial discrimination and sexual harassment at the National Institutes of Health. The problem should be addressed and resolved. The conferees instruct the Secretary to submit progress reports on the resolution of this problem to the House and Senate committees semiannually with an initial report due not later than January 31, 1994.

BUILDINGS AND FACILITIES

Amendment No. 40: Appropriates $111,039,000 instead of $114,385,000 as proposed by the House and $101,000,000 as proposed by the Senate.

The conference agreement includes $27,500,000 to continue construction of the consolidated office building.

69-059 O—97 Vol. 139 (Pt. 16) 38

SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES ADMINISTRATION

SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES

Amendment No. 41: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment, as follows:

In lieu of the sum proposed by said amendment, insert: *$2,125,178,000*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

Amendment No. 42: Limits the amount available for obligation pursuant to section 571 of the Public Health Service Act to $3,750,000 instead of $4,000,000 as proposed by the House and $3,000,000 as proposed by the Senate.

ASSISTANT SECRETARY FOR HEALTH

OFFICE OF THE ASSISTANT SECRETARY FOR HEALTH

Amendment No. 43: Appropriates $69,917,000 instead of $68,758,000 as proposed by the House and $71,167,000 as proposed by the Senate.

The conferees direct the Department to allocate $70,000 to the General Services Administration to conduct an environmental assessment of the East Plaza of the Hubert Humphrey Building to determine the feasibility of that site for the National Museum of Health and Medicine.

AGENCY FOR HEALTH CARE POLICY AND RESEARCH

HEALTH CARE POLICY AND RESEARCH

Amendment No. 44: Appropriates $135,409,000 instead of $129,051,000 as proposed by the House and $139,305,000 as proposed by the Senate.

HEALTH CARE FINANCING ADMINISTRATION

GRANTS TO STATES FOR MEDICAID

Amendment No. 45: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate providing a $26,600,000,000 advance fiscal year 1995 Medicaid appropriation.

PROGRAM MANAGEMENT

Amendment No. 46: Makes available from trust funds $2,189,960,000 instead of $2,172,598,000 as proposed by the House and $2,192,414,000 as proposed by the Senate.

Amendment No. 47: Earmarks $2,189,960,000 instead of $2,172,598,000 as proposed by the House and $2,192,414,000 as proposed by the Senate.

SOCIAL SECURITY ADMINISTRATION

SPECIAL BENEFITS FOR DISABLED COAL MINERS

Amendment No. 48: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which provides an advance appropriation of $190,000,000 for the first quarter of fiscal year 1995 for black lung benefit payments as proposed by the Senate. The House bill did not provide an advance appropriation for this purpose.

SUPPLEMENTAL SECURITY INCOME PROGRAM

Amendment No. 49: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment, as follows:

In lieu of the sum proposed by said amendment, insert: *$20,183,775,000*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate. The bill includes $20,183,775,000 for supplemental security income instead of $20,181,775,000 as proposed by the House and $20,172,775,000 as proposed by the Senate.

The conference agreement provides $6,000,000 that was included in the Senate bill for SSI outreach demonstration projects. The House bill did not provide funding for this purpose. The conferees have also provided $41,000,000 to reimburse the trust funds for the SSI program share of the automation initiative funded in the limitation on administrative expenses account. The House bill included $45,000,000 for this purpose, and the Senate bill included $30,000,000.

Amendment No. 50: Provides that indefinite budget authority can be used to fund supplemental security income benefit payments after June 15 as proposed by the Senate, instead of after July 31 as proposed by the House.

Amendment No. 51: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which provides an advance appropriation of $6,770,000,000 for the first quarter of fiscal year 1995 for supplemental security income benefit payments as proposed by the Senate. The House bill did not provide an advance appropriation for this purpose.

LIMITATION ON ADMINISTRATIVE EXPENSES

Amendment No. 52: Provides a limitation on administrative expenses of $4,876,085,000 as proposed by the Senate, instead of $4,874,285,000 as proposed by the House.

Amendment No. 53: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which provides authority to fund work related to the Coal Industry Retiree Health Benefit Act of 1992 from the Limitation on Administrative Expenses account as proposed by the Senate. The House bill contained no similar provision.

Amendment No. 54: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment, as follows:

In lieu of the matter inserted by said amendment, insert: *: Provided, That reimbursement to the Trust Funds under this heading for administrative expenses to carry out sections 9704 and 9706 of the Internal Revenue Code of 1986 shall be made, with interest, not later than September 30, 1996: Provided further, That not more than $1,800,000 is available until September 30, 1995 for expenses necessary for the Commission on the Social Security "Notch" Issue, established by section 635 of Public Law 102-393 as amended*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement includes language proposed by the Senate requiring that the trust funds be reimbursed with interest for work related to the Coal Industry Retiree Health Benefit Act of 1992, and which earmarks $1,800,000 for the Commission on the Social Security "Notch" Issue to remain available until September 30, 1995. The conferees have deleted language proposed by the Senate which limited the amount of Medicare trust funds which could be used for administrative expenses. The House bill included no similar provision.

Amendment No. 55: Appropriates $300,000,000 for an automation initiative instead of $330,000,000 as proposed by the House and $220,000,000 as proposed by the Senate.

ADMINISTRATION FOR CHILDREN AND FAMILIES

FAMILY SUPPORT PAYMENTS TO STATES

Amendment No. 56: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which provides an advance appropriation of $4,200,000,000 for the first quarter of fiscal year 1995 for family support payments to States payments as proposed by the Senate. The House bill did not provide an advance appropriation for this purpose.

LOW INCOME HOME ENERGY ASSISTANCE

Amendment No. 57: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment, as follows:

In lieu of the matter inserted by said amendment, insert:

LOW INCOME HOME ENERGY ASSISTANCE

For making payments under title XXVI of the Omnibus Budget Reconciliation Act of 1981, $1,475,000,000 to be available for obligation in the period October 1, 1994 through June 30, 1995.

For making payments under title XXVI of the Omnibus Budget Reconciliation Act of 1981, an additional $600,000,000: Provided, That all of the funds available under this paragraph are hereby designated by Congress to be emergency requirements pursuant to section 251(b)(2)(D) of the Balanced Budget and Emergency Deficit Control Act of 1985: Provided further, That these funds shall be made available only after submission to Congress of a formal budget request by the President that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement includes an advance appropriation of $1,475,000,000 for low income home energy assistance for the program year 1994–1995, and does not include borrowing authority to reimburse prior year costs. The Senate bill included an advance appropriation of $1,507,408,000, of which $100,000,000 could be used for FY 1994 costs. The House bill did not contain an advance appropriation for this program. The conferees recommend that $25,000,000 be used for the leveraging incentive fund in program year 1993–1994, and that $35,000,000 be used for this purpose in program year 1994–1995.

The conference agreement also includes language proposed by the Senate which provides an additional $600,000,000 which shall be available only upon submission to Congress of a formal budget request designating the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985. These funds are intended to be made available to meet emergencies which may be national, regional, or local in scope. The conferees therefore urge the Administration to make sufficient LIHEAP emergency funds available to meet the needs of flood victims in the Midwest States, without requiring a nationwide, formula distribution.

COMMUNITY SERVICES BLOCK GRANT

Amendment No. 58: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment, as follows:

In lieu of the matter stricken and inserted by said amendment, insert: *$464,224,000, of which $42,940,000 shall be for carrying out section 681(a) of the Community Services Block Grant Act, including $12,000,000 which shall be for carrying out the National Youth Sports Program: Provided, That payments from such amount to the grantee and subgrantee administering the National Youth Sports Program may not exceed the aggregate amount contributed in cash or in kind by the grantee and subgrantee: Provided further, that amounts in excess of $9,400,000 of such amount may not be made available to the grantee and subgrantees administering the National Youth Sports Program unless the grantee agrees to provide contributions in cash over and above the preceding year's cash contribution to such program in an amount that equals 29 percent of such excess amount*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement provides $464,224,000 for Community Services Block Grant programs instead of $447,643,000 as proposed by the House and $472,649,000 as proposed by the Senate. The conference agreement includes language proposed by the Senate which earmarks $12,000,000 for the National Youth Sports Program and requires the grantee to provide a cash match of 29% of the amount in excess of $9,400,000. The House bill did not include a matching provision.

The conferees expect the Department of Health and Human Services to promulgate new regulations delineating increased matching requirements for the youth sports program, as well as to require a competitive process, for one or more awards. Promotional activities for this program shall include acknowledgement of the federal funding provided through the Department of Health and Human Services.

The conference agreement deletes language proposed by the Senate which reduced funding for consultant services for agencies funded in the bill by 3.52 percent from the level proposed in the President's Budget. The House bill contained no similar provision.

PAYMENTS TO STATES FOR CHILD CARE ASSISTANCE

Amendment No. 59: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which makes funding for the child care and development block grant program available for obligation under the same terms and conditions applicable in the prior fiscal year. The House bill contained no similar provision.

SOCIAL SERVICES BLOCK GRANT

Amendment No. 60: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which appropriates $2,800,000,000 for the ongoing social services block grant under title XX of the Social Security Act and appropriates an additional $1,000,000,000, to remain available until expended, for the newly-authorized activities under title XX related to public investments in qualified empowerment zones and enterprise communities. The House bill included $2,800,000,000 for the ongoing title XX program.

CHILDREN AND FAMILIES SERVICES PROGRAMS

Amendment No. 61: Inserts a legal citation for the Commission on Child and Family Welfare as proposed by the Senate. The conferees are concerned about the increasing number of commissions that have an extended life. It is not the intention of the conferees to fund this Commission beyond fiscal year 1995.

Amendment No. 62: Appropriates $4,237,050,000 instead of $4,169,806,000 as proposed by the House and $4,296,796,000 as proposed by the Senate.

FAMILY SUPPORT AND PRESERVATION

Amendment No. 63: Appropriates $60,000,000 for family support and preservation as proposed by the Senate. The House bill did not include funding for this new program, which was authorized in the Omnibus Reconciliation Act of 1993 after passage of the House appropriations bill.

ADMINISTRATION ON AGING

AGING SERVICES PROGRAMS

Amendment No. 64: Appropriates $871,282,000 instead of $841,875,000 as proposed by the House and $881,863,000 as proposed by the Senate.

OFFICE OF THE SECRETARY

GENERAL DEPARTMENTAL MANAGEMENT

Amendment No. 65: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment, as follows:

In lieu of the sum proposed by said amendment, insert: *$94,431,000*

The managers on the part of the Senate will move to concur in the amendment to the House to the amendment of the Senate.

The conference agreement includes $500,000 to continue the HHS human services transportation initiative.

The conferees are aware that a significant amount of activity is occurring within the Department concerning programs related to domestic violence. The conferees request the Department to prepare and submit a report prior to next year's appropriations hearings outlining the amount of money being spent on this subject and explaining the operations of the various programs and the degree to which they are coordinated.

OFFICE OF INSPECTOR GENERAL

Amendment No. 66: Appropriates $63,590,000 instead of $62,379,000 as proposed by the House and $64,800,000 as proposed by the Senate.

GENERAL PROVISIONS

Amendment No. 67: Restores House language stricken by the Senate providing the funds for administrative costs for each Public Health Service agency funded in this Act shall not exceed the amount requested in the President's budget.

Amendment No. 68: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment, as follows:

In lieu of the matter stricken and inserted by said amendment, insert: *1911(d) and section 1503*

The managers on the part of the Senate will move to concur in the amendment to the House to the amendment of the Senate.

The conference agreement restores a legal citation stricken by the Senate pertaining to automatic taps in authorizing legislation.

The conferees direct the National Cancer Institute and the National Institute of Environmental Health Sciences to become more aggressive in the pursuit of research into the role environmental factors play in contributing to elevated rates of breast cancer such as have been observed in Nassau and Suffolk counties, in the State of New York, and in other counties throughout the United States. In prohibiting funding for section 1911(d) of P.L. 103–43, it is not the intention of the conferees to prohibit the conduct of the study described in section 1911(a) through 1911(c). The conferees strongly encourage such research into the role of environmental factors and note that the National Cancer Institute retains the discretion

to use funds appropriated under this Act to carry out the study so described.

Amendment No. 69: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment, as follows:

In lieu of the matter inserted by said amendment, insert: *SEC. 207. For the purpose of carrying out subparts II and III of part B of title XIX of the Public Health Service Act (42 U.S.C. 300x–21 et seq.) for fiscal year 1994, the Secretary of Health and Human Services shall obligate $7,532,065 from the amounts made available pursuant to section 1935(b) of that Act for fiscal year 1994 to those States and Indian tribes or tribal organizations for which the amounts specified in the award statement issued by the Substance Abuse and Mental Health Services Administration under those subparts on November 2, 1992, was greater than the amount specified in the award statement issued on August 6, 1993, in the amounts equal to those differentials.*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

Inserts language proposed by the Senate that requires the Secretary to obligate $7,532,065 from funds available for the Substance Abuse Block Grant program to compensate certain States for reductions in their fourth quarter allocations for the block grant in fiscal year 1993. The original allocations were based on faulty data. The language has been modified to delete references to individual States. The conferees stress that this one-time action is only being taken to correct an error by the Department in the original allocation of funds to the States. This action will have no impact on State allocations under the block grant in fiscal year 1994.

Amendment No. 70: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate pertaining to funding limits for peer review organizations in the Medicare program.

Amendment No. 71: Deletes language proposed by the Senate pertaining to disproportionate share hospital payments in the Medicaid program.

Amendment No. 72: Deletes without prejudice Senate language which would have prohibited payment of Social Security disability benefits to individuals who are confined to mental institutions because of a "not guilty by reason of insanity" court judgment. The conferees believe this issue should be addressed by the authorizing committees.

TITLE III—DEPARTMENT OF EDUCATION

EDUCATION REFORM

Amendment No. 73: Inserts technical provision added by the Senate indicating that this appropriation account includes authority to transfer funds.

Amendment No. 74: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment, as follows:

In lieu of the matter stricken and inserted by said amendment, insert: *For carrying out education reform activities authorized in law including activities authorized by the Carl D. Perkins Vocational and Applied Technology Education Act, $155,000,000, of which $5,000,000, under section 402 of the Perkins Act, shall be used by the Secretary for activities, including peer review of applications, related to school-to-work transition, and $45,000,000 shall be used under section 420A of the Perkins Act for State grants and subgrants to initiate activities in States and localities related to school-to-work transition: Provided, That $105,000,000 of the funds provided shall be for carrying out activities authorized by the Goals 2000: Educate America Act, or similar legislation, if enacted into law by April 1, 1994, of which $5,000,000 shall be used for "State Planning for Improving Student Achievement Through Integration of Technology Into the Curriculum"; and that if such legislation is not enacted by that date, the $105,000,000 shall be transferred to "Student Financial Assistance" to be used to alleviate the funding shortfall in the Pell Grant program under subpart 1 of part A of title IV of the Higher Education Act of 1965, as amended: Provided further, That funds appropriated in this account shall become available on July 1, 1994 and remain available through September 30, 1995.*

The managers on the part of the Senate will move to concur in the amendment of the Senate.

The conference agreement includes $50,000,000 for school-to-work initiatives as proposed by the Senate instead of $33,750,000 as proposed by the House.

The conference agreement also provides a contingent appropriation of $105,000,000 to implement the Goals 2000: Educate America legislation currently being considered by the House and the Senate. This amount includes $5,000,000 for new initiatives to integrate technology into school curricula, if authorized. The agreement provides that if the Goals 2000 legislation is not enacted by April 1, 1994 that the funds provided will be applied to the shortfall in the Pell Grant program as proposed by the Senate. This appropriation is provided on a forward funded basis similar to other education accounts.

COMPENSATORY EDUCATION FOR THE DISADVANTAGED

Amendment No. 75: Appropriates $6,924,497,000 for compensatory education for the disadvantaged programs instead of $6,871,147,000 as proposed by the House and $6,971,620,000 as proposed by the Senate.

Amendment No. 76: Provides that $6,896,052,000 become available on a forward funded basis instead of $6,844,682,000 as proposed by the House and $6,943,175,000 as proposed by the Senate.

Amendment No. 77: Earmarks $5,642,000,000 for basic grants instead of $5,597,000,000 as proposed by the House and $5,687,000,000 as proposed by the Senate.

Amendment No. 78: Deletes language included by the House but stricken by the Senate. The conference agreement follows the basic statute which provides for a setaside of basis grant funds for grants to the Pacific Outlying Areas.

Amendment No. 79: Earmarks $41,434,000 for capital expenses instead of $39,734,000 as proposed by the House and $42,000,000 as proposed by the Senate.

Amendment No. 80: Earmarks $91,373,000 for the Even Start program instead of $89,123,000 as proposed by the House and $92,123,000 as proposed by the Senate.

Amendment No. 81: Earmarks $305,193,000 for migrant education programs instead of $302,773,000 as proposed by the House and $306,000,000 as proposed by the Senate.

Amendment No. 82: Earmarks $4,960,000 for rural technical assistance as proposed by the Senate instead of $2,980,000 as proposed by the House.

IMPACT AID

Amendment No. 83: Appropriates $798,208,000 for Impact Aid activities instead of $813,074,000 as proposed by the House and $748,368,000 as proposed by the Senate.

Amendment No. 84: Earmarks $613,445,000 for 3(a) payments instead of $630,000,000 as proposed by the House and $563,780,000 as proposed by the Senate.

Amendment No. 85: Earmarks $123,129,000 for 3(b) payments instead of $123,629,000 as proposed by the House and $121,629,000 as proposed by the Senate.

Amendment No. 86: Earmarks $33,437,000 for 3(d)(2)(B) payments instead of $29,462,000 as proposed by the House and $34,762,000 as proposed by the Senate.

Amendment No. 87: Deletes earmark for 3(e) payments included by the House but stricken by the Senate. The conference agreement includes no funding for this activity.

SCHOOL IMPROVEMENT PROGRAMS

Amendment No. 88: Appropriates $1,376,659,000 for school improvement activities instead of $1,339,178,000 as proposed by the House and $1,393,893,000 as proposed by the Senate.

Amendment No. 89: Provides that $1,050,603,000 of these funds be available on a forward funded basis instead of $1,014,709,000 as proposed by the House and $1,065,101,000 as proposed by the Senate.

Amendment No. 90: Earmarks $25,196,000 for chapter 2 national programs as proposed by the Senate instead of $24,925,000 as proposed by the House.

Amendment No. 91: Earmarks $250,998,000 for State grants for mathematics and science education instead of $246,016,000 as proposed by the House and $252,658,000 as proposed by the Senate.

Amendment No. 92: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment, as follows:

In lieu of the matter inserted by said amendment, insert: *Provided further, That of the amount provided, $20,000,000 shall be used for Department of Education activities authorized under the Safe Schools Act, or similar legislation, if such legislation is enacted by April 1, 1994, except that if such legislation is not enacted by that date, this amount shall be transferred to "Student Financial Assistance" to be used to alleviate the funding shortfall in the Pell Grant program under subpart 1 of part A of title IV of the Higher Education Act of 1965, as amended.*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement includes $20,000,000 for a new safe schools initiative if enacted into law by April 1, 1994 instead of $32,838,000 as proposed by the Senate. The House bill did not include funds for this purpose. The conferees are agreed that this amount should be available on a forward funded basis similar to other elementary and secondary education programs. The conference agreement provides that if the necessary authorizing legislation is not enacted by April 1, 1994, that these funds will be transferred to "Student Financial Assistance" for the Pell Grant shortfall.

The conferees intend that all of the funds provided for the Ellender fellowships program be used for student fellowships and that the Close Up Foundation provide a Federal dollar match no less than the amount matched in FY 1993. The conferees further intended that the Close Up Foundation match Federal dollars on at least a one to two basis in 1995.

The conferees intend that the funding provided for Education for Native Hawaiians be distributed as follows:

Special Education Program	$1,000,000

Family Based Education Centers	5,000,000
Gifted and Talented Program	1,000,000
Model Curriculum Implementation Project	50,000
Higher Education Program	800,000

Further, given that a priority recommendation of the Native Hawaiian Education Summit was the establishment of cultural learning centers, a minimum of $374,000 shall be for the planning and development of at least two cultural learning centers.

BILINGUAL AND IMMIGRANT EDUCATION

Amendment No. 93: Appropriates $240,155,000 for bilingual and immigrant education instead of $242,789,000 as proposed by the House and $232,251,000 as proposed by the Senate.

Amendment No. 94: Earmarks $36,431,000 for training programs instead of $36,672,000 as proposed by the House and $35,708,000 as proposed by the Senate.

Amendment No. 95: Earmarks $38,992,000 for immigrant education programs instead of $40,000,000 as proposed by the House and $35,968,000 as proposed by the Senate.

SPECIAL EDUCATION

Amendment No. 96: Appropriates $3,108,702,000 for special education instead of $3,039,442,000 as proposed by the House and $3,134,734,000 as proposed by the Senate.

Amendment No. 97: Earmarks $2,149,686,000 for Part B grants to States instead of $2,108,218,000 as proposed by the House and $2,163,508,000 as proposed by the Senate.

Amendment No. 98: Earmarks $339,257,000 for preschool grants instead of $325,773,000 as proposed by the House and $343,751,000 as proposed by the Senate.

Amendment No. 99: Earmarks $253,152,000 for Part H grants for infants and families instead of $243,769,000 as proposed by the House and $256,280,000 as proposed by the Senate.

Amendment No. 100: Earmarks $116,878,000 for the Chapter 1 handicapped program instead of $113,755,000 as proposed by the House and $120,000,000 as proposed by the Senate.

REHABILITATION SERVICES AND DISABILITY RESEARCH

Amendment No. 101: Includes the citation for the Technology-Related Assistance for Individuals with Disabilities Act as proposed by the Senate. The House bill included a similar citation.

Amendment No. 102: Appropriates $2,296,936,000 for rehabilitation services and disability research instead of $2,251,028,000 as proposed by the House and $2,316,913,000 as proposed by the Senate.

SPECIAL INSTITUTIONS FOR PERSONS WITH DISABILITIES

GALLAUDET UNIVERSITY

Amendment No. 103: Appropriates $78,435,000 for Gallaudet University instead of $77,435,000 as proposed by the House and $79,435,000 as proposed by the Senate.

Amendment No. 104: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment, as follows:

In lieu of the sum proposed by said amendment, insert: *$1,000,000*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement includes $1,000,000 to remain available until expended for construction instead of $2,000,000 as proposed by the Senate. The House bill did not include funds for this purpose.

VOCATIONAL AND ADULT EDUCATION

Amendment No. 105: Appropriates $1,481,183,000 for vocational and adult education instead of $1,474,243,000 as proposed by the House and $1,483,433,000 as proposed by the Senate.

Amendment No. 106: Earmarks $38,077,000 for vocational education research and demonstration activities instead of $31,327,000 as proposed by the House and $40,327,000 as proposed by the Senate.

Amendment No. 107: Earmarks $23,455,000 for vocational education demonstrations instead of $16,705,000 as proposed by the House and $25,705,000 as proposed by the Senate.

Amendment No. 108: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment, as follows:

In lieu of the matter inserted by said amendment, insert: *, including $3,000,000 for model community education and employment centers*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement modifies language inserted by the Senate to require that $3,000,000 of funds for vocational education be earmarked to demonstrate the model community education and employment centers concept. The Senate bill earmarked $5,000,000 for this purpose. The House bill included no similar provision.

STUDENT FINANCIAL ASSISTANCE

Amendment No. 109: Deletes citation proposed by the Senate.

Amendment No. 110: Appropriates $8,020,160,000 for student financial assistance instead of $8,120,366,000 as proposed by the House and $8,004,293,000 as proposed by the Senate.

Amendment No. 111: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment, as follows:

In lieu of the matter stricken and inserted by said amendment, insert: *$2,300: Provided further, That notwithstanding section 401(g) of the Act, as amended, if the Secretary determines, prior to publication of the payment schedule for award year 1994–1995, that the $6,303,566,000 included within this appropriation for Pell Grant awards for award year 1994–1995 is insufficient to satisfy fully all such awards for which students are eligible, as calculated under section 401(b) of the Act, the amount paid for each such award shall be reduced by either a fixed or variable percentage, or by a fixed dollar amount, as determined in accordance with a schedule of reductions established by the Secretary for this purpose*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement sets the maximum Pell Grant Award for the 1994–1995 academic year at $2,300 as proposed by the Senate instead of $2,250 as proposed by the House. The conference agreement also includes language requested by the Department of Education requiring the Secretary to reduce awards if the appropriation is inadequate to fully fund Pell awards with the $2,300 maximum. Both the Department and the conferees believe that the amount agreed to in conference for the Pell program is adequate to finance the agreed upon maximum. The additional language authorizing adjustment is not expected to be used but has been included to meet scorekeeping requirements under the Budget Enforcement Act.

The conferees have agreed to provide $584,407,000 for Federal Supplemental Educational Opportunity Grants, $616,508,000 for the Federal Work-Study program, and $72,429,000 for State Student Incentive Grants. These are the same levels provided in the Senate bill and the same levels appropriated in fiscal year 1993. The conference agreement also includes $21,250,000 for the second year of the new State Postsecondary Review Program, instead of $25,000,000 as proposed by the House and $10,000,000 as proposed by the Senate.

GUARANTEED STUDENT LOANS PROGRAM ACCOUNT

NATIONAL COMMISSIONS

Amendment No. 112: Deletes language included by the House but stricken by the Senate. The conference agreement deletes the rescission of Fiscal Year 1993 funds proposed by the House. This rescission would have eliminated all funds for two new commissions authorized by the Higher Education Amendments of 1992. The conference action leaves in place $992,000 each for the National Commission on the Cost of Higher Education and the National Commission on Independent Higher Education.

FEDERAL DIRECT STUDENT LOAN PROGRAM ACCOUNT

Amendment No. 113: Inserts the word "Student" into the appropriate heading as proposed by the Senate.

Amendment No. 114: Modifies the legislative citation for the Federal Direct Student Loan Program Account as proposed by the Senate.

HIGHER EDUCATION

Amendment No. 115: Modifies legislative citation as proposed by the Senate.

Amendment No. 116: Restores legislative citation included by the House but stricken by the Senate. This citation relates to studies of the training needs in the civilian airline industry. The conferees are agreed that $700,000 is included for this study under the Fund for the Improvement of Postsecondary Education.

Amendment No. 117: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment, as follows:

In lieu of the sum proposed by said amendment, insert: *$893,688,000*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement provides $893,688,000 for higher education instead of $889,855,000 as proposed by the House and $882,974,000 as proposed by the Senate.

Amendment No. 118: Deletes without prejudice legislative language proposed by the Senate. This language would have made a technical amendment to the Higher Education Act related to the Robert Byrd Scholarships program. The conferees understand that this issue is currently being addressed by the authorizing committee. The conference agreement includes sufficient funds to support the cost of this technical change.

HISTORICALLY BLACK COLLEGE AND UNIVERSITY

CAPITAL FINANCING, PROGRAM ACCOUNT

Amendment No. 119: Provided for a limitation of $357,000,000 on the volume of loan guarantees issued in Fiscal Year 1994 as proposed by the Senate. The House bill provided for $178,500,000 of guarantees.

EDUCATION RESEARCH, STATISTICS AND IMPROVEMENT

Amendment No. 120: Reported in technical disagreement. The managers on the part of

the House will offer a motion to recede and concur in the amendment of the Senate which clarifies that funding for this account is available for activities under legislative citations other than section 405 and 406 of the General Education Provisions Act. These citations are expected to be modified by new legislation during Fiscal year 1994.

Amendment No. 121: Restores the citation for Blue Ribbon Schools stricken by the Senate.

Amendment No. 122: Deletes the citation for educational partnership grants as proposed by the Senate.

Amendment No. 123: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment, as follows:

In lieu of the matter stricken and inserted by said amendment, insert: *$292,592,000: Provided, That $31,000,000 shall be for research centers, including funds to extend the existing award for a research center on the education of disadvantaged students for up to one year; $38,032,000 shall be for regional laboratories, including $9,508,000 for rural initiatives; $32,500,000 shall be for activities under the Fund for Innovation in Education; $4,463,000 shall be for civic education activities under section 4609; $5,396,000 shall be for Grants for Schools and Teachers under subpart 1 and $3,687,000 shall be for Family School Partnerships under subpart 2 of part B of title III of Public Law 100-297; $16,072,000 shall be for national programs under section 2012, including not less than $5,472,000 for the National Clearinghouse for Science and Mathematics under section 2012(d); and $13,871,000 shall be for regional consortia under subpart 2 of part A of title II; $25,944,000 shall be for star schools, of which $4,000,000 shall be awarded competitively for a demonstration of a statewide, two-way interactive fiber optic telecommunications network, carrying voice, video, and data transmissions, and housing a point of presence in every county; and $3,212,000 shall be for the National Writing Project*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

LIBRARIES

Amendment No. 124: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment, as follows:

In lieu of the matter stricken and inserted by said amendment, insert: *$146,309,000 of which $17,972,000 shall be used to carry out the provisions of title II of the Library Services and Construction Act and shall remain available until expended, and $4,960,000 shall be for section 222 and $2,802,000 shall be for section 223 of the Higher Education Act, of which $2,500,000 shall be for demonstration of on-line and dial-in access to a statewide, multitype library bibliographic data base through a statewide fiber optic network housing a point of presence in every county, connecting library services in every municipality, to be awarded competitively*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement includes $2,500,000 for a demonstration of high technology library bibliographic databases. The conference agreement provides that these funds are to be awarded competitively.

DEPARTMENTAL MANAGEMENT

PROGRAM ADMINISTRATION

Amendment No. 125: Appropriates $352,008,000 for departmental management as proposed by the House instead of $291,921,000 as proposed by the Senate.

The conferees are concerned the Department continues to ignore the provisions in the Higher Education Act regarding the appointment of a liaison for community and junior colleges. To date, no action has been taken regarding this appointment. The conferees urge the Secretary to comply with the law, including all of the qualifications for the appointee outlined in the Act, and fill the position on an expedited basis.

The conferees concur in concerns expressed in the House report about the Department's peer review of grant applications, and have provided additional resources and flexibility to promote needed improvement of the process. The conferees strongly encourage the Department to return to the practice of requiring three readers for competitive grant proposals, at least two of whom should come from outside the Department and have some expertise in the field in which the grant is to be made. The conferees are particularly concerned about the quality of the review process used to select awardees under the Student Support Services program under TRIO.

GENERAL PROVISIONS

Amendment No. 126: Deletes without prejudice Senate language which expressed the sense of the Congress concerning specific funding levels for education in future years.

Amendment No. 127: Deletes without prejudice Senate language which expressed the sense of the Congress that a specific procedure for considering proposals to consolidate or eliminate education programs be established as recommended in the National Performance Review. This matter is currently being reviewed by the Department and proposals are expected in the near future.

TITLE IV—RELATED AGENCIES

ACTION

OPERATING EXPENSES

Amendment No. 128: Appropriates $205,097,000 instead of $201,526,000 as proposed by the House and $206,287,000 as proposed by the Senate.

The conference agreement deletes the House language that earmarked funds for the VISTA program and the Senate language which reduced funding for consultant services for agencies funded in the bill by 5.025 percent.

CORPORATION FOR PUBLIC BROADCASTING

Amendment No. 129: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the sum proposed by said amendment, insert: *$312,000,000, of which $7,000,000 shall be for Ready to Learn activities consistent with the purposes outlined in P.L. 102-545.*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conferees agree that $7,000,000 be set aside for Ready to Learn activities prior to allocating funds under the Public Telecommunications Act of 1992, P.L. 102-356.

The Corporation for Public Broadcasting shall consult with the Department of Education to assure that the Department's school readiness and curriculum goals are integrated into the programming and accompanying materials promulgated in accordance with P.L. 102-245, the Ready to Learn Act.

It is the understanding of the conferees that the Corporation shall award contracts, cooperative agreements, or grants to eligible entities defined in Public Law 102-545, sections 4702(b)(1) and 4702(b)(2).

NATIONAL COUNCIL ON DISABILITY

Amendment No. 130: Appropriates $1,690,000 for National Council on Disability instead of $1,590,000 as proposed by the House and $1,791,000 as proposed by the Senate.

NATIONAL MEDIATION BOARD

Amendment No. 131: Appropriates $8,657,000 for National Mediation Board instead of $8,506,000 as proposed by the House and $8,807,000 as proposed by the Senate.

TITLE V—GENERAL PROVISIONS

Amendment No. 132: Restores section 507 as proposed by the House and stricken by the Senate providing that funds expended under this Act shall be expended in accordance with the Buy American Act. Deletes other language proposed by the House and stricken by the Senate concerning the purchase of American-made products.

(Rescission)

Amendment No. 133: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment, as follows:

In lieu of the section number named in said amendment, insert: *508*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement inserts language proposed by the Senate that provides for a cost-of-living adjustment for black lung benefit payments in January, 1994; the agreement also includes a rescission of $225,000,000, as proposed by the Senate, from funds appropriated for the Community Investment Program in Public Law 102-368. The House bill included no similar provisions.

Amendment No. 134: Deletes language proposed by the Senate expressing the sense of the Senate that the Department of Justice should investigate whether any Federal civil rights laws were violated as a result of the murder of Yankel Rosenbaum on August 19, 1991 and the ensuing riots in Crown Heights.

TITLE VI—NONSMOKING POLICY

Amendment No. 135: Deletes title VI of the bill proposed by the Senate that would have required the Administrator of the Environmental Protection Agency to issue within 180 days of enactment guidelines for instituting and enforcing a nonsmoking policy at each indoor facility where children's services are provided and required any person who provides children's services to establish and enforce a nonsmoking policy that meets or exceeds certain requirements.

	FY 1993 Comparable	FY 1994 Budget Request	House Bill	Senate Bill	Conference	Conference vs FY93 Comparable
SUMMARY						
Title I - Department of Labor:						
Federal Funds	12,270,516,000	12,872,261,000	10,972,157,000	10,859,651,000	10,914,538,000	-1,355,978,000
Trust Funds	(3,462,511,000)	(3,690,914,000)	(3,692,212,000)	(3,662,424,000)	(3,701,352,000)	(+238,841,000)
Title II - Department of Health and Human Services:						
Federal Funds	210,931,782,000	215,624,206,000	175,032,320,000	215,968,067,000	215,802,937,000	+4,871,155,000
Current year	(172,736,374,000)	(176,459,426,000)	(175,032,320,000)	(176,700,659,000)	(176,567,937,000)	(+3,831,563,000)
1995 advance	(38,195,408,000)	(39,164,780,000)	---	(39,267,408,000)	(39,235,000,000)	(+1,039,592,000)
Trust Funds	(7,049,992,000)	(8,374,324,000)	(7,774,421,000)	(7,686,037,000)	(7,763,583,000)	(+713,591,000)
Title III - Department of Education:						
Federal Funds	28,087,420,000	30,921,629,000	28,627,320,000	28,755,410,000	28,765,192,000	+677,772,000
Title IV - Related Agencies:						
Federal Funds	1,064,129,000	1,053,017,000	1,047,414,000	1,080,037,000	1,070,596,000	+6,467,000
Current year	(771,489,000)	(760,377,000)	(754,774,000)	(760,037,000)	(758,596,000)	(-12,893,000)
1996 advance	(292,640,000)	(292,640,000)	(292,640,000)	(320,000,000)	(312,000,000)	(+19,360,000)
Trust Funds	(111,062,000)	(109,589,000)	(109,514,000)	(109,514,000)	(109,514,000)	(-1,548,000)
Weed and Seed (P.L. 102-360) (rescission)	225,000,000	---	---	-225,000,000	-225,000,000	-450,000,000
Bill-wide consultant savings	---	---	---	-10,000,000	---	---
Total, all titles:						
Federal Funds	252,578,847,000	260,471,113,000	215,679,211,000	256,428,165,000	256,328,263,000	+3,749,416,000
Current year	(214,090,799,000)	(221,013,693,000)	(215,386,571,000)	(216,840,757,000)	(216,781,263,000)	(+2,690,464,000)
1995 advance	(38,195,408,000)	(39,164,780,000)	---	(39,267,408,000)	(39,235,000,000)	(+1,039,592,000)
1996 advance	(292,640,000)	(292,640,000)	(292,640,000)	(320,000,000)	(312,000,000)	(+19,360,000)
Trust Funds	(10,623,565,000)	(12,174,827,000)	(11,576,147,000)	(11,457,975,000)	(11,574,449,000)	(+950,884,000)
TITLE I - DEPARTMENT OF LABOR						
EMPLOYMENT AND TRAINING ADMINISTRATION						
PROGRAM ADMINISTRATION						
Job training programs	22,890,000	25,451,000	23,229,000	23,229,000	23,229,000	+339,000
Trust funds	(2,192,000)	(2,244,000)	(2,244,000)	(2,244,000)	(2,244,000)	(+52,000)
Employment security	457,000	1,970,000	1,582,000	1,582,000	1,582,000	+1,125,000
Trust funds	(13,624,000)	(15,117,000)	(15,117,000)	(15,117,000)	(15,117,000)	(+1,493,000)
Financial and administrative management	14,635,000	19,769,000	19,115,000	19,115,000	19,115,000	+4,480,000
Trust funds	(10,095,000)	(8,232,000)	(8,232,000)	(8,232,000)	(8,232,000)	(-1,863,000)
Executive direction and administration	4,817,000	6,361,000	6,100,000	6,100,000	6,100,000	+1,283,000
Trust funds	(4,240,000)	(1,424,000)	(1,424,000)	(1,424,000)	(1,424,000)	(-2,816,000)
Regional operations	15,934,000	27,539,000	25,184,000	25,184,000	25,184,000	+9,250,000
Trust funds	(25,205,000)	(19,638,000)	(19,638,000)	(19,638,000)	(19,638,000)	(-5,567,000)
Apprenticeship services	16,874,000	17,196,000	17,196,000	17,196,000	17,196,000	+322,000
Total, Program Administration	130,963,000	144,941,000	139,061,000	139,061,000	139,061,000	+8,098,000
Federal funds	75,607,000	98,286,000	92,406,000	92,406,000	92,406,000	+16,799,000
Trust funds	(55,356,000)	(46,655,000)	(46,655,000)	(46,655,000)	(46,655,000)	(-8,701,000)
TRAINING AND EMPLOYMENT SERVICES						
Grants to States:						
Adult training	1,015,021,000	1,030,021,000	988,021,000	988,021,000	988,021,000	-27,000,000
Youth training	676,682,000	686,682,000	658,682,000	658,682,000	658,682,000	-18,000,000
Summer youth employment and training program	840,674,000	1,688,782,000	988,782,000	853,782,000	888,282,000	+47,608,000
Dislocated worker assistance	566,646,000	1,921,006,000	1,118,000,000	1,118,000,000	1,118,000,000	+551,354,000
Flood relief supplemental	54,600,000	---	---	---	---	-54,600,000
Federally administered programs:						
Native Americans	61,871,000	61,871,000	61,871,000	65,000,000	64,218,000	+2,347,000
Migrants and seasonal farmworkers	78,303,000	78,303,000	78,303,000	88,000,000	85,576,000	+7,273,000
School-to-work	---	135,000,000	33,750,000	50,000,000	50,000,000	+50,000,000
Job Corps:						
Operations	891,532,000	913,913,000	913,913,000	913,913,000	913,913,000	+22,381,000
Construction and renovation	74,543,000	239,756,000	126,556,000	126,556,000	126,556,000	+52,013,000
Subtotal, Job Corps	966,075,000	1,153,669,000	1,040,469,000	1,040,469,000	1,040,469,000	+74,394,000
Youth Fair Chance	50,000,000	25,000,000	25,000,000	---	25,000,000	-25,000,000
Veterans' employment	8,957,000	8,957,000	8,957,000	8,957,000	8,957,000	---
National activities:						
Pilots and demonstrations	35,080,000	35,080,000	35,080,000	37,080,000	36,580,000	+1,500,000
Research, demonstration and evaluation	8,301,000	8,301,000	12,301,000	12,301,000	12,301,000	+4,000,000
Other	20,521,000	20,521,000	20,521,000	23,550,000	23,021,000	+2,500,000
Subtotal, National activities	63,902,000	63,902,000	67,902,000	72,931,000	71,902,000	+8,000,000
Subtotal, Federal activities	1,229,108,000	1,526,702,000	1,316,252,000	1,325,357,000	1,346,122,000	+117,014,000
Total, Job Training Partnership Act	4,382,731,000	6,853,193,000	5,069,737,000	4,943,842,000	4,999,107,000	+616,376,000

	FY 1993 Comparable	FY 1994 Budget Request	House Bill	Senate Bill	Conference	Conference vs FY93 Comparable
Job training for the homeless:						
Regular program	7,482,000	7,482,000	7,482,000	7,482,000	7,482,000	---
Veterans program	5,055,000	5,055,000	5,055,000	5,055,000	5,055,000	---
Glass Ceiling Commission	744,000	744,000	744,000	744,000	744,000	---
National Center for the Workplace	744,000	744,000	744,000	1,500,000	1,122,000	+378,000
Total, Training and Employment Services	4,396,756,000	6,867,218,000	5,083,762,000	4,958,623,000	5,013,510,000	+616,754,000
COMMUNITY SERVICE EMPLOYMENT FOR OLDER AMERICANS						
National contracts	308,926,000	328,472,000	320,190,000	320,190,000	320,190,000	+11,264,000
State grants	87,134,000	92,646,000	90,310,000	90,310,000	90,310,000	+3,176,000
Total	396,060,000	421,118,000	410,500,000	410,500,000	410,500,000	+14,440,000
FEDERAL UNEMPLOYMENT AND ALLOWANCES						
Trade adjustment	211,000,000	189,900,000	189,900,000	189,900,000	189,900,000	-21,100,000
Other activities	250,000	100,000	100,000	100,000	100,000	-150,000
Total	211,250,000	190,000,000	190,000,000	190,000,000	190,000,000	-21,250,000
STATE UNEMPLOYMENT INSURANCE AND EMPLOYMENT SERVICE OPERATIONS						
Unemployment Compensation (Trust Funds):						
State Operations	(1,629,783,000)	(1,715,906,000)	(1,715,906,000)	(1,715,906,000)	(1,715,906,000)	(+86,123,000)
State integrity activities	(327,356,000)	(356,928,000)	(356,928,000)	(356,928,000)	(356,928,000)	(+29,572,000)
National Activities	(8,741,000)	(16,295,000)	(16,295,000)	(34,575,000)	(25,435,000)	(+16,694,000)
Contingency	(299,912,000)	(347,272,000)	(347,272,000)	(347,272,000)	(347,272,000)	(+47,360,000)
Contingency bill language (OMB estimate)	(114,300,000)	(70,500,000)	(70,500,000)	(70,500,000)	(70,500,000)	(-43,800,000)
Portion treated as budget authority	---	(39,770,000)	(39,770,000)	---	(39,770,000)	(+39,770,000)
Subtotal, Unemployment Compensation(trust funds)	(2,265,792,000)	(2,476,171,000)	(2,476,171,000)	(2,454,681,000)	(2,485,311,000)	(+219,519,000)
Employment Service:						
Allotments to States:						
Federal funds	21,555,000	24,986,000	24,986,000	24,986,000	24,986,000	+3,431,000
Trust funds	(789,405,000)	(807,870,000)	(807,870,000)	(807,870,000)	(807,870,000)	(+18,465,000)
Subtotal	810,960,000	832,856,000	832,856,000	832,856,000	832,856,000	+21,896,000
National Activities:						
Federal funds	2,002,000	2,056,000	2,056,000	2,056,000	2,056,000	+54,000
Trust funds	(66,754,000)	(68,556,000)	(68,556,000)	(60,556,000)	(68,556,000)	(+1,802,000)
Targeted jobs tax credit	(14,880,000)	(15,282,000)	(14,880,000)	(15,282,000)	(14,880,000)	---
One-stop Career Centers	---	150,000,000	42,500,000	50,000,000	50,000,000	+50,000,000
Subtotal, Employment Service	894,596,000	1,068,750,000	960,848,000	960,750,000	968,348,000	+73,752,000
Federal funds	23,557,000	177,042,000	69,542,000	77,042,000	77,042,000	+53,485,000
Trust funds	(871,039,000)	(891,708,000)	(891,306,000)	(883,708,000)	(891,306,000)	(+20,267,000)
Total, State Unemployment	3,160,388,000	3,544,921,000	3,437,019,000	3,415,431,000	3,453,659,000	+293,271,000
Federal Funds	23,557,000	177,042,000	69,542,000	77,042,000	77,042,000	+53,485,000
Trust Funds	(3,136,831,000)	(3,367,879,000)	(3,367,477,000)	(3,338,389,000)	(3,376,617,000)	(+239,786,000)
ADVANCES TO UNEMPLOYMENT TRUST FUND AND OTHER FUNDS	4,665,000,000	2,556,000,000	2,556,000,000	2,556,000,000	2,556,000,000	-2,109,000,000
Total, Employment & Training Administration	12,960,417,000	13,724,198,000	11,816,342,000	11,669,615,000	11,762,730,000	-1,197,687,000
Federal funds	9,768,230,000	10,309,664,000	8,402,210,000	8,284,571,000	8,339,458,000	-1,428,772,000
Trust funds	(3,192,187,000)	(3,414,534,000)	(3,414,132,000)	(3,385,044,000)	(3,423,272,000)	(+231,085,000)
LABOR - MANAGEMENT STANDARDS						
SALARIES AND EXPENSES						
Labor-management relations service	1,339,000	1,370,000	1,370,000	1,370,000	1,370,000	+31,000
Labor-management standards enforcement	26,010,000	25,939,000	25,939,000	25,939,000	25,939,000	-71,000
Total, LMS	27,349,000	27,309,000	27,309,000	27,309,000	27,309,000	-40,000
PENSION AND WELFARE BENEFITS ADMINISTRATION						
SALARIES AND EXPENSES						
Enforcement and compliance	48,888,000	48,977,000	49,630,000	49,280,000	49,280,000	+392,000
Policy, regulation and public service	11,357,000	11,303,000	11,303,000	11,303,000	11,303,000	-54,000
Executive direction	3,592,000	3,475,000	3,475,000	3,475,000	3,475,000	-117,000
Total, PWBA	63,837,000	63,755,000	64,408,000	64,058,000	64,058,000	+221,000
PENSION BENEFIT GUARANTY CORPORATION						
Program Administration subject to limitation (Trust Funds)	(33,533,000)	(34,194,000)	(34,194,000)	(34,194,000)	(34,194,000)	(+661,000)
Services related to terminations not subject to limitations (non-add) 1/	(99,039,000)	(101,487,000)	(101,487,000)	(101,487,000)	(101,487,000)	(+2,448,000)
Total, PBGC	(132,572,000)	(135,681,000)	(135,681,000)	(135,681,000)	(135,681,000)	(+3,109,000)

	FY 1993 Comparable	FY 1994 Budget Request	House Bill	Senate Bill	Conference	Conference vs FY93 Comparable
EMPLOYMENT STANDARDS ADMINISTRATION						
SALARIES AND EXPENSES						
Enforcement of wage and hour standards	94,957,000	95,157,000	97,379,000	97,379,000	97,379,000	+2,422,000
Federal contractor EEO standards enforcement	55,695,000	55,398,000	56,443,000	56,443,000	56,443,000	+748,000
Federal programs for workers' compensation	70,336,000	71,923,000	71,923,000	71,923,000	71,923,000	+1,587,000
Trust funds	(991,000)	(989,000)	(989,000)	(989,000)	(989,000)	(-2,000)
Executive direction and support services	11,466,000	11,431,000	11,431,000	11,431,000	11,431,000	-35,000
Total, salaries and expenses	233,445,000	234,898,000	238,165,000	238,165,000	238,165,000	+4,720,000
Federal funds	232,454,000	233,909,000	237,176,000	237,176,000	237,176,000	+4,722,000
Trust funds	(991,000)	(989,000)	(989,000)	(989,000)	(989,000)	(-2,000)
SPECIAL BENEFITS						
Federal employees compensation benefits	286,000,000	275,000,000	275,000,000	275,000,000	275,000,000	-11,000,000
Longshore and harbor workers' benefits	4,000,000	4,000,000	4,000,000	4,000,000	4,000,000	---
Total, Special Benefits	290,000,000	279,000,000	279,000,000	279,000,000	279,000,000	-11,000,000
BLACK LUNG DISABILITY TRUST FUND						
Benefit payments and interest on advances	888,251,000	947,967,000	947,967,000	947,967,000	947,967,000	+59,716,000
Employment Standards Admin., salaries & expenses	29,726,000	28,929,000	28,929,000	29,529,000	29,529,000	-197,000
Departmental Management, salaries and expenses	25,698,000	24,384,000	24,384,000	24,384,000	24,384,000	-1,314,000
Departmental Management, inspector general	352,000	295,000	295,000	295,000	295,000	-57,000
Subtotal, Black Lung Disablty. Trust Fund, apprn	944,027,000	1,001,575,000	1,001,575,000	1,002,175,000	1,002,175,000	+58,148,000
Treasury administrative costs (indefinite)	756,000	756,000	756,000	756,000	756,000	---
Total, Black Lung Disability Trust Fund	944,783,000	1,002,331,000	1,002,331,000	1,002,931,000	1,002,931,000	+58,148,000
Total, Employment Standards Administration	1,468,228,000	1,516,229,000	1,519,496,000	1,520,096,000	1,520,096,000	+51,868,000
Federal funds	1,467,237,000	1,515,240,000	1,518,507,000	1,519,107,000	1,519,107,000	+51,870,000
Trust funds	(991,000)	(989,000)	(989,000)	(989,000)	(989,000)	(-2,000)
OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION						
SALARIES AND EXPENSES						
Safety and health standards	8,008,000	8,647,000	8,647,000	8,647,000	8,647,000	+639,000
Enforcement:						
Federal Enforcement	134,689,000	137,518,000	137,518,000	138,122,000	138,122,000	+3,433,000
State programs	67,285,000	68,630,000	68,630,000	68,630,000	68,630,000	+1,345,000
Technical Support	17,377,000	17,946,000	17,946,000	17,946,000	17,946,000	+569,000
Compliance Assistance	40,957,000	41,859,000	42,009,000	44,009,000	44,009,000	+3,052,000
Safety and health statistics	12,820,000	12,795,000	12,795,000	12,795,000	12,795,000	-25,000
Executive direction and administration	7,114,000	7,095,000	7,095,000	7,095,000	7,095,000	-19,000
Total, OSHA	288,250,000	294,490,000	294,640,000	297,244,000	297,244,000	+8,994,000
MINE SAFETY AND HEALTH ADMINISTRATION						
SALARIES AND EXPENSES						
Enforcement:						
Coal	100,331,000	101,416,000	102,723,000	103,377,000	103,377,000	+3,046,000
Metal/nonmetal	39,259,000	40,399,000	41,052,000	41,542,000	41,542,000	+2,283,000
Standards development	1,398,000	1,378,000	1,378,000	1,378,000	1,378,000	-20,000
Assessments	2,497,000	3,802,000	3,802,000	3,802,000	3,802,000	+1,305,000
Educational policy and development	13,359,000	14,475,000	14,475,000	14,475,000	14,475,000	+1,116,000
Technical support	21,683,000	21,977,000	21,977,000	21,977,000	21,977,000	+294,000
Program administration	12,970,000	8,451,000	8,451,000	8,451,000	8,451,000	-4,519,000
Total, Mine Safety and Health Administration	191,497,000	191,898,000	193,858,000	195,002,000	195,002,000	+3,505,000
BUREAU OF LABOR STATISTICS						
SALARIES AND EXPENSES						
Employment and Unemployment Statistics	84,934,000	85,150,000	86,470,000	86,470,000	86,470,000	+1,536,000
Labor Market Information (Trust Funds)	(48,907,000)	(50,227,000)	(51,927,000)	(51,227,000)	(51,927,000)	(+3,020,000)
Prices and cost of living	89,345,000	93,144,000	93,144,000	93,144,000	93,144,000	+3,799,000
Compensation and working conditions	64,305,000	64,211,000	64,211,000	64,461,000	64,461,000	+156,000
Productivity and technology	6,721,000	6,986,000	6,986,000	6,986,000	6,986,000	+265,000
Economic growth and employment projections	4,082,000	4,193,000	4,193,000	4,193,000	4,193,000	+111,000

1/ Increase in non-limitation funds per 11/6/92 reapportionment.

	FY 1993 Comparable	FY 1994 Budget Request	House Bill	Senate Bill	Conference	Conference vs FY93 Comparable
Executive direction and staff services	25,605,000	26,764,000	26,764,000	26,764,000	26,764,000	+1,159,000
Total, Bureau of Labor Statistics	323,899,000	330,675,000	333,695,000	333,245,000	333,945,000	+10,046,000
Federal Funds	274,992,000	280,448,000	281,768,000	282,018,000	282,018,000	+7,026,000
Trust Funds	(48,907,000)	(50,227,000)	(51,927,000)	(51,227,000)	(51,927,000)	(+3,020,000)
DEPARTMENTAL MANAGEMENT						
SALARIES AND EXPENSES						
Executive direction	20,676,000	19,751,000	19,751,000	19,751,000	19,751,000	-925,000
Legal services	58,485,000	59,096,000	59,096,000	59,446,000	59,446,000	+961,000
Trust funds	(326,000)	(332,000)	(332,000)	(332,000)	(332,000)	(+6,000)
International labor affairs	7,590,000	7,572,000	7,572,000	7,942,000	7,942,000	+352,000
Administration and management	15,069,000	14,911,000	14,911,000	14,911,000	14,911,000	-158,000
Adjudication	16,638,000	19,369,000	19,369,000	19,369,000	19,369,000	+2,731,000
Promoting employment of people with disabilities	4,312,000	4,320,000	4,320,000	4,320,000	4,320,000	+8,000
Women's Bureau	7,757,000	7,605,000	7,605,000	7,770,000	7,770,000	+13,000
Civil Rights Activities	4,922,000	4,906,000	4,906,000	4,906,000	4,906,000	-16,000
Chief Financial Officer	6,691,000	4,712,000	4,712,000	4,712,000	4,712,000	-1,979,000
Total, Salaries and expenses	142,466,000	142,574,000	142,574,000	143,459,000	143,459,000	+993,000
Federal funds	142,140,000	142,242,000	142,242,000	143,127,000	143,127,000	+987,000
Trust funds	(326,000)	(332,000)	(332,000)	(332,000)	(332,000)	(+6,000)
VETERANS EMPLOYMENT AND TRAINING						
State Administration:						
Disabled Veterans Outreach Program	(82,004,000)	(84,218,000)	(84,218,000)	(84,218,000)	(84,218,000)	(+2,214,000)
Local Veterans Employment Program	(76,111,000)	(78,166,000)	(78,166,000)	(78,166,000)	(78,166,000)	(+2,055,000)
Subtotal, State Administration	(158,115,000)	(162,384,000)	(162,384,000)	(162,384,000)	(162,384,000)	(+4,269,000)
Federal Administration	(21,309,000)	(21,339,000)	(21,339,000)	(21,339,000)	(21,339,000)	(+30,000)
National Veterans Training Institute	(2,848,000)	(2,925,000)	(2,925,000)	(2,925,000)	(2,925,000)	(+77,000)
Total, Trust Funds	(182,272,000)	(186,648,000)	(186,648,000)	(186,648,000)	(186,648,000)	(+4,376,000)
OFFICE OF THE INSPECTOR GENERAL						
Audit:						
Federal funds	20,285,000	19,436,000	19,436,000	19,436,000	19,436,000	-849,000
Trust funds	(3,954,000)	(3,990,000)	(3,990,000)	(3,990,000)	(3,990,000)	(+36,000)
Investigation:						
Federal funds	8,426,000	8,945,000	8,945,000	8,945,000	8,945,000	+519,000
Trust funds	(341,000)	---	---	---	---	(-341,000)
Office of Labor Racketeering	11,632,000	11,690,000	11,690,000	11,690,000	11,690,000	+58,000
Executive Direction and Management	6,641,000	7,144,000	7,144,000	7,144,000	7,144,000	+503,000
Total, Office of the Inspector General	51,279,000	51,205,000	51,205,000	51,205,000	51,205,000	-74,000
Federal funds	46,984,000	47,215,000	47,215,000	47,215,000	47,215,000	+231,000
Trust funds	(4,295,000)	(3,990,000)	(3,990,000)	(3,990,000)	(3,990,000)	(-305,000)
Total, Departmental Management	376,017,000	380,427,000	380,427,000	381,312,000	381,312,000	+5,295,000
Federal funds	189,124,000	189,457,000	189,457,000	190,342,000	190,342,000	+1,218,000
Trust funds	(186,893,000)	(190,970,000)	(190,970,000)	(190,970,000)	(190,970,000)	(+4,077,000)
Total, Labor Department 1/	15,733,027,000	16,563,175,000	14,664,369,000	14,522,075,000	14,615,890,000	-1,117,137,000
Federal funds	12,270,516,000	12,872,261,000	10,972,157,000	10,859,651,000	10,914,538,000	-1,355,978,000
Trust funds	(3,462,511,000)	(3,690,914,000)	(3,692,212,000)	(3,662,424,000)	(3,701,352,000)	(+238,841,000)
TITLE II - DEPARTMENT OF HEALTH AND HUMAN SERVICES						
HEALTH RESOURCES AND SERVICES ADMINISTRATION						
HEALTH RESOURCES AND SERVICES						
Health Care Delivery and Assistance:						
Community health centers	558,808,000	617,308,000	584,600,000	610,000,000	603,650,000	+44,842,000
Migrant health centers	57,306,000	63,806,000	59,000,000	59,000,000	59,000,000	+1,694,000
Black lung clinics	3,968,000	3,968,000	3,968,000	4,200,000	4,142,000	+174,000
Health care for the homeless	58,014,000	57,960,000	64,014,000	60,000,000	63,011,000	+4,997,000
National Health Service Corps:						
Field placements	42,720,000	44,720,000	44,720,000	46,720,000	44,720,000	+2,000,000
Recruitment	75,939,000	93,939,000	80,000,000	82,000,000	82,000,000	+6,061,000
Subtotal, Natl Health Service Corps	118,659,000	138,659,000	124,720,000	128,720,000	126,720,000	+8,061,000
Grants to communities for scholarships	478,000	478,000	478,000	478,000	478,000	---
Public housing health service grants	8,923,000	8,916,000	8,923,000	8,923,000	8,923,000	---
Hansen's disease services	18,623,000	18,487,000	18,487,000	21,500,000	20,747,000	+2,124,000
Payment to Hawaii, treatment of Hansen's Disease	2,976,000	2,976,000	2,976,000	2,976,000	2,976,000	---

1/ Includes Federal and Trust funds.

	FY 1993 Comparable	FY 1994 Budget Request	House Bill	Senate Bill	Conference	Conference vs FY93 Comparable
Native Hawaiian health care	3,589,000	3,586,000	3,586,000	4,586,000	4,336,000	+747,000
Pacific Basin initiative	2,556,000	873,000	873,000	3,000,000	2,468,000	-88,000
Alzheimers demonstration grants	4,959,000	4,933,000	4,959,000	4,959,000	4,959,000	---
Total, Health Care Delivery & Assistance	838,859,000	921,950,000	876,584,000	908,342,000	901,410,000	+62,551,000
Maternal and child health:						
Maternal & child health block grant	664,534,000	704,534,000	664,534,000	694,534,000	687,034,000	+22,500,000
Healthy start	79,325,000	100,325,000	90,000,000	100,000,000	97,500,000	+18,175,000
Emergency medical services for children	4,810,000	4,808,000	7,500,000	7,500,000	7,500,000	+2,690,000
Total, Maternal and child health	748,669,000	809,667,000	762,034,000	802,034,000	792,034,000	+43,365,000
Health Professions:						
Exceptional financial need scholarships	10,433,000	10,428,000	10,433,000	10,433,000	10,433,000	---
Centers of excellence	23,481,000	23,442,000	23,481,000	23,481,000	23,481,000	---
Disadvantaged assistance	31,202,000	37,702,000	31,202,000	31,202,000	31,202,000	---
HPSL recapitalization	7,925,000	7,923,000	7,925,000	7,925,000	7,925,000	---
Scholarships for disadvantaged students	17,102,000	17,088,000	17,102,000	17,102,000	17,102,000	---
Faculty loan repayment	1,053,000	1,045,000	1,053,000	1,053,000	1,053,000	---
Public health and preventive medicine	7,265,000	10,692,000	7,265,000	8,000,000	7,816,000	+551,000
Health administration traineeships / projects	1,494,000	995,000	995,000	995,000	995,000	-499,000
Family medicine training / departments	38,194,000	47,194,000	47,194,000	47,194,000	47,194,000	+9,000,000
General dentistry residencies	3,730,000	2,483,000	3,730,000	3,730,000	3,730,000	---
General internal medicine and pediatrics	16,847,000	20,080,000	16,847,000	16,847,000	16,847,000	---
Physician assistants	4,916,000	8,867,000	4,916,000	7,100,000	6,554,000	+1,638,000
Primary care loan program	---	5,000,000	---	---	---	---
Allied health special projects	3,467,000	2,305,000	3,467,000	3,467,000	3,467,000	---
Area health education centers	19,812,000	13,177,000	19,812,000	23,000,000	22,203,000	+2,391,000
Border health training centers	2,836,000	---	2,836,000	2,836,000	2,836,000	---
Geriatric training and education centers	10,013,000	6,661,000	6,661,000	10,013,000	9,175,000	-838,000
Interdisciplinary traineeships	4,017,000	---	---	4,017,000	4,017,000	---
Health professions data system	643,000	3,643,000	643,000	643,000	643,000	---
Research on health professions issues	1,123,000	2,623,000	1,123,000	1,123,000	1,123,000	---
Podiatric medicine	615,000	---	---	615,000	615,000	---
Chiropractic demonstration grants	---	---	---	1,000,000	750,000	+750,000
Nurse training:						
Advanced nurse education	12,253,000	8,158,000	12,000,000	12,253,000	12,253,000	---
Nurse practitioners / nurse midwives	15,443,000	19,583,000	15,443,000	17,443,000	16,943,000	+1,500,000
Special projects	10,401,000	10,500,000	10,401,000	10,401,000	10,401,000	---
Professional nurse traineeships	13,973,000	19,623,000	13,973,000	15,973,000	15,473,000	+1,500,000
Nurse disadvantaged assistance	3,693,000	5,193,000	3,693,000	3,693,000	3,693,000	---
Nurse anesthetists	2,724,000	1,813,000	2,724,000	2,724,000	2,724,000	---
School nurse initiative	---	4,000,000	---	---	---	---
Loan repayment for shortage area service	2,044,000	2,043,000	2,044,000	2,044,000	2,044,000	---
Subtotal, Nurse training	60,531,000	70,913,000	60,278,000	64,531,000	63,531,000	+3,000,000
Total, Health professions	266,699,000	292,261,000	266,963,000	286,307,000	282,692,000	+15,993,000
Resources development:						
Organ transplantation	2,767,000	2,652,000	2,652,000	2,652,000	2,652,000	-115,000
Health teaching facilities interest subsidies	415,000	415,000	415,000	415,000	415,000	---
Trauma care	4,368,000	4,349,000	4,349,000	5,000,000	4,837,000	+469,000
Total, Resources Development	7,550,000	7,416,000	7,416,000	8,067,000	7,904,000	+354,000
Acquired Immune Deficiency Syndrome (AIDS):						
Education and training centers	16,435,000	16,435,000	16,435,000	16,435,000	16,435,000	---
Pediatric demonstrations	20,897,000	20,897,000	---	---	---	-20,897,000
Ryan White AIDS Programs:						
Emergency assistance	184,757,000	336,457,000	318,000,000	328,000,000	325,500,000	+140,743,000
Comprehensive care programs	115,288,000	233,988,000	183,897,000	183,897,000	183,897,000	+68,609,000
Early intervention program	47,968,000	81,568,000	47,968,000	47,968,000	47,968,000	---
Title IV	---	6,000,000	22,000,000	22,000,000	22,000,000	+22,000,000
Subtotal, Ryan White AIDS programs	348,013,000	658,013,000	571,865,000	581,865,000	579,365,000	+231,352,000
AIDS dental services	---	---	7,000,000	7,000,000	7,000,000	+7,000,000
Subtotal, AIDS	385,345,000	695,345,000	595,300,000	605,300,000	602,800,000	+217,455,000

	FY 1993 Comparable	FY 1994 Budget Request	House Bill	Senate Bill	Conference	Conference vs FY93 Comparable
Family planning	173,418,000	208,418,000	173,418,000	183,418,000	180,918,000	+7,500,000
Rural health research	4,176,000	4,176,000	4,176,000	11,176,000	9,426,000	+5,250,000
Rural outreach grants	24,779,000	24,779,000	24,779,000	26,779,000	26,279,000	+1,500,000
Buildings and facilities	982,000	942,000	942,000	942,000	942,000	-40,000
National practitioner data bank	6,000,000	7,500,000	7,500,000	7,500,000	7,500,000	+1,500,000
User fees	-6,000,000	-7,500,000	-7,500,000	-7,500,000	-7,500,000	-1,500,000
Program management	121,487,000	121,976,000	121,976,000	121,976,000	121,976,000	+489,000
Total, Health resources and services	2,571,964,000	3,086,930,000	2,833,588,000	2,954,341,000	2,926,381,000	+354,417,000
MEDICAL FACILITIES GUARANTEE AND LOAN FUND:						
Interest subsidy program	10,900,000	9,000,000	9,000,000	9,000,000	9,000,000	-1,900,000
HEALTH EDUCATION ASSISTANCE LOANS PROGRAM (HEAL):						
New loan subsidies	22,202,000	23,512,000	23,512,000	23,512,000	23,512,000	+1,310,000
Liquidating account (non-add)	(47,631,000)	(64,878,000)	(64,878,000)	(64,878,000)	(64,878,000)	(+17,247,000)
HEAL loan limitation (non-add)	(340,000,000)	(375,000,000)	(375,000,000)	(375,000,000)	(375,000,000)	(+35,000,000)
Program management	2,946,000	2,946,000	2,946,000	2,946,000	2,946,000	---
Total, HEAL	25,148,000	26,458,000	26,458,000	26,458,000	26,458,000	+1,310,000
VACCINE INJURY COMPENSATION PROGRAM TRUST FUND:						
Post - FY88 claims (trust fund)	54,740,000	84,180,000	84,180,000	84,180,000	84,180,000	+29,440,000
HRSA administration (trust fund)	2,500,000	2,500,000	2,500,000	3,000,000	3,000,000	+500,000
Subtotal, Vaccine injury compensation trust fund	57,240,000	86,680,000	86,680,000	87,180,000	87,180,000	+29,940,000
VACCINE INJURY COMPENSATION:						
Pre - FY89 claims (appropriation)	110,000,000	80,000,000	80,000,000	110,000,000	110,000,000	---
Total, Vaccine injury	167,240,000	166,680,000	166,680,000	197,180,000	197,180,000	+29,940,000
Total, Health Resources & Services Admin	2,775,252,000	3,289,068,000	3,035,726,000	3,186,979,000	3,159,019,000	+383,767,000
CENTERS FOR DISEASE CONTROL						
DISEASE CONTROL, RESEARCH AND TRAINING						
Preventive Health Services Block Grant	148,743,000	148,743,000	148,743,000	160,000,000	157,186,000	+8,443,000
Prevention centers	5,456,000	5,456,000	5,456,000	7,500,000	6,989,000	+1,533,000
Sexually transmitted diseases:						
Grants	78,042,000	78,042,000	78,042,000	80,000,000	79,511,000	+1,469,000
Infertility program	---	14,000,000	5,000,000	10,000,000	8,750,000	+8,750,000
Direct operations	11,510,000	11,510,000	11,510,000	11,510,000	11,510,000	---
Subtotal, Sexually transmitted diseases	89,552,000	103,552,000	94,552,000	101,510,000	99,771,000	+10,219,000
Immunization:						
Grants	287,820,000	557,620,000	377,000,000	482,000,000	455,750,000	+167,930,000
Direct operations	50,868,000	107,568,000	70,000,000	70,000,000	70,000,000	+19,132,000
Adverse events reporting	2,393,000	2,393,000	2,393,000	2,393,000	2,393,000	---
Subtotal, Immunization programs	341,081,000	667,581,000	449,393,000	554,393,000	528,143,000	+187,062,000
Infectious disease	40,282,000	40,282,000	40,282,000	50,282,000	47,782,000	+7,500,000
Tuberculosis:						
Grants	73,566,000	123,566,000	115,000,000	101,000,000	111,500,000	+37,934,000
Program operations	5,269,000	5,269,000	5,269,000	5,269,000	5,269,000	---
Subtotal, Tuberculosis	78,835,000	128,835,000	120,269,000	106,269,000	116,769,000	+37,934,000
Acquired Immune Deficiency Syndrome (AIDS)	498,253,000	543,253,000	543,253,000	543,253,000	543,253,000	+45,000,000
Chronic and environmental disease prevention	70,117,000	92,117,000	108,017,000	128,000,000	123,004,000	+52,887,000
Lead poisoning prevention	29,683,000	29,683,000	34,683,000	34,683,000	34,683,000	+5,000,000
Breast and cervical cancer screening	71,303,000	85,303,000	72,303,000	80,000,000	78,076,000	+6,773,000
Injury control	31,808,000	41,808,000	31,808,000	41,808,000	39,308,000	+7,500,000
Occupational Safety and Health (NIOSH):						
Research	101,252,000	111,252,000	104,000,000	119,252,000	115,439,000	+14,187,000
Training	11,092,000	11,092,000	12,592,000	13,000,000	12,898,000	+1,806,000
Subtotal, NIOSH	112,344,000	122,344,000	116,592,000	132,252,000	128,337,000	+15,993,000
Epidemic services	73,520,000	73,520,000	73,520,000	73,520,000	73,520,000	---
National Center for Health Statistics:						
Program operations	48,605,000	56,605,000	48,605,000	52,605,000	51,605,000	+3,000,000
Program support	2,927,000	2,927,000	2,927,000	2,927,000	2,927,000	---
1% evaluation funds (non-add)	(28,873,000)	(28,873,000)	(28,873,000)	(28,873,000)	(28,873,000)	---
Subtotal, health statistics	51,532,000	59,532,000	51,532,000	55,532,000	54,532,000	+3,000,000
Buildings and facilities	16,648,000	16,648,000	16,648,000	16,648,000	16,648,000	---
Program management	3,388,000	3,131,000	3,131,000	3,131,000	3,131,000	-257,000
Total, Disease Control	1,662,545,000	2,161,788,000	1,910,182,000	2,088,781,000	2,051,132,000	+388,587,000

	FY 1993 Comparable	FY 1994 Budget Request	House Bill	Senate Bill	Conference	Conference vs FY93 Comparable
NATIONAL INSTITUTES OF HEALTH (INCLUDES AIDS)						
National Cancer Institute	1,978,341,000	2,041,324,000	2,082,267,000	2,082,267,000	2,082,267,000	+103,926,000
Forward funding (FY95 - FY97)	---	100,798,000	---	---	---	---
National Heart, Lung, and Blood Institute	1,214,715,000	1,198,402,000	1,277,880,000	1,277,880,000	1,277,880,000	+63,165,000
National Institute of Dental Research	161,141,000	163,009,000	169,520,000	169,520,000	169,520,000	+8,379,000
National Institute of Diabetes and Digestive and Kidney Diseases	680,660,000	671,284,000	716,054,000	716,054,000	716,054,000	+35,394,000
Forward funding (FY95 - FY97)	---	5,851,000	---	---	---	---
National Institute of Neurological Disorders and Stroke	599,477,000	590,065,000	630,650,000	630,650,000	630,650,000	+31,173,000
National Institute of Allergy and Infectious Diseases	984,210,000	1,065,583,000	1,065,583,000	1,065,583,000	1,065,583,000	+81,373,000
National Institute of General Medical Sciences	832,235,000	825,897,000	875,511,000	875,511,000	875,511,000	+43,276,000
Forward funding (FY95 - FY97)	---	7,167,000	---	---	---	---
National Institute of Child Health and Human Development	527,752,000	539,464,000	555,195,000	555,195,000	555,195,000	+27,443,000
Forward funding (FY95 - FY97)	---	2,893,000	---	---	---	---
National Eye Institute	275,913,000	272,201,000	290,260,000	290,260,000	290,260,000	+14,347,000
National Institute of Environmental Health Sciences	251,187,000	253,356,000	264,249,000	264,249,000	264,249,000	+13,062,000
Forward funding (FY95 - FY97)	---	7,950,000	---	---	---	---
National Institute on Aging	399,528,000	392,615,000	420,303,000	420,303,000	420,303,000	+20,775,000
Forward funding (FY95 - FY97)	---	1,541,000	---	---	---	---
National Institute of Arthritis and Musculoskeletal and Skin Diseases	212,243,000	210,382,000	223,280,000	223,280,000	223,280,000	+11,037,000
National Institute on Deafness and Other Communication Disorders	154,775,000	153,088,000	162,823,000	162,823,000	162,823,000	+8,048,000
National Institute of Nursing Research	48,496,000	48,975,000	51,018,000	51,018,000	51,018,000	+2,522,000
National Institute on Alcohol Abuse and Alcoholism	176,442,000	173,615,000	185,617,000	185,617,000	185,617,000	+9,175,000
National Institute on Drug Abuse	404,183,000	407,098,000	425,201,000	425,201,000	425,201,000	+21,018,000
National Institute of Mental Health	583,122,000	576,015,000	613,444,000	613,444,000	613,444,000	+30,322,000
National Center for Research Resources	312,657,000	324,625,000	328,915,000	332,915,000	331,915,000	+19,258,000
Forward funding (FY95 - FY97)	---	3,262,000	---	---	---	---
National Center for Human Genome Research	106,134,000	131,925,000	119,030,000	131,925,000	128,701,000	+22,567,000
Forward funding (FY95 - FY97)	---	2,624,000	---	---	---	---
John E. Fogarty International Center	19,715,000	19,988,000	22,240,000	19,988,000	21,677,000	+1,962,000
National Library of Medicine	103,613,000	133,349,000	118,481,000	120,481,000	119,981,000	+16,368,000
Office of the Director	190,334,000	234,907,000	224,746,000	241,225,000	233,605,000	+43,271,000
Buildings and facilities	108,731,000	108,731,000	114,385,000	101,000,000	111,039,000	+2,308,000
Total N.I.H.	10,325,604,000	10,667,984,000	10,936,652,000	10,956,389,000	10,955,773,000	+630,169,000
Current year, FY 1994	(10,325,604,000)	(10,535,898,000)	(10,936,652,000)	(10,956,389,000)	(10,955,773,000)	(+630,169,000)
Forward funding (FY95 - FY97)	---	(132,086,000)	---	---	---	---
SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES ADMINISTRATION						
Center for Mental Health Services:						
Mental Health Block Grant	277,919,000	277,919,000	267,919,000	277,919,000	277,919,000	---
Children's mental health	4,903,000	4,903,000	40,000,000	15,000,000	35,000,000	+30,097,000
Clinical training	2,956,000	2,956,000	---	2,956,000	2,500,000	-456,000
AIDS training	2,987,000	2,987,000	2,943,000	2,987,000	2,943,000	-44,000
Community support demonstrations	24,402,000	24,402,000	24,402,000	24,402,000	24,402,000	---
Grants to States for the homeless (PATH)	29,462,000	29,462,000	29,462,000	29,462,000	29,462,000	---
Homeless services demonstrations	21,419,000	21,419,000	21,419,000	21,419,000	21,419,000	---
Protection and advocacy	20,832,000	20,832,000	20,832,000	22,332,000	21,957,000	+1,125,000
AIDS demonstrations	---	---	2,000,000	---	1,500,000	+1,500,000
Subtotal, mental health	384,880,000	384,880,000	408,977,000	396,477,000	417,102,000	+32,222,000
Center for Substance Abuse Treatment:						
Substance abuse block grant	1,107,899,000	1,130,509,000	1,096,899,000	1,190,509,000	1,167,107,000	+59,208,000
Transfer from forfeiture fund (non-add)	---	---	---	(10,000,000)	(10,000,000)	(+10,000,000)
Treatment grants to crisis areas	34,848,000	34,848,000	34,848,000	34,848,000	34,848,000	---
Treatment improvement demos:						
Pregnant/post partum women and children	43,638,000	49,228,000	49,228,000	49,228,000	49,228,000	+5,590,000
Transfer from forfeiture fund (non-add)	(5,000,000)	---	---	(5,000,000)	(5,000,000)	---
Campus program	18,395,000	9,395,000	9,395,000	9,395,000	9,395,000	-9,000,000
Criminal justice program	32,990,000	32,990,000	32,990,000	33,990,000	33,990,000	+1,000,000
Critical populations	44,681,000	44,681,000	44,681,000	43,681,000	43,681,000	-1,000,000

	FY 1993 Comparable	FY 1994 Budget Request	House Bill	Senate Bill	Conference	Conference vs FY93 Comparable
Comprehensive community treatment program	16,573,000	26,773,000	27,773,000	26,773,000	27,523,000	+10,950,000
Transfer from forfeiture fund (non-add)	(4,700,000)	---	---	---	---	(-4,700,000)
Training	5,429,000	5,429,000	5,429,000	5,429,000	5,429,000	---
AIDS demonstration & training:						
Training	2,812,000	2,812,000	2,812,000	2,812,000	2,812,000	---
Linkage	7,809,000	7,809,000	7,809,000	7,809,000	7,809,000	---
Outreach	10,535,000	10,535,000	10,535,000	10,535,000	10,535,000	---
Treatment capacity expansion program	---	88,872,000	22,072,000	---	10,000,000	+10,000,000
Transfer from forfeiture fund (non-add)	(15,300,000)	---	---	(10,000,000)	---	(-15,300,000)
Subtotal, Substance Abuse Treatment	1,325,609,000	1,443,881,000	1,344,471,000	1,415,009,000	1,402,357,000	+76,748,000
Center for Substance Abuse Prevention:						
Prevention demonstrations:						
High risk youth	56,295,000	69,295,000	61,295,000	65,295,000	63,295,000	+7,000,000
Pregnant women & infants	50,212,000	43,440,000	43,440,000	43,440,000	43,440,000	-6,772,000
Other programs	18,483,000	18,483,000	17,483,000	17,483,000	17,483,000	-1,000,000
Community partnership	96,040,000	116,741,000	104,741,000	104,741,000	104,741,000	+8,701,000
Transfer from forfeiture fund (non-add)	(8,701,000)	---	---	(10,000,000)	(10,000,000)	(+1,299,000)
Training	14,512,000	14,512,000	14,512,000	14,512,000	14,512,000	---
Subtotal, Substance Abuse Prevention	235,542,000	262,471,000	241,471,000	245,471,000	243,471,000	+7,929,000
Buildings and facilities	952,000	952,000	952,000	952,000	952,000	---
Program management	57,820,000	61,296,000	61,296,000	61,296,000	61,296,000	+3,476,000
Total, Substance Abuse & Mental Health	2,004,803,000	2,153,480,000	2,057,167,000	2,119,205,000	2,125,178,000	+120,375,000
ASSISTANT SECRETARY FOR HEALTH						
OFFICE OF THE ASSISTANT SECRETARY FOR HEALTH						
Population affairs: Adolescent family life	7,598,000	7,591,000	7,591,000	7,000,000	7,000,000	-598,000
Health Initiatives:						
Office of Disease Prevention and Health Promotion	4,778,000	4,771,000	4,771,000	4,771,000	4,771,000	-7,000
Physical fitness and sports	1,453,000	1,453,000	1,453,000	1,453,000	1,453,000	---
Minority health	20,398,000	25,398,000	20,398,000	20,398,000	20,398,000	---
National vaccine program	2,737,000	8,737,000	2,737,000	2,737,000	2,737,000	---
Office of research integrity	---	6,000,000	4,000,000	4,000,000	4,000,000	+4,000,000
Office of women's health	---	1,000,000	1,000,000	1,000,000	1,000,000	+1,000,000
Emergency preparedness	---	3,000,000	1,500,000	2,500,000	2,250,000	+2,250,000
Health care reform data analysis	---	5,000,000	3,000,000	3,000,000	3,000,000	+3,000,000
Health Service Management	21,379,000	21,379,000	19,379,000	21,379,000	20,379,000	-1,000,000
National AIDS program office	2,936,000	2,929,000	2,929,000	2,929,000	2,929,000	-7,000
Total, OASH	61,279,000	87,258,000	68,758,000	71,167,000	69,917,000	+8,638,000
PUBLIC HEALTH EMERGENCY FUND						
Public health emergency fund	6,000,000	---	---	---	---	-6,000,000
Flood relief supplemental	75,000,000	---	---	---	---	-75,000,000
RETIREMENT PAY AND MEDICAL BENEFITS FOR COMMISSIONED OFFICERS						
Retirement payments	109,462,000	119,660,000	119,660,000	119,660,000	119,660,000	+10,198,000
Survivors benefits	6,835,000	7,856,000	7,856,000	7,856,000	7,856,000	+1,021,000
Dependent's medical care	21,565,000	22,665,000	22,665,000	22,665,000	22,665,000	+1,100,000
Military Services Credits	2,900,000	2,879,000	2,879,000	2,879,000	2,879,000	-21,000
Total, Retirement pay and medical benefits	140,762,000	153,060,000	153,060,000	153,060,000	153,060,000	+12,298,000
AGENCY FOR HEALTH CARE POLICY AND RESEARCH						
Health services research:						
Research	29,121,000	45,042,000	43,121,000	48,042,000	46,812,000	+17,691,000
Trust funds	(994,000)	(994,000)	(994,000)	(994,000)	(994,000)	---
AIDS	9,624,000	11,700,000	10,624,000	10,624,000	10,624,000	+1,000,000
1% evaluation funding (non-add)	(13,204,000)	(13,204,000)	(13,204,000)	(13,204,000)	(13,204,000)	---
Subtotal including trust funds & 1% funds	(52,943,000)	(70,940,000)	(67,943,000)	(72,864,000)	(71,634,000)	(+18,691,000)
Medical treatment effectiveness:						
Federal funds	67,875,000	79,872,000	72,875,000	78,208,000	75,542,000	+7,667,000
Trust funds	(4,792,000)	(4,792,000)	(4,792,000)	(4,792,000)	(4,792,000)	---
Subtotal, Medical treatment effectiveness	(72,667,000)	(84,664,000)	(77,667,000)	(83,000,000)	(80,334,000)	(+7,667,000)
Program support	2,431,000	2,431,000	2,431,000	2,431,000	2,431,000	---
Total, Health Care Policy and Research:						
Federal Funds	109,051,000	139,045,000	129,051,000	139,305,000	135,409,000	+26,358,000
Trust funds	(5,786,000)	(5,786,000)	(5,786,000)	(5,786,000)	(5,786,000)	---

	FY 1993 Comparable	FY 1994 Budget Request	House Bill	Senate Bill	Conference	Conference vs FY93 Comparable
Total, 1% evaluation funding (non-add)	(13,204,000)	(13,204,000)	(13,204,000)	(13,204,000)	(13,204,000)	---
Total, Health Care Policy & Research (non-add)	(128,041,000)	(158,035,000)	(148,041,000)	(158,295,000)	(154,399,000)	(+26,358,000)
Total, Public Health Service:						
Federal Funds	17,160,296,000	18,651,683,000	18,290,596,000	18,714,886,000	18,649,488,000	+1,489,192,000
Trust funds	(5,786,000)	(5,786,000)	(5,786,000)	(5,786,000)	(5,786,000)	---
HEALTH CARE FINANCING ADMINISTRATION						
GRANTS TO STATES FOR MEDICAID						
Medicaid current law benefits	79,697,500,000	85,733,613,000	85,733,613,000	85,733,613,000	85,733,613,000	+6,036,113,000
State and local administration	2,898,150,000	3,343,800,000	3,343,800,000	3,343,800,000	3,343,800,000	+445,650,000
Subtotal, Medicaid program level, FY 1994	82,595,650,000	89,077,413,000	89,077,413,000	89,077,413,000	89,077,413,000	+6,481,763,000
Less funds advanced in prior year	-17,100,000,000	-24,600,000,000	-24,600,000,000	-24,600,000,000	-24,600,000,000	-7,500,000,000
Total, request, FY 1994	65,495,650,000	64,477,413,000	64,477,413,000	64,477,413,000	64,477,413,000	-1,018,237,000
New advance, 1st quarter, FY 1995	24,600,000,000	26,600,000,000	---	26,600,000,000	26,600,000,000	+2,000,000,000
PAYMENTS TO HEALTH CARE TRUST FUNDS						
Supplemental medical insurance	45,478,000,000	45,097,000,000	45,097,000,000	45,097,000,000	45,097,000,000	-381,000,000
Hospital insurance for the uninsured	328,000,000	458,000,000	458,000,000	458,000,000	458,000,000	+130,000,000
Federal uninsured payment	39,000,000	48,000,000	48,000,000	48,000,000	48,000,000	+9,000,000
Program management	117,862,000	128,440,000	128,440,000	128,440,000	128,440,000	+10,578,000
Total, Payment to Trust Funds, current law	45,962,862,000	45,731,440,000	45,731,440,000	45,731,440,000	45,731,440,000	-231,422,000
PROGRAM MANAGEMENT						
Research, demonstration, and evaluation:						
Regular program, trust funds	(35,951,000)	(36,000,000)	(41,000,000)	(44,000,000)	(43,250,000)	(+7,299,000)
Counseling program	(9,920,000)	(9,920,000)	(9,920,000)	(9,920,000)	(9,920,000)	---
Rural hospital transition demonstrations, trust funds	(22,816,000)	(10,000,000)	(16,000,000)	(22,816,000)	(21,112,000)	(-1,704,000)
Essential access community hospitals, trust funds	---	(11,000,000)	---	(10,000,000)	(10,000,000)	(+10,000,000)
New rural health grants	---	(1,700,000)	(1,700,000)	(1,700,000)	(1,700,000)	(+1,700,000)
Subtotal, research, demonstration, & evaluation	(68,687,000)	(68,620,000)	(68,620,000)	(88,436,000)	(85,982,000)	(+17,295,000)
Medicare Contractors (Trust Funds)	(1,600,362,000)	(1,615,300,000)	(1,615,300,000)	(1,615,300,000)	(1,615,300,000)	(+14,938,000)
State Survey and Certification:						
Medicare certification, trust funds	(148,009,000)	(145,800,000)	(145,800,000)	(145,800,000)	(145,800,000)	(-2,209,000)
Federal Administration:						
Trust funds	(333,693,000)	(347,903,000)	(343,000,000)	(343,000,000)	(343,000,000)	(+9,307,000)
Less current law user fees	(-122,000)	(-122,000)	(-122,000)	(-122,000)	(-122,000)	---
Subtotal, Federal Administration	(333,571,000)	(347,781,000)	(342,878,000)	(342,878,000)	(342,878,000)	(+9,307,000)
Total, Program management	(2,150,629,000)	(2,177,501,000)	(2,172,598,000)	(2,192,414,000)	(2,189,960,000)	(+39,331,000)
HMO LOAN AND LOAN GUARANTEE FUND	13,800,000	---	---	---	---	-13,800,000
Total, Health Care Financing Administration:						
Federal funds	136,072,312,000	136,808,853,000	110,208,853,000	136,808,853,000	136,808,853,000	+736,541,000
Current year, FY 1994	(111,472,312,000)	(110,208,853,000)	(110,208,853,000)	(110,208,853,000)	(110,208,853,000)	(-1,263,459,000)
New advance, 1st quarter, FY 1995	(24,600,000,000)	(26,600,000,000)	---	(26,600,000,000)	(26,600,000,000)	(+2,000,000,000)
Trust funds	(2,150,629,000)	(2,177,501,000)	(2,172,598,000)	(2,192,414,000)	(2,189,960,000)	(+39,331,000)
SOCIAL SECURITY ADMINISTRATION						
PAYMENTS TO SOCIAL SECURITY TRUST FUNDS	45,242,000	28,178,000	28,178,000	28,178,000	28,178,000	-17,064,000
SPECIAL BENEFITS FOR DISABLED COAL MINERS						
Benefit payments	800,437,000	766,000,000	766,000,000	766,000,000	766,000,000	-34,437,000
Administration	4,951,000	5,181,000	5,181,000	5,181,000	5,181,000	+230,000
Subtotal, Black Lung, FY 1994 program level	805,388,000	771,181,000	771,181,000	771,181,000	771,181,000	-34,207,000
Less funds advanced in prior year	-198,000,000	-196,000,000	-196,000,000	-196,000,000	-196,000,000	+2,000,000
Total, Black Lung, current request, FY 1994	607,388,000	575,181,000	575,181,000	575,181,000	575,181,000	-32,207,000
New advance, 1st quarter, FY 1995	196,000,000	190,000,000	---	190,000,000	190,000,000	-6,000,000
SUPPLEMENTAL SECURITY INCOME						
Federal benefit payments	21,810,096,000	25,478,000,000	25,478,000,000	25,478,000,000	25,478,000,000	+3,667,904,000
Beneficiary services	47,600,000	51,600,000	51,600,000	51,600,000	51,600,000	+4,000,000
Research demonstration	12,625,000	6,700,000	6,700,000	12,700,000	12,700,000	+75,000
Administration	1,476,450,000	1,690,475,000	1,690,475,000	1,690,475,000	1,690,475,000	+214,025,000
Investment proposals:						
Automation investment initiative	---	45,000,000	45,000,000	30,000,000	41,000,000	+41,000,000
Disability investment initiative	---	60,000,000	60,000,000	60,000,000	60,000,000	+60,000,000
Subtotal, SSI FY 1994 program level	23,346,771,000	27,331,775,000	27,331,775,000	27,322,775,000	27,333,775,000	+3,987,004,000

	FY 1993 Comparable	FY 1994 Budget Request	House Bill	Senate Bill	Conference	Conference vs FY93 Comparable
Less funds advanced in prior year	-5,240,000,000	-7,150,000,000	-7,150,000,000	-7,150,000,000	-7,150,000,000	-1,910,000,000
Total, SSI, current request, FY 1994	18,106,771,000	20,181,775,000	20,181,775,000	20,172,775,000	20,183,775,000	+2,077,004,000
New advance, 1st quarter, FY 1995	7,150,000,000	6,770,000,000	---	6,770,000,000	6,770,000,000	-380,000,000
LIMITATION ON ADMINISTRATIVE EXPENSES (Trust Funds)	(4,028,125,000)	(5,376,887,000)	(4,781,887,000)	(4,871,887,000)	(4,751,887,000)	(+723,762,000)
Notch Commission	---	---	---	(1,800,000)	(1,800,000)	(+1,800,000)
Portion treated as budget authority	(696,576,000)	(742,398,000)	(742,398,000)	(542,398,000)	(742,398,000)	(+45,822,000)
Subtotal, LAE operating level	(4,724,701,000)	(6,119,285,000)	(5,524,285,000)	(5,416,085,000)	(5,496,085,000)	(+771,384,000)
(Contingency reserve)	(98,400,000)	---	---	---	---	(-98,400,000)
Subtotal, LAE	(4,823,101,000)	(6,119,285,000)	(5,524,285,000)	(5,416,085,000)	(5,496,085,000)	(+672,984,000)
Total, Social Security Administration: Federal funds	26,105,401,000	27,745,134,000	20,785,134,000	27,736,134,000	27,747,134,000	+1,641,733,000
Current year FY 1994	(18,759,401,000)	(20,785,134,000)	(20,785,134,000)	(20,776,134,000)	(20,787,134,000)	(+2,027,733,000)
New advances, 1st quarter FY 1995	(7,346,000,000)	(6,960,000,000)	---	(6,960,000,000)	(6,960,000,000)	(-386,000,000)
Trust funds	(4,823,101,000)	(6,119,285,000)	(5,524,285,000)	(5,416,085,000)	(5,496,085,000)	(+672,984,000)
ADMINISTRATION FOR CHILDREN AND FAMILIES						
FAMILY SUPPORT PAYMENTS TO STATES						
Aid to Families with Dependent Children (AFDC)	12,443,069,000	12,662,000,000	12,662,000,000	12,662,000,000	12,662,000,000	+218,931,000
Quality control liabilities	---	-68,856,000	-68,856,000	-68,856,000	-68,856,000	-68,856,000
Payments to territories	15,532,000	15,532,000	15,532,000	15,532,000	15,532,000	---
Emergency assistance	102,000,000	149,000,000	149,000,000	149,000,000	149,000,000	+47,000,000
Repatriation	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	---
State and local welfare administration	1,411,000,000	1,504,000,000	1,504,000,000	1,504,000,000	1,504,000,000	+93,000,000
Work activities child care	395,000,000	450,000,000	450,000,000	450,000,000	450,000,000	+55,000,000
Transitional child care	84,000,000	95,000,000	95,000,000	95,000,000	95,000,000	+11,000,000
At risk child care	377,761,000	300,000,000	300,000,000	300,000,000	300,000,000	-77,761,000
Subtotal, Welfare payments	14,829,362,000	15,107,676,000	15,107,676,000	15,107,676,000	15,107,676,000	+278,314,000
Child Support Enforcement:						
State and local administration	1,559,000,000	1,746,000,000	1,746,000,000	1,746,000,000	1,746,000,000	+187,000,000
Federal incentive payments	379,000,000	415,000,000	415,000,000	415,000,000	415,000,000	+36,000,000
Less federal share collections	-1,160,000,000	-1,265,000,000	-1,265,000,000	-1,265,000,000	-1,265,000,000	-105,000,000
Subtotal, Child support	778,000,000	896,000,000	896,000,000	896,000,000	896,000,000	+118,000,000
Surplus budget authority	87,710,000	-87,710,000	-87,710,000	-87,710,000	-87,710,000	-175,420,000
Total, Payments, FY94 program level	15,695,072,000	15,915,966,000	15,915,966,000	15,915,966,000	15,915,966,000	+220,894,000
Less funds advanced in previous years	-4,000,000,000	-4,000,000,000	-4,000,000,000	-4,000,000,000	-4,000,000,000	---
Total, Payments, current request, FY 1994	11,695,072,000	11,915,966,000	11,915,966,000	11,915,966,000	11,915,966,000	+220,894,000
New advance, 1st quarter, FY 1995	4,000,000,000	4,200,000,000	---	4,200,000,000	4,200,000,000	+200,000,000
PAYMENTS TO STATES FOR AFDC WORK PROGRAMS	1,000,000,000	1,100,000,000	1,100,000,000	1,100,000,000	1,100,000,000	+100,000,000
LOW INCOME HOME ENERGY ASSISTANCE						
Regular program	663,812,000	70,000,000	---	---	---	-663,812,000
Additional appropriation 9/30	682,218,000	---	---	---	---	-682,218,000
Emergency allocation 1/	(600,000,000)	---	---	(600,000,000)	(600,000,000)	---
Advance from prior year (non-add)	---	(1,437,408,000)	(1,437,408,000)	(1,437,408,000)	(1,437,408,000)	(+1,437,408,000)
FY 1994 program level (non-add)	(1,346,030,000)	(1,507,408,000)	(1,437,408,000)	(1,437,408,000)	(1,437,408,000)	(+91,378,000)
Advance funding (FY 1995)	1,437,408,000	1,404,780,000	---	1,507,408,000	1,475,000,000	+37,592,000
REFUGEE AND ENTRANT ASSISTANCE						
Transitional and medical services	245,811,000	284,382,000	264,330,000	264,330,000	264,330,000	+18,519,000
Social services	80,802,000	80,802,000	80,802,000	80,802,000	80,802,000	---
Preventive health	5,471,000	5,471,000	5,471,000	5,471,000	5,471,000	---
Targeted assistance	49,397,000	49,397,000	49,397,000	49,397,000	49,397,000	---
Total, Refugee and entrant assistance	381,481,000	420,052,000	400,000,000	400,000,000	400,000,000	+18,519,000

1/ For FY 1994 - Available only upon submission of a formal budget request designating the need for funds as an emergency as defined by the BEA.

STATE LEGALIZATION IMPACT ASSISTANCE GRANTS 1/						
Current year	-812,000,000	---	---	---	---	+812,000,000
Advance funding	812,000,000	---	---	---	---	-812,000,000

	FY 1993 Comparable	FY 1994 Budget Request	House Bill	Senate Bill	Conference	Conference vs FY93 Comparable
COMMUNITY SERVICES BLOCK GRANT						
Grants to States for Community Services	372,000,000	372,000,000	372,000,000	390,000,000	385,500,000	+13,500,000
Homeless services grants	19,840,000	19,840,000	19,840,000	19,840,000	19,840,000	---
Discretionary funds:						
Community economic development	20,733,000	20,733,000	20,733,000	23,733,000	22,233,000	+1,500,000
Rural housing	4,960,000	4,960,000	4,960,000	5,960,000	5,460,000	+500,000
Farmworker assistance	2,947,000	2,947,000	2,947,000	2,947,000	2,947,000	---
National youth sports	9,424,000	9,424,000	12,000,000	12,000,000	12,000,000	+2,576,000
Technical assistance	219,000	219,000	219,000	1,225,000	300,000	+81,000
Subtotal, discretionary funds	38,283,000	38,283,000	40,859,000	45,865,000	42,940,000	+4,657,000
Demonstration Partnerships	3,804,000	3,804,000	8,000,000	8,000,000	8,000,000	+4,196,000
Community Food and Nutrition	6,944,000	6,944,000	6,944,000	8,944,000	7,944,000	+1,000,000
Total, Community services	440,871,000	440,871,000	447,643,000	472,649,000	464,224,000	+23,353,000
GRANTS TO STATES FOR CHILD CARE						
Block grants to States	892,711,000	932,711,000	892,711,000	892,711,000	892,711,000	---
(Base program)	(892,711,000)	(892,711,000)	(892,711,000)	(892,711,000)	(892,711,000)	---
SOCIAL SERVICES BLOCK GRANT (TITLE XX)	2,800,000,000	2,800,000,000	2,800,000,000	3,800,000,000	3,800,000,000	+1,000,000,000
CHILDREN AND FAMILIES SERVICES PROGRAMS						
Programs for Children, Youth, and Families:						
Head start	2,776,285,000	4,150,245,000	3,276,285,000	3,376,285,000	3,326,285,000	+550,000,000
Comprehensive child development centers	46,790,000	46,790,000	46,790,000	46,790,000	46,790,000	---
Child development associate scholarships	1,372,000	1,372,000	1,372,000	1,372,000	1,372,000	---
Runaway and homeless youth	35,110,000	35,110,000	36,110,000	36,110,000	36,110,000	+1,000,000
Runaway youth - transitional living	11,785,000	11,785,000	12,200,000	12,200,000	12,200,000	+415,000
Runaway youth activities - drugs	14,603,000	14,603,000	14,603,000	14,603,000	14,603,000	---
Youth gang substance abuse	10,647,000	10,647,000	10,647,000	10,647,000	10,647,000	---
Child abuse state grants	20,354,000	20,354,000	20,354,000	25,354,000	22,854,000	+2,500,000
Child abuse discretionary activities	15,927,000	15,927,000	15,927,000	15,927,000	15,927,000	---
Child abuse challenge grants	5,270,000	5,270,000	5,270,000	5,270,000	5,270,000	---
ABCAN	300,000	300,000	300,000	300,000	300,000	---
Temporary childcare/crisis nurseries	11,942,000	11,942,000	11,942,000	11,942,000	11,942,000	---
Abandoned infants assistance	13,563,000	13,563,000	13,563,000	15,563,000	14,563,000	+1,000,000
Dependent care planning and development	12,939,000	12,939,000	12,939,000	12,939,000	12,939,000	---
Emergency protection grants - substance abuse	19,039,000	19,039,000	19,039,000	19,039,000	19,039,000	---
Child welfare services	294,624,000	294,624,000	294,624,000	294,624,000	294,624,000	---
Child welfare training	4,441,000	4,441,000	4,441,000	4,441,000	4,441,000	---
Child welfare research	6,467,000	6,467,000	6,467,000	6,467,000	6,467,000	---
Adoption opportunities	12,163,000	12,163,000	12,163,000	12,163,000	12,163,000	---
Family violence	24,679,000	24,679,000	24,679,000	28,679,000	27,679,000	+3,000,000
Social services research	13,828,000	15,954,000	13,828,000	13,828,000	13,828,000	---
Family support centers	6,875,000	6,874,000	6,874,000	7,874,000	7,374,000	+499,000
Family resource centers	4,910,000	4,910,000	5,910,000	5,910,000	5,910,000	+1,000,000
Developmental disabilities program:						
State grants	67,372,000	67,372,000	67,372,000	70,000,000	69,343,000	+1,971,000
Protection and advocacy	22,506,000	22,506,000	22,506,000	25,000,000	23,753,000	+1,247,000
Developmental disabilities special projects	3,034,000	3,034,000	3,034,000	4,534,000	3,784,000	+750,000
Developmental disabilities university affiliated programs	16,125,000	16,125,000	16,125,000	19,000,000	18,281,000	+2,156,000
Subtotal, Developmental disabilities	109,037,000	109,037,000	109,037,000	118,534,000	115,161,000	+6,124,000
Native American Programs	34,507,000	34,507,000	34,507,000	40,000,000	38,627,000	+4,120,000
Program direction	150,935,000	167,935,000	159,935,000	159,935,000	159,935,000	+9,000,000
Total, Children and Families Services Programs	3,658,392,000	5,051,477,000	4,169,806,000	4,296,796,000	4,237,050,000	+578,658,000
FAMILY SUPPORT AND PRESERVATION	---	60,000,000	---	60,000,000	60,000,000	+60,000,000
PAYMENTS TO STATES FOR FOSTER CARE AND ADOPTION ASSISTANCE						
Foster care	2,610,050,000	2,605,500,000	2,605,500,000	2,605,500,000	2,605,500,000	-4,550,000
Adoption assistance	243,964,000	317,400,000	317,400,000	317,400,000	317,400,000	+73,436,000

1/ FY92 bill delayed availability of $1,137,672,216 from FY92 to FY93.

	FY 1993 Comparable	FY 1994 Budget Request	House Bill	Senate Bill	Conference	Conference vs FY93 Comparable
Independent living	70,000,000	70,000,000	70,000,000	70,000,000	70,000,000	---
Total, Payments to States	2,924,014,000	2,992,900,000	2,992,900,000	2,992,900,000	2,992,900,000	+68,886,000
Total, Administration for Children and Families	30,575,979,000	31,388,757,000	24,719,026,000	31,638,430,000	31,537,851,000	+961,872,000
Current year	(24,326,571,000)	(25,783,977,000)	(24,719,026,000)	(25,931,022,000)	(25,862,851,000)	(+1,536,280,000)
FY 1995	(6,249,408,000)	(5,604,780,000)	---	(5,707,408,000)	(5,675,000,000)	(-574,408,000)
ADMINISTRATION ON AGING						
AGING SERVICES PROGRAMS						
Grants to States:						
Supportive services and centers	296,844,000	296,844,000	296,844,000	310,000,000	306,711,000	+9,867,000
Ombudsman services	3,870,000	3,870,000	4,370,000	4,370,000	4,370,000	+500,000
Prevention of elder abuse	4,348,000	4,348,000	4,648,000	4,648,000	4,648,000	+300,000
Pension counseling	---	---	2,000,000	2,000,000	2,000,000	+2,000,000
Preventive health	16,864,000	16,864,000	16,864,000	17,200,000	17,032,000	+168,000
Nutrition:						
Congregate meals	363,235,000	363,235,000	363,235,000	380,000,000	375,809,000	+12,574,000
Home-delivered meals	89,659,000	89,659,000	89,659,000	95,000,000	93,665,000	+4,006,000
Frail elderly in-home services	7,075,000	7,075,000	7,075,000	7,075,000	7,075,000	---
Grants to Indians	15,110,000	15,110,000	15,110,000	17,500,000	16,902,000	+1,792,000
Aging research, training and special projects	25,693,000	25,830,000	25,830,000	25,830,000	25,830,000	+137,000
Federal Council on Aging	178,000	177,000	177,000	177,000	177,000	-1,000
White House Conference on Aging	---	---	---	2,000,000	1,000,000	+1,000,000
Program administration	15,800,000	16,063,000	16,063,000	16,063,000	16,063,000	+263,000
Total, Administration on Aging	838,676,000	839,075,000	841,875,000	881,863,000	871,282,000	+32,606,000
OFFICE OF THE SECRETARY						
GENERAL DEPARTMENTAL MANAGEMENT:						
Federal funds	90,384,000	94,149,000	94,149,000	92,793,000	94,431,000	+4,047,000
Trust funds	(22,038,000)	(22,975,000)	(22,975,000)	(22,975,000)	(22,975,000)	(+937,000)
Portion treated as budget authority	(7,947,000)	(8,286,000)	(8,286,000)	(8,286,000)	(8,286,000)	(+339,000)
Total, General Departmental Management:						
Federal funds	90,384,000	94,149,000	94,149,000	92,793,000	94,431,000	+4,047,000
Trust funds	(29,985,000)	(31,261,000)	(31,261,000)	(31,261,000)	(31,261,000)	(+1,276,000)
Total	(120,369,000)	(125,410,000)	(125,410,000)	(124,054,000)	(125,692,000)	(+5,323,000)
OFFICE OF THE INSPECTOR GENERAL:						
Federal funds	62,379,000	62,379,000	62,379,000	64,800,000	63,590,000	+1,211,000
Trust funds	(16,020,000)	(16,020,000)	(16,020,000)	(16,020,000)	(16,020,000)	---
Portion treated as budget authority	(20,597,000)	(20,597,000)	(20,597,000)	(20,597,000)	(20,597,000)	---
Total, Office of the Inspector General:						
Federal funds	62,379,000	62,379,000	62,379,000	64,800,000	63,590,000	+1,211,000
Trust funds	(36,617,000)	(36,617,000)	(36,617,000)	(36,617,000)	(36,617,000)	---
Total	(98,996,000)	(98,996,000)	(98,996,000)	(101,417,000)	(100,207,000)	(+1,211,000)
OFFICE FOR CIVIL RIGHTS:						
Federal funds	18,308,000	18,308,000	18,308,000	18,308,000	18,308,000	---
Trust funds	(97,000)	(97,000)	(97,000)	(97,000)	(97,000)	---
Portion treated as budget authority	(3,777,000)	(3,777,000)	(3,777,000)	(3,777,000)	(3,777,000)	---
Total, Office for Civil Rights:						
Federal funds	18,308,000	18,308,000	18,308,000	18,308,000	18,308,000	---
Trust funds	(3,874,000)	(3,874,000)	(3,874,000)	(3,874,000)	(3,874,000)	---
Total	(22,182,000)	(22,182,000)	(22,182,000)	(22,182,000)	(22,182,000)	---
POLICY RESEARCH	8,047,000	15,868,000	12,000,000	12,000,000	12,000,000	+3,953,000
Total, Office of the Secretary:						
Federal funds	179,118,000	190,704,000	186,836,000	187,901,000	188,329,000	+9,211,000
Trust funds	(70,476,000)	(71,752,000)	(71,752,000)	(71,752,000)	(71,752,000)	(+1,276,000)
Total	(249,594,000)	(262,456,000)	(258,588,000)	(259,653,000)	(260,081,000)	(+10,487,000)
Total, Department of Health and Human Services:						
Federal Funds	210,931,782,000	215,624,206,000	175,032,320,000	215,968,067,000	215,802,937,000	+4,871,155,000
Current year FY 1994	(172,736,374,000)	(176,459,426,000)	(175,032,320,000)	(176,700,659,000)	(176,567,937,000)	(+3,831,563,000)
FY 1995	(38,195,408,000)	(39,164,780,000)	---	(39,267,408,000)	(39,235,000,000)	(+1,039,592,000)
Trust funds	(7,049,992,000)	(8,374,324,000)	(7,774,421,000)	(7,686,037,000)	(7,763,583,000)	(+713,591,000)
TITLE III - DEPARTMENT OF EDUCATION						
EDUCATION REFORM						
Goals 2000: Educate America Act (proposed legislation)	---	420,000,000	100,000,000	116,000,000	105,000,000	+105,000,000
Technology (non-add)	---	---	---	(5,000,000)	(5,000,000)	(+5,000,000)
School-to-work initiative	---	135,000,000	33,750,000	50,000,000	50,000,000	+50,000,000

	FY 1993 Comparable	FY 1994 Budget Request	House Bill	Senate Bill	Conference	Conference vs FY93 Comparable
Urban-rural initiative	---	15,000,000	---	---	---	---
Teacher professional development	---	15,000,000	---	---	---	---
Total	---	585,000,000	133,750,000	166,000,000	155,000,000	+155,000,000
COMPENSATORY EDUCATION FOR THE DISADVANTAGED						
Grants for the disadvantaged (Chapter 1):						
Grants to local educational agencies:						
Basic grants	5,449,925,000	5,800,000,000	5,597,000,000	5,687,000,000	5,642,000,000	+192,075,000
Concentration grants	675,998,000	700,000,000	694,000,000	694,000,000	694,000,000	+18,002,000
Subtotal, grants to LEA's	6,125,923,000	6,500,000,000	6,291,000,000	6,381,000,000	6,336,000,000	+210,077,000
Capital expenses for private school children	39,734,000	39,734,000	39,734,000	42,000,000	41,434,000	+1,700,000
Even start	89,123,000	110,000,000	89,123,000	92,123,000	91,373,000	+2,250,000
State agency programs:						
Migrant	302,773,000	310,948,000	302,773,000	306,000,000	305,193,000	+2,420,000
Neglected and delinquent	35,407,000	36,363,000	35,407,000	35,407,000	35,407,000	---
State administration	60,712,000	60,712,000	60,712,000	60,712,000	60,712,000	---
State program improvement grants	25,933,000	25,933,000	25,933,000	25,933,000	25,933,000	---
Evaluation and technical assistance 1/	14,036,000	13,100,000	13,100,000	13,100,000	13,100,000	-936,000
Rural technical assistance centers 1/	4,960,000	2,980,000	2,980,000	4,960,000	4,960,000	---
Total, Chapter 1	6,698,601,000	7,099,770,000	6,860,762,000	6,961,235,000	6,914,112,000	+215,511,000
Migrant education:						
High school equivalency program 1/	8,161,000	8,161,000	8,161,000	8,161,000	8,161,000	---
College assistance migrant program 1/	2,224,000	2,224,000	2,224,000	2,224,000	2,224,000	---
Subtotal, migrant education	10,385,000	10,385,000	10,385,000	10,385,000	10,385,000	---
Total, Compensatory education programs	6,708,986,000	7,110,155,000	6,871,147,000	6,971,620,000	6,924,497,000	+215,511,000
Subtotal, forward funded	(6,679,605,000)	(7,083,690,000)	(6,844,682,000)	(6,943,175,000)	(6,896,052,000)	(+216,447,000)

1/ Current funded.

IMPACT AID

Maintenance and operations:						
Payments for ''a'' children:						
Regular payments	567,080,000	600,000,000	630,000,000	563,780,000	613,445,000	+46,365,000
3(d)(2)(B) districts	17,677,000	16,000,000	17,677,000	20,857,000	20,062,000	+2,385,000
Subtotal	584,757,000	616,000,000	647,677,000	584,637,000	633,507,000	+48,750,000
Payments for ''b'' children:						
Regular payments	123,629,000	61,800,000	123,629,000	121,629,000	123,129,000	-500,000
3(d)(2)(B) districts	11,785,000	---	11,785,000	13,905,000	13,375,000	+1,590,000
Subtotal	135,414,000	61,800,000	135,414,000	135,534,000	136,504,000	+1,090,000
Payments for Federal property (Section 2)	16,293,000	8,000,000	16,293,000	16,293,000	16,293,000	---
Payments related to decreased activity (Sec. 3e)	1,786,000	---	1,786,000	---	---	-1,786,000
Subtotal	738,250,000	685,800,000	801,170,000	736,464,000	786,304,000	+48,054,000
Construction	11,904,000	3,000,000	11,904,000	11,904,000	11,904,000	---
Flood relief supplemental	70,000,000	---	---	---	---	-70,000,000
Total, Impact aid	820,154,000	688,800,000	813,074,000	748,368,000	798,208,000	-21,946,000
SCHOOL IMPROVEMENT PROGRAMS 1/						
Educational improvement (Chapter 2):						
State and local programs:						
State block grants 2/	435,488,000	415,488,000	369,500,000	369,500,000	369,500,000	-65,988,000
National programs:						
Inexpensive book distribution (RIF)	10,029,000	10,029,000	10,029,000	10,300,000	10,300,000	+271,000
Arts in education	6,944,000	6,944,000	8,944,000	8,944,000	8,944,000	+2,000,000
Law - related education	5,952,000	3,000,000	5,952,000	5,952,000	5,952,000	---
Subtotal, National programs	22,925,000	19,973,000	24,925,000	25,196,000	25,196,000	+2,271,000
Total, Chapter 2	458,413,000	435,461,000	394,425,000	394,696,000	394,696,000	-63,717,000
Drug-free and Safe schools:						
State grants 2/	498,565,000	498,565,000	369,500,000	369,500,000	369,500,000	-129,065,000
School personnel training	13,614,000	13,614,000	13,614,000	13,614,000	13,614,000	---
National programs	61,496,000	61,496,000	59,496,000	59,496,000	59,496,000	-2,000,000
Emergency grants	24,552,000	24,552,000	24,552,000	24,552,000	24,552,000	---
Safe schools initiative (proposed leg.) 1/ 2/	---	75,000,000	---	32,838,000	20,000,000	+20,000,000
Subtotal, Drug-free schools	598,227,000	673,227,000	467,162,000	500,000,000	487,162,000	-111,065,000

1/ House bill considered Safe Schools request under Education Reform account.

2/ Forward funded.

	FY 1993 Comparable	FY 1994 Budget Request	House Bill	Senate Bill	Conference	Conference vs FY93 Comparable
Strengthening teaching and administration:						
Eisenhower mathematics and science education State grants 1/	246,016,000	252,658,000	246,016,000	252,658,000	250,998,000	+4,982,000
Christa McAuliffe fellowships	1,964,000	2,104,000	1,964,000	1,964,000	1,964,000	---
Other school improvement programs:						
Magnet schools assistance	107,985,000	107,985,000	107,985,000	107,985,000	107,985,000	---
Education for homeless children & youth 1/	24,800,000	25,470,000	25,470,000	25,470,000	25,470,000	+670,000
Women's educational equity	1,984,000	1,984,000	1,984,000	1,984,000	1,984,000	---
Training and advisory services (Civil Rights IV-A)	21,606,000	21,606,000	21,606,000	21,606,000	21,606,000	---
Dropout prevention demonstrations	37,530,000	37,730,000	42,230,000	37,730,000	37,730,000	+200,000
General assistance to the Virgin Islands	2,455,000	1,227,000	1,227,000	1,227,000	1,227,000	-1,228,000
Ellender fellowships/Close up 1/	4,223,000	---	4,223,000	4,223,000	4,223,000	---
Follow through	8,478,000	8,478,000	8,478,000	8,478,000	8,478,000	---
Education for native Hawaiians	6,448,000	---	6,448,000	10,000,000	8,224,000	+1,776,000
Foreign languages assistance 1/	10,912,000	---	---	10,912,000	10,912,000	---
Training in early childhood education and violence counseling (HEA V-F)	4,960,000	4,960,000	9,960,000	14,960,000	14,000,000	+9,040,000
Subtotal, other school improvement programs	231,381,000	209,440,000	229,611,000	244,575,000	241,839,000	+10,458,000
Total, School improvement programs	1,536,001,000	1,572,890,000	1,339,178,000	1,393,893,000	1,376,659,000	-159,342,000
Subtotal, forward funded	(1,220,004,000)	(1,267,181,000)	(1,014,709,000)	(1,065,101,000)	(1,050,603,000)	(-169,401,000)
BILINGUAL AND IMMIGRANT EDUCATION						
Bilingual education:						
Bilingual programs	149,696,000	153,738,000	153,738,000	149,696,000	152,728,000	+3,032,000
Support services	10,879,000	12,379,000	12,379,000	10,879,000	12,004,000	+1,125,000
Training grants	35,708,000	36,672,000	36,672,000	35,708,000	36,431,000	+723,000
Immigrant education	29,462,000	29,462,000	40,000,000	35,968,000	38,992,000	+9,530,000
Total	225,745,000	232,251,000	242,789,000	232,251,000	240,155,000	+14,410,000
SPECIAL EDUCATION						
State grants:						
Grants to States part ''b''	2,052,728,000	2,163,708,000	2,108,218,000	2,163,508,000	2,149,686,000	+96,958,000
Chapter 1 handicapped program	126,394,000	113,755,000	113,755,000	120,000,000	116,878,000	-9,516,000
Preschool grants	325,773,000	343,751,000	325,773,000	343,751,000	339,257,000	+13,484,000
Grants for infants and families	213,280,000	256,280,000	243,769,000	256,280,000	253,152,000	+39,872,000
Subtotal, State grants	2,718,175,000	2,877,494,000	2,791,515,000	2,883,539,000	2,858,973,000	+140,798,000
Special purpose funds:						
Deaf-blindness	12,832,000	12,832,000	12,832,000	12,832,000	12,832,000	---
Serious emotional disturbance	4,147,000	4,147,000	4,147,000	4,147,000	4,147,000	---
Severe disabilities	9,330,000	9,330,000	9,330,000	9,330,000	9,330,000	---
Early childhood education	25,167,000	25,167,000	25,167,000	25,167,000	25,167,000	---
Secondary and transitional services	21,966,000	21,966,000	21,966,000	21,966,000	21,966,000	---
Postsecondary education	8,839,000	8,839,000	8,839,000	8,839,000	8,839,000	---
Innovation and development	20,635,000	20,635,000	20,635,000	20,635,000	20,635,000	---
Media and captioning services	17,892,000	17,892,000	18,392,000	18,892,000	18,642,000	+750,000
Technology applications	10,862,000	10,862,000	10,862,000	10,862,000	10,862,000	---
Special studies	3,855,000	3,855,000	3,855,000	3,855,000	3,855,000	---
Personnel development	90,122,000	90,122,000	90,122,000	92,555,000	91,339,000	+1,217,000
Parent training	12,400,000	12,400,000	12,400,000	12,735,000	12,735,000	+335,000
Clearinghouses	2,162,000	2,162,000	2,162,000	2,162,000	2,162,000	---
Regional resource centers	7,218,000	7,218,000	7,218,000	7,218,000	7,218,000	---
Subtotal, Special purpose funds	247,427,000	247,427,000	247,927,000	251,195,000	249,729,000	+2,302,000
Total, Special education	2,965,602,000	3,124,921,000	3,039,442,000	3,134,734,000	3,108,702,000	+143,100,000
REHABILITATION SERVICES AND DISABILITY RESEARCH						
Vocational rehabilitation State grants:						
Grants to States	1,879,679,000	1,939,828,000	1,939,828,000	1,989,828,000	1,974,145,000	+94,466,000
Supported employment State grants	32,273,000	33,144,000	33,144,000	35,000,000	34,536,000	+2,263,000
Client assistance	9,296,000	9,547,000	9,547,000	9,547,000	9,547,000	+251,000
Subtotal, State grants	1,921,248,000	1,982,519,000	1,982,519,000	2,034,375,000	2,018,228,000	+96,980,000
Special purpose funds:						
Special demonstration programs	19,942,000	19,942,000	19,942,000	19,942,000	19,942,000	---
Supported employment projects	10,616,000	10,616,000	10,616,000	10,616,000	10,616,000	---
Recreational programs	2,596,000	2,596,000	2,596,000	2,596,000	2,596,000	---

1/ Forward funded.

	FY 1993 Comparable	FY 1994 Budget Request	House Bill	Senate Bill	Conference	Conference vs FY93 Comparable
Migratory workers	1,171,000	1,171,000	1,171,000	1,171,000	1,171,000	---
Projects with industry	21,571,000	21,571,000	21,571,000	22,571,000	22,071,000	+500,000
Helen Keller National Center	6,564,000	6,741,000	6,741,000	6,741,000	6,741,000	+177,000
Independent living:						
State grants	15,376,000	15,791,000	15,791,000	18,553,000	18,003,000	+2,627,000
Centers	31,446,000	34,446,000	34,446,000	37,943,000	36,818,000	+5,372,000
Services for older blind	6,944,000	6,944,000	6,944,000	8,379,000	8,131,000	+1,187,000
Subtotal, Independent living	53,766,000	57,181,000	57,181,000	64,875,000	62,952,000	+9,186,000
Protection and advocacy	2,480,000	2,480,000	2,480,000	6,000,000	5,500,000	+3,020,000
Training	39,629,000	39,629,000	39,629,000	39,629,000	39,629,000	---
National Institute on Disability & Rehabilitation Research	67,238,000	67,238,000	67,238,000	69,053,000	68,146,000	+908,000
Technology assistance	34,068,000	37,744,000	37,744,000	37,744,000	37,744,000	+3,676,000
Evaluation	1,810,000	1,600,000	1,600,000	1,600,000	1,600,000	-210,000
Subtotal, Special purpose funds	261,451,000	268,509,000	268,509,000	282,538,000	278,708,000	+17,257,000
Total, Rehabilitation services	2,182,699,000	2,251,028,000	2,251,028,000	2,316,913,000	2,296,936,000	+114,237,000
SPECIAL INSTITUTIONS FOR PERSONS WITH DISABILITIES						
AMERICAN PRINTING HOUSE FOR THE BLIND	6,298,000	6,463,000	6,463,000	6,463,000	6,463,000	+165,000
NATIONAL TECHNICAL INSTITUTE FOR THE DEAF:						
Operations	40,026,000	41,307,000	41,307,000	41,307,000	41,307,000	+1,281,000
Endowment grant	336,000	336,000	336,000	336,000	336,000	---
Construction	351,000	193,000	193,000	193,000	193,000	-158,000
Subtotal	40,713,000	41,836,000	41,836,000	41,836,000	41,836,000	+1,123,000
GALLAUDET UNIVERSITY:						
University programs	51,056,000	52,715,000	52,715,000	52,715,000	52,715,000	+1,659,000
Precollege programs	23,096,000	23,720,000	23,720,000	23,720,000	23,720,000	+624,000
Endowment grant	982,000	1,000,000	1,000,000	1,000,000	1,000,000	+18,000
Construction	2,455,000	---	---	2,000,000	1,000,000	-1,455,000
Subtotal	77,589,000	77,435,000	77,435,000	79,435,000	78,435,000	+846,000
Total, Special institutions for persons with disabilities	124,600,000	125,734,000	125,734,000	127,734,000	126,734,000	+2,134,000
VOCATIONAL AND ADULT EDUCATION						
Vocational education:						
Basic State grants	972,750,000	972,750,000	972,750,000	972,750,000	972,750,000	---
Community - based organizations	11,785,000	11,785,000	11,785,000	11,785,000	11,785,000	---
Consumer and homemaking education	34,720,000	---	34,720,000	34,720,000	34,720,000	---
Tech-Prep education	104,123,000	104,123,000	104,123,000	104,123,000	104,123,000	---
Tribally controlled postsecondary vocational institutions 1/	2,946,000	2,946,000	2,946,000	2,946,000	2,946,000	---
State councils	8,928,000	8,928,000	8,928,000	8,928,000	8,928,000	---
National programs:						
Research	9,662,000	9,662,000	9,662,000	9,662,000	9,662,000	---
Demonstrations	16,705,000	16,705,000	16,705,000	25,705,000	23,455,000	+6,750,000
Data systems (NOICC/SOICC)	4,960,000	4,960,000	4,960,000	4,960,000	4,960,000	---
Subtotal, national programs	31,327,000	31,327,000	31,327,000	40,327,000	38,077,000	+6,750,000
Bilingual vocational training	2,946,000	---	2,946,000	2,946,000	2,946,000	---
Subtotal, Vocational education	1,169,525,000	1,131,859,000	1,169,525,000	1,178,525,000	1,176,275,000	+6,750,000
Adult education:						
State Programs	254,624,000	261,500,000	254,624,000	254,624,000	254,624,000	---
National programs	8,837,000	9,250,000	8,837,000	8,837,000	8,837,000	---
Literacy training for homeless adults	9,584,000	10,000,000	9,584,000	9,584,000	9,584,000	---
Workplace literacy partnerships	18,906,000	22,000,000	18,906,000	18,906,000	18,906,000	---
State literacy resource centers	7,857,000	7,857,000	7,857,000	7,857,000	7,857,000	---
Literacy programs for prisoners	4,910,000	5,100,000	4,910,000	5,100,000	5,100,000	+190,000
Subtotal, adult education	304,718,000	315,707,000	304,718,000	304,908,000	304,908,000	+190,000
Total, Vocational and adult education	1,474,243,000	1,447,566,000	1,474,243,000	1,483,433,000	1,481,183,000	+6,940,000

1/ Current funded

	FY 1993 Comparable	FY 1994 Budget Request	House Bill	Senate Bill	Conference	Conference vs FY93 Comparable
STUDENT FINANCIAL ASSISTANCE						
Federal Pell Grants: Regular program	5,757,568,000	6,303,566,000	6,303,566,000	6,303,566,000	6,303,566,000	+545,998,000
Flood relief supplemental	30,000,000	---	---	---	---	-30,000,000
Federal Pell Grants: Funding for shortfall	671,237,000	2,023,730,000	415,000,000	185,296,000	250,000,000	-421,237,000
Subtotal, Pell Grants	6,458,805,000	8,327,296,000	6,718,566,000	6,488,862,000	6,553,566,000	+94,761,000
Federal Supplemental educational opportunity grants	583,407,000	499,892,000	555,000,000	583,407,000	583,407,000	---
Federal Work-study	616,508,000	526,941,000	586,000,000	616,508,000	616,508,000	---
Federal Perkins loans:						
Capital contributions	165,780,000	144,037,000	158,000,000	158,000,000	158,000,000	-7,780,000
Loan cancellations	14,880,000	15,000,000	15,000,000	15,000,000	15,000,000	+120,000
Subtotal, Federal Perkins loans	180,660,000	159,037,000	173,000,000	173,000,000	173,000,000	-7,660,000
State student incentive grants	72,429,000	---	62,800,000	72,429,000	72,429,000	---
State postsecondary review program	5,300,000	25,000,000	25,000,000	10,000,000	21,250,000	+15,950,000
Student financial assistance administration	---	---	---	60,087,000	---	---
Total, Student financial assistance	7,917,109,000	9,538,166,000	8,120,366,000	8,004,293,000	8,020,160,000	+103,051,000
FEDERAL FAMILY EDUCATION LOANS PROGRAM (EXISTING GUARANTEED STUDENT LOANS PROGRAM)						
Federal education loans:						
New loan subsidies (indefinite)	2,182,721,000	2,086,350,000	2,086,350,000	2,086,350,000	2,086,350,000	-96,371,000
Mandatory admin expenses (indefinite)	41,828,000	92,340,000	92,340,000	92,340,000	92,340,000	+50,512,000
Federal administration	60,487,000	72,466,000	72,466,000	72,466,000	72,466,000	+11,979,000
Total	2,285,036,000	2,251,156,000	2,251,156,000	2,251,156,000	2,251,156,000	-33,880,000
FEDERAL DIRECT LOAN DEMONSTRATION PROGRAM (HEA IV-D)						
Direct loan subsidies: New loans (sec. 451)	---	22,179,000	22,179,000	22,179,000	22,179,000	+22,179,000
HIGHER EDUCATION						
Aid for institutional development:						
Strengthening institutions	86,257,000	88,586,000	88,586,000	88,586,000	88,586,000	+2,329,000
Strengthening historically black colleges & univ.	98,208,000	100,860,000	100,860,000	100,860,000	100,860,000	+2,652,000
Strengthening historically black grad institutions	11,501,000	11,812,000	17,312,000	11,501,000	15,859,000	+4,358,000
Endowment challenge grants:						
Endowment grants	5,525,000	5,674,000	5,674,000	5,674,000	5,674,000	+149,000
HBCU set-aside	1,841,000	1,891,000	1,891,000	1,891,000	1,891,000	+50,000
Subtotal, Institutional development	203,332,000	208,823,000	214,323,000	208,512,000	212,870,000	+9,538,000
Program development:						
Fund for the Improvement of Postsecondary Educ.	15,872,000	17,872,000	15,872,000	17,872,000	17,372,000	+1,500,000
Dwight D. Eisenhower leadership program	3,472,000	---	---	4,000,000	4,000,000	+528,000
Minority teacher recruitment	2,480,000	2,547,000	2,480,000	2,480,000	2,480,000	---
Minority science improvement	5,892,000	5,892,000	5,892,000	5,892,000	5,892,000	---
Innovative projects for community service	1,436,000	2,872,000	1,436,000	1,436,000	1,436,000	---
Student Literacy and Mentoring Corps	5,270,000	1,000,000	1,000,000	---	---	-5,270,000
International educ & foreign language studies:						
Domestic programs	49,283,000	48,301,000	51,283,000	51,283,000	52,283,000	+3,000,000
Overseas programs	5,843,000	5,843,000	5,843,000	5,843,000	5,843,000	---
Institute for International Public Policy	---	4,000,000	1,000,000	---	1,000,000	+1,000,000
Subtotal, International education	55,126,000	58,144,000	58,126,000	57,126,000	59,126,000	+4,000,000
Cooperative education	13,749,000	---	13,749,000	13,749,000	13,749,000	---
Law school clinical experience	9,920,000	9,920,000	14,920,000	14,920,000	14,920,000	+5,000,000
Urban community service	9,424,000	9,424,000	9,424,000	11,000,000	10,606,000	+1,182,000
Subtotal, Program development	122,641,000	107,671,000	122,899,000	128,475,000	129,581,000	+6,940,000
Construction:						
Interest subsidy grants, prior year construction	18,689,000	18,029,000	18,029,000	18,029,000	18,029,000	-660,000
Special grants:						
Assistance to Guam	397,000	---	397,000	397,000	397,000	---
Robert A. Taft Institute	319,000	---	---	---	---	-319,000
Mary C. McLeod Bethune Memorial Fine Arts Center	---	12,500,000	---	---	---	---
Subtotal, Special grants	716,000	12,500,000	397,000	397,000	397,000	-319,000
Federal TRIO programs	388,048,000	398,525,000	418,525,000	418,525,000	418,525,000	+30,477,000
Scholarships:						
Byrd honors scholarships	9,470,000	18,940,000	18,940,000	19,294,000	19,294,000	+9,824,000
National science scholars	4,464,000	6,048,000	4,464,000	4,464,000	4,464,000	---
National Academy of Science, Space and Technology	2,161,000	---	---	---	---	-2,161,000
Douglas teacher scholarships	14,731,000	15,379,000	14,731,000	14,731,000	14,731,000	---

	FY 1993 Comparable	FY 1994 Budget Request	House Bill	Senate Bill	Conference	Conference vs FY93 Comparable
Early Intervention Scholarships	---	---	2,500,000	---	1,875,000	+1,875,000
Teacher Opportunity Corps	---	---	2,500,000	---	1,875,000	+1,875,000
Subtotal, Scholarships	30,826,000	40,367,000	43,135,000	38,489,000	42,239,000	+11,413,000
Graduate fellowships:						
Women & minority participation in grad education	5,846,000	6,004,000	5,846,000	5,846,000	5,846,000	---
Harris graduate fellowships	20,427,000	21,796,000	20,427,000	20,427,000	20,427,000	---
Javits fellowships	7,857,000	8,664,000	7,857,000	7,857,000	7,857,000	---
Graduate assistance in areas of national need	27,498,000	35,623,000	27,498,000	27,498,000	27,498,000	---
Faculty development fellowships	---	8,500,000	4,000,000	2,000,000	3,500,000	+3,500,000
Subtotal, Graduate fellowships	61,628,000	80,587,000	65,628,000	63,628,000	65,128,000	+3,500,000
School, college & university partnerships	3,928,000	3,928,000	3,928,000	3,928,000	3,928,000	---
Legal training for the disadvantaged (CLEO)	2,991,000	2,991,000	2,991,000	2,991,000	2,991,000	---
Total, Higher education	832,799,000	873,421,000	889,855,000	882,974,000	893,688,000	+60,889,000
HOWARD UNIVERSITY						
Academic program	150,764,000	154,835,000	154,835,000	154,835,000	154,835,000	+4,071,000
Endowment program	3,351,000	3,441,000	3,441,000	3,441,000	3,441,000	+90,000
Research	4,533,000	4,655,000	4,655,000	4,655,000	4,655,000	+122,000
Howard University Hospital	28,973,000	29,755,000	29,755,000	29,755,000	29,755,000	+782,000
Construction:						
Regular grants	5,300,000	---	---	---	---	-5,300,000
Matching program	1,084,000	---	---	---	---	-1,084,000
Total, Howard University	194,005,000	192,686,000	192,686,000	192,686,000	192,686,000	-1,319,000
COLLEGE HOUSING AND ACADEMIC FACILITIES LOANS PROGRAM:						
Loan subsidies	2,973,000	---	---	---	---	-2,973,000
Federal administration	727,000	730,000	730,000	730,000	730,000	+3,000
Loan limitation (non-add)	(29,465,000)	---	---	---	---	(-29,465,000)
Total, College Housing Program	3,700,000	730,000	730,000	730,000	730,000	-2,970,000
HISTORICALLY BLACK COLLEGE & UNIVERSITY CAPITAL FINANCING PROGRAM						
Federal insurance limitation (non-add)	---	(375,000,000)	(187,500,000)	(375,000,000)	(375,000,000)	(+375,000,000)
Letter of credit limitation (non-add)	---	(357,000,000)	(178,500,000)	(357,000,000)	(357,000,000)	(+357,000,000)
Federal administration	---	200,000	200,000	200,000	200,000	+200,000
Total	---	200,000	200,000	200,000	200,000	+200,000
EDUCATION RESEARCH, STATISTICS, AND IMPROVEMENT						
Research and statistics:						
Research	73,984,000	90,750,000	73,984,000	78,000,000	78,000,000	+4,016,000
Statistics	48,588,000	60,000,000	48,588,000	48,588,000	48,588,000	---
Assessment, regular program	29,262,000	65,000,000	29,262,000	29,262,000	29,262,000	---
Subtotal, Research and statistics	151,834,000	215,750,000	151,834,000	155,850,000	155,850,000	+4,016,000
Fund for Innovation in Education	28,008,000	40,000,000	28,008,000	40,000,000	32,500,000	+4,492,000
Civics Education	---	---	---	4,463,000	4,463,000	+4,463,000
Fund for the Improvement and Reform of Schools and Teaching:						
Grants for schools and teachers	5,396,000	5,396,000	5,396,000	5,396,000	5,396,000	---
Family-school partnerships	3,687,000	3,687,000	3,687,000	3,687,000	3,687,000	---
Eisenhower mathematics & science educ national program	15,872,000	15,872,000	15,872,000	16,072,000	16,072,000	+200,000
Eisenhower math-science regional consortia	13,590,000	12,741,000	12,741,000	15,000,000	13,871,000	+281,000
National Diffusion Network	14,582,000	14,582,000	14,582,000	14,582,000	14,582,000	---
Blue ribbon schools	879,000	903,000	879,000	---	879,000	---
Javits gifted and talented students education	9,607,000	9,607,000	9,607,000	9,607,000	9,607,000	---
Star schools	22,777,000	27,000,000	22,777,000	27,000,000	25,944,000	+3,167,000
Educational partnerships	4,136,000	2,120,000	2,120,000	---	---	-4,136,000
Territorial teacher training	1,737,000	---	1,737,000	1,737,000	1,737,000	---
National writing project	3,212,000	---	3,212,000	3,212,000	3,212,000	---
National Board for Professional Teaching Standards	4,792,000	4,921,000	4,792,000	4,792,000	4,792,000	---
Total, ERSI	280,109,000	352,579,000	277,244,000	301,398,000	292,592,000	+12,483,000

	FY 1993 Comparable	FY 1994 Budget Request	House Bill	Senate Bill	Conference	Conference vs FY93 Comparable
LIBRARIES						
Public libraries:						
Services	83,227,000	95,000,000	83,227,000	83,227,000	83,227,000	---
Construction	16,584,000	---	16,584,000	19,000,000	17,792,000	+1,208,000
Interlibrary cooperation	19,749,000	19,749,000	19,749,000	19,749,000	19,749,000	---
Foreign language materials (Title V-LSCA)	968,000	---	---	---	---	-968,000
Library literacy programs	8,098,000	---	8,098,000	8,098,000	8,098,000	---
College library technology	3,873,000	---	3,873,000	3,873,000	3,873,000	---
Library education and training	4,960,000	---	4,960,000	4,960,000	4,960,000	---
Research and demonstrations	2,802,000	---	2,802,000	2,802,000	2,802,000	---
Research libraries	5,808,000	---	5,808,000	5,808,000	5,808,000	---
Total, Libraries	146,069,000	114,749,000	145,101,000	147,517,000	146,309,000	+240,000
DEPARTMENTAL MANAGEMENT						
PROGRAM ADMINISTRATION	304,899,000	352,008,000	352,008,000	291,921,000	352,008,000	+47,109,000
OFFICE FOR CIVIL RIGHTS, SALARIES AND EXPENSES	56,402,000	56,570,000	56,570,000	56,570,000	56,570,000	+168,000
OFFICE OF THE INSPECTOR GENERAL, SALARIES AND EXPENSES	29,262,000	28,840,000	28,840,000	28,840,000	28,840,000	-422,000
Total, Departmental management	390,563,000	437,418,000	437,418,000	377,331,000	437,418,000	+46,855,000
Total, Department of Education	28,087,420,000	30,921,629,000	28,627,320,000	28,755,410,000	28,765,192,000	+677,772,000
TITLE IV - RELATED AGENCIES						
Action (Domestic Programs):						
Volunteers in Service to America:						
VISTA operations	34,667,000	36,236,000	34,667,000	36,367,000	35,942,000	+1,275,000
VISTA Literacy Corps	5,009,000	5,303,000	5,009,000	5,009,000	5,009,000	---
University year for VISTA	958,000	1,000,000	958,000	958,000	958,000	---
Subtotal	40,634,000	42,539,000	40,634,000	42,334,000	41,909,000	+1,275,000
Special Volunteer Programs:						
Drug programs	982,000	1,000,000	982,000	982,000	982,000	---
Older Americans Volunteer Programs:						
Foster Grandparents Program	64,804,000	66,301,000	64,804,000	66,554,000	66,117,000	+1,313,000
Senior Companion Program	29,548,000	29,848,000	29,548,000	29,848,000	29,773,000	+225,000
Retired Senior Volunteer Program	33,686,000	34,831,000	33,686,000	34,686,000	34,436,000	+750,000
Subtotal, Older Volunteers	128,038,000	130,980,000	128,038,000	131,088,000	130,326,000	+2,288,000
Inspector General	936,000	947,000	936,000	947,000	944,000	+8,000
Program Support	30,936,000	31,272,000	30,936,000	30,936,000	30,936,000	---
Total, Action	201,526,000	206,738,000	201,526,000	206,287,000	205,097,000	+3,571,000
Corporation for Public Broadcasting: FY96 (current request) 1/	292,640,000	292,640,000	292,640,000	320,000,000	312,000,000	+19,360,000
Federal Mediation and Conciliation Service	29,953,000	30,241,000	30,241,000	30,241,000	30,241,000	+288,000
Federal Mine Safety and Health Review Commission	5,726,000	5,842,000	5,842,000	5,842,000	5,842,000	+116,000
National Commission on Acquired Immune Deficiency Syndrome	1,736,000	---	---	---	---	-1,736,000
National Commission on Independent Higher Education	992,000	---	---	---	---	-992,000
National Commission on Libraries and Information Science	889,000	904,000	904,000	904,000	904,000	+15,000
White House Conference on Library and Information Services	397,000	---	---	---	---	-397,000
National Commission on Responsibilities for Financing Postsecondary Education	206,000	---	---	---	---	-206,000
National Commission on the Cost of Higher Education	992,000	---	---	---	---	-992,000
National Commission to Prevent Infant Mortality	446,000	460,000	---	---	---	-446,000
National Council on Disability	1,541,000	1,733,000	1,590,000	1,791,000	1,690,000	+149,000
National Labor Relations Board	169,807,000	171,274,000	171,274,000	171,274,000	171,274,000	+1,467,000
National Mediation Board	7,807,000	8,006,000	8,506,000	8,807,000	8,657,000	+850,000
Occupational Safety and Health Review Commission	7,112,000	7,262,000	7,362,000	7,362,000	7,362,000	+250,000
Physician Payment Review Commission (trust funds)	(4,415,000)	(4,171,000)	(4,171,000)	(4,171,000)	(4,171,000)	(-244,000)
Prospective Payment Assessment Commission (trust funds)	(4,383,000)	(4,575,000)	(4,500,000)	(4,500,000)	(4,500,000)	(+117,000)
Railroad Retirement Board:						
Dual benefits payments account	294,030,000	277,000,000	277,000,000	277,000,000	277,000,000	-17,030,000
Less income tax receipts on dual benefits	-22,000,000	-20,000,000	-20,000,000	-20,000,000	-20,000,000	+2,000,000
Subtotal, dual benefits	272,030,000	257,000,000	257,000,000	257,000,000	257,000,000	-15,030,000

1/ FY 1993 approp. adv. in FY91 is $318,636,000.
FY 1994 approp. adv. in FY92 is $275,000,000.
FY 1995 approp. adv. in FY93 is $292,640,000.

	FY 1993 Comparable	FY 1994 Budget Request	House Bill	Senate Bill	Conference	Conference vs FY93 Comparable
Federal payment to the Railroad Retirement Account	100,000	300,000	300,000	300,000	300,000	+200,000
Limitation on administration:						
(Retirement)	(74,544,000)	(73,791,000)	(73,791,000)	(73,791,000)	(73,791,000)	(-753,000)
(Unemployment)	(17,185,000)	(17,010,000)	(17,010,000)	(17,010,000)	(17,010,000)	(-175,000)
Subtotal, administration	(91,729,000)	(90,801,000)	(90,801,000)	(90,801,000)	(90,801,000)	(-928,000)
(Special Management Improvement Fund)	(3,690,000)	(3,300,000)	(3,300,000)	(3,300,000)	(3,300,000)	(-390,000)
Total, limitation on administration	(95,419,000)	(94,101,000)	(94,101,000)	(94,101,000)	(94,101,000)	(-1,318,000)
(Inspector General)	(6,845,000)	(6,742,000)	(6,742,000)	(6,742,000)	(6,742,000)	(-103,000)
Soldiers' and Airmen's Home (trust fund limitation):						
Operation and maintenance	42,117,000	43,448,000	43,139,000	43,139,000	43,139,000	+1,022,000
Capital outlay	5,952,000	4,930,000	4,930,000	4,930,000	4,930,000	-1,022,000
Total	48,069,000	48,378,000	48,069,000	48,069,000	48,069,000	---
United States Institute of Peace	10,912,000	10,912,000	10,912,000	10,912,000	10,912,000	---
United States Naval Home (trust fund limitation):						
Operation and maintenance	10,775,000	10,841,000	10,775,000	10,775,000	10,775,000	---
Capital program	473,000	486,000	473,000	473,000	473,000	---
Total	11,248,000	11,327,000	11,248,000	11,248,000	11,248,000	---
Total, Title IV, Related Agencies:						
Federal funds (all years)	1,064,129,000	1,053,017,000	1,047,414,000	1,080,037,000	1,070,596,000	+6,467,000
Current year, FY 1994	(771,489,000)	(760,377,000)	(754,774,000)	(760,037,000)	(758,596,000)	(-12,893,000)
FY 1996	(292,640,000)	(292,640,000)	(292,640,000)	(320,000,000)	(312,000,000)	(+19,360,000)
Trust funds	(111,062,000)	(109,589,000)	(109,514,000)	(109,514,000)	(109,514,000)	(-1,548,000)

SUMMARY

Title I - Department of Labor:						
Federal Funds	12,270,516,000	12,872,261,000	10,972,157,000	10,859,651,000	10,914,538,000	-1,355,978,000
Trust Funds	(3,462,511,000)	(3,690,914,000)	(3,692,212,000)	(3,662,424,000)	(3,701,352,000)	(+238,841,000)
Title II - Department of Health and Human Services:						
Federal Funds	210,931,782,000	215,624,206,000	175,032,320,000	215,968,067,000	215,802,937,000	+4,871,155,000
Current year	(172,736,374,000)	(176,459,426,000)	(175,032,320,000)	(176,700,659,000)	(176,567,937,000)	(+3,831,563,000)
1995 advance	(38,195,408,000)	(39,164,780,000)	---	(39,267,408,000)	(39,235,000,000)	(+1,039,592,000)
Trust Funds	(7,049,992,000)	(8,374,324,000)	(7,774,421,000)	(7,686,037,000)	(7,763,583,000)	(+713,591,000)
Title III - Department of Education:						
Federal Funds	28,087,420,000	30,921,629,000	28,627,320,000	28,755,410,000	28,765,192,000	+677,772,000
Title IV - Related Agencies:						
Federal Funds	1,064,129,000	1,053,017,000	1,047,414,000	1,080,037,000	1,070,596,000	+6,467,000
Current year	(771,489,000)	(760,377,000)	(754,774,000)	(760,037,000)	(758,596,000)	(-12,893,000)
1996 advance	(292,640,000)	(292,640,000)	(292,640,000)	(320,000,000)	(312,000,000)	(+19,360,000)
Trust Funds	(111,062,000)	(109,589,000)	(109,514,000)	(109,514,000)	(109,514,000)	(-1,548,000)
Weed and Seed (P.L. 102-360) (rescission)	225,000,000	---	---	-225,000,000	-225,000,000	-450,000,000
Bill-wide consultant savings	---	---	---	-10,000,000	---	---
Total, all titles:						
Federal Funds	252,578,847,000	260,471,113,000	215,679,211,000	256,428,165,000	256,328,263,000	+3,749,416,000
Current year	(214,090,799,000)	(221,013,693,000)	(215,386,571,000)	(216,840,757,000)	(216,781,263,000)	(+2,690,464,000)
1995 advance	(38,195,408,000)	(39,164,780,000)	---	(39,267,408,000)	(39,235,000,000)	(+1,039,592,000)
1996 advance	(292,640,000)	(292,640,000)	(292,640,000)	(320,000,000)	(312,000,000)	(+19,360,000)
Trust Funds	(10,623,565,000)	(12,174,827,000)	(11,576,147,000)	(11,457,975,000)	(11,574,449,000)	(+950,884,000)

WILLIAM H. NATCHER,
NEAL SMITH,
DAVID R. OBEY,
LOUIS STOKES,
STENY H. HOYER,
NANCY PELOSI,
NITA M. LOWEY,
JOSÉ E. SERRANO,
ROSA L. DELAURO,
JOHN EDWARD PORTER,
BILL YOUNG,
HELEN DELICH BENTLEY,
HENRY BONILLA,
JOSEPH M. MCDADE,
Managers on the Part of the House.

TOM HARKIN,
ROBERT C. BYRD,
ERNEST F. HOLLINGS,
DANIEL K. INOUYE,
DALE BUMPERS,
HARRY REID,
HERB KOHL,
PATTY MURRAY,
ARLEN SPECTER,
MARK O. HATFIELD,
TED STEVENS,
THAD COCHRAN,
SLADE GORTON,
CONNIE MACK,
CHRISTOPHER S. BOND,
Managers on the Part of the Senate.

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. SHAW) to revise and extend their remarks and include extraneous materials:)

Mr. WELDON, for 5 minutes, today.
Mr. SHAW, for 5 minutes, today.
Mr. GOSS, for 5 minutes, today.
Mr. RAMSTAD, for 60 minutes, today.
Mr. GILMAN, for 5 minutes, today.

(The following Members (at the request of Ms. BYRNE) to revise and extend their remarks and include extraneous material:)

Ms. KAPTUR, for 5 minutes each day, on October 5, 6, 7, 12, 13, 14, and 15.
Mr. STARK, for 5 minutes, today.
Mrs. MINK, for 60 minutes each day, on October 25, 26, and 29.

(The following Member (at his own request) to revise and extend his remarks and include extraneous material.)

Mr. CLEMENT, for 5 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mr. SHAW) and to include extraneous matter:)

Mr. BAKER of California.
Mrs. VUCANOVICH.
Mr. DUNCAN.
Mr. COLLINS of Georgia.
Mr. LIGHTFOOT.

(The following Members (at the request of Ms. BYRNE) and to include extraneous matter:)

Mrs. MALONEY in three instances.
Mr. LAROCCO.
Mr. OLVER.
Mr. NATCHER.
Mr. STARK.
Mr. MATSUI.
Mr. BEILENSON.
Ms. SLAUGHTER.
Mr. MILLER of California.
Mr. STOKES.

(The following Members (at the request of Mr. SOLOMON) and to include extraneous matter:)

Mr. GILLMOR.
Mr. KIM.
Mr. HEFLEY.
Mr. OBERSTAR.
Mr. HASTINGS.
Mr. WHEAT.
Mr. GALLEGLY.
Mr. NADLER.
Mr. ENGEL.
Mr. BLACKWELL in two instances.
Mr. WATT.
Mr. LAFALCE.
Mr. CLYBURN.
Mr. LIGHTFOOT.
Mr. BOEHNER.
Mr. STUPAK.
Mr. OWENS.
Mr. STOKES.

ADJOURNMENT

Mr. DERRICK. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 36 minutes p.m.) the House adjourned until tomorrow, Wednesday, October 6, 1993, 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:

1968. A letter from the Director, Defense Security Assistance Agency, transmitting notification of the Department of the Army's proposed Letter(s) of Offer and Acceptance [LOA] to Turkey for defense articles and services (Transmital No. 94-02), pursuant to 22 U.S.C. 2776(b); to the Committee on Foreign Affairs.

1969. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting information concerning the unauthorized transfer of U.S.-origin munitions items, pursuant to 22 U.S.C. 2314(d); to the Committee on Foreign Affairs.

1970. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a copy of Presidential Determination No. 93-39 concerning assistance to Jordan, pursuant to 22 U.S.C. 2364(a)(1); to the Committee on Foreign Affairs.

1971. A letter from the Comptroller General, General Accounting Office, transmitting the list of all reports issued or released in August 1993, pursuant to 31 U.S.C. 719(h); to the Committee on Government Operations.

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:

Ms. SLAUGHTER: Committee on Rules. House Resolution 268. Resolution waiving points of order against the conference report to accompany the 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 (Rept. 103-274). Referred to the House Calendar.

Mr. NATCHER: Committee of conference. Conference report on H.R. 2518. A bill making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies, for the fiscal year ending September 30, 1994, and for other purposes (Rept. 103-275). Ordered to be printed.

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. KILDEE (for himself and Mr. FORD of Michigan):

H.R. 3210. A bill to improve learning and teaching by providing a national framework for education reform; to promote the research, consensus building, and systemic changes needed to ensure equitable educational opportunities and high levels of educational achievement for all students; to provide a framework for reauthorization of all Federal education programs; to promote the development and adoption of a voluntary national system of skill standards and certifications; and for other purposes; to the Committee on Education and Labor.

By Mr. PICKLE (for himself, Mr. ARCHER, Mr. PAYNE of Virginia, Mr. JOHNSON of Connecticut, and Mr. JEFFERSON):

H.R. 3211. A bill to amend the Internal Revenue Code of 1986 to provide for a temporary delay in the requirement to pay certain premiums under the Coal Industry Retiree Health Benefit Act of 1992; jointly, to the Committees on Ways and Means and Education and Labor.

By Mr. HEFLEY:

H.R. 3212. A bill to require the withdrawal of United States Armed Forces from Somalia; to the Committee on Foreign Affairs.

By Mr. HEFLEY (for himself, Mr. PASTOR, Mr. KYL, Mr. SCHAEFER, Mr. SKEEN, and Mr. DOOLITTLE):

H.R. 3213. A bill to amend the Federal Water Pollution Control Act to provide for the use of biological monitoring and whole effluent toxicity tests in connection with publicly owned treatment works, and for other purposes; to the Committee on Public Works and Transportation.

By Mr. KNOLLENBERG:

H.R. 3214. A bill to amend title IV of the Social Security Act to enhance educational opportunity, increases school attendance, and promote self-sufficiency among welfare recipients; jointly, to the committees on Ways and Means and Energy and Commerce.

By Mr. MURPHY:

H.R. 3215. A bill to amend title I of the employee Retirement Income Security Act of 1974 to clarify remedies against unauthorized termination or reduction of benefits under group health plans provided upon retirement; to the Committee on Education and Labor.

By Mr. STUPAK:

H.R. 3216. A bill to amend the Comprehensive Drug Abuse Prevention and Control Act of 1970 to control the diversion of certain chemicals used in the illicit production of controlled substances such as methcathinine and methamphetamine, and for other purposes; jointly, to the Committees on Energy and Commerce and the Judiciary.

By Mr. CLAY (by request):

H.R. 3218. A bill to amend title 5, United States Code, to eliminate narrow restrictions on employee training; to provide a temporary voluntary separation incentive; and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. OWENS:

H.R. 3219. A bill to amend the National Environmental Policy Act of 1969 to clarify the application of that act to extraterritorial actions of the Federal Government; to the Committee on Merchant Marine and Fisheries.

By Mr. TRAFICANT:

H.R. 3220. A bill to amend the Public Health Service Act with respect to increasing the number of health professionals who practice in the United States in a field of primary health care; to the Committee on Energy and Commerce.

By Mr. LANTOS:

H. Con. Res. 158. Concurrent resolution recognizing the International Rescue Committee, on the occasion of the 60th anniversary of the founding, for its great humanitarian endeavors; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII;

Mrs. FOWLER introduced a bill (H.R. 3217) 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 *Libby Rose*; which was referred 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. 81: Mr. HOBSON.

H.R. 125: Mr. RUSH, Mr. SANDERS, and Mr. SHAYS.

H.R. 127: Mr. CARR.

H.R. 133: Mr. ANDREWS of New Jersey, Mrs. MORELLA, and Mr. YATES.

H.R. 135: Mr. RUSH.

H.R. 298: Mr. JEFFERSON.

H.R. 323: Mr. GINGRICH, Mrs. MEYERS of Kansas, Mr. GRAMS, Mr. COX, and Mr. MANN.

H.R. 439: Mr. ROYCE and Mr. FRANKS of New Jersey.

H.R. 595: Ms. MARGOLIES-MEZVINSKY.

H.R. 602: Mr. QUINN.

H.R. 715: Mr. ROYCE.

H.R. 796: Mr. DOOLEY and Mr. LEWIS of Georgia.

H.R. 830: Mr. PETERSON of Florida, Ms. MOLINARI, Mr. DIAZ-BALART, Mr. FRANKS of Connecticut, Mr. HERGER, Mr. MICHEL, Mr. ROGERS, Mr. PAYNE of Virginia, and Mr. WHEAT.

H.R. 972: Mr. MANTON.

H.R. 1095: Ms. NORTON.

H.R. 1153: Mr. STARK and Mr. ROYCE.

H.R. 1155: Mr. YATES.

H.R. 1304: Mr. MCNULTY.

H.R. 1354: Mrs. UNSOELD, Mr. WASHINGTON, Mrs. THURMAN, Mrs. MINK, Mrs. CLAYTON, Ms. MARGOLIES-MEZVINSKY, and Mr. STUDDS.

H.R. 1552: Mr. COPPERSMITH.

H.R. 1604: Mr. GORDON.

H.R. 1608: Mr. BARLOW, Mr. BROWDER, Mr. CANADY, Ms. CANTWELL, Mr. COMBEST, Mr. JACOBS, Ms. ROS-LEHTINEN, Mr. ROYCE, Mr. SCHIFF, Mr. SOLOMON, and Mr. WATT.

H.R. 1627: Mr. MILLER of Florida and Mrs. FOWLER.

H.R. 1796: Mr. TORKILDSEN, Mr. BILIRAKIS, Mr. SCHUMER, Mr. BUNNING, Mr. SAXTON, Mr. COLEMAN, Mr. STUMP, Mr. PASTOR, and Mr. TORRICELLI.

H.R. 1797: Mr. SANDERS.

H.R. 1799: Mr. SANDERS.

H.R. 1818: Ms. SHEPHERD.

H.R. 1945: Mr. LAROCCO, Mr. MCNULTY, Mr. DEAL, Mr. MANN, Mr. MCHUGH, Mr. PRICE of North Carolina, Ms. SHEPHERD, Mr. SOLOMON, Mr. SKELTON, Mr. LAUGHLIN, Mr. BACCHUS of Florida, Mr. HUTTO, Mr. HOLDEN, Mr. MOORHEAD, Mr. KINGSTON, Mr. HINCHEY, Mr. MICA, MR. BROWDER, Mr. HAYES, and Ms. MOLINARI.

H.R. 2076: Mr. TORRES and Mr. WYNN.

H.R. 2121: Mr. BAKER of Louisiana, Mr. ORTIZ, Ms. VUCANOVICH, Mr. WALSH, Mr. WYNN, Mrs. THURMAN, Ms. LONG, Mr. BISHOP, and Mr. BROWN of Ohio.

H.R. 2142: Mr. WYNN.

H.R. 2144: Mr. DELLUMS.

H.R. 2241: Mr. THOMPSON.

H.R. 2417: Mr. BARLOW and Mr. MINGE.

H.R. 2612: Mr. ROYCE.

H.R. 2626: Mr. DELLUMS, Mr. KLEIN, and Mr. SABO.

H.R. 2660: Mr. FRANK of Massachusetts, Mr. JOHNSON of South Dakota, Mr. HINCHEY, and Ms. FURSE.

H.R. 2671: Mr. LIGHTFOOT.

H.R. 2676: Mr. WATT.

H.R. 2710: Mr. SANDERS.

H.R. 2728: Mr. MILLER of California, Mr. FROST, Ms. WOOSLEY, Mrs. UNSOELD, Mr. RANGEL, Mr. MARTINEZ, Mr. BAESLER, and Mr. STRICKLAND.

H.R. 2831: Mr. TORRES and Ms. PELOSI.

H.R. 2884: Mr. RUSH.

H.R. 2921: Mr. RICHARDSON.

H.R. 2923: Mr. MARTINEZ and Mr. DEAL.

H.R. 2936: Mr. DORNAN, Mr. LAFALCE, Mr. LIGHTFOOT, Mr. BAKER of Louisiana, and Mr. CANADY.

H.R. 2938: Mr. DORNAN, Mr. LAFALCE, Mr. LIGHTFOOT, Mr. BAKER of Louisiana, and Mr. CANADY.

H.R. 2962: Ms. PELOSI, Mr. TORRES, and Mr. UNDERWOOD.

H.R. 2980: Mr. CLAY, Mr. MOLLOHAN, Mr. BERMAN, and Ms. KAPTUR.

H.R. 2982: Mr. ENGEL.

H.R. 2987: Mr. ENGEL.

H.R. 3005: Mr. BOEHNER, Mr. PACKARD, Mr. ZELIFF, and Mr. ROYCE.

H.R. 3006: Mr. WYNN.

H.R. 3030: Mr. SAM JOHNSON, Mr. PAXON, Mr. DOOLITTLE, Mr. COX, and Mr. CANADY.

H.R. 3038: Mrs. MEYERS of Kansas.

H.R. 3041: Mrs. LLOYD.

H.R. 3076: Mr. JACOBS, Mr. JOHNSON of South Dakota, and Mr. FALEOMAVAEGA.

H.R. 3080: Mr. BLUTE, Mr. FISH, Mr. KLUG, Mr. BATEMAN, Mr. LIVINGSTON, Mr. YOUNG of Florida, Mr. HANSEN, Mr. CALLAHAN, and Mr. GOODLATTE.

H.R. 3109: Mr. FILNER, Ms. KAPTUR, Mr. MILLER of California, Mr. SARPALIUS, Mr. TOWNS, and Mr. WILSON.

H.R. 3158: Ms. KAPTUR.

H.J. Res. 106: Mr. SMITH of New Jersey.

H.J. Res. 133: Mr. SANDERS.

H.J. Res. 191: Mr. WYNN.

H.J. Res. 197. Mr. FORD of Michigan, Mr. SWETT, Mr. SYNAR, Mrs. MINK, Mr. CLEMENT, Mrs. VUCANOVICH, Mr. RAHALL, Mr. LEWIS of California, Mrs. MEYERS of Kansas, Mr. SKEEN, Mr. MARKEY, Mr. LEVIN, Mr. OBERSTAR, Mr. TANNER, Mr. MCCLOSKEY, Mr. MCCOLLUM, Mr. FORD of Tennessee, Mr. INHOFE, Mr. LEACH, Ms. LAMBERT, Mr. SANDERS, and Mr. KASICH.

H.J. Res. 206: Mr. DUNCAN, Mr. FRANKS of Connecticut, and Mr. VISCLOSKY.

H.J. Res. 234: Mr. ROMERO-BARCELO, Mr. FAWELL, Mr. BACCHUS of Florida, Mr. KENNEDY, Mr. MCNULTY, Mr. PORTMAN, Mr. PACKARD, Ms. LOWEY, Mr. MATSUI, Mr. BROWN of Ohio, Mr. FALEOMAVAEGA, Mr. LEVIN, Mr. CASTLE, and Mrs. FOWLER.

H.J. Res. 246: Mr. BARRETT OF WISCONSIN, Mr. BONIOR, Mr. CARDIN, Mr. COSTELLO, Mr. FALEOMAVAEGA, Mr. FISH, Mr. FRANK of Massachusetts, Mr. HUGHES, Mr. LANTOS, Mr. MCDADE, Mr. MEEHAN, Mr. MENENDEZ, Ms. MOLINARI, Mr. MONTGOMERY, Mr. MORAN, Mr. MURPHY, Mr. MURTHA, Mr. NADLER, Mr. PALLONE, Mr. RAHALL, Mr. SANDERS, Mr. SAWYER, Mr. SCHUMER, Mr. SHAYS, Mr. STOKES, Mr. TORKILDSEN, Mr. TRAFICANT, Ms. VELAZQUEZ, and Mr. VENTO.

H.J. Res. 262: Mr. LAUGHLIN, Mr. BOEHLERT, Mr. TAUZIN, and Mr. BONIOR.

H.J. Res. 266: Mr. KREIDLER, Mr. BLILEY, Ms. BYRNE, and Mr. HILLIARD.

H. Con. Res. 126: Mr. CLAY, Ms. BYRNE, Mr. STOKES, Mr. LEVIN, and Ms. FURSE.

H. Con. Res. 135: Mrs. UNSOELD, Ms. FURSE, Ms. CANTWELL, Mr. GUNDERSON, Mr. KLUG, Mr. BATEMAN, Mr. TORKILDSEN, Mr. TAYLOR of North Carolina, Mr. COBLE, Mr. HUTTO, Mr. PALLONE, Mr. WELDON, Mr. RAVENEL, Mr. HUGHES, Mr. LANCASTER, Mr. DIAZ-BALART, Mr. LAUGHLIN, Mrs. FOWLER, Mr. GENE GREEN of Texas, Mr. TAUZIN, Mr. HAMBURG, Mr. INHOFE, Mr. ORTIZ, Mr. CUNNINGHAM, and Mr. LIPINSKI.

H. Con. Res. 140: Ms. MARGOLIES-MEZVINSKY.

H. Con. Res. 153: Mr. ROYCE.

H. Res. 54: Mr. ROYCE.

H. Res. 122: Mr. ENGEL, Mr. GILMAN, and Mr. ROYCE.

H. Res. 234: Mr. BONIOR, Mr. HORN, Mr. INGLIS of South Carolina, Mr. FRANK of Massachusetts, Mr. CANADY, Ms. ESHOO, Mr. GUTIERREZ, Ms. WOOLSEY, Mr. CONYERS, and Mr. KIM.

EXTENSIONS OF REMARKS

NATIONAL 4-H WEEK

HON. WILLIAM H. NATCHER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 5, 1993

Mr. NATCHER. Mr. Speaker, it is an honor to join with the members and leaders of 4-H this year as they celebrate National 4-H Week on October 3-10. This year's continuing theme is "4-H: The Difference We Make." By educating through a wide variety of programs, reaching out to youth at risk and providing opportunities for leadership experience, 4-H not only makes a difference in the lives of participating youth, it also enables them to make a difference in the lives of others.

4-H membership is made up of many different youth across the Nation. Over 5.6 million young people participated in one or more 4-H youth development programs in 1992. While many of those involved are from rural areas, 52.6 percent of those participating during the past year lived in larger towns and cities. Minorities now constitute 25 percent of 4-H participants, an increase of 6 percent over the past year.

My home State of Kentucky involved 207,808 youth in 7,934 clubs, special interest groups and school enrichment units. Kentucky ranked second among all of the States in special interest groups, having 1,852 of these groups. Kentucky also had 3,929 4-H Clubs during the past year and this is the fourth highest number of any State in the Nation.

It is no wonder that so many enroll in 4-H when you consider the many opportunities to learn through this program. Each member of 4-H enrolls in one or more organized projects each year. Nationally, the five most popular project areas this past year were animals and poultry, food and nutrition, natural resources, individual and family resources and mechanical sciences. Many of these projects focus on creating strong families, improving communication skills and helping young people become good community leaders.

4-H continues its efforts to make a difference in the lives of young people who are most vulnerable because of poverty, lack of parental and community support and negative peer pressure. The youth at risk outreach provides high-quality school age child care and opportunities for scientific, technological, and reading literacy. Issues that place young people at a higher risk are addressed through programs such as the Youth Employability Program, Staying at Home Alone, Being All You Can Be, and Talking With Your Kids About Alcohol.

None of these 4-H programs would be possible without the efforts of volunteer leaders. In 1992, 545,017 adult volunteer leaders, as well as many teen leaders, assisted in implementing 4-H youth development programs. In the State of Kentucky, there were 27,550 different 4-H leaders. Sixteen percent of these leaders were teens helping others and gaining valuable leadership skills for life.

In the Second Congressional District of Kentucky, which I represent, there were 3,882 volunteer adult and teen 4-H leaders. Many of these leaders represented their extension areas at State and national levels and many were recognized as area champions.

Christa Turner of Nelson County is the immediate past State secretary. Linda Jeffiers of Spencer County is the secretary/treasurer and also serves on the Executive Committee of Friends of Kentucky 4-H. Bill Corum of Meade County is also on the Friends of Kentucky 4-H Executive Committee and Romanza Johnson of Warren County serves on the board of directors. Fay Crumbacker of Spencer County is vice president of the State 4-H Leaders Council and Diane Cowles of Warren County is the secretary of his council. Both also serve on the executive committee. Linda Jeffiers of Spencer County and Margie Brookshire of Breckinridge County represent their respective extension areas on the State 4-H Leaders Council. Melanie Lyons Watson of Barren County serves on the board of the growing 4-H Alumni Association and Mike Caldwell of Nelson County is the president-elect for the Kentucky Association of Extension 4-H Agents.

Margie Brookshire represents her area on a national level by serving on the National Extension Advisory Committee.

Many young people from Kentucky's Second Congressional District have gained leadership experience by representing their extension areas on the State 4-H Teen Council. Jeri Fields of Warren County, Bethany Edwards of Metcalfe County, Kathy Reding of Nelson County, Kevin Propes of Larue County, Tanya Pickering of Meade County, and Julie Bischoff and Mindy Rickard of Bullitt County all serve on this council.

Adult Feltner Leadership Recognition Program Area Champions this past year were Rita Coomer of Barren County, representing the Mammoth Cave area and Fay Crumbacker of Bullitt County, representing the Louisville area. Kathy Reding of Nelson County, representing the Lincoln Trail area, was the teen champion.

There were 33,990 youth involved in 1,325 clubs in the Second Congressional District of Kentucky and at this time, I would like to recognize some of these young people for their achievements in 4-H.

State champions for project records were: Jessica Gentry of Nelson County for agriculture, Olivia Morgan of Daviess County for arts and crafts, Penny Pearson of Warren County for career exploration, Joni Payne of Marion County for dairy cattle, and Jeri Fields of Warren County for clothing. Jeri Fields was also the State champion for fashion revue in the coordinates category.

Communications day State champions were: Justin Morgan of Daviess County for junior agricultural sciences, Rebecca Jones of Warren County for junior animal sciences, Tanya Pickering of Meade County for senior creative crafts and Kelly Hoskins of Daviess County for senior general.

There were also many 4-H winners at the Kentucky State Fair this year and they are as follows: Barren County—Stephen Gardner, Carrie Harlow, and Cassie Martin; Breckinridge County—Sarah Parr, Mindy Wilson, Stacey Edge, Lindsey Harper, Adam Hobbs, and Tyler Howell; Casey County—Carlotta Baldock, Michael King, Joshua Whitis, Kristy Smith, and Jennifer Smith; Daviess County—Billie Layman, Holly Stemle, Jenny Taylor, Wesley Chancellor, and Erika Jones; Grayson County—Trevor Saltsman, Joshua Woodrum, and Jon Young; Hancock County—Ben McCarty and Zachary McCarty; Green County—Sean Desimone, Shane Desimone, Adam Scott, Daniel Trowbridge, 22 rifle team (12-14 years) and BB team (9-11 years); Hardin County—Trina Hurt, Amanda Ramer, Stacy Campiglia, Lindsey Cottrell, Jay Doyle, Chris Druin, Missy Sadler, Glendale Children's Home, Philip Cochran, John Poskin, Jo Ann Middleton, and Michael Rider; Hart County—Tiffany Wright, Brian England, Mandy Hatcher, Joe Ben Atwell, and Bradley Atwell; Larue County—Amy Vincent, Matt Rock, Beth Matthews, Jason Detre, Justin R. Thomas, Patrick Durham, Andy Holbert, and Laura Beth Dennis; Marion County—Emily Nally, Susan Cartwright, Daniel Johnson, and Amanda Lee; Meade County—Tanya Pickering, Andrew Benham, Chad Pickering, Elizabeth Hardesty, Tara Pike, Matthew Gleitz, Stephen Hale, Krystal Staples, and Katie Staples; Metcalfe County—Mike Harris, Kevin Branstetter, and Amber Branstetter; Nelson County—Tommy Zabenco, David Urekew, Daniel Urekew, Brian Raisor, Lucas Raisor, J.D. Gentry, Jessica Gentry, Mark Lundy, Donna Lundy, Jacob Miller, Marcus Monroe, Tony Jury, Seth Miracle, Nelson County archery bare bow team (12-14 years) and the Nelson County air pistol team (12-14 years); Spencer County—Heather Herndon and Michael Ulery; Warren County—Will Meng, James Neal Chaney, and Jesica Chancey; Washington County—Anne Nicole Davis, Leigh Ann Campbell, and Joseph Tapp.

I would like to commend all of those involved with 4-H programs in the Second Congressional District of Kentucky and throughout the United States for their many accomplishments. All down through the years, 4-H has stood for education, community service, and leadership and because of this, 4-H really does make a difference.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.
Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

TRIBUTE TO PASTOR HERMAN N. THOMPSON

HON. LUCIEN E. BLACKWELL

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 5, 1993

Mr. BLACKWELL. Mr. Speaker, I rise today on the floor of the U.S. House of Representatives to pay tribute to one of Philadelphia's most beloved clergymen. On Sunday October 10, Pastor Herman N. Thompson will be honored at a banquet celebrating his 30 years of service to the Lord Jesus Christ. To commemorate this most special occasion, I would like to take a moment to reflect on the remarkable career of this outstanding individual.

As the senior pastor of the Garden of Prayer Church of God in Christ in the great city of Philadelphia, Reverend Thompson has led his congregation with the greatest sense of dedication and commitment to the good works of the Lord Jesus Christ. Reverend Thompson has always fought for the betterment of the Philadelphia community, and has proven himself an excellent advocate and fighter for the urgent needs that constantly face our area.

Mr. Speaker, throughout his career, Reverend Thompson has also been a major asset to many organizations in our community. Through his constant dedication and boundless energy, Reverend Thompson has certainly provided a great many Philadelphians with new opportunities, and restored hope and faith.

I would like to ask my colleagues to rise and join me in paying our greatest tributes to my dear friend, Rev. Herman N. Thompson. I would also like to extend our warmest appreciation to Reverend Thompson's beloved family. On behalf of the entire U.S. Congress, I would like to offer my greatest thanks and appreciation to Pastor Herman N. Thompson. May God continue to bless and smile on this truly great man, so that he may continue to preside over our spiritual community for 30 more years. Thank you Mr. Speaker.

CONGRATULATIONS TO HUNTER COLLEGE'S PUBLIC SERVICE SCHOLAR PROGRAM ON A DECADE OF SUCCESS IN SERVICE

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 5, 1993

Mrs. MALONEY. Mr. Speaker, I rise this afternoon to bring to the attention of my colleagues a superb public service program that should be considered as a model for the Nation. I am speaking of the Public Service Scholar Program of Hunter College, located in New York City. The program will celebrate its 10th anniversary tomorrow.

This program was created in 1982 by the president of Hunter College at the time—Donna Shalala, who now serves the entire Nation as the Secretary of Health and Human Services. The program was designed to give undergraduate students an opportunity for meaningful participation in public service through internships in government agencies, legislative offices or nonprofit organizations.

In order to participate, students must have a solid academic background and a demonstrated enthusiasm for the policy area. Once accepted, the public service scholars must adhere to a strenuous academic and professional schedule, devoting a minimum of 20 hours a week to the internship and participating in intensive seminar courses at the college.

Since its inception, 230 scholars have successfully completed the program. According to a recent alumni survey, over 58 percent have worked or are currently working in public service.

Before I was elected to Congress, I served for 10 years as a member of the New York City Council. During that time, I had the good fortune to have several public service scholars work in my office. I was consistently impressed with their accomplishments. For example, a public service scholar was responsible for drafting legislation for the first joint Mayoral-City Council Commission on Child Care; another scholar conducted the first comprehensive survey of gender balance on the appointive boards and commissions of New York City, the results of which gained citywide press attention and led to the introduction of gender-balance legislation.

As a city council member and now as a Member of Congress, I have had extensive experience with many internship programs involving the finest universities in the Nation. I can honestly say that the caliber of the public service scholars has been magnificent.

While the public service scholars deserve all the credit for their accomplishments, I believe that much of the success of this program lies with its director, Elaine Walsh and her deputy Kimberly Floyd. I have rarely seen two more dedicated and devoted people in any line of work. The continuing success of the program is due in large part to their able leadership.

Again, I commend this program to the attention of my colleagues and urge other universities and colleges to follow its success. Ten years truly is only the beginning.

TRIBUTE TO DAVID W. PARKHURST

HON. BARBARA F. VUCANOVICH

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 5, 1993

Mrs. VUCANOVICH. Mr. Speaker, it is with much sadness I must report the recent passing of a constituent of mine, Mr. David W. Parkhurst, of Carson City. A prospector and mining consultant, Dave was the voice of the small miner in Nevada and the West. Dave was a long-time member and president of the Nevada Miners and Prospectors Association. He lobbied the State legislature on issues critical to the survival of individual miners and prospectors. Dave wrote monthly for the widely read California Mining Journal and also penned an informative column in the Nevada Mining Association's bulletin styled "Parkhurst's Nuggets."

Through these articles Dave became a well-known correspondent and spokesman for small mining entities. He reported to his readers the workings of the Congress to reform the mining laws applicable to the public lands. Dave encouraged them to become engaged in the ongoing debate that threatens to force the individual prospector and mom and pop miners from our Western public lands in their search for minerals that society wants. Few knew better than Dave Parkhurst the role the "small miner and prospector" have played in discovering and evaluating mineral deposits later worked by larger corporate miners.

It is with some irony, Mr. Speaker, that Dave's sudden passing occurred but a few weeks after mining claimants on the Western public lands were called upon to pay holding fees for the first time, in lieu of performing labor on their claims to develop the deposits. Dave had been a vigorous proponent of small miner relief from this new tax burden, and indeed some exemption language was enacted by Congress, albeit not nearly as wide-reaching as he had sought. Well, Dave knew better than Congress that the Federal budget deficit cannot be balanced on the backs of public lands users. He foresaw the abandonment of a tremendous number of mining claims because of the tax, and he has been proven correct. Only, one-fourth of mining claims that were of record only a few years ago remain in good standing today.

Mr. Speaker, we will miss Dave in Nevada. He fought the good fight against those who wish to see the public lands put off-limits to extractive industries. Dave Parkhurst's legacy will be the words he has left us to ponder as we debate the proper stewardship policies for the public lands, I, for one, have heard you Dave. I will be steadfast in my efforts to ensure a place for miners and prospectors on our public lands.

TRIBUTE TO THOMAS EDISON MUSEUM

HON. PAUL E. GILLMOR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 5, 1993

Mr. GILLMOR. Mr. Speaker, it gives me great pleasure to take this opportunity to pay tribute to the Thomas Edison Birthplace Museum in Milan, OH. America's greatest inventor was born in this northern Ohio town in 1847.

Built in 1841 by Edison's father, Thomas lived there until age 7. The two-story home was repurchased by Mr. Edison's sister in 1890 and later purchased by the inventor himself. A cousin lived there until 1947, when Mr. Edison's wife converted it into a museum. Today it stands as a national historic landmark.

Recently, a $2 million fund raising drive was inaugurated to bolster the endowment that provides money for the preservation of the museum. This is necessary to keep the museum open to the public. Without the immediate generosity of corporations and individuals, this treasured piece of history could be lost.

Mr. Speaker, it would be a shame if the birthplace of the man who holds more patents

than anyone in history, was forced to close its doors. Now more than ever, schoolchildren and their parents need the opportunity to learn about one of America's true heroes. I ask my colleagues to join me in supporting this monument to our national heritage.

HONORING JUSTICE THURGOOD MARSHALL

HON. JAMES E. CLYBURN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 5, 1993

Mr. CLYBURN. Mr. Speaker, Justice Thurgood Marshall was a man who, for many years, took us on a journey of courage into every sector of this Nation.

One of the stopoffs in his journey was a small, rural school district in South Carolina. It was a place where the separate and unequal public education system had reached an intolerable level. Justice Marshall, then an attorney for the NAACP, came to Scotts Branch School in Clarendon County in 1950. His courage ignited a flame in people such as the Reverend J.A. Delaine, Henry Briggs, and attorney, Harold Boulware, and a hundred other families who risked their safety and security to join Thurgood Marshall in resisting the system.

The South Carolina lawsuit was named Briggs versus Elliot and it was joined with the Topeka, Kansas case, Brown versus Board of Education and others to become a landmark Supreme Court case. We all know the outcome of the 1954 decision, and we know the enormous impact it has had on virtually every aspect of American life.

I join you today with great joy in recognizing what the life and accomplishments of Thurgood Marshall have meant to all of us. I'm, not certain that I—and many of my colleagues—would even be here today were it not for him.

It's particularly fitting that his name be linked to the values of a lawful society in America. He once said, "Lawlessness is lawlessness. Anarchy is anarchy. Neither race nor color nor frustration is an excuse for either lawlessness or anarchy." this tribute and others to come will help to carry out his beliefs. It is for us here today in many ways to carry out the dreams and wishes of people such as Thurgood Marshall.

Clarendon County is in South Carolina's Sixth Congressional District, the district I am proud to represent in this House of Representatives. Scotts Branch School is still in operation, and still—for the most part—segregated. The surrounding countryside is still in an area of economic hardship.

The lives and the community touched by Thurgood Marshall four decades ago in this small South Carolina setting are still in need of our serious attention. The hope he gave us must not be extinguished. The descendants of those people whom he joined in a journey of courage must realize that the journey is still underway. They must know that there are those willing and able to continue the journey and to take up the challenge Thurgood Marshall has left to us.

TRIBUTE TO LOUIS RICHARDSON

HON. LUCIEN E. BLACKWELL

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 5, 1993

Mr. BLACKWELL. Mr. Speaker, I rise today to pay tribute to one of Philadelphia's finest citizens. As the world renowned Bethany Baptist Church of Philadelphia prepares to honor Mr. Louis Richardson as their "Man of the Year," I would like to take a moment to reflect on this outstanding individual and his remarkable dedication to our community.

As the cochairman of the Men of Bethany Fellowship, Mr. Richardson has been a tremendous leader at the church, assembling 150 men and 100 young men to strengthen the spiritual, secular, and intellectual awareness of the entire congregation. The fellowship has been a powerful force in our community, strengthening the moral fiber of our neighborhoods, and leading the way for a general improvement in the overall quality of life for all of the citizens of Philadelphia.

Mr. Speaker, God has truly blessed Mr. Richardson with the power to bring out the very best in his fellow man. Day or night, those that know Louis Richardson are well aware of the fact that he is always available to do the Lord's work. He is truly a man who can be trusted and counted on to fulfill his duty. From his chairmanship of the Bethany Capital Funds Committee, Mr. Richardson demonstrated his remarkable comprehension of the area of finance, saving the church more than $400,000 on a recent mortgage restructuring program. He was also instrumental in the recent renovation of Bethany's sanctuary, providing constant guidance and supervision during this glorious and intense process.

Furthermore Mr. Speaker, Louis Richardson has been a tremendous advocate for the city of Philadelphia. It is rare to meet a man who is so dedicated to his native city, and it is truly seldom that we find a man who actively works so diligently for the betterment of our city each and every day. From bringing church groups into Philadelphia, to fighting for improvements in our schools and neighborhoods, Mr. Richardson certainly exemplifies that Philadelphia is in fact "The City of Brotherly Love."

Mr. Speaker, I ask my colleagues to rise and join me in paying tribute to Mr. Louis Richardson. On behalf of the entire U.S. Congress, I wish to extend our heartfelt thanks and appreciation. May God continue to bless this truly outstanding man. Thank you Mr. Speaker.

JAMES MALLON: A BEACON IN BROOKLYN

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 5, 1993

Mrs. MALONEY. Mr. Speaker, I rise today to bring to the attention of my colleagues an important event which will take place on October 7, 1993, in my district. This event will be the 20th anniversary of Northside Senior Citizens, Inc., an organization which has done so much to serve the elderly of the Williamsburg/Greenpoint/Northside neighborhoods of Brooklyn.

Over the past two decades, the Northside Senior Citizens Center has provided support to thousands of seniors in our community. These innovative and effective programs include a highly successful seniors employment program and a homebound services program. The Northside Senior Citizens Center's work has touched many lives.

It is entirely appropriate that the center is taking the opportunity on October 7 to honor its founder and executive director, James F. Mallon. Mr. Mallon has served the Northside Senior Citizens Center with unstinting dedication since its creation back in 1973. His leadership and vision have made our community a better place.

Therefore, as this auspicious date approaches, I ask my colleagues to join me in saluting Mr. Mallon's 20 years of tremendous service to the Northside Senior Citizens Center as well as to the northern neighborhoods of the great borough of Brooklyn.

HONORING JONES, DAY, REAVIS, AND POGUE ON THE OCCASION OF THEIR 100TH ANNIVERSARY

HON. PAUL E. GILLMOR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 5, 1993

Mr. GILLMOR. Mr. Speaker, it give me great pleasure to take this opportunity to pay tribute to the Cleveland based international law firm of Jones, Day, Reavis, and Pogue, on the anniversary of its 100th year of client service.

On March 1, 1893, a partnership was formed by two eminent Cleveland lawyers, Judge Edwin J. Blandin and William Lowe Rice. In this partnership, a respected litigator and former common pleas judge, joined forces with a young lawyer who was emerging as one of Cleveland's leading corporate counselors and businessmen.

From the ranks of this 19th century partnership emerged leaders who would guide the firm into the modern era. In 1911, the firm engaged the services of a new associate, Thomas H. Jones. In time, Tom Jones would become managing partner. One of his first steps to strengthen the organization was to place the firm's litigation practice under the leadership of Luther Day, one of the greatest trial lawyers in Ohio history. Together they created an international law firm with 1,000 lawyers in 20 offices.

As Jones, Day marks its 100th year of service, we commemorate the past and celebrate the future. A new generation of lawyers continues the exemplary record the firm has set in the legal profession.

Mr. Speaker, I ask my colleagues to join me in congratulating the employees of Jones, Day for their past achievements and encouraging them to continue to hold themselves to the high standards of integrity that clients in Ohio and throughout the world have come to expect.

A SPECIAL SALUTE TO ROBERT P. MADISON—SBA NATIONAL 8(A) GRADUATE OF THE YEAR

HON. LOUIS STOKES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 5, 1993

Mr. STOKES. Mr. Speaker, I am pleased to rise today to salute a resident of my congressional district, Mr. Robert P. Madison, who serves as chairman and chief executive officer of Robert P. Madison International, Inc. Mr. Madison recently received notification that he has been selected as the Small Business Administration's [SBA] "National 8(A) Graduate of the Year." His architectural and engineering firm which he founded in 1954 is one of the Nation's top ranked.

This week our Nation observes Minority Enterprise Development Week. The observance provides an opportunity to acknowledge the many outstanding achievements of minority businesses throughout the Nation. One of the highlights of the Minority Enterprise Development Week is a special White House presentation ceremony for outstanding business leaders. Mr. Madison is scheduled to meet with President Clinton at that time to receive his 8(A) Graduate of the Year Award.

Mr. Speaker, I can personally state that Robert P. Madison is more than deserving of this special recognition. As he prepares for the upcoming White House ceremony, I am proud to rise to salute him on this special occasion. I want to use this opportunity to share with my colleagues and the Nation some information on this exceptional individual.

Robert P. Madison received his bachelor's degree in architecture from Western Reserve University and his master's degree in architecture from Harvard University. His education also included a Fulbright fellowship at L'Eclole des Beaux Arts in Paris, France. In 1954, Madison opened offices in Cleveland, OH. His business was the first minority-owned firm established in the State of Ohio, and only the 10th in the United States.

Today, Robert P. Madison International, Inc. is a multimillion dollar company with branch offices located in Indiana, Michigan, Illinois, Wisconsin, Pennsylvania, and Georgia. It has also worked on projects in conjunction with the governments of Trinidad and Tobago, Jamaica, the Bahamas, and Nigeria. The firm has developed an international staff of professionals in architecture, engineering, and planning.

Mr. Speaker, Robert Madison is an exceptional businessman. As the chairman and chief executive officer of Madison International, Inc., he sets performance standards of professional excellence for the company and assumes personal responsibility for seeing that they are met. He brings to the position of chairman and chief executive officer mature judgment and a world-view perspective based on more than 40 years' experience.

Robert P. Madison is the recipient of many honors and awards. He is listed in Who's Who in the World and Who's Who in America. His memberships include the American Institute of Architects, the Architects Society of Ohio, and the College of Fellows of the American Institute of Architects. Robert P. Madison International, Inc., has also been awarded the Alumnus Award from Howard University for "Significant Achievement in the Field of Architecture," as well as the university's "Distinguished Firm Award."

Mr. Speaker, I am pleased to join Robert Madison's colleagues, friends, and associates in saluting him on this important occasion. He is a close personal friend who is certainly deserving of the SBA award. I applaud his selection and wish him much continued success.

DOMESTIC CHEMICAL DIVERSION CONTROL ACT OF 1993

HON. BART STUPAK

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 5, 1993

Mr. STUPAK. Mr. Speaker, today I am introducing legislation, the Domestic Chemical Diversion Control Act of 1993, to help end illicit sales of ephedrine and related chemicals that are being used to manufacture the drug methcathinone, or cat, which is reaching epidemic proportions in Michigan's upper peninsula.

Methcathinone, or cat, is proliferating in northern Michigan and has recently penetrated Wisconsin, Illinois, and Indiana. Cat is a potent stimulant that is easily made in a laboratory garage, basement, or apartment. Cat is highly addictive. The chunky, off-white powder somewhat resembles crack cocaine in appearance and potency. Made in crude laboratories from easily obtained ingredients such as drain cleaner and epsom salts, it can be inhaled, smoked or watered down, and injected.

Many cat addicts smoke marijuana or drink excessive amounts of alcohol to ease the nervous jerks and paranoia associated with chronic abuse. Addicts often go on binges of continuous cat use for up to eight days, never sleeping, and eating very little, if at all. To avoid the terrible pains of crashing off the drug, addicts smoke increasing amounts of marijuana and consume excessive amounts of alcohol to the point of unconsciousness.

A key ingredient in making cat is ephedrine, which can be obtained over the counter in tablet form. Pharmaceutical products containing ephedrine are being purchased in large quantities and utilized in the clandestine labs that make cat. While bulk ephedrine is regulated under the Chemical Diversion and Trafficking Act [CDTA], tableted ephedrine products are exempt from CDTA regulations.

The Domestic Chemical Control Act, which I am introducing today, was developed by the Drug Enforcement Agency [DEA] as a result of its experience in implementing the Chemical Diversion and Trafficking Act [CDTA]. The CDTA demonstrated the effectiveness of chemical control as a law enforcement tool.; However, their are two critical weaknesses in the CDTA which must be remedied if we are to address the problems associated with the proliferation of cat and other chemicals manufactured in domestic clandestine labs since the CDTA was implemented.

The major emphasis of chemical control is prevention. The goal of this legislation is to prevent clandestine laboratory operators from obtaining the chemicals they need to manufacture illegal drugs. This proposal will greatly strengthen DEA's prevention program by taking two important steps.

First, the legislative would modify the so-called legal drug exemption of the CDTA. The exemption precludes the application of any of the regulatory control measures of the CDTA to a listed chemical which is contained in a drug product approved under the Food, Drug, and Cosmetic Act. For example, ephedrine is the primary precursor being used in the illicit production of methamphetamine and methcathinone in this country. Ephedrine powder is a listed chemical fully subject to the CDTA. However, ephedrine tablets are exempt from the CDTA since they are an approved drug product. As a consequence, when the CDTA was implemented, clandestine laboratory operators began purchasing 25 mg tablets by the millions to escape the scrutiny being applied to sales of ephedrine powder. In fact, the first seizure of a clandestine laboratory using ephedrine 25 mg tablets occurred only 26 days after the CDTA was implemented.

The proposal removes ephedrine products from the exemption and grants DEA the authority to remove the exemption from any other drug products which are diverted to use in the illicit production of controlled drugs. As a consequence, after the legislation is enacted, ephedrine tablets will be subject to all of the controls of the CDTA and DEA will be able to respond through the rulemaking process if the laboratory operators switch to another legal product in place of the ephedrine tablets.

The second major element of the proposal would establish a registration system for distributors, importers, and exporters of those listed chemicals which are diverted within the United States. This registration system is precisely patterned after the system which has been successfully applied to legitimate controlled substances for over 20 years. It will enable DEA to prevent a firm from distributing these covered chemicals if it can be shown that registration of the firm is contrary to the public interest. This will provide DEA an effective means for dealing with firms which participate in the diversion of listed chemicals. Currently, the only remedy is criminal prosecution which requires that it be proven that the firm distributed the chemicals knowing that they would be used to illegally produce a drug. This is a very difficult burden of proof to satisfy and because of this, DEA has been severely hampered in its ability to effectively deal with the firms which are the sources for diverted listed chemicals.

Mr. Speaker, this is desperately needed legislation to help stop a burgeoning drug crisis in Michigan's upper peninsula. I hope we can move quickly to make these much needed refinements to our chemical control law.

AIR FORCE MAJ. GEN. BILLY G. McCOY RETIRES

HON. BARBARA F. VUCANOVICH

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 5, 1993

Mrs. VUCANOVICH. Mr. Speaker, today I honor a man who has given 30 years of his life in service to his country. As Maj. Gen. Billy G. McCoy retires from the Air Force, I would like to relate just some of his accomplishments.

I met the general in 1989 when he took command of the Tactical Fighter Weapons Center at Nellis AFB in my district, the largest and busiest base in the Tactical Air Command. He was the last Center commander to command the 445th tactical Group responsible for development of the F117A Stealth fighter. Shortly thereafter, the F117A's were the lead attach force in the opening salvos of the gulf war.

His accomplishments at Nellis included transforming the joint Red Flag training exercises into Desert Flag, thereby providing specialized training in desert warfare which served as well in the gulf. He also integrated adversary tactics training into Red Flag; and he negotiated the development and opening of the Nellis Federal Prison Camp, saving substantial funds and providing useful work for inmates.

The general is a command pilot with more than 2,800 flying hours in the A–10, F–4, F–15 and F–104 aircraft. His military awards and decorations include the Defense Superior Service Medal, the Legion of Merit, the Distinguished Flying Cross and the Vietnam Service Medal with three service stars. McCoy flew 223 missions as an F–4E flight commander in Vietnam.

General McCoy is a native of Texarkana, TX, and was graduated from Texas A&M University in 1963. He completed a master's in business at Auburn University in 1975. He was commissioned as a second lieutenant through the Air Force Reserve Officer Training Corps Program in August 1963.

During his career, General McCoy was assigned to NATO in Vicenza, Italy and the Royal Air Force Station, Bentwaters, England. He commanded the 31st Tactical Fighter Wing at Homestead AFB and the 1st Tactical Fighter Wing at Langley in Virginia. He then became commander of Tactical Air Command's 832d Air Division at Luke AFB in Arizona; and in 1987 became deputy chief of staff for operations of NATO's Second Allied Tactical Air Force, Rheindahlen, West Germany.

His last assignment, before retirement in August, was command of the 37th Training Wing at Lackland AFB in Texas.

I take great pleasure in saluting Maj Gen. Billy G. McCoy for an excellent record of service and accomplishment. I wish he and his wife Linda the joys of retirement and the satisfying memories of a job well done.

THE NATIONAL ENVIRONMENTAL POLICY ACT OF 1969 [NEPA]

HON. MAJOR R. OWENS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 5, 1993

Mr. OWENS. Mr. Speaker, perhaps the greatest failure of democracy is that those who are the most affected by our environmental decisions—the unborn generations—are not present to have their voices counted. That is why today I have introduced legislation that would strengthen U.S. leadership in international efforts to improve the quality of the global environment. The legislation would achieve this goal by extending the reach of the National Environmental Policy Act of 1969 [NEPA] to Federal extraterritorial actions and domestic actions having extraterritorial impact.

For more than 20 years, NEPA has been the centerpiece of U.S. environmental law, making environmental protection the mandate of all Federal agencies. NEPA requires agencies to assess the environmental impacts of proposed actions and to examine possible alternative actions. If an agency action has the potential to significantly affect the quality of the human environment, then an agency must prepare an environmental impact statement [EIS]. If an agency action will not significantly affect the quality of the human environment, then an agency need only prepare an environmental assessment.

NEPA's strength lies in its democratization of Federal administrative law. NEPA mandates public and interagency involvement. It thereby empowers citizens with the information they need to meaningfully contribute to the environmental decisionmaking process.

The Federal courts have diligently enforced NEPA, enjoining agency actions when they were unsupported by documentation as to their environmental effects. In this fashion, the courts have helped to carry out NEPA's mandate of informed decisionmaking.

However, the courts have been reluctant to interpret NEPA's reach to extend to actions taken beyond the territorial boundaries of the United States, despite NEPA's explicit concern with the global environment. This bill would make clear Congress' intent to apply NEPA not only to domestic actions, but also to extraterritorial actions and domestic actions having extraterritorial impact.

Specifically, actions covered by NEPA would include the President's submission to Congress of implementing legislation for trade agreements. This is sound environmental policy. Bilateral and multilateral trade agreements inevitably have environmental consequences which must be thoroughly examined prior to their approval.

As it has been preparing to submit implementing legislation for the North American Free-Trade Agreement [NAFTA], the Clinton administration has refused to prepare an environmental impact statement. As a result, Public Citizen, the Sierra Club, and Friends of the Earth filed suit. On September 24, 1993, the U.S. Court of Appeals for the District of Columbia Circuit ruled that an environmental impact statement is not required for NAFTA.

The court pointed out that NEPA does not create a private right of action, forcing plaintiffs to rest their claims for judicial review of Federal agency decisions not to prepare an EIS on the Administrative Procedure Act [APA]. The APA permits judicial review only of final agency action. The court reasoned that the President is not an agency within the meaning of the APA, and that final action had not been taken since the implementing legislation had yet to be introduced in Congress. Therefore, the court concluded that judicial review was not available.

Based on the court's holding, even once the President submits the implementing legislation to Congress, the court would still be unable to review the President's decision not to prepare an EIS because plaintiffs would only have standing to sue under the APA, and the President is not an agency. Therefore, NEPA can be avoided by the executive branch every time that the President has final constitutional or statutory responsibility for the final step necessary for the agency action directly to affect the parties. Public Citizen versus Office of the U.S. Trade Representative, No. 93–5212, slip op. at 7 (D.C. Cir. Sept. 24, 1993).

This is an unfortunate and unintended result which can be corrected by my legislation. The bill would grant individuals a private right of action under NEPA to sue the President or his executive office for appropriate relief when an environmental impact statement is not submitted pursuant to implementing legislation for a trade agreement.

The involvement of the President in negotiating a trade agreement should not relieve the Office of the U.S. Trade Representative [USTR] of its obligations under NEPA. Moreover, applying NEPA to trade agreements would not interfere with the executive branch's ability to carry out its constitutionally assigned functions. USTR would make EIS preparation an integral part of its negotiating process, just as other agencies have done with international agreements.

It is possible that only some of NAFTA's provisions would be environmentally harmful. But without the preparation of an objective EIS, the American public and Congress lack the information necessary to make an informed decision as to whether NAFTA's economic benefits outweigh its environmental costs.

This is not an attempt to de-rail NAFTA. If this bill is passed, the President would be free to submit implementing legislation to Congress. However, he also would have to prepare an EIS. Thus far, the administration has merely asserted that NAFTA would be environmentally beneficial. This legislation provides the United States with the opportunity to be a world leader on the environment. It would set the standard for global environmental responsibility among trading partners. If we can be a military superpower, we are certainly capable of becoming an environmental superpower. We just need the will to do it, and passage of this legislation would prove that we have the will.

AMERICANS FOR SCHOOL CHOICE

HON. JOHN A. BOEHNER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 5, 1993

Mr. BOEHNER. Mr. Speaker, on October 7, 1993, a new group will kick off—a group devoted to revitalizing American schools. Americans for School Choice seek to give all parents the freedom to choose the schools for their children and to give all schools the right to be locally run and free of bureaucratic control. All who are concerned with our children's future should agree with and want to see these objectives achieved.

Americans for School Choice is the latest sign that the school choice movement is catching on throughout the Nation. Whether it's east Harlem or Wisconsin, parents are standing up for their right to send their child to the school of their choice. According to a 1992 Gallup Poll, school choice is favored by 70 percent of all Americans, 78 percent of parents with children in school, 86 percent of blacks and 84 percent of Hispanics. There are also school choice initiatives in California, Michigan, Georgia, and Jersey City, NJ.

Leaders from across America have signed onto this organization. Its board of directors includes: Lamar Alexander, former Secretary of Education and Governor of Tennessee; William Bennett, former Secretary of Education; Polly Williams, State representative from Wisconsin; William Weld, Governor of Massachusetts; Tommy Thompson, Governor of Wisconsin; John Engler, Governor of Michigan; and Brett Schundler, mayor of Jersey City, NJ. I am proud to announce that I too have agreed to serve on this board, along with Representative DICK ARMEY (R–TX) and Senator CONNIE MACK (R–FL).

Americans for School Choice is needed now more than ever. It will be unlike any group that has come before. With an emphasis on action, it will go into the trenches across the country pushing school choice initiatives. It promises to be a dynamic group devoted to making things happen so our schools are improved.

Currently, the only parents who can choose the school for their children are those who can afford private schools, such as Bill and Hillary Rodham-Clinton who are able to send their daughter to a private school. This lack of choice grants the public schools a virtual monopoly which forces parents to keep their children in schools which are not providing an adequate education.

School choice would put funds in the hands of parents, who would be empowered to decide where to send their children. This power will make true consumers out of parents and force schools to compete for students. This competition will force public schools to improve or risk losing students.

America already has choice among our universities, and it is this competition which has made our higher education system the envy of the world. Just like universities, elementary and secondary schools should be forced to compete, improve, and specialize in order to attract students.

We must remember the stakes involved in sticking with the status quo. America's schools are nearly incapable of preparing our children to compete in the global economy of the 21st century. While the United States spends more per student than any other industrialized country, we have some of the lowest test scores. This correlation must change or this country will be left unable to compete. School choice will go a long way in improving our schools, raising our children's test scores, and preparing this Nation for the next century.

I am encouraged by Americans for School Choice and would urge my colleagues to support their group. We all need to work to ensure that America's schools are improved and all parents have the right to send their child to the school of their choice.

NICHOLAS POLONSKI HONORED AS COMMUNITY LEADER

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 5, 1993

Mrs. MALONEY. Mr. Speaker, I rise today to bring to the attention of my colleagues the achievements of an important member of the Brooklyn community, Mr. Nicholas Polonski, chairperson of the Northside Community Development Council.

Nicholas Polonski has spent the better part of 25 years serving his community. A family man, Mr. Polonski and his wife Teri have passed along their belief in community service to their daughter Rosemarie and her husband John McDonald, and to their grandchildren Steven, John, and Michael.

Mr. Polonski served in the Armed Forces with tremendous distinction and had a highly successful career as a confidential investigator in the New York City Department of Sanitation. Currently, along with his position on the Northside Community Development Council, he is semi-retired and works for Shea Stadium in the security division. Mr. Polonski has also been a longtime sponsor of the Northside Senior Citizen Center, improving the lives of countless seniors in the Northside neighborhood of Brooklyn.

Mr. Polonski's lifetime of service to his country and his community is an inspiration to us all. That's why I would like my colleagues to join me in paying tribute to Mr. Polonski by acknowledging him as "Honorary Mayor of the Northside."

DISASTER IN INDIA

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 5, 1993

Mr. HASTINGS. Mr. Speaker, I would like to extend my condolences to the Government and people of India after last weeks' horrific earthquake in the state of Maharashtra. Because I represent an area in south Florida that was devastated by Hurricane Andrew, I can empathize with the survivors and the relief officials who now face the daunting task of providing shelter for the victims while they rebuild the local infrastructure.

The degree of destruction illustrates once again how much more work we have to do in bringing all of the nations of the world up to the building standards which would prevent mass destruction from occurring after a natural disaster. And I encourage our own Government to assist India in providing whatever advice or assistance she may be needing in the near future while she struggles to shelter, feed, and clothe her citizens.

MISSOURI STATE SENATOR RONNIE DEPASCO—COLUMBIAN OF THE YEAR

HON. ALAN WHEAT

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 5, 1993

Mr. WHEAT. Mr. Speaker, I am honored to rise today to pay a special tribute to Missouri State Senator Ronnie DePasco on being named this month as "Columbian of the Year" by the American Sons and Daughters of Columbus.

A lifelong resident of Northeast Kansas City, Senator DePasco has worked hard to make our community and our State a better place to live and work. For nearly 20 years—first as a State representative and now as a State senator—he has devoted his public service career to improving the lives of countless hard-working Missourians and their families.

Mr. Speaker, I am proud to call Senator DePasco a colleague and a friend. I enjoyed working side-by-side with Ronnie when we served together in the Missouri State House of Representatives. Today, I remain honored to work together with Ronnie to respond to the needs of our area and our State.

Naming Senator DePasco as "Columbian of the Year" is a much deserved and well-earned tribute to an exemplary public servant. His commitment and dedication to community and family are of the highest order. I extend my congratulations to Ronnie for receiving this award.

TRIBUTE TO YIM FUTT LEE OCTOBER 5, 1993

HON. JERROLD NADLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 5, 1993

Mr. NADLER. Mr. Speaker, today I rise to pay tribute to Mr. Yim Futt Lee, from my Congressional District of Brooklyn, as the 1993 recipient of the Peter J. Salmon Award for National Blind Worker of the Year. This prestigious award is given annually by the National Industries for the Blind, a nonprofit organization dedicated to the employment and personal empowerment of people who are blind.

Yim Lee personified all that this award represents to people who are blind and who aspire to earn an independent living for themselves and their families through meaningful employment. Mr. Lee, as a young man in Burma, supported his wife Ngo Yee Lee and their children through his work as a carpenter,

tailor and watchmaker. He later became a chef on a cruise ship which mainly served consulates and staff from the United Nations. In this profession he quickly became widely recognized and decided to come to America in 1980 to pursue a career as a restaurant chef.

While in America, at the age of 37, however, Mr. Lee lost his eyesight due to an allergic reaction to prescribed medication to treat eye ulcers. With the help of the Jewish Guild for the Blind where Mr. Lee was taught to redevelop his mobility, independent living, and job skills, Mr. Lee redirected his talent to the tailoring profession.

Mr. Lee soon became so proficient that he was able to gain employment with the Lighthouse Industries in Long Island City as a sewing machine operator. He has worked there for 6 years now, and has developed a number of personal hobbies including exercise, weightlifting, and others sports. Mr. Lee should also be commended for his leadership in the community. He has been involved in a number of social, and educational development activities for others with visual impairments.

Every summer Mr. Lee and his family participate in programs at Visions Camp for the Blind, where people who are visually impaired interact through recreational activities and supportive programs. Mr. Lee is also active in organizing monthly meetings for the visually impaired in Chinatown where participants discuss political, legal, job accessibility and public education issues.

Mr. Lee is an inspiration to all people and especially to those with visual impairments. This month Mr. Lee will be officially honored at the Annual Conference of National Industries for the Blind and the General Council of Workshops for the Blind. He is certainly due this prestigious award and recognition. Please join me in applauding Mr. Lee for his courage, leadership and perserverance in meeting these difficult challenges, living his life to the fullest, and helping others do the same.

CRAWFORD MEMORIAL METHODIST CHURCH

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 5, 1993

Mr. ENGEL. Mr. Speaker, I wish to take this opportunity to recognize the 141st anniversary of the Crawford Memorial United Methodist Church, which is being celebrated this week by residents of my district.

Since the early 1900's, the Crawford Church has been at its present location in Wakefield, and currently has a congregation of more than 450 members. The community has always found it as a place to turn to for inspiration and support. The church sponsors a Boy Scout troop, operates a senior citizen food program and runs other activities. These are just some examples of how the church touches the lives of people on a daily basis.

I congratulate the Crawford Memorial United Methodist Church for all its good works over the years and wish the congregation and clergy many more years of success.

69-059 O—97 Vol. 139 (Pt. 16) 39

STEPHEN HIGGINS—A DEBT OF GRATITUDE

HON. JIM LIGHTFOOT

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 5, 1993

Mr. LIGHTFOOT. Mr. Speaker, I would like to take a moment to recognize the achievements of an individual who has been through trying circumstances in the past few months, and who deserves our thanks and recognition upon his retirement from public service: Stephen E. Higgins, the Director the Bureau of Alcohol, Tobacco and Firearms since 1983.

Steve Higgins is a dedicated, honorable man who has served his country well. Unfortunately, he has been placed between a rock and a hard place since last spring by the events surrounding the Waco tragedy. However, Mr. Higgins has had a long and distinguished career of public service which should not be overshadowed by recent events.

Steve began his career in public service with the Bureau of alcohol, tobacco and Firearms in 1961 in Omaha, NE, less than 60 miles from my hometown. He has served in virtually every operational function within the Bureau, from regional director of the Midwest Region in Chicago, to being appointed Director of the Bureau in March of 1983 by President Ronald Reagan.

He has been a three-time recipient of the Meritorious Executive Award, a Presidential honor granted for the first time in 1980. And in 1988, he was presented the Distinguished Executive Rank Award by the President, the highest award available in the senior executive service. President Reagan cited Director Higgins as a front-line commander in the fight against armed career criminals and armed drug traffickers, and for pioneering the use of firearms laws against drug cartels, much as other "G-Men" once used the tax laws against Al Capone.

Stephen Higgins is a man who deserves our thanks for his devotion to making our country safer, and for maintaining integrity and honor in the face of all the worst that could befall him professionally. There have been many times in the past few months when I did not envy the position he was in, but his dedication to his principles, his country and his employees never wavered and neither did my respect for him. He has served with honor.

Thank you, Steve. We wish you the best.

TRIBUTE TO AFLAC AND DAN AMOS

HON. MICHAEL A. "MAC" COLLINS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 5, 1993

Mr. COLLINS of Georgia. Mr. Speaker, I rise today to pay tribute to the thousands of men and women from Georgia's Third District who have made AFLAC Inc., the most financially sound health insurance company in our Nation for the second consecutive year.

To determine rankings, Financial World magazine analyzed 1992 year end data supplied by the National Association of Insurance Commissioners covering several categories. As was the case last year, AFLAC ranked first in financial strength and ability to pay claims. The company continues to be the world's leading supplemental insurance company, insuring 35 million people worldwide.

AFLAC maintains its headquarters in Columbus, GA, where it was founded by the late John Amos. Today under the leadership of his nephew, Dan Amos, AFLAC continues to set the standard by which all other insurers are measured.

DAN PELLEGRINI SALUTED

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 5, 1993

Mr. MILLER of California. Since 1981, Daniel L. Pellegrini has served the citizens cf Martinez, Pacheco, Vine Hill, Port Costa, Clyde, and northern portions of Concord as their representative on the board of directors of the Contra Costa Water District. Dan is an old friend who comes from a distinguished fourth-generation California family whose roots have been firmly established in both the city of Martinez and in the county of Contra Costa as community leaders. During Director Pellegrini's tenure, his expertise as a maintenance superintendent for the Contra Costa County Public Works Department brought understanding and insight of both operations and maintenance issues before the Contra Costa Water District board of directors.

During his 12 years of service on the board of directors of the Contra Costa Water District, Dan Pellegrini has been dedicated to providing the highest quality water for his constituents and all 400,000 people who rely on the Contra Costa Water District. The 100,000 acre-foot Los Vaqueros project, which is designed to significantly improve water quality and system reliability, has advanced toward reality in large part because of Director Pellegrini's dedication to ensuring that the project stayed on track and its purpose kept in the public eye. Under Dan's leadership, the water committee of the board of supervisors was created to assist in the success of the Los Vaqueros Reservoir project.

Dan Pellegrini has been a leader on the Contra Costa County Water Task Force working with local and State leaders on water issues. He has been dedicated to the preservation of rivers and wildlife as the chairperson of the Contra Costa County Board of Supervisors' Fish and Wildlife Committee. Director Pellegrini is widely known for his stand against the Peripheral Canal or any other man-made conduit that could potentially degrade the water quality of the San Francisco Bay and delta's fragile ecosystem.

Dan and I went to school together and played high school sports together. He and his family are as much a part of the history of my hometown, Martinez, as any family there. I salute Dan for his years of service to our community and I look forward to his continued success.

TRIBUTE TO THE MILLE LACS BAND'S NAY-AH-SHING SCHOOLS

HON. JAMES L. OBERSTAR

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 5, 1993

Mr. OBERSTAR. Mr. Speaker, I would like to commend to my colleagues two editorials which describe a significant event that occurred in my district last week, the grand opening of the Mille Lacs Band's Nay-Ah-Shing Schools. The Mille Lacs Band of Ojibwe built these schools on its reservation with revenues from its tribal casino—without any Federal or State tax money. This is the first time in history that an Indian tribe has financed its own schools, not to mention their new water tower, clinic, waste-water treatment plant, roads, and housing, without any Federal assistance. I believe the opening of these schools demonstrates that Indian gaming is finally allowing tribes to provide for their own people what has eluded them for generations: a chance for self-sustaining economic development.

[From the St. Paul Pioneer Press, Sept. 20, 1993]

TWO SCHOOLS FEATURING TRIBAL HERITAGE A TESTAMENT TO GAMBLING BONANZA

(By Gary Dawson)

When 270 Ojibway children walked into two new school buildings on the Mille Lacs Reservation earlier this month, it was the fulfillment of a longtime tribal dream.

The opening of Nay Ah Shing primary and secondary schools, built for $6 million, has been part of the Mille Lacs band's goal of rebuilding its cultural fabric by having its youth rediscover their heritage. Preschool to 12th grade students will be taught the Ojibway language, maple sugaring, ricing, drumming, hunting and fishing along with traditional academic subjects.

How did it happen? Who paid the bill?

Gamblers, that's who.

No state or federal tax dollars were spent on the construction. The costs were paid by profits from the band's Grand Casinos at Mille Lacs and Hinckley.

The schools were built in nine months. Had the tribe relied on traditional education funding resources from the federal government, it would have taken five years because of red tape and bureaucracy. It marked the first time that a U.S. tribe has relied entirely on gaming proceeds to build a school, according to the National Indian Gaming Association.

These schools are just part of the band's comprehensive community restoration program—financed entirely with gaming revenues. The nearly completed construction includes a clinic, housing, roads, water and sewer improvements, a ceremonial building and two community centers.

State led casino race. Minnesotans love to gamble, but there's another simple explanation for the success of Indian gambling here. The state's 11 Indian tribes are shooting for $500 million in gambling revenues this year based on wagering that is expected to exceed $3 billion.

Of the first dozen casinos opened in the nation under a 1988 federal law opening up tribal casino gaming, Minnesota had nine. State officials moved rapidly to negotiate operating agreements with the tribes.

Tribal leaders have had a history of good relations with Minnesota state government, particularly with their allies in the DFL Party. The tribes have contributed heavily to legislative campaigns. With former DFL Gov. Rudy Perpich in office and a DFL-controlled Legislature, the tribes had little difficulty obtaining required state cooperation to get their casinos up and running. Construction and expansion have continued under Gov. Arne Carlson.

There are now 17 casinos. Five were built last year. Another opened this year. Many have doubled their original gaming capacity.

There's a downside: The rush to the gold and domination of legalized gambling in Minnesota by Indian tribes has not come without problems. Other forms of legalized gambling are feeling the pressure of the casinos.

Pari-mutuel horse racing is dead. Charitable gambling profits have declined for three straight years and are expected to slide again this year. Testimony before the Legislature has indicated casino gaming is becoming the most addictive form of gambling in the state. State compulsive gambling officials in the next two years want to quadruple the $1.4 million Minnesota spent in its last budget on treatment of compulsive gamblers and preventive education.

Surveys of a half-dozen treatment centers have indicated more than half the patients have committed crimes to support their gambling habits, including cheating their employers and friends and robbing banks. Some 60,000 Minnesotans are estimated to have a gambling problem.

The tribes as a whole contribute relatively small amounts to compulsive gambling programs, although they are considering a state request to contribute more.

Despite the problems, a look at the Mille Lacs success story should ease some of the guilt Minnesotans feel about leaving too much at the gaming tables and slots of the band's Grand Casinos.

[From the Star Tribune, Sept. 16, 1993]

AN INVESTMENT IN AN OJIBWE FUTURE, AND PAST

What a wonderful investment the people of the Mille Lacs Band of Ojibwe have made in themselves, their children and their culture. Today, 10 miles north of Onamia, they will gather to celebrate the two new schools of Nay Ah Shing, a comprehensive learning center that will serve young Ojibwe from infancy through Grade 12.

The schools were designed not only to educate young Ojibwe in the academic requirements of the dominant culture, but to immerse them in the language and culture of the Ojibwe. Nay Ah Shing will invite its students to explore, to express and to celebrate a heritage known only in fragments to many Ojibwe of their parents' generation.

Reinforcing that mission of cultural strength is the independent effort by which the Ojibwe created these schools. No federal or state funds were involved: construction was financed with $6 million in proceeds from the band's two gambling casinos. Numerous tribes are doing good works with gambling revenues, but few efforts deserve more unqualified applause than the Ojibwe investment in education—an investment designed specifically to meet the needs of Ojibwe children.

Gambling is still a scourge; that won't ever change. In a better world, the Mille Lacs Bank wouldn't need to rely on it to build schools. But in a better world the Ojibwe of Mille Lacs also wouldn't have been reduced from a self-sufficient community of hunters and gathers in 1800 to a dependent, impoverished, reservation-bound group that had dwindled to just 284 members a century later. Today there are 2,600 Mille Lacs Band members living on and off the reservations. Thanks to casinos at Mille Lacs and Hinckley, they enjoy almost full employment. Moreover, the Nay Ah Shing schools are merely one part of a gambling-financed rebuilding effort that includes health facilities, ceremonial buildings, community centers and other elements of reservation infrastructure.

Good planning and wise investment are required to translate the newfound, and perhaps temporary, wealth of gambling into permanent prosperity. But prosperity quickly turns hollow if it isn't grounded in a strong sense of cultural identity and clear spiritual values. At Nay Ah Shing schools, the Mille Lacs Ojibwe are building the base for a future that everyone can hope is both prosperous and fulfilling.

THE 1993 QUESTIONNAIRE RESULTS

HON. ANTHONY C. BEILENSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 5, 1993

Mr. BEILENSON. Mr. Speaker, I want to take this opportunity to share with my colleagues the results of the annual questionnaire I sent in June to the residents of the district I represent. I find these questionnaires enormously valuable in learning how the people I represent feel about the issues we are considering in Washington, and I thought my colleagues would be interested in the reactions of my constituents to this important debate.

Over 20,000 people responded to the 1993 survey, which in a departure from most of my previous surveys, dealt with only one topic, the federal budget. The survey concentrated on questions regarding federal spending and taxes because President Clinton's proposed economic plan was dominating debate in Washington through the spring and summer.

Part I of the survey gave respondents the opportunity to indicate whether they favored cutting, spending about the same amount, or increasing spending for nearly all Federal programs. A sizable majority of respondents favored cutting arts and humanities, 62 percent; Congress, 87 percent; Defense, 66 percent; farm support programs, 73 percent; foreign economic aid, 74 percent; foreign military aid, 87 percent; welfare, 65 percent; and the White House, 85 percent. By smaller majorities, respondents favored cutting civil service and military retirement 56 percent; and home-buying assistance for the middle class, 54 percent. Interestingly, the border patrol was the only program that received support from a majority—62 percent—for more spending.

Part II of the survey asked respondents whether they supported six of President Clinton's most controversial deficit-reduction proposals. The results of the survey showed strong agreement with several key elements of President Clinton's program—69 percent of the respondents supported the income tax increase imposed on taxable income above $140,000.

Strong majorities also supported cutting back the tax deduction for business meals and

entertainment, 77 percent; cutting defense spending by 14 percent—64 percent—and freezing Federal workers' pay, 83 percent.

Even the President's original, and very controversial, energy tax—which was reduced to a 4.3-cents gas tax after the survey was sent out—was supported by almost half—48 percent—of the respondents.

On the remaining proposal, 60 percent of the respondents opposed raising from 50 percent to 85 percent the amount of Social Security benefits that are taxable for recipients above certain income levels.

The complete results of the survey follow:

QUESTIONNAIRE RESULTS: PART I—HOW WOULD YOU CUT FEDERAL SPENDING?

From a list of nearly all the programs financed by the Federal Government, you were asked to indicate whether you favor (1) cutting funding; (2) spending about the same amount; or (3) increasing funding. Here are the results:

[In percent]

Program/spending area	Cut	Same	Increase
1. Social Security	20	67	13
2. Defense	66	27	7
3. Medicare (health insurance for elderly and disabled)	17	66	17
4. Medicaid (health insurance for poor, and nursing home care)	26	58	16
5. Civil service and military retirement	56	41	3
6. Welfare, food stamps and public housing	65	30	5
7. Unemployment compensation	33	60	7
8. Veterans' benefits	20	71	9
9. All other domestic programs:			
a. Health research	19	53	28
b. Family planning assistance	46	36	18
c. College financial aid	37	41	22
d. Head Start	32	46	22
e. Home-buying assistance for middle-income families	54	35	11
f. Highway construction	20	56	24
g. Mass transit	27	41	32
h. National parks, forests, and wildlife refuges	18	56	26
i. Environmental protection and toxic waste clean-up	23	45	32
j. Energy conservation, research and development	26	46	28
k. Space programs (NASA)	50	37	13
l. Assistance to State and local law enforcement agencies	17	48	35
m. War on drugs	30	38	32
n. Border Patrol	10	28	62
o. Transportation safety (air traffic control, highway safety)	13	68	19
p. Food and drug safety	19	64	17
q. Federal courts and prisons	19	56	25
r. Arts and Humanities	62	31	7
s. Farm support programs	73	24	3
t. Congress	87	13	0
u. The White House	85	15	0
10. Foreign Aid:			
a. Foreign economic aid	74	23	3
b. Foreign military aid	87	12	1

QUESTIONNAIRE RESULTS: PART II—HOW WOULD YOU VOTE ON PRESIDENT CLINTON'S DEFICIT-REDUCTION PROPOSALS?

You were asked whether you supported the following six spending cuts and tax increases, which were the most controversial of President Clinton's deficit-reduction proposals. Below are the results, along with a brief explanation of the status of each one:

(1) Do you support cutting defense spending by 14 percent over the next five years? Yes: 64 percent. No: 36 percent.

Congress has given preliminary approval to cutting defense spending at the rate proposed by the President, which would save $111 billion over the next five years. Legislation making specific defense cuts for the coming year—the first of five annual bills implementing these cuts—will be considered by Congress this fall.

(2) Do you support freezing federal pay next year and providing less-than-full cost-of-living raises in the following three years? Yes: 83 percent. No: 17 percent.

This pay freeze, which would save $25 billion over the next five years, was included in the version of the budget bill passed by the House of Representatives. The Senate, however, eliminated this provision, and it was omitted from the final legislation. President Clinton intends to try to win congressional approval of the pay freeze this fall when funding bills for federal departments are finalized.

(3) Do you support the income tax increases for high-income taxpayers President Clinton has proposed? Yes: 69 percent. No: 31 percent.

Congress included the President's income tax proposals, which will raise $115 billion in revenues over the next five years, in the budget bill. The top marginal rate was raised from 31 percent to 36 percent for taxable income above $140,000 ($115,000 for individuals); a 10 percent surtax was imposed on taxable income over $250,000; and the alternative minimum tax was raised to ensure that high-income taxpayers with many deductions pay some taxes.

Only 1.2 percent of American taxpayers will pay higher income taxes under these provisions.

(4) Do you support reducing from 80 percent to 50 percent the proportion of the cost of business meals and entertainment that is tax deductible? Yes: 77 percent. No: 23 percent.

This provision was included in the budget bill; it will contribute $15 billion to reducing the deficit over the next five years.

(5) Do you support raising from 50 percent to 85 percent the amount of Social Security benefits that are taxable for recipients above certain income levels? Yes: 40 percent. No: 60 percent.

As part of the budget bill, Congress approved raising the percentage of Social Security benefits that are taxable from 50 percent to 85 percent, but raised the income thresholds at which the higher rates become effective.

President Clinton's proposal would have increased the taxable proportion of benefits for couples earning more than $32,000 and singles earning more than $25,000—the income thresholds at which 50 percent of Social Security benefits were already subject to tax. Congress raised the thresholds for taxing the additional 35 percent of benefits to $44,000 for couples and $34,000 for singles. The original proposal, which would have raised $32 billion over five years, would have affected one out of five Social Security recipients. The enacted provision, which will raise $25 billion over five years, will affect just one out of eight.

(6) Do you support establishing a broad-based energy tax? Yes: 48 percent. No: 52 percent.

The proposed energy tax was more controversial in Congress than any other provision in the budget bill. After much negotiation, Congress settled on a 4.3¢ per gallon gasoline tax increase, which will raise $23 billion over five years—about one-third the amount of revenue that the President's original proposal to tax all forms of energy would have raised.

The gasoline tax is the only tax increase in the bill which will affect most people; it will cost the average family in California less than $1 a week.

A MIDDLE EAST PEACE: HOPE AND COMMITMENT

HON. LOUISE McINTOSH SLAUGHTER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 5, 1993

Ms. SLAUGHTER. Mr. Speaker, 2 weeks ago at the White House, Israeli Foreign Minister Shimon Peres and PLO leader Mahmoud Abbas signed the Declaration of Principles for establishing Palestinian self-rule. The world witnessed a remarkable and nearly miraculous event.

As Johanna McGeary wrote recently in Time magazine, statesmen may believe they can "alter the forces of history and cool the passions of humanity with their bold leadership or clever diplomacy, and on occasion they do." But more often, she points out:

> * * * true change can come only from the volition of peoples involved. For reasons that can be explained by hardheaded circumstance—though not fully understood—men wake up one morning exhausted by their enmity and replace it with more rational considerations * * * that finally count the cost of hatred too high. From that point, peace is possible.

It is long past time for our long-standing ally to finally have a chance to live in peace. As President Rabin said at that historic moment: "Enough of blood and tears. Enough."

Another striking piece of symbolism at that splendid ceremony was the presence of young Israelis and young Palestinians, seated together in the front row. They heard President Clinton speak of the brave gamble their leaders have now taken so that the future can be better than the past. Those children, as well as all of us, are ready for the quiet miracle of a normal life.

There was much to savor in that shining celebration of new hope. Now Americans must help guarantee this journey's success with our moral, political and financial support. But we cannot carry that financial burden alone.

In 1979 the United States singlehandedly financed the cost of carrying out the Camp David accords. According to Howard Rosen of the Institute of International Economics, that one-time cost was "around $5 to $6 billion." Now, as Rosen says, financing is needed to foster regional economic development of the entire Middle East for a long time to come.

Mr. Rosen puts these longer-term costs at a minimum of $20 billion—in addition to the emergency aid needed to reverse the deep economic slide in the West Bank and Gaza. The World Bank's estimate of that cost is at least $3 billion over the next 8 years, and in the view of Hobart Rowan of the Washington Post, is probably an underestimate.

Last Friday's announcement that the European Community, Japan, and Scandinavia will join Israel and the United States in pledging $2 billion in aid for the West Bank and Gaza, including an unexpected $100 million from Saudi Arabia, is good news indeed. This is an early down payment on what will be an enormous financial burden before Palestinian self-rule and the lasting peace it should foster are realized.

It is critical and essential to share the burden, and I think all of us here know we must

step up to meet this responsibility. We cannot fail those children or retreat from our responsibility to help shape a better life for them in an area that for far too long has known nothing but suffering and death.

L'Chaim, Mr. Speaker, To life.

HEALTH CARE QUESTIONS

HON. JOHN J. DUNCAN, JR.

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 5, 1993

Mr. DUNCAN. Mr. Speaker, I would like to share with my fellow Members, and other readers of the CONGRESSIONAL RECORD, an editorial written by David Hunter that recently appeared in the Knoxville News-Sentinel.

As Congress begins to focus its attention on the critical issue of health care reform, I believe that Mr. Hunter's piece raises a number of important questions about the President's proposal that we cannot afford to ignore. I hope that all those who read it will consider his arguments as carefully as I have.

HEALTH-CARE QUESTIONS

(By David Hunter)

Now that President Clinton has explained Hillary Clinton's proposed health insurance plan, I have more questions than ever.

Hopefully, our elected representatives in Congress will address important questions and issues before it is too late. From personal experience, I know that there are great gaping holes in the American health care system—particularly as it relates to the elderly. But I see no reason to make things worse by going off half-cocked.

I am not satisfied with the figures presented by Hillary Clinton's committee on the number of uninsured. Statistics are so easy to manipulate. For instance, how many people are not insured because coverage isn't available and how many because they don't want to pay the premiums?

A friend of mine who is an executive in the hotel industry tells me that his company offers an outstanding insurance program, based on salary levels. Maids and busboys get exactly the same coverage as executives but pay only a proportional amount.

Noticing how few hourly employees ever signed up for the program, my friend began to question them as to why they didn't want good insurance at a low rate.

He was informed that insurance premiums were deemed a waste of money because the hospital emergency rooms have to treat anyone who walks in, and the public health clinic takes care of other needs for the indigent.

Is a person who rejects coverage really indigent? I think not. Should responsible people pay for the irresponsible?

It has been said that the road to hell is paved with good intentions. I fear that Bill and Hillary Clinton's rush to tamper with American health care may one day be pointed out as a prime example of the truth of that proverb, if someone doesn't soon apply the brakes.

No humane person is going to come out in favor of Americans doing without medical treatment, but thinking people need to look past the emotional smoke screen and discuss specifics. I am particularly worried about mandatory participation by people who already have insurance.

In the best of all possible worlds; every person would do what work he could and would receive everything he needed in return. Sounds familiar doesn't it? In recent history, the philosophy was called Marxism, but the Marxist governments went out of business because the philosophy runs contrary to human nature.

The human race (whether it pleases us or not) thrives and prospers under the motivation of self-advancement and grinds to a halt under government-imposed altruism. There are no free meals.

Neither will there ever be free health benefits. The same law-abiding, hard-working people who pay everything else in America will pay for the new plan.

What happens, though, when society gets to the point where the productive people are paying so much that they decide to get out of the game? We don't have to guess.

Just look at any number of failed socialist experiments—New Zealand, Denmark and England—all trying to return to a free economy. When a government robs the people of incentive to better themselves, collapse is just ahead.

I don't mind if my doctor drives a Mercedes or a BMW, just as long as he drives it to the office so I can find him when I need him.

TRIBUTE TO GEORGE GORDON

HON. WILLIAM P. BAKER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 5, 1993

Mr. BAKER of California. Mr. Speaker, I rise today in recognition of an outstanding Californian, George R. Gordon, for his years of dedicated service to education in Contra Costa County.

Mr. George Gordon has served his community actively as the community college governing board's first president in 1949, and as a continuous member of the board for over 25 years.

In the field of education, George Gordon has been a member of the Contra Costa County School Boards Association, California School Boards Association, and Board of Regents and Trustees of St. Mary's College. Gordon was also an instructor of civics, social science, and physical education in Longfellow and Roosevelt Junior High Schools in Richmond, CA.

While teaching during the day, Mr. Gordon attended the Oakland College of Law at night. He was admitted to the bar in 1938.

Mr. Gordon's service to the community also has appeared in many other forms. After serving in Europe during WWII, he served as a member of the Martinez Kiwanis Club, Richmond Elks Lodge, Martinez Chamber of Commerce, Veterans of Foreign Wars, the Concord Century Club, and the Contra Costa Taxpayers Association.

On October 8, 1993, George Gordon will be honored by the Emeritus college of Diablo Valley College. The event is to be hosted by senator John Nejedly, myself, and a long list of area elected officials.

Mr. Speaker, at this time I ask that my colleagues join me in saluting Mr. George Gordon for his outstanding achievements and contributions to Contra Costa County.

BRING OUR TROOPS HOME

HON. JAY KIM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 5, 1993

Mr. KIM. Mr. Speaker, yesterday's attack on Americans in Mogadishu clearly signals that it's time for us to bring our troops home—right now.

When we first dispatched our forces last year, we had three distinct objectives: First, secure a safe food distribution system, second, provide an opportunity for intra-Somalia political reconciliation, and, third, turn over operations to United Nations. We achieved all three objectives last January.

We have tried to be the good Samaritan and help the Somalis. We should be proud of going this extra mile. But, we cannot help those who do not want to help themselves. Sadly, it appears that an increasing majority of Somalis don't want our help. As Somalia is not an important American national security interest, we should listen to them and get out, before one more American life is needlessly lost.

THE PUBLICLY OWNED TREATMENT WORKS BIOMONITORING USE ACT

HON. JOEL HEFLEY

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 5, 1993

Mr. HEFLEY. Mr. Speaker, today I, along with my colleague from Arizona [Mr. PASTOR] and four other House Members, have introduced legislation to restore what we believe was the original intent of the Clean Water Act with respect to publicly owned treatment works and biological monitoring.

The 1987 amendments to the Clean Water Act provided that where numerical criteria are not available for controlling toxicity in the Nation's waters, States are to adopt criteria based on biological monitoring—also known as biomonitoring or whole effluent testing—or assessment methods consistent with information published by the Environmental Protection Agency. The act did not mandate the EPA to establish enforceable biomonitoring limits in discharge permits which authorize civil fines and penalties for a single biomonitoring test failure.

But in 1990, the EPA issued regulations which indicated in the preamble that a single biomonitoring test failure can subject publicly owned treatment works to administrative and civil penalties of up to $25,000 per day per violation. Under one interpretation, this means a single test failure could result in a fine of almost $2.3 million where the EPA and the State require biomonitoring on a monthly or quarterly basis. That result is based on the assumption that the permittee was in violation each day of the 30- to 90-day testing period contained in his permit.

There are a number of reasons why this approach to POTW toxicity control is flawed. POTW's are not designed to control toxics and have limited control over what is discharged to

them. The interaction of complex influent to treatment plants, which may result in toxicity, cannot be anticipated in advance of a test failure, and even then its control may be problematic. Further, household products and plumbing can cause toxicity, yet a POTW's authority over such sources is limited at best. Experience has shown that municipal pretreatment programs are the most effective way of controlling toxicity, but they are no guarantee that toxicity will not appear in POTW effluent.

Scientific studies indicate that test variability, interlaboratory variability and the potential for false test results render the test inappropriate as a basis for enforcement proceedings. In addition, a serious question exists relative to the correlation between such end-of-the-pipe test measurements and instream impacts. But most importantly, EPA scientists who developed the technical protocols for conducting biomonitoring tests have said that such tests were never designed for compliance and enforcement use. The agency's technical personnel have acknowledged the potential variability in such test results, as well as the fact that one test does not tell the POTW anything about the nature of source of the toxicity. Repeated tests are a prerequisite to toxicity identification and reduction.

The EPA's approach operates as a disincentive for POTW's to conduct these repeated tests. Sewage treatment plant owners and operators should be encouraged to test as often as they can within the EPA or State-prescribed frequency. But under the EPA's approach, each test in an accelerated program would subject POTW's to possible fine and penalty liability. This creates an understandable reluctance on the part of the POTW's to engage in an investigatory process. In other words, we are penalizing municipalities for doing what we hoped they would do in the first place.

As an Agency, the EPA has stated a desire it retain prosecutorial discretion by making such test failures the potential subject of civil prosecution. But such a policy can lead to abuse and uneven nationwide enforcement in order to meet acknowledged Agency enforcement goals and staff performance objectives, and it may be undermined by threatened or actual third-party suits. POTW's cannot be asked to place reliance on the future good faith of regulating entities.

This bill, the Publicly Owned Treatment Works Biomonitoring Use Act would accomplish two things. First, it would clarify congressional intent by expressly removing any authority under the Clean Water Act to use a single, biomonitoring test failure by a POTW as the basis for determining a violation of the act and seeking fines and penalties. Naturally, the States would remain free to adopt more stringent standards of their own.

Second, our bill would recognize that the Environmental Protection Agency or State agencies acting under Federal law could include enforceable compliance schedules or other restrictions in discharge permits if toxicity appears in sewage treatment plant effluent. Failure to follow such compliance schedules, which could include testing, detection, and identification of the source of the toxicity, would subject the POTW to enforcement action and penalties as provided by law. That is to say, the POTW would be required, in a timely manner, to investigate, locate, and mediate, to the extent technically achievable, and pursuant to prescribed performance objectives established by the EPA or the State, any recurrent toxicity which appeared in the effluent or face the prospect of enforcement proceedings.

Mr. Speaker, in my view, the approach taken in this bill is fair and technically sound. Further, it would encourage sewage treatment utilities throughout the country to cast their nets widely and frequently to control toxicity through the use of biomonitoring. I commend this bill to my colleagues' review and urge that the appropriate committee undertake its consideration as soon as possible.

TRIBUTE TO VOLUNTEERS OF THE CALIFORNIA YOUTH AUTHORITY

HON. ROBERT T. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 5, 1993

Mr. MATSUI. Mr. Speaker, I rise today to salute the outstanding volunteers who have contributed their time and energy to the California Youth Authority. On Thursday, October 21, 1993, some 28 volunteers will gather at the Governor's Council Room in the State Capitol in Sacramento to receive recognition for their work in the juvenile justice system.

The California Youth Authority is responsible for over 8,300 young men and women in 11 institutions and two camps and supervises an additional 6,044 young people released to the community on parole. In these times of diminishing budgetary resources, the valuable service of volunteers must be recognized. More than 4,000 Californians work as volunteers to provide services to youth housed in our institutions. Community volunteers have historically enhanced existing programs in the California Youth Authority and are utilized in all the institutions throughout the State.

These dedicated volunteers form a valuable link with the community and supplement the services provided by departmental programs. They provide on-the-job training for potential employees, do public relations work in the communities, enhance tutoring, provide recreational supervision, assist chaplains and counselors, and act as foster grandparents to incarcerated youth.

I would like to take this opportunity to list the honorees and their awards: Nicanor Isse, M.D., State Volunteer Award; Lt. William Wittman, Law Enforcement Officer of the Year; Neidra Volz, Celebrity Award; Scott Hoeninghaus, Special Recognition Award; Brigitte Wright, Literacy Award; Josephine Morris, Ministry Award; Michael Jerome Bush, Probation Officer of the Year; George Taylor, Longevity Award; Laurell A. Schweneker, Community Services Award; Dr. Michael Schumacher and Lester W. Wasko, Honorary Mention Awards; Chuck Lambert, Lay Banyai, Charlotte Wood and Art Beaulieu, Volunteer Recognition Awards; Victoria Rodriguez, Marla Kingkade, Michael Lorilla, Jonas Aquino, Julie Green, Armando Valenzuela, Marilynn Boyko, Kathy Webb, Charles Kendall, Carlos Lartundo, Connie Rodriguez, Bruce Bryan and Betty Howison, Volunteer Appreciation Awards.

Mr. Speaker, it is with great pleasure that I rise to recognize these outstanding community servants for their unyielding commitment to the youth of California. I ask my colleagues to join me in congratulating them and wishing each of them continued success in all of their future endeavors.

THE THREAT OF ACCIDENTAL NEEDLESTICKS IS REAL

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 5, 1993

Mr. STARK. Mr. Speaker, it was an unusual television routine—not comic shtick but a shocking stick. A nationally televised accidental needlestick demonstrates why safer needle products must be incorporated into the workplace.

In a demonstration designed to explain the virtues of receiving a flu shot, "Home" show host Sarah Purcell was stuck with a needle that moments before was used on cohost Gary Collins. The double use of the needle was unintentional—but potentially lethal. Collins left in the middle of the show to undergo blood tests to determine his HIV and hepatitis status.

During the live broadcast, Collins sat in a chair while a physician injected him with the flu vaccine. Collins left the chair and Purcell sat down. After preparing the arm of Purcell, the physician administering the vaccine accidentally used the same needle on Purcell. In explaining how a mistake like this could happen, "the glare of the lights and [the doctor's] first time on TV" were the explanations given.

Test results have so far determined that Collins is free from HIV and hepatitis infection. A second test in 3 months, and a final test in 6 months, will confirm or reverse this determination. In the meantime, Purcell can only hope that if an infection is found, it wasn't transmitted to her.

While a needlestick on national television is not a common occurrence, needlesticks unfortunately are. Last year alone, health care workers suffered nearly 1 million accidental needlesticks. If the glare of television studio lights can distract a health care provider, it isn't hard to imagine what effect the rush of an emergency room might have. While working to save the life of a trauma victim, nurses and doctors expose themselves to great risks. At least one of these risks can be eliminated by replacing existing needle products with those proven to be safer.

Congressman RANGEL and I introduced legislation last March to require the Food and Drug Administration to develop performance standards for needle-bearing devices. If the needle product used on the set had a sheath that immediately covered the tip of the needle, or prevented reuse completely, this accident would not have happened. If similar products were available in every emergency room, hospital ward, and community clinic, the risks

taken every day by front-line health care workers would be greatly reduced.

The Nation has the opportunity to view how easy and frightening a needlestick can be. It is time to make this current all-too-real threat fiction. It is time to give our health care professionals the tools to do so.

SALUTE TO WILLIAMS COLLEGE

HON. JOHN W. OLVER

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 5, 1993

Mr. OLVER. Mr. Speaker, I rise today to honor Williams College, a 4-year liberal arts college located in the northwest corner of the First Congressional District of Massachusetts in the "village beautiful" known as Williamstown. In 1993 Williams College has been celebrating its bicentennial and on October 9, 1993 the college will host more than 30 delegates from other colleges and universities at its fall convocation.

Founded by Colonel Ephraim Williams, the college has a long list of distinguished alumni, including President James Garfield, class of 1856. Williams is also notable for its many firsts. The world's first society of alumni was formed in Williamstown in 1821, and in 1835 Williams became the first American college to sponsor a scientific expedition. The first intercollegiate baseball game was played by Williams against Amherst College in 1859, and the first graduating class in America to wear caps and gowns at commencement was the Williams class of 1887.

The foundation of Williams College's strong reputation, however, has been for many years its faculty and its mode of instruction. Mark Hopkins, professor at Williams from 1830 to 1887 and its president from 1836 to 1872, is widely considered the originator of this tradition. Hopkins best articulated his philosophy of teaching in his inaugural address at the college in 1836 when he said:

We are to regard the mind, not as a piece of iron to be laid upon the anvil and hammered into any shape, nor as a block of marble in which we are to find the statue by removing the rubbish, nor as a receptacle into which knowledge may be poured; but as a flame that is to be fed, as an active being that must be strengthened to think and to feel—and to dare, to do, and to suffer.

I suspect that Williams' success as one of the most respected institutions of higher learning in this country is due to the fact that through its history, the college has been guided by Hopkins' philosophy. I salute the accomplishments of its first 200 years and wish all Williams faculty, staff, students, and alumni best wishes as the college embarks on another century of educating future leaders.

NAFTA

HON. LARRY LaROCCO

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 5, 1993

Mr. LAROCCO. Mr. Speaker, the National Federation of Independent Business, a small business advocacy group celebrating 50 years of involvement in issues important to the fastest growing segment of the American economy, recently surveyed its membership on their views about the North American Free Trade Agreement.

NFIB found its members deeply divided: 45 percent opposed, 38 percent in favor, and 17 percent undecided. I would not be surprised if a poll of Members of Congress were to show about the same numbers, although we will not have the luxury of remaining undecided.

In an effort to provide NFIB members with more information on NAFTA, the federation published contrasting views last month for its members. I had the privilege of writing the article opposing approval of the NAFTA agreement in its current form, and I would like to insert it in today's CONGRESSIONAL RECORD in the hope that it may assist other Members of Congress as they decide whether this NAFTA agreement is the best we can do for America.

NAFTA AGREEMENT

(By Representative Larry LaRocco)

NAFTA presents Congress with a difficult choice this fall: whether to agree with President Clinton's attempts to fix the trade agreement negotiated by the previous administration, or to send the plan back to the drawing board for renegotiation.

As a free-trader, I voted for "fast track" to allow the negotiation process to move forward, but I cannot support this trade agreement. This NAFTA is fatally flawed and irreparable.

NAFTA is intended to eliminate tariffs and other trade barriers between Canada, Mexico and the U.S. It promises a vast free trade zone on the North American continent, but it delivers something else. In some instances, it permits the establishment of new tariffs (wheat for example), rather than reducing existing barriers. Farmers involved in sugar, citrus, livestock and specialty fruits and vegetables will be particularly vulnerable to import surges.

NAFTA threatens both federal and state environmental laws. The maquilladora program has already severely damaged the environment along the U.S.-Mexican border. NAFTA will invite more of the same. Last month, a federal judge acknowledged the far reaching impact NAFTA could have on the U.S. environment.

NAFTA will cost American jobs, perhaps as many as 500,000. Even the proponents admit that jobs in some sectors like autos, steel, textiles and apparel will be lost to Mexico, not only in manufacturing but also in small businesses. The reason is no secret. Mexico's minimum wage amounts to 58 cents an hour, and NAFTA will do little to improve Mexican purchasing power for U.S. goods and services.

NAFTA's "side agreements" attempt to address disparities between Mexican, Canadian and U.S. labor and environmental laws by establishing supra-national panels to resolve disputes. These adjudication panels, composed of officials from all three countries, will be highly politicized, bureaucratic, and ultimately unworkable.

NAFTA may be good business for the handful of families who control the bulk of the Mexican economy, but does it make sense for America's small business? As a former businessman, I question its value to Main Street, and I suggest a fresh start by the Clinton administration.

In sum, this NAFTA is beyond repair. Congress should say "No!" The president should renegotiate.