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of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 103<sup>d</sup> CONGRESS, SECOND SESSION

## SENATE—Monday, September 19, 1994

(Legislative day of Monday, September 12, 1994)

The Senate met at 2 p.m., on the expiration of the recess, and was called to order by the Acting President pro tempore [Mr. DORGAN].

### PRAYER

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

Let us pray:

*God is our refuge and strength, a very present help in trouble.—Psalm 46:1.*

Almighty God, sovereign Lord of history and the nations, our hearts are filled with gratitude for the outcome in Haiti. Thank You for the successful and tedious efforts of President Carter, Senator NUNN, and General Powell. Thank You that the military force, poised for invasion, was able to withdraw. Thank You for those military personnel who now bear responsibility for the future of Haiti. Grant them wisdom and safety from on high as they pursue a complicated and dangerous task. Guide President Clinton in his great responsibility at a time like this.

Gracious God, we thank You for the press and media who have worked faithfully, often at great risk, in Haiti. Thank You for their willingness to put themselves at risk in order to keep us informed. May Thy blessing and peace rest upon those who take seriously their heavy responsibility. Grant, eternal God, that the people of Haiti may find security and peace through the difficult negotiations that are to follow.

We pray in the name of the King of Kings and the Lord of Lords. Amen.

### RESERVATION OF LEADER TIME

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

### MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be a period for the transaction of morning business not to extend beyond the hour of 3 p.m., with Senators

permitted to speak therein for not to exceed 10 minutes each.

The Senator from North Dakota [Mr. DORGAN] is recognized to speak up to 15 minutes.

### RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The Chair recognizes the majority leader, Senator MITCHELL.

### SCHEDULE

Mr. MITCHELL. Mr. President, I say to Members of the Senate, as the Chair has just noted, there will be a period for morning business between now and 3 p.m. today. At 3 p.m., the Senate will return to executive session to resume consideration of the nomination of Henry J. Mauz, Jr., to be an admiral of the U.S. Navy, with amendments pending thereto.

This morning, I and other members of the bipartisan leadership, met at the White House with President Clinton, President Carter, General Powell, Senator NUNN, and others, to discuss the situation in Haiti. At this moment, Senators are being briefed on the situation in Haiti by Secretary of State Christopher, Secretary of Defense Perry, General Shalikhavili, General Powell, and Mr. Gray, the President's special representative on the situation in Haiti, and I expect that briefing to continue for some time. In the interest of Senators who wish to participate, the briefing is occurring in S-407 of the Capitol.

Mr. President, I hope to be meeting shortly with several interested Senators, including the distinguished Republican leader, before making a decision on how best to proceed with respect to the pending matter and the amendments thereto relating to Haiti, and we will have an announcement on that shortly.

Today and every day for the remainder of this session, the possibility of votes exist at any time, and Senators

should be on notice to be present to come to the Senate floor within 20 minutes at any time. I will not make a decision on the schedule for the remainder of the day until I have the opportunity to consult with the other Senators, as I said, including the distinguished Republican leader, as is my practice before making any final scheduling decisions.

So Senators should be on notice in that regard, and for the remainder of this session. There are a number of very important bills on which we must complete action and time is short. So Senators should be on notice to be present at any time.

Mr. President, I will have an announcement in the very near future.

### IN TRIBUTE TO MRS. JEAN GANNETT HAWLEY

Mr. COHEN. Mr. President, I would like to take a moment today to remember Jean Gannett Hawley, publisher and chairman of Guy Gannett Communications, who died Sunday, September 4. She was 70. Her company publishes several newspapers in my home State of Maine, including the State's largest daily and Sunday paper, and is also involved in radio and television in Maine.

When Mrs. Hawley took over the company from her father in 1954, she was the youngest woman in the Nation to head a newspaper company, but she plunged headlong into this ancient bastion of male domination without an ounce of trepidation. A friend recently recalled that she never allowed anyone to refer to her as a chairwoman or a chairperson. The word was "chairman" and she stuck with it. Besides, she was much too busy pushing her newspapers to higher and higher standards of quality to worry much about semantics.

Her unique position as a woman in a sea of men might have made her either timid or a tiger. But true to her nature, she always found a balance: she was aware of her position of power but never abused it. And neither did she let

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

herself be rolled over or taken lightly as a woman leader in an industry where there were—and still are—very few.

Her primary mission in life was to make her newspapers the best they could be and then push them beyond that plateau. Nothing gave her more satisfaction. She demanded high quality writing, aggressive reporting, a newspaper that reflected the community it served. But above all she demanded fairness, impartiality and honesty—and her newspapers have always demonstrated that vision.

Over my 35 years of serving the people of Maine, I came to know and respect Mrs. Hawley. I saw embodied in her many of the qualities that I think make Maine the wonderful and unique State it is. She was a fiercely independent woman, a public figure who treasured her privacy. She was an overwhelmingly giving person, a community leader proud of her involvement in civic organizations and charities. She was also extraordinarily loyal—to her employees, to her readers, to the people of Maine, and to her family. Opportunities came and went to sell the company to larger entities, perhaps at a large profit, but she never forgot that hers was a family business and she kept it that way even as it grew. She was a woman of great wit and great humility, self-confident, and modest, a woman who set an example for generations of Mainers.

I join with the people of Maine in mourning the death of Jean Gannett Hawley and send my heartfelt best wishes to her family. She was a person for whom our State's motto might have been written: The way life should be.

SENATE QUARTERLY MAIL COSTS

Mr. FORD. Mr. President, in accordance with section 318 of Public Law 101-520, I am submitting the summary tabulations of Senate mass mail costs for the third quarter of fiscal year 1994, that is the period of April 1, 1994, through June 30, 1994, to be printed in the RECORD, along with the quarterly statement from the U.S. Postal Service setting forth the Senate's total postage costs for the quarter.

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

SENATE QUARTERLY MASS MAIL VOLUMES AND COSTS

[For the Quarter Ending June 30, 1994]

Senators	Original total pieces	Pieces per capita	Original total cost	Cost per capita
Akaka	0	0	0	0
Baucus	100,906	0.12246	\$17,669.53	0.02144
Bennett	148,400	0.08185	22,609.42	0.01247
Biden	0	0	0	0
Bingaman	0	0	0	0
Bond	0	0	0	0
Boren	0	0	0	0
Boxer	100,610	0.00326	19,240.93	0.00062
Bradley	0	0	0	0

SENATE QUARTERLY MASS MAIL VOLUMES AND COSTS—

Continued

[For the Quarter Ending June 30, 1994]

Senators	Original total pieces	Pieces per capita	Original total cost	Cost per capita
Breaux	3,087	0.00072	367.73	0.00009
Brown	0	0	0	0
Bryan	0	0	0	0
Bumpers	0	0	0	0
Burns	0	0	0	0
Byrd	0	0	0	0
Campbell	0	0	0	0
Chafee	0	0	0	0
Coats	0	0	0	0
Cochran	0	0	0	0
Cohen	90,450	0.07324	16,817.14	0.01362
Conrad	0	0	0	0
Coverdell	0	0	0	0
Craig	46,390	0.04348	8,560.93	0.00802
D'Amato	335,000	0.01849	56,584.29	0.00312
Danforth	0	0	0	0
Daschle	4,100	0.00577	619.86	0.00087
DeConcini	0	0	0	0
Dodd	2,340	0.00071	1,823.59	0.00056
Dole	0	0	0	0
Domenici	0	0	0	0
Dorgan	0	0	0	0
Durenberger	1,391	0.00031	443.07	0.00010
Eaton	0	0	0	0
Faircloth	0	0	0	0
Feingold	0	0	0	0
Feinstein	0	0	0	0
Ford	0	0	0	0
Glenn	0	0	0	0
Gorton	334,380	0.06511	63,685.07	0.01240
Graham	0	0	0	0
Graham	856,744	0.04852	147,020.45	0.00833
Grassley	0	0	0	0
Gregg	113,150	0.01085	17,239.57	0.01552
Harkin	302,850	0.10770	42,408.08	0.01508
Hatch	0	0	0	0
Hatfield	725	0.00024	163.99	0.00006
Helms	0	0	0	0
Hollings	0	0	0	0
Hutchinson	0	0	0	0
Inouye	0	0	0	0
Jeffords	0	0	0	0
Johnston	3,087	0.00072	356.78	0.00008
Kassebaum	0	0	0	0
Kempthorne	0	0	0	0
Kennedy	0	0	0	0
Kerrey	0	0	0	0
Kerry	0	0	0	0
Kohl	0	0	0	0
Lautenberg	3,200	0.00041	721.48	0.00009
Leahy	13,795	0.02420	2,982.10	0.00523
Levin	10,625	0.00113	2,265.15	0.00024
Lieberman	435,658	0.13278	88,132.46	0.02686
Lott	0	0	0	0
Lugar	0	0	0	0
Mack	0	0	0	0
Mathews	0	0	0	0
McCain	19,693	0.00514	15,053.46	0.00393
McConnell	368,275	0.09808	73,583.63	0.01960
Metzenbaum	0	0	0	0
Mikulski	0	0	0	0
Mitchell	0	0	0	0
Moseley-Braun	0	0	0	0
Moynihhan	3,194,000	0.17628	604,132.64	0.03334
Murkowski	25,200	0.04463	3,962.33	0.00675
Murray	3,465	0.00067	699.81	0.00014
Nickles	38,600	0.01202	6,645.39	0.00207
Nunn	0	0	0	0
Packwood	81,950	0.02753	14,841.21	0.00499
Pell	0	0	0	0
Pressler	38,300	0.05387	5,832.65	0.00820
Pryor	0	0	0	0
Reid	0	0	0	0
Riegle	9,100	0.00096	1,825.75	0.00019
Robb	0	0	0	0
Rockefeller	34,200	0.01887	4,970.03	0.00274
Roth	203,000	0.29463	29,508.36	0.04283
Sarbanes	4,051	0.00083	2,110.06	0.00043
Sasser	924,300	0.18398	140,909.19	0.02805
Shelby	0	0	0	0
Simon	689,075	0.05924	105,179.29	0.00904
Simpson	27,250	0.05848	3,810.25	0.00818
Smith	19,850	0.01787	5,044.76	0.00454
Specter	0	0	0	0
Stevens	0	0	0	0
Thurmond	0	0	0	0
Wallop	900	0.00193	197.33	0.00042
Warner	0	0	0	0
Wellstone	65,700	0.01467	11,291.77	0.00252
Wofford	0	0	0	0

Other offices	Total pieces	Total cost
The Vice President	0	0
The President pro-tempore	0	0
The Majority Leader	0	0
The Minority Leader	0	0
The Assistant Majority Leader	0	0
The Assistant Minority Leader	0	0

Other offices	Total pieces	Total cost
Secretary of Majority Conference	0	0
Secretary of Minority Conference	0	0
Agriculture Committee	0	0
Appropriations Committee	0	0
Armed Services Committee	0	0
Banking Committee	0	0
Budget Committee	0	0
Commerce Committee	0	0
Energy Committee	0	0
Environment Committee	0	0
Finance Committee	0	0
Foreign Relations Committee	0	0
Government Affairs Committee	0	0
Judiciary Committee	0	0
Labor Committee	0	0
Rules Committee	0	0
Small Business Committee	0	0
Veterans Affairs Committee	0	0
Ethics Committee	0	0
Indian Affairs Committee	0	0
Intelligence Committee	0	0
Aging Committee	0	0
Joint Economic Committee	0	0
Joint Committee on Printing	0	0
JCMTE Congress Inaug.	0	0
Democratic Policy Committee	0	0
Democratic Conference	0	0
Republican Policy Committee	0	0
Republican Conference	0	0
Legislative Counsel	0	0
Legal Counsel	0	0
Secretary of the Senate	0	0
Sergeant at Arms	0	0
Narcotics caucus	0	0
Select Committee on POW/MIA	0	0

U.S. POSTAL SERVICE;  
CORPORATE ACCOUNTING,  
Washington, DC, August 25, 1994.

Hon. WENDELL H. FORD,  
Chairman, Committee on Rules and Administration,  
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Detailed data on franked mail usage by the U.S. Senate for the third quarter, Fiscal Year 1994, is enclosed. Total postage and fees for the quarter is \$2,769,342.

A summary of Senate franked mail usage, based upon the first three quarters of actual data for Fiscal Year 1994, is as follows:

Volume	24,152,264
Revenue per piece	\$0.2514
Revenue	\$6,072,899.00
Payments received	\$3,303,557.00
Amounts due USPS	\$2,769,342.00

A bill is enclosed for these charges. If you or your staff have any questions on the above, please call Tom Galgano of my Official Mail Accounting staff on (202) 268-3255.

Sincerely,  
AFRED CARREON, Jr.,  
Manager,  
Post Office Accounting.

Enclosures.

FRANKED MAIL

[Postal Quarter III, Fiscal Year 1994, Senate]

Subcategories	Pieces	Rate	Amount
Letters: First Class	1,790,205	\$0.2900	\$519,159
Total	1,790,205	2900	519,159
Flats: First Class	140,287	1.1064	155,214
Total	140,287	1.1064	155,214
Parcels:			
Priority—Up to 11 oz			
Priority—Over 11 oz	18,725	4.3469	81,936
4th class—regular	27,740	3.9547	109,703
Total	46,465	4.1128	191,099
Orange bag pouches:			
First Class	8,080	3609	2,916
Priority—Up to 11 oz	110	2.9000	319
Priority—Over 11 oz	451	5.1020	2,301
Total	8,641	6407	5,536
Agriculture bulletins:			
First Class			
Priority—Up to 11 oz			
Priority—Over 11 oz			

## FRANKED MAIL—Continued

(Postal Quarter III, Fiscal Year 1994, Senate)

Subcategories	Pieces	Rate	Amount
3d class			
4th class special (Bk)			
4th class regular	14	9.5000	133
Total	14	9.5000	133
Yearbooks: 4th class special (Bk)	874	1.4806	1,294
Total	874	1.4806	1,294
Other (odd size parcels):			
Priority—Up to 11 oz			
Priority—Over 11 oz	352	36.2074	12,745
4th class special (Bk)			
4th class regular	1,550	11.0852	17,151
Total	1,902	15.7182	29,896
Total outside DC	248,364	.5024	124,783
Permit imprint mailings:			
1st class single piece rate	551,893	2703	149,183
3d class bulk rate	9,543,131	.1259	1,201,251
Parcel post—PI	326	7.2178	2,353
First class single piece—PI			
Address corrections (3547's)	55	.3455	19
Address corrections (3d class)			
Mailing list corrections (10 names or less)			
Mailing list corrections (more than 10 names)			
Mailgrams			
PA—International priority airmail			
Mailing fees (registry, certified, etc.)			
Postage due/short paid mail			42
Permit fees			75
Miscellaneous charges			
Express mail service			389,305
Subtotal	12,332,247	2246	2,769,342
Adjustments			
Grand total	12,332,247	2246	2,769,342

## STATEMENT ON THE NOMINATION OF HENRY J. CAUTHEN

Mr. HOLLINGS. Mr. President, I am pleased that the Senate has approved the renomination of Henry Cauthen to be a member of the Board of Directors of the Corporation for Public Broadcasting [CPB].

I have had the good fortune of knowing Henry for quite some time. He has been a leader of educational television in South Carolina since 1958. That was the same year that Henry started working for the South Carolina Educational Television Commission [S.C. ETV] and the year that I was elected Governor of South Carolina. Henry later became president of S.C. ETV in 1965. S.C. ETV has been a bellwether under Henry's leadership. It is on the leading edge of technology, thanks to him, and provides great opportunities to viewers across South Carolina. Henry has also served on numerous boards and advisory committees and has been involved in other important public-sector activities. These activities include: board memberships with the National Association of Educational Broadcasters, the National Council for Children and Television, the National Council on the Arts, the Carnegie Commission on the Future of Public Broadcasting, the Public Broadcasting Service, and the Association of Public Television Stations.

Henry was first nominated to the CPB in 1990 and his nomination was reported by the Senate Commerce Committee without any objection. In 1990

and on September 14 of this year, he was confirmed by the Senate by unanimous consent. He has done such a fine job on the CPB that the President has seen fit to appoint him to a second term.

We in the Senate expect Mr. Cauthen to maintain the CPB's commitment to quality educational programming on public broadcasting and to ensure that television fulfills its potential as a source of learning and enjoyment for Americans everywhere in this country.

I thank my colleagues for their support for Henry Cauthen's nomination. I look forward to working with my good friend, Henry Cauthen, for many years to come.

## SECOND PROTOCOL TO THE TAX CONVENTION WITH ISRAEL

Mr. SARBANES. Mr. President, on November 18, 1993, the Foreign Relations Committee ordered favorably reported the second protocol amending the 1975 United States-Israel income tax convention. At that time, the committee was informed by the Treasury Department that one technical issue remained to be resolved with respect to the protocol. Therefore, at the Treasury Department's request the committee recommended that the matter of giving final advice and consent to the ratification of the proposed protocol not be taken up by the Senate as a whole until such time as the outstanding issue was satisfactorily resolved.

I am pleased to announce that on September 13, 1994, I received from the Treasury Department a letter indicating that they had received from Israel the written assurances they were seeking, and that they were therefore ready to recommend prompt action by the full Senate. Without objection, I would ask that the text of that letter be reprinted in the RECORD:

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

DEPARTMENT OF THE TREASURY,  
Washington, September 12, 1994.

Hon. PAUL S. SARBANES,  
U.S. Senate, Washington, DC.

DEAR SENATOR SARBANES: The Foreign Relations Committee held hearings on October 27, 1993 on a number of income tax treaties, including a Protocol to the pending treaty with Israel. As you will recall, shortly after those hearings I advised you, in a letter of November 18, 1993, that we were awaiting Israeli confirmation as to the adequacy of certain aspects of their information exchange practices under tax treaties. We suggested that Senate approval of the Protocol be delayed until we had received the assurances that we were seeking from the Israeli tax authorities. Your Committee did, in fact, recommend approval of the Protocol, but asked the Senate to hold up its consideration, as we had requested. I am pleased to report to you now that we have received the written assurances that information, including bank information, would be made available by the Israeli tax authorities to the Internal Revenue Service in appropriate circumstances.

We would like to see Senate action taken on the Protocol as soon as possible so that instruments of ratification both for the Protocol considered by your Committee last year, as well as for the treaty and first Protocol which have not yet gone into force, can be exchanged prior to the end of November. The entry into force provisions of the treaty, as they will be amended by the pending Protocol, specify that the treaty will have effect, for other than withholding taxes, as of January 1 of the year following entry into force if the treaty enters into force after June 30 of a year. Entry into force will take place 30 days after the exchange of instruments of ratification. If, therefore, Senate advice and consent is given in sufficient time to permit exchange instruments before the end of November, the treaty, as amended by the Protocols, will enter into force this year, and can take effect as of January 1, 1995.

Thank you for your cooperation on this matter. I hope that the Senate will be able to act quickly on this Protocol.

Sincerely,

LESLIE B. SAMUELS,  
Assistant Secretary (Tax Policy).

Mr. SARBANES. Mr. President, I would like to note that the United States-Israel income tax treaty, which was signed in 1975 and subsequently amended by a 1980 protocol, has not yet gone into force. Although the Senate gave its advice and consent to ratification of the treaty, as amended by the first protocol, on November 18, 1981, that consent was made subject to an understanding providing for congressional access to information exchanged under the treaty. The proposed second protocol would modify the treaty to satisfy that understanding. Thus once the Senate gives its advice and consent to ratification of the pending second protocol, the instruments of ratification of treaty can be exchanged and implementation can begin. I believe this is an important and valuable treaty, and I would urge that the Senate move quickly to approve this protocol so that the entire agreement can finally be put into effect.

## NATIONAL POW/MIA RECOGNITION DAY—A DAY FOR REMEMBRANCE

Mr. LIEBERMAN. Mr. President, last Friday, September 16, 1994 was Prisoner of War/Missing in Action [POW/MIA] Recognition Day. I regret that the Senate was not in session on this day so that we could have paused to remember those Americans who have been or are prisoners of war or missing in action. We should acknowledge the great debt we owe to the men and women throughout our history who have answered the call of their country and served with honor and valor in or with our Armed Forces during peacetime and time of conflict. Some who have served became prisoners of war where they suffered cruel deprivation and, all too often, torture and brutality at the hands of their captors. Others became missing in action, with families left not knowing for far too long what has become of their loved

ones. Today, there are still too many families suffering from a lack of finality; they have been condemned to live in a world of uncertainty and doubt without their loved ones. There are nearly 90,000 Americans who remain unaccounted for today from World War II, Korea, and Southeast Asia. To forget the sacrifice of these Americans and the never-ending efforts of their families would be to dishonor all of them and ourselves. We must not forget.

We owe it to those who are still missing, their families and friends, and their comrades in arms, as well as to those who in future service to our country might risk similar fates, to do all that we can to achieve the fullest possible accounting for the POW's and MIA from all our wars.

I ask my colleagues in the Senate and all Americans to consider the blessings we have as Americans. But more importantly, we must never forget the price which has been paid by a special group of our citizens to attain and protect these blessings.

#### HONORING COVENANT MEDICAL CENTER'S REHABILITATION PROGRAM ON ITS 20TH ANNIVERSARY

Mr. GRASSLEY. Mr. President, on the occasion of the 20th anniversary of the physical rehabilitation program at Covenant Medical Center in Waterloo, IA, I would like to congratulate this organization for their work in assisting persons who are disabled regain independent living skills. Their commitment has helped Iowans who have been disabled by illness or accident to achieve their highest possible physical and social functioning level.

Established in 1974, Covenant's rehabilitation program has developed such that it is now fully accredited by the Joint Commission on Accreditation of Healthcare Organizations and by the Commission on Accreditation of Rehabilitation Facilities for comprehensive inpatient rehabilitation, spinal cord injury rehabilitation, and head injury rehabilitation. Covenant provides a complete continuum of rehabilitation services including prevention programs, acute and sub-acute inpatient rehabilitation, outpatient treatment, day programs, outpatient evaluation clinics, and home-based treatment.

With our emphasis on health care reform, and especially this week, National Rehabilitation Week, I would like to emphasize that Americans need rehabilitation now more than ever before. Each year more than 3 million people become candidates for physical rehabilitation services due to automobile and industrial accidents; sports and recreational injuries; cardiac, stroke, or cancer episodes; or acts of violence and crime.

In addition to improving the quality of life, rehabilitation is an investment

in human capital with a significant return. According to the Health Insurance Association of America, more than \$11 are saved for each dollar spent on rehabilitation. Rehabilitation also returns 350,000 people to work yearly, saving \$1 to \$2 billion from Medicaid and disability insurance, and producing about \$700 million in Federal and State tax revenues.

As Covenant Medical Center's rehabilitation program celebrates its 20th anniversary this year, we salute them for their professionalism and dedication to helping people turn their disabilities into capabilities.

#### STAN HUBBARD AND THE AMERICAN DREAM

Mr. DURENBERGER. Mr. President, America is about choices. That is what freedom is all about—the opportunity for individual citizens to make decisions, whether in politics or in other areas of life.

We judge the quality of life in terms of the breadth and meaningfulness of our choices. When someone can say, "There's not a dime's worth of difference between the Republicans and the Democrats," we take this as criticism of the quality of our politics. It means voters do not have enough choice.

When Bruce Springsteen sings that there are 57 channels and nothing on, it is a criticism of the quality of our mass entertainment. There may be many things to choose from, but the quality is so low that choice is meaningless.

Our politics—our mass entertainment—and indeed, our anything—will not be adequate unless we make them adequate. And that is why individuals like Stan Hubbard are so important.

Social progress begins when an individual has a dream. And social progress becomes a reality when a community starts sharing that dream.

Stanley S. Hubbard has a dream. He believes that the people of this country are willing to pay extra for more choices in the information and entertainment they watch on TV. That is why—earlier this month—he unveiled the Digital Satellite System.

Over the last decade, he has invested herculean effort—and over \$100 million—in the development of this wireless-communication technology.

In the near future, this undertaking will employ hundreds of Minnesotans and put millions of dollars into our State's economy.

But this project is not about the near future. It is about the next century. And I think that with his focus on consumer choice—and bringing a new world to the TV viewers of this country—Stan Hubbard is exemplifying values as old as this Nation.

Indeed, the Hubbard tradition itself is about some fundamental American values. In 1923, when Hubbard Broad-

casting was founded, it was America's first broadcasting company relying on advertising sales for its income. This combination of smart business sense and public service has been a central feature of U.S. broadcasting ever since.

In 1925, Hubbard Broadcasting created the first full-time radio news department in the United States. In 1950, it inaugurated the first regularly scheduled, 7-day-a-week television news show.

In 1981 came the creation of the Hubbard subsidiary known as United States Satellite Broadcasting, Inc. [USSB]. USSB is the longest-standing Direct Broadcast Satellite licensee in the United States—a true pioneer in satellite broadcasting.

In 1983, Hubbard Broadcasting founded Conus Communications, which rapidly became a leader in satellite newsgathering.

And in 1993, when America's first high-power DBS satellite was launched, USSB owned 5 of the 16 available transponders.

If tradition—combined with a continuous record of accomplishment—is anything to go by, Minnesota's own Hubbard Broadcasting is poised to be a major force in American communications well into the 21st century.

Mr. President, I ask unanimous consent that an editorial about Stan Hubbard—and his vision for U.S. broadcasting—from the Minneapolis Star Tribune of September 13 be included in the RECORD at the conclusion of my remarks.

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

[From the Minneapolis Star Tribune, Sept. 13, 1994]

#### HUBBARD TV

##### ONE MAN'S VISION BRINGS PLEASURE TO MANY

Like many inventions, the Digital Satellite System technology launched Friday in the Twin Cities began as a necessity for one man, in this case Stanley S. Hubbard. Believing that television viewers wanted and would pay for more choices than those offered by cable and commercial broadcasting, Hubbard invested more than \$100 million to develop a wireless communications system. Anyone so determined that a dream be brought to reality deserves a tip of the hat.

DSS didn't just appear on store shelves last weekend. Hubbard has been working on the concept for more than a decade. An example of his vision is a decision to incorporate hardware that will allow DSS to be compatible with technology that isn't yet available. That means the \$700 system consumers buy today won't soon become obsolete.

Those most likely to embrace Hubbard's vision right off are the truly avid television viewers, the ones who understand too well Bruce Springsteen's frustration as he sings about shooting a TV because there were "57 channels and nothing on." Whether they are sports enthusiasts who yearn to watch all televised pro football games or fishermen who'd like to bring a satellite connection into ice houses this winter, they're likely to love Hubbard's hot-dishes.

Many Minnesotans also stand to benefit in other ways from Hubbard's vision. USSB's potential economic impact in Minnesota is substantial:

A payroll, including benefits, that may reach the \$10 million to \$12 million range by the year 2000.

An annual tax contribution of up to \$100 million within 10 years.

A Minnesota work force of up to 300 by the year 2000.

Hubbard Broadcasting's jointly owned All News Channel will be poised to achieve national growth and possibly bring prominence to St. Paul in much the way Cable News Network has brought it to Atlanta.

Anyone inclined to dismiss Hubbard's satellite system should reflect on the earlier case of CNN and Ted Turner. Confounding early skepticism and scorn, Turner and his network have had a major impact on the world.

Who says that vision no longer matters? Turner's CNN and Hubbard's new DSS offer proof that it matters a lot.

#### IS CONGRESS IRRESPONSIBLE? YOU BE THE JUDGE OF THAT

Mr. HELMS. Mr. President, as of the close of business on Friday, September 16, the Federal debt stood at \$4,681,046,608,542.73, meaning that on a per capita basis, every man, woman, and child in America owes \$17,954.93 as his or her share of that debt.

#### REGARDING THE DEATHS OF FIVE DRUG ENFORCEMENT ADMINIS- TRATION SPECIAL AGENTS DUR- ING OPERATION SNOWCAP

Mr. THURMOND. Mr. President, there is a war raging in the streets of America and I rise today to pay tribute to five special agents of the Drug Enforcement Administration who lost their lives in it.

From the smallest town to the largest city, law abiding citizens are faced with an onslaught of crime that is undermining the very fabric of our Nation. Cars are stolen, people are robbed and murdered, even children fall victim to the most physical and brutal of crimes. It is a sad commentary that a Nation based on the concept of the majesty of law has become so lawless.

In an effort to fight this tide, tens of thousands of valiant men and women throughout the United States don uniforms, badges, and guns and willingly lay their lives on the line in an effort to make our towns, cities, and counties safer places. We know these people well; they are a part of our communities. Sadly, these law enforcement officers are sometimes killed in the course of their duties, and it is always a tragedy when one of these men or women is lost in this war.

What many of us fail to realize is that crime is no longer just a local problem. Crimes often have motivations and ramifications far beyond where an illegal act actually occurs. Cars are stolen so that they may be re-

sold in another State or nation; credit card scams are often international in scope; and street-level American drug dealers are just the tail end of a intricate and complicated array of criminals who do everything from harvest and process cocoa plants to transporting cocaine into the United States and distributing it to dealers. In an effort to combat this problem, more and more law enforcement agencies are working together to attack crime on an international front.

In the United States, American law enforcement agencies are taking on many new and multinational roles, and one agency that is in the forefront of global crime fighting is the Drug Enforcement Administration. Special agents from the DEA are stationed throughout the world, literally taking the fight against drugs to the source—the growers and cartel leaders. Last month, five dedicated agents—Frank Fernandez, Jay Seale, Meredith Thompson, Frank Wallace, and Juan Vars—lost their lives in that fight when their plane crashed into a Peruvian jungle.

These individuals were among the best personnel in the Drug Enforcement Administration, and each was handpicked to participate in one of the DEA's most effective foreign counterdrug undertakings, Operation Snowcap, an operation conceived to take the war on drugs to the enemy. While their deaths were untimely, tragic, and a loss to the agency and the Nation, those who mourn their passing take solace in the fact that these four men and one woman died while making a difference in the war on drugs.

Since the inception of Snowcap 7 years ago, special agents of the DEA have worked closely with law enforcement officials in the nations of Peru and Bolivia to attack cocaine trafficking organizations and to combat the flow of cocaine out of those nations and into the United States. These coordinated efforts have not only helped to reduce the amount of cocaine originating from this area of South America, but have been successful in leading to the arrests of some of the leading figures in the seamy world of cocaine production and distribution.

Snowcap is a showcase operation, not only because it demonstrates how well international law enforcement agencies can cooperate, but also, because it is an effective way to wage the war on drugs at their source. By attacking the cartels and growers where they are strongest, in their native lands, we are striking strong blows against these predators who are literally undermining the security of the United States and the nations of Central and South America. Agents Fernandez, Seale, Thompson, Wallace, and Vars knew that, and they willingly accepted the risks involved in working in such a hostile and dangerous atmosphere so

that they could make the streets of America safer and our lives more secure.

Certainly, we all wish that these brave individuals were still with us today, but I believe neither their service, nor their deaths, were in vain. I think these agents would agree with me that the best way we can honor their memory is to continue with the important work being accomplished through Operation Snowcap.

May they rest in peace.

#### TRIBUTE TO DR. JOHN R. MANS- FIELD, PROFESSIONAL STAFF MEMBER, SENATE ARMED SER- VICES COMMITTEE, UPON HIS DE- PARTURE

Mr. THURMOND. Mr. President, I rise to recognize the contributions of Dr. John R. Mansfield, a member of my staff on the Armed Services Committee. Dr. Mansfield, better known to many in the Congress and the administration as Jack, will be departing the committee to assume a position as Associate Administrator with the National Aeronautics and Space Administration.

Dr. Mansfield joined the Armed Services Committee in June 1989. Since then, Jack has lived up to his reputation as an accomplished theoretical physicist with exceptionally wide experience, both within and outside government. During his 5-plus years on the Armed Services Committee staff, he has been the chief proponent of our Nation's strategic weapons and the Department of Energy's nuclear weapons production capability. In the recent years, his advocacy for a strong nuclear complex was made much more challenging by an administration that has relegated this capability to a position that will virtually deny the Nation such a force multiplier in the coming century.

Mr. President, to parrot a famous commercial: "When Jack talks, people listen." This position of trust is based on his extensive experience in the National Defense arena. He joined the Armed Services Committee from the Defense Advanced Research Agency [DARPA] where he was chief scientist. In that position he served as DARPA's primary point of contact for the scientific and academic communities, and was responsible for monitoring relevant technology advances for incorporation in new DARPA programs. Jack also served as a professional staff member on the House Armed Services Committee, where he was responsible for preparing technical and budgetary advice to three subcommittees. Other significant positions that Dr. Mansfield held included a tour as the assistant for theoretical research at the Defense Nuclear Agency and as the chief of Nuclear Energy and Applied Sciences Division, Defense Intelligence Agency. In

his long and distinguished professional career, Dr. Mansfield also held similar positions in the private sector.

Without a doubt, Dr. Mansfield is among the most professional and most qualified staff members with which I have been associated in my almost 40 years in the Senate. He willingly shared his extensive knowledge with both members and his colleagues on the Armed Services Committee. I especially appreciated his close association with me and the people at the Savannah River site. Jack never hesitated to call the situation as he saw it and never shrank from a challenge when he knew he was right and it was in the best interest of our Nation.

Mr. President, necessity demands that we fill Jack's position; however, it will be difficult to find an individual who possesses Jack's technical expertise, individual warmth, and concern for the national security of our Nation. I know I am joined by many in this Chamber in expressing our thanks to Jack Mansfield and in wishing him and his lovely wife, Karen, the best in his new endeavors.

#### THE 30TH ANNIVERSARY OF THE EUGENE O'NEILL THEATER CENTER

Mr. DODD. Mr. President, please allow me to extend my warmest congratulations to the Eugene O'Neill Theater Center of Waterford, CT, in celebration of its 30th anniversary season. I appreciate this opportunity to remark on the history and mission of the center, as well as on its considerable contributions to the arts.

In the words of drama critic Brooks Atkinson, "American drama as a serious art began with him [Eugene O'Neill]. O'Neill gave the drama size, passion, power and an enlightened point of view." In an effort to capture the lasting contributions of Mr. O'Neill, our Nation's first great playwright and former New London, CT resident, my good friend George C. White conceived of a center that would serve as an artistic haven and network for up-and-coming professional writers and performers. His ideas quickly turned into a tangible reality, and the center was founded in 1964.

Fondly referred to as "Camp Eugene," the center pioneered the practice of developing, refining, and showcasing the new works of talented playwrights, composers, and lyricists, college students, critics, and cabaret artists. In 1965, the first summer season of the center, students from all over the country, including the Manhattan coffeehouses and off-off Broadway, gathered for an intense and exhilarating 4-week workshop, the National Playwrights Conference [NPC].

During these sessions, writers review, critique, and rehearse each other's works in an often painstakingly and

lengthy process. Later, participants are rewarded when the conference actors perform the final product in front of enthusiastic local audiences. Throughout the past 30 years, this innovative program has demonstrated an outstanding record of success, nurturing at least 310 playwrights and 431 plays.

In addition to the NPC, the center continues to host such programs as the National Music Theater Conference, the National Theater Institute, the National Critics Institute, the National Puppetry Conference, Creative Arts in Education, and the Cabaret Symposium. A variety of international and cultural exchanges with China, Australia, France, and the Caribbean have also been initiated at the O'Neill, and numerous theater collections and memorabilia are housed in Waterford, as well.

Since its inception, the center has achieved worldwide recognition for its unique contribution to the arts. It has been the recipient of the industry's most distinguished awards and honors, including the National Opera Institute Award, the Jujamcyn Award for Theater Excellence, the Arts and Business Council Encore Award, and a special Antoinette (Tony) Perry Award.

In addition to these credits, president George White received the American Theater Association's Award for Lifetime Achievement. Included among the well-known actors who have participated in the O'Neill's wealth of programs are Helen Hayes, Michael Douglas, Meryl Streep, Henry Winkler, Charles Dutton, Al Pacino, and Kevin Kline. Alumni playwrights—many who later won Oscars, Emmys, Tonys, Obies, Pulitzers, and even a Nobel Prize for Literature—include such popular writers as Sam Shepard, John Guare, Wendy Wasserstein, Charles Fuller, and John Patrick Shanley.

Referred to as the "theater crossroads of the world" by international theater critic Martin Esslin, the O'Neill has earned a distinguished reputation as an organization dedicated to the development of artists, their new works, and the arts as a whole. I take great pride in wishing the Eugene O'Neill Theater Center another 30 years of overwhelming success and accomplishment.

#### COMMENDING THE UNITED STATES DELEGATION TO HAITI

Mr. MOYNIHAN. Mr. President, I rise to express high praise for President Carter, former chairman of the Joint Chiefs of Staff Colin Powell, and our esteemed colleague, the chairman of the Armed Services Committee, Senator NUNN, for their diplomatic skill. Their efforts have averted a United States invasion of Haiti, which comes as a great relief to those who watched the events of the last week with no

small amount of anxiety. We did not merely avert an invasion of Haiti yesterday, we avoided a misapplication of the U.N. Charter.

The situation in Haiti, as in many countries, is indeed dreadful, and has been so for years. However the charter does not provide the legal authority to invade in such situations. Chapter VII of the charter was designed to address "Threats to the Peace, Breaches of the Peace and Acts of Aggression."

Yesterday Sam Donaldson posed the question:

What if the present mission, as we speak—headed by former President Carter succeeds, the triumvirate of generals step aside voluntarily and the United States forces go in to reinstall the last freely democratically elected president—Mr. Aristide. Then is there a problem in international law?

I responded, "You could have a situation in which a sufficiently legitimate indigenous authority asked us in. That could happen."

That has happened. With the success of President Carter's mission, the situation has changed our action from an invasion not provided in the charter, to the implementation of a dispute settlement—something which the charter is equipped to address.

Again I commend President Carter and his delegation. Their efforts were heroic. I also praise the excellent manner in which our troops have responded to this difficult task. In particular I wish to bring to the attention of my colleagues the dedication of the members of the 10th Mountain Division, based at Fort Drum, NY. Their mission is a difficult one, but one I am sure they will carry out with expert precision. They deserve our strong support.

The ACTING PRESIDENT pro tempore. The Senator from South Dakota is recognized.

#### OPPOSITION TO UNITED STATES FORCES BEING IN HAITI

Mr. PRESSLER. Mr. President, I am very pleased that our forces did not have to fight their way into Haiti, but I am still opposed to their being there. I do not mean to sound negative and I do not mean to be speaking in any way against U.S. troops, because I admire very much the way they are handling themselves. I disagree with the basic policy of having our soldiers in Haiti. Let me explain why.

As an army lieutenant in Vietnam many years ago, I became convinced that these types of military operations in small countries can work against the United States and work against our interests. I doubt very seriously that we are going to succeed in installing democracy as we know it in Haiti.

Also, I am very concerned about the taxpayers of the United States. There are so many commitments being made to build infrastructure in Haiti. I worry about our Indian reservations, our senior citizens, and others who are poor in this country. Indeed, in this

city we have 22 aggravated assaults or rapes per day and about 2 murders per day, which is a higher level of violence than in Haiti.

I have not heard any plan of how we are going to get our troops out; how or when. I sincerely hope the administration has a plan to withdraw our troops.

Unfortunately, as in Somalia, these operations drag on and on and they eventually turn sour. The first 2 months are going to be glorious. We are going to see our troops working side by side with Haitian troops and the Haitian people and those images are going to give us all a feel-good feeling. Then the reality will set in and we will realize, as we did in Somalia, that we are not accomplishing very much and we are placing our troops in increasingly dangerous situations.

In other countries where we have conducted military operations, in Panama or elsewhere, we have found ourselves subject to lawsuits for many years thereafter. Every time one of our military vehicles goes over a road or a bridge, you can be sure that we are going to be sued in 4 or 5 years to rebuild that bridge or rebuild that road. The taxpayers of America will be quietly asked to pay for it.

I believe what appears to be a very glorious adventure on day one will turn sour. I do not begrudge in any way my friend, President Carter, who did such a good job. I have traveled with him as an election observer. He did a good job of avoiding violence under the circumstances. With the President of the United States determined to invade, President Carter did an excellent job; so did our colleague, Senator NUNN; and Colin Powell also did an excellent job, in my judgment, under the circumstances.

But that still does not change my basic opposition to having our troops in Haiti. I hope we get them out soon.

I would also ask the administration to give us a cost estimate as to how much this is going to cost the American taxpayers, including the infrastructure we intend to build and the various other things being promised. The administration says they are going to need a supplemental appropriation to finance this adventure. Let us get some cost estimates so the American people know what these adventures cost.

I speak not as one who is in any way critical of our military. I think they are doing an excellent job. I am critical of the basic decision. I am glad that it did not result in an invasion. I congratulate the President and the former President and their teams. I do hope and pray we have an exit strategy. I also hope we have a cost estimate in the next few days so the American people can see the price tag.

I thank the Chair and I yield the floor.

The ACTING PRESIDENT pro tempore. The Chair recognizes Senator MITCHELL, the majority leader.

Mr. MITCHELL. Mr. President, I ask unanimous consent that the period for morning business be extended for 15 minutes, that Senator DORGAN be recognized to address the Senate for up to 15 minutes.

The PRESIDING OFFICER (Ms. MOSELEY-BRAUN). Without objection, it is so ordered.

Mr. DORGAN. Madam President, I appreciate the majority leader's courtesy. I reserved 15 minutes in morning business and was presiding during the hour, so I very much appreciate the opportunity to take the time now.

I would be happy to yield to the Senator from Maine.

The PRESIDING OFFICER. The majority leader.

Mr. MITCHELL. Madam President, I ask unanimous consent that my remarks appear in the RECORD so as not to interrupt the remarks of the Senator from North Dakota.

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

Mr. MITCHELL. Madam President, I ask unanimous consent that upon the completion of the remarks of the Senator from North Dakota, the distinguished Senator from Pennsylvania be recognized to address the Senate for up to 10 minutes and that his remarks be in morning business, and that upon the completion of the remarks of the Senator from Pennsylvania, the Senate stand in recess subject to the call of the Chair.

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

#### HAITI

Mr. DORGAN. Madam President, let me begin by speaking about the subject I did not intend to speak about, which is Haiti. I wrote to the President about a month ago, and I said I did not think an armed invasion of Haiti was the right approach. Well, most of us last evening heard television and radio reports that an invasion will not be necessary.

But notwithstanding my record on this issue, I think all Americans join me in my sense of relief that American soldiers did not confront armed resistance on the beaches of Haiti today. I was enormously relieved when I discovered that negotiations had apparently been successful, and that our negotiating team and the Haitian regime had reached an agreement providing that the leaders of the Government of Haiti, those who took leadership by force, would give way to those who had been democratically elected.

That was done without bloodshed. I give great credit to President Clinton and to the negotiating team of President Carter, General Powell, and Senator NUNN. I do hope in the next sev-

eral weeks that this agreement will work as it has been described. I think there is every indication that it will.

But when there is great hand wringing in this country about everything going wrong, it appears that one right thing has happened. A negotiated settlement, without bloodshed, without American troops having to confront an armed force on the shores of Haiti, has occurred. That is very good news for Americans and I think good news for Haitians as well.

#### THE ENGINE OF DISAFFECTION IN AMERICA

Mr. DORGAN. Madam President, I wanted to take the floor today to speak just for a few moments about something everyone in this Chamber understands very well. I have served in the Congress, now, for 14 years. I do not think I have ever seen the public mood in the country quite as sour as it is right now. There are plenty of people rushing to the microphone, the megaphone, and the stage to say, "Things are awful. Things are not working. Things are terrible in our country." And this negativism resonates with a volume that almost drowns out everything else.

We have plenty of problems as a nation. And we do face plenty of challenges. It is also true that there are plenty of problems in our Congress and in our Government. Each of us confronts those problems when we are at home.

But those who say that everybody who serves in government is a crook are wrong. Everyone I know, who serves in this Chamber, is someone who believes deeply in making a difference in this country's future through public service. Those I serve with in this Chamber are honest, strong, smart, articulate, and energetic in fighting for what is important to their States and their constituents. That is the reality. That is the truth.

Yet we have developed a self-assessment in this country, about ourselves as a country, about our Government—which after all is only us, working together—that our Government does not work, that it is full of people who are interested only in enriching themselves, who advance their own interests, and who do not serve the public interest.

Nothing could be more wrong.

John F. Kennedy used to say that every mother kind of hoped that her child could grow up to be President—as long as that child did not have to get involved in politics. But, of course, the political system is the system in which we make public decisions.

The reason I speak about this disaffection today, the engine of disaffection in America, is that I think representative government is a very fragile system. This is true because what

we believe and accept in our own minds and hearts is much more important than the Constitution of the United States. That is the framework. But that framework works because we believe it. Many countries have constitutions with words just as eloquent, describing freedoms just as broad. But our Constitution works, as the fabric for our Government and for our decisionmaking, because we believe it and we respect it and we have faith in it.

With the stretching and tearing in this country, I worry about what is happening to faith and trust. Is it hard to have faith and trust in government? Yes, it is. I understand that. And I understand why. Because the problems we face are not simple problems and not to be solved by simple solutions or to be answered with simple answers. They are deep, wrenching, gripping problems that require new, innovative, creative, and often very controversial solutions.

A colleague of mine said the other day, "I have watched for years the public mood swing, and it will swing in a month or 6 weeks. I know which way the mood is going now, but it will change."

I said, you do not understand the engine of disaffection in our country today and how relentless that engine of disaffection is. The engine of disaffection, given volume in the dozens of different ways by which we entertain ourselves, on television or on radio or in the print press, can hold up the flaw, any flaw in any public institutions—not just government, but any institution in our country—can hold it up to the light and ask, "Isn't this ugly? Take a look at this. Come and look. This is awful. This is grotesque."

There is an industry, a cottage disaffection industry, developed to do that in this country. It is magazine shows, it is radio. It would suggest that these imperfections are the rule. And they are not. They are the exception.

We have a country today in which we entertain ourselves with the negatives. I have mentioned it before on this floor. Everybody will recognize the word "Bobbitt," or "Buttafuoco," or "Harding-Kerrigan," or a whole range of things that signify some enormously controversial thing that we immediately gravitate to and entertain ourselves with.

We want not just to be entertained; we want instantly to be gratified. It is the way we are. This is a country of instant pudding, instant Jello, Jiffy-Lube, fast food. We want things done and we want them now. We want the same from public policy. Is there a problem? Fix it right now, and fix it in a way that is simple, and fix it in a way that does not inconvenience me. That is the way the mood is in our country. And of course it simply cannot work that way.

This country has increasingly decided to measure our progress and our

future, and gauge who we are and where we are going, by what we consume rather than what we produce. If we continue to measure by that, we are certainly destined to injure our ability to create the jobs and opportunities that our people need. It is what we produce that is the measure of economic success and long-term economic strength, not what we consume. We are a people who will buy shoes made in Indonesia, shirts made in China, television sets made in Japan, and then we will wonder why we do not have any jobs for people in our neighborhoods. The answer would seem to me to be pretty clear.

We do not have enough jobs because we are making other choices about where jobs should be located. We are saying it is fine to make trade agreements with people who are willing to produce shoes in another country for 14 cents an hour; where a pair of shoes selling for 80 cents will be sent to the shelves in America to be bought by an American consumer for \$80, and there is 1 1/4 hours labor in the shoe that amounts to 20 cents labor in an \$80 pair of shoes. The job used to be here, but now it is there. We wonder, where is the opportunity for those of us who live here.

We prefer to borrow rather than save. That is certainly true of the Congress. But it is also true of the American family. It is true of the American corporation. Look at the rates of borrowing: Personal debt, corporate debt and, yes, especially public debt, Federal debt.

We are too willing to allow a disconnection between effort and reward.

What is one of the growth industries in America today? Gambling. Gaming, gambling, \$300 billion and rising like a meteor. Gambling is a growth industry in America. I am not saying gambling is always wrong or gambling is wrong, period. I am not saying that. I am saying, however, when gambling becomes a growth industry and the disconnection between effort and reward exists, it is not just in the casinos that are spreading across our country, but gambling in the 1980's with junk bonds in the corporate suites, a disconnection between effort and reward; the disconnection between effort and reward on the city streets in America selling drugs which, interestingly enough, are called, at least on the streets, junk. And in the suites they were selling junk bonds, and on the streets they are selling junk called drugs—disconnecting effort and reward, get rich quick. That is the problem.

People understand the sheer terror of what is happening in this country: 23,000 murders; 110,000 rapes in a year; 1 million aggravated assaults; kids having children; kids shooting kids in our public schools inside the building during the school day.

If the engine of disaffection were to analyze these things, it would say it is

so mind-boggling to try to confront problems of this magnitude: A million and a half people having babies this year without two parents present; 800,000 to 1 million of those babies will never in their lifetime know who their father is. I think people start looking at that and say, "I don't know how to begin to confront these issues. I know what is wrong. Government is off: limit terms." Do other simple things and somehow all of these challenges, all of these problems will be dealt with.

But, of course, that will not be the case. These problems will remain. We could change all of our government overnight, and it would not change any of what I just described. We need, finally, to decide to talk to each other about public policy.

I read on the floor one day some months ago a missive that was sent around by one of my colleague's PAC organizations. I will not mention his name, although I should. But I will not.

He said: "Call your opponent these names because it will help you in the election. Use the term sleaze, use the term traitor, use the terms pathetic and sick to describe your opponent." That is politics by some. That is not thoughtful discussion of public policy to try to figure out answers to these nagging, gripping problems.

The reason I wanted to discuss this a bit today is everyone in this Chamber understands what is happening out there. People are very, very upset about this Government. Some of it is for very real reasons because we have not done as well as we should do.

Other reasons are beyond our control. I started by saying that government, self-government, democracy, exists in people's minds and hearts. They must be willing to concede that we all cannot vote on every issue, so we create a system by which we place some trust and faith in others. That is why all of us need to understand that this disaffection, this relentless engine of disaffection is more than just troubling. We need to find a way to restore the faith of the people in their government.

There was a professor once who had a student in medical school, and the student was always chiding the professor about the professor being religious. He said to the professor once: "You know, I did my first autopsy on a cadaver. We dissected a cadaver today in med school, and you know something; we dissected every section of that cadaver and we didn't find a soul. No soul," chiding the professor about religion.

The wise professor said: "Well, did you dissect the eye?"

And the student said: "Yes."

The professor asked: "Well, did you find vision?" The professor asked: "Did you dissect the brain?"

The student said: "Yes."

The professor asked: "Did you find an idea?"

"Did you dissect the heart," he asked? "Did you find love?"

The point of it was, all of the things that are really critically important are things you cannot even very easily describe, let alone see, feel, or touch. And the notion of democracy, the notion of what it is we have in this country that has made it so successful, is something that we should care for. Instead, we are stretching and tearing the notion that holds us altogether.

The plain fact is, if all of us as citizens and as people involved in government begin to think about this in a thoughtful and serious way, as we should, we will understand that there are certain timeless truths that can only be dealt with at home, in our neighborhood, in our community. The solutions really start with self-responsibility. Some things we must do together as a Government. We should not educate our own kids in our home. We cannot do that. We cannot each build our own road to the supermarket. We do some things together as government, and when we do those things, we should do them well and do them well to support the public interest in this country.

But what we must do now, it seems to me, is all of us recognize this disaffection that exists, understand why it exists, and begin to see if we can, in one way or another, begin to repair this tearing fabric. Everyone in this country has a responsibility, from citizens to government, and that responsibility, it seems to me, is to begin pulling together in the same direction for the common good of this country.

There are certain timeless truths. All of us know what those timeless truths are. You have to pay your bills, you have to save for the future, you have to be responsible for your own actions, you have to try to promote initiative and reward initiative, and you have to connect effort to reward. All of those kinds of things are things we understand and we need to find a way to embrace in public policy.

I end as I started. I have been to Haiti. I have been to Haiti on hunger missions. What was interesting about going to Haiti is that everyone I talked to in the countryside of Haiti—do you know what their dream was? Their dream was to come to America. Haiti has lived under the yoke of repression for so long, and now they are in the grip of such poverty and such hopelessness and helplessness. What they see is a country over here that is a beacon of hope and opportunity, and they would love to come to America.

We sit here day after day being so hypercritical of everything that is wrong and not understanding there is an enormous reservoir of good and wonderful things and an enormous store of opportunity in this country in our future. But that's true only if we decide to harness our initiative and our interest

together and start pulling the oars together and getting the boat going in one direction.

I hope in the next 4, 5 weeks, as we head toward an election, we could start, all of us, thinking not about how to silence criticism, because criticism is good for us, but how to tell all of those who buy into this spectator sport that they should not gravitate toward the complainers and the critics. We must tell people to turn from the cynics who say everything is wrong and who magnify the ugliness of imperfection. We must tell people that there is another side. Yes, let us confront our faults, but let us also try to find a way to advance our interests, to strengthen and improve what this country is and what this country can be.

Madam President, I yield back my time.

Mr. SPECTER addressed the Chair.

The PRESIDING OFFICER. The Senator from Pennsylvania.

#### HAITI'S UNANSWERED QUESTIONS

Mr. SPECTER. Madam President, I congratulate former President Carter, Senator NUNN, and General Powell on the excellent work which they did in avoiding the necessity for a forceful invasion of Haiti. I think President Clinton had a good idea to try that route as opposed to a forceful invasion. But now there are many questions which are posed as to what will happen next.

I understand that a resolution will be submitted to the Senate in support of the President's action, and I think we need to know the specifics on quite a number of subjects. For example, what is going to happen to General Cedras and what will his availability be, for example, to run for the Presidency of Haiti? As I understand the arrangements based upon attendance for a short time at a briefing today, General Cedras and the others will have amnesty, but they will not be compelled to leave Haiti.

Will they then try to assert their leadership position in a political context to run, say, for the Presidency of Haiti when Aristide's term expires? According to the information provided, that will be a matter for Haiti.

That certainly does raise some very serious potential problems. We know that General Cedras made a commitment to leave power, which he and others breached, which created the turmoil, which created the crisis, and which created the decision by President Clinton to have a forceful invasion of Haiti.

So I think it is very important to understand exactly what is going to happen to General Cedras and to the others who were in the junta which caused the problem. It certainly suggests very substantial potential for instability if General Cedras and his coconspirators are in a position to make trouble in the future.

The issue of amnesty with the Parliament is another matter. When can the Parliament be reconvened? Inquiries are now being made as to the size of the Parliament and the location of the parliamentarians, some of whom have left Haiti. Their ability to be reconvened for a quorum to act on behalf of Haiti is certainly an open question.

Madam President, I join my colleague, Senator PRESSLER, who earlier today spoke on the Senate floor raising a question about deployment of U.S. military personnel in a police action. Make no mistake; when the term "police action" is used by analogy to the so-called Korean police action, that is one way to describe what is really a war by the apologists who try to justify military action without a declaration of war which the Congress under our Constitution has the sole authority to do. But our troops are not trained for a police action. We do have some military police who are police in the sense of peacekeepers, making arrests and doing regular police actions. But our troops are trained as fighters. They are trained for military purposes and not to be policemen and policewomen.

The situation over there is very tense. There are a lot of weapons in Haiti. The television visuals from yesterday showed a lot of mob action. The commentary was made simultaneously that it may have been inspired by the Cedras forces as a show of vocal opposition to the representatives of the U.S. Government there.

There is the potential for violence and the potential for injury. I am very interested to know the specifics on when the U.N. force will be coming there. It was represented to be a multilateral U.N. effort with some 20 nations participating. But the total number of participants from the other nations was very limited, estimated somewhere in the range of 1,500 to 2,000, and very carefully not designated to be part of the invasion force, to bear the brunt and risk of being an invasion force to be met by some armed resistance—and not great from what we understood about Haiti's military force but certainly posing a risk to the invaders, all of which risk was to be borne by United States military personnel.

Now that it is a police action, how soon will the U.N. contributions come there to undertake that police action.

It is certainly a sigh of relief for all America that a forceful invasion was not necessary, and we are very grateful to President Carter's suggestion and his intervention and the support which was lent by Senator NUNN and the support which was lent by General Powell, and the President certainly had a good idea in making that one final effort before force was used.

However, there are still many unanswered questions which I think we have to address and have to analyze before, at least speaking for myself, I am in a

position to give support to the deployment of U.S. military personnel on any indefinite basis.

We ought to know the risk factor. We ought to know what other nations will be supplying. We ought to know how long they are going to be there. We ought to know what the situation is on the ground with respect to what General Cedras and the Haitian military or the Haitian police are going to do. And as Senator PRESSLER pointed out, we ought to know what the costs are, considering the very extensive deficit and the very extensive national debt which our Nation has.

Madam President, my colleague, Senator KASSEBAUM, is in the Chamber, so I would inquire as to how much of the 10 minutes I have remaining?

The PRESIDING OFFICER. The Senator has 3½ minutes remaining.

Mr. SPECTER. Madam President, I yield to my colleague the remainder of my time, and if that is insufficient, she can ask the Presiding Officer for more.

The PRESIDING OFFICER. The Senator from Kansas [Mrs. KASSEBAUM], is recognized.

Mrs. KASSEBAUM. Madam President, I thank my colleague from Pennsylvania [Mr. SPECTER].

(The remarks of Mrs. KASSEBAUM, pertaining to the submission of S. Res. 257, are located in today's RECORD under "Submission of Concurrent and Senate Resolutions.")

#### RECESS SUBJECT TO THE CALL OF THE CHAIR

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess subject to the call of the Chair.

Thereupon, at 3:29 p.m., the Senate recessed, subject to the call of the Chair.

The Senate reassembled, at 6:16 p.m., when called to order by the Presiding Officer [Mr. MATHEWS].

#### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

#### EXECUTIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will now go into executive session and resume consideration of the pending nomination of Adm. Henry H. Mauz, Jr., which the clerk will report.

#### NOMINATION OF ADM. HENRY H. MAUZ, JR., TO BE PLACED ON THE RETIRED LIST IN THE GRADE OF ADMIRAL

The assistant legislative clerk read the nomination of Adm. Henry H.

Mauz, Jr., to be placed on the retired list in the grade of admiral.

The Senate resumed consideration of the nomination.

Pending:

Murray motion to recommit the nomination to the Committee on Armed Forces with instructions, with the following amendments proposed thereto:

McCain/Dole amendment No. 2582 (to the motion to recommit) to express the sense of the Senate that the lives of United States Armed Forces personnel should not be risked in combat for the purpose of restoring Jean-Bertrand Aristide to the office of President of Haiti.

Mitchell/Nunn amendment No. 2583 (to amendment No. 2582), to express the sense of the Senate with respect to Haiti.

The PRESIDING OFFICER. The majority leader.

#### ORDER OF PROCEDURE

Mr. MITCHELL. Mr. President, I ask unanimous consent that the pending McCain Amendment No. 2582 and the Mitchell amendment No. 2583 be withdrawn; that the Senate resume consideration of the nomination of Admiral Mauz at 10:30 a.m. on Tuesday September 20; that there be 40 minutes for debate on the motion to recommit the nomination offered by Senator MURRAY to be divided between Senator NUNN and Senator MURRAY; that following the expiration of that time, Senator MURRAY be recognized, without any intervening action, to withdraw the motion to recommit; that the Senate then vote without any intervening action on the nomination; however, if a rollcall vote is requested, it occur at 2:15 p.m.; that upon confirmation, the motion to reconsider be tabled and the President be notified of the Senate's action.

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

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

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

#### LEGISLATIVE SESSION

The PRESIDING OFFICER. If there is no objection, the Senate will now return to legislative session.

The majority leader is recognized.

#### RESOLUTION ON HAITI

Mr. MITCHELL. Mr. President, and Members of the Senate, there will be no rollcall votes this evening.

As a result of the unanimous-consent agreement just reached, the two amendments to the nomination which was pending before the Senate have been withdrawn.

I have proposed to the distinguished Republican leader and our colleagues that the Senate proceed to a resolution dealing with the situation in Haiti.

During the day today, the House leaders, Democratic and Republican, have been meeting on the subject of a resolution, and following the meeting earlier this morning I have been discussing that matter with a number of my colleagues, as well, including, but not limited to, the distinguished Republican leader.

The agreement reached in Haiti yesterday and signed by former President Carter on behalf of President Clinton states, in paragraph numbered 7:

It is understood that the agreement is conditioned on the approval of the civilian Governments of the United States and Haiti.

President Clinton, as the Chief Executive and Commander in Chief, has expressed his support for this agreement, which I have noted was negotiated and entered into in his behalf. But I and many other Senators, a large number of whom have expressed their views to me today, believe that under the circumstances and in view of that language, it is appropriate that the Senate express its view with respect to the agreement as well.

Therefore, Mr. President, I have drafted and provided to the distinguished Republican leader such a resolution. Senator DOLE has appropriately advised me that he wants the opportunity to consult with his colleagues before expressing his view on this resolution and, therefore, I expect that I will hear back from him tomorrow.

Since a number of Senators have had the opportunity to review this resolution—I might add, as have the House leaders—and, as a result, it has become public, I believe it appropriate to ask that the resolution be printed in the RECORD so that all Senators have the opportunity to review that which, until now, several Senators have reviewed.

Mr. President, so that this is and can be a public matter, I present the resolution and ask unanimous consent that it be read.

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

The clerk will read the resolution in its entirety.

The legislative clerk read as follows:

A resolution commending the President of the United States and others for their efforts to peacefully restore democracy in Haiti and supporting the United States Armed Forces now engaged in the mission in Haiti.

Whereas on September 18, 1994, an agreement was reached in Port-au-Prince, Haiti, the purpose of which is to foster peace in Haiti, to avoid violence and bloodshed, to promote freedom and democracy, and to forge a sustained and mutually beneficial relationship between the governments, people, and institutions of Haiti and the United States;

Whereas certain military officers of the Haitian armed forces are willing to consent to an early and honorable retirement in accordance with U.N. Resolutions 917 and 940

when a general amnesty is voted into law by the Haitian Parliament, or October 15, 1994, whichever is earlier;

Whereas the agreement will permit the Democratically elected government of Haiti to resume governing: Now therefore be it

*Resolved*, That it is the sense of the Senate that

(1) The President of the United States is commended for his leadership and determination in his effort to restore democracy and stability to the Haitian people.

(2) Former President Carter, Senator Nunn and General Colin Powell are commended for their efforts in negotiating the agreement.

(3) The American people and the Congress support the United States Armed Forces now engaged in the mission in Haiti.

Mr. MITCHELL. Mr. President, the resolution, as read, is brief, simple, and direct. It is to the point in referring specifically to the agreement which has been reached and, in fact, tracks the language of the agreement in several paragraphs and then simply commends the President of the United States, the former President, and those who participated in the negotiation over the past weekend; and expresses the support of the Congress and the American people for the men and women of our armed services now engaged in this mission.

I hope that we will be able to debate and vote on this matter tomorrow and, as I indicated, I am awaiting a response from our colleagues in that regard.

#### PROGRAM

Mr. MITCHELL. In the meantime, pursuant to the prior agreement, the Senate will return to the Mauz nomination at 10:30 tomorrow and there will be a vote on that matter, if by voice vote, in the morning; if by rollcall vote, at 2:15 p.m. By that time, I hope a decision will have been reached on this matter and we can bring this to a conclusion.

Following that, the Senate has many important measures to take up, including several appropriations bills on which action must be completed by the end of this fiscal year. Senators should be prepared for lengthy sessions, with votes possible at any time from now through the day on which the Congress finally adjourns for the year.

#### REMOVAL OF INJUNCTION OF SECRECY—TREATY DOCUMENT NO. 103-31; TREATY DOCUMENT NO. 103-32; TREATY DOCUMENT NO. 103-33; AND TREATY DOCUMENT NO. 103-34

Mr. MITCHELL. Mr. President, as in executive session, I ask unanimous consent that the injunction of secrecy be removed from the following four treaties transmitted to the Senate on September 15, 1994, by the President of the United States:

Additional Protocol that Modifies the Convention Between the Govern-

ment of the United States of America and the Government of the United Mexican States for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on Income, Treaty Document No. 103-31;

Convention Between the Government of the United States of America and the Government of the French Republic for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on Income and Capital, Treaty Document No. 103-32;

Convention Between the Government of the United States of America and the Government of the Republic of Kazakhstan for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on Income and Capital, together with the Protocol and the two related exchanges of notes, Treaty Document 103-33; and

Convention Between the Government of the United States of America and the Government of the Portuguese Republic for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on Income, together with a related Protocol, Treaty Document No. 103-34.

I further ask that the treaties be considered as having been read the first time; that they be referred, with accompanying papers, to the Committee on Foreign Relations and ordered to be printed; and that the President's messages be printed in the RECORD.

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

The messages of the President are as follows:

#### *To the Senate of the United States:*

I transmit herewith for Senate advice and consent to ratification and Additional Protocol that Modifies the Convention Between the Government of the United States of America and the Government of the United Mexican States for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on Income, signed at Washington on September 18, 1992. The Additional Protocol was signed at Mexico City on September 8, 1994. Also transmitted for the information of the Senate is the report of the Department of State with respect to the Additional Protocol.

The Additional Protocol will amend the tax treaty provisions to broaden the scope of tax information exchange with Mexico. The Protocol will authorize the exchange of tax information under any tax information exchange agreement between the two countries and will provide for information exchange under the treaty for taxes at all levels of government.

The current Agreement Between the United States of America and the United Mexican States for the Exchange of Information with Respect to Taxes,

which now applies only to Federal taxes, is also being amended by a protocol to provide for the exchange of information to administer and enforce tax laws at all levels of government. This protocol, which was also signed at Mexico City on September 8, 1994, will enter into force only after the Protocol to the Convention has been ratified.

I recommend that the Senate give early and favorable consideration to the Additional Protocol and give its advice and consent to ratification.

WILLIAM J. CLINTON.

THE WHITE HOUSE, September 15, 1994.

#### *To the Senate of the United States:*

I transmit herewith for Senate advice the consent to ratification the Convention Between the Government of the United States of America and the Government of the French Republic for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on Income and Capital, signed at Paris on August 31, 1994, together with two related exchanges on notes. Also transmitted for the information of the Senate is the report of the Department of State with respect to the Convention.

The Convention replaces the 1967 income tax convention between the United States of America and the French Republic and the related protocols and exchanges of notes. The new Convention more accurately reflects current income tax treaty policies of the two countries.

I recommend that the Senate give early and favorable consideration to the Convention and related exchanges of notes and give its advice and consent to ratification.

WILLIAM J. CLINTON.

THE WHITE HOUSE, September 15, 1994.

#### *To the Senate of the United States:*

I transmit herewith for Senate advice and consent to ratification the Convention Between the Government of the United States of America and the Government of the Republic of Kazakhstan for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on Income and Capital, together with the Protocol and the two related exchanges of notes, signed at Almaty on October 24, 1993. Also transmitted for the information of the Senate is the report of the Department of State with respect to the Convention.

The Convention replaces, with respect to Kazakhstan, the 1973 income tax convention between the United States of America and the Union of Soviet Socialist Republics. It will modernize tax relations between the two countries and will facilitate greater private sector U.S. investment in Kazakhstan.

I recommend that the Senate give early and favorable consideration to the Convention, Protocol, and the two

related exchanges of notes and give its advice and consent to ratification.

WILLIAM J. CLINTON.

THE WHITE HOUSE, September 15, 1994.

*To the Senate of the United States:*

I transmit herewith for Senate advice and consent to ratification the Convention Between the United States of America and the Portuguese Republic for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on Income, together with a related Protocol, signed at Washington on September 6, 1994. Also transmitted for the information of the Senate is the report of the Department of State with respect to the Convention.

The Convention is the first income tax convention between the United States of America and the Portuguese Republic. The Convention reflects current income tax treaty policies of the two countries.

I recommend that the Senate give early and favorable consideration to the Convention and related Protocol and give its advice and consent to ratification.

WILLIAM J. CLINTON.

THE WHITE HOUSE, September 15, 1994.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will return to legislative session.

MORNING BUSINESS

MESSAGES FROM THE PRESIDENT RECEIVED DURING RECESS

Under the authority of the order of the Senate of January 5, 1993, the Secretary of the Senate on September 15, 1994, received a message from the President of the United States submitting sundry nominations and a treaty, which were referred to the appropriate committees.

Under the authority of the order of the Senate of January 5, 1993, the Secretary of the Senate on September 16, 1994, received a message from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

The nominations received on September 15 and 16, 1994, are shown in today's RECORD at the end of the Senate proceedings.

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Thomas, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages

from the President of the United States submitting sundry nominations and a treaty which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE RECEIVED DURING RECESS

Under the authority of the order of January 5, 1993, the Senate on September 16, 1994, during the recess of the Senate received a message from the House of Representatives announcing the Speaker has signed the following enrolled bill:

H.R. 3841. An act to amend the Bank Holding Company Act of 1956, the Revised Statutes of the United States, and the Federal Deposit Insurance Act to provide for interstate banking and branching.

ENROLLED BILL SIGNED

The enrolled bill was subsequently signed by the President pro tempore [Mr. BYRD].

MESSAGES FROM THE HOUSE

At 2:22 p.m., a message from the House of Representatives, delivered by Ms. Goetz, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 4308. An act to authorize appropriations to assist in carrying out the North American Free Wetlands Conservation Act for fiscal years 1995 through 1998, and for other purposes.

The message also announced that the House has agreed to the amendment of the Senate to the bill (H.R. 995), to amend title 38, United States Code, to improve reemployment rights and benefits of veterans and other benefits of employment of certain members of the uniformed services, and for other purposes, with an amendment, in which it requests the concurrence of the Senate.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC-3316. A communication from the President of the United States, transmitting, pursuant to law, an Executive order relative to the ordering of the Selected Reserve of the Armed Forces to active duty; to the Committee on Armed Services.

EC-3317. A communication from the President of the United States (received on September 18, 1994), transmitting, a report on the planned deployment of U.S. Armed Forces into Haiti; to the Committee on Foreign Relations.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committees were submitted:

By Mr. MOYNIHAN, from the Committee on Finance:

Stuart L. Brown, of Maryland, to be an Assistant General Counsel in the Department of the Treasury (Chief Counsel for the Internal Revenue Service), vice Abraham N.M. Shashy, Jr., resigned.

Edward S. Knight, of Texas, to be General Counsel for the Department of the Treasury, vice Jean E. Hanson, resigned.

Frank N. Newman, of California, to be Deputy Secretary of the Treasury, vice Roger Altman, resigned.

(The above nominations were approved subject to the nominees' commitment to appear and testify before any duly constituted committee of the Senate.)

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. BAUCUS, from the Committee on Environment and Public Works, without amendment:

S. 1555. A bill to clarify the treatment of the Centennial Bridge, Rock Island, Illinois, under title 23, United States Code, and for other purposes (Rept. No. 103-369).

By Mr. HOLLINGS, from the Committee on Commerce, Science, and Transportation, without recommendation without amendment:

H.R. 3626. A bill to supersede the Modification of Final Judgment entered August 24, 1982, in the antitrust action styled U.S. v. Western Electric, Civil Action No. 82-0192, United States District Court for the District of Columbia; to amend the Communications Act of 1934 to regulate the manufacturing of Bell operating companies, and for other purposes.

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. SARBANES:

S. 2438. A bill to extend the authorities of the Overseas Private Investment Corporation through fiscal year 1995, and for other purposes; to the Committee on Foreign Relations.

By Mr. BRYAN (for himself and Mr. GORTON):

S. 2439. A bill to save lives, prevent injuries, and protect property through improved State and local fire safety and prevention education, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. PRYOR:

S. 2440. A bill entitled the "Prospective Payment System for Nursing Facilities"; to the Committee on Finance.

By Mr. HEFLIN:

S. 2441. A bill to provide for an independent review of the implementation of the National Implementation Plan for modernization of the National Weather Service at specific sites, and for other purposes; to the Committee on Commerce, Science, and Transportation.

## SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. JOHNSTON (for himself and Mr. WALLOP):

S. Res. 256. A resolution to authorize the use of funds available to the Committee on Energy and Natural Resources for consultants; to the Committee on Rules and Administration.

By Mrs. KASSEBAUM:

S. Res. 257. A resolution to express the sense of the Senate regarding the appropriate portrayal of men and women of the Armed Forces in the upcoming National Air and Space Museum's exhibit on the Enola Gay; to the Committee on Rules and Administration.

By Mr. HEFLIN:

S. Res. 258. A resolution to refer S. 974 entitled "A bill for the relief of Richard Kanehl of Mobile, Alabama," to the chief judge of the United States Court of Federal Claims for a report thereon; to the Committee on the Judiciary.

## STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. BRYAN (for himself and Mr. GORTON):

S. 2439. A bill to save lives, prevent injuries, and protect property through improved State and local fire safety and prevention education, and for other purposes; to the Committee on Commerce, Science, and Transportation.

## FIRE SAFETY AND PREVENTION EDUCATION ACT

● Mr. BRYAN. Mr. President, the terrible fires raging in my State and across the West are a grim reminder that we must do all we can to educate Americans—persuade them—to do all they can to prevent fire. Fire kills 5,000 and injures 29,000 Americans annually leading to economic loss estimated at \$10 billion a year, with more than \$1 billion a year in health care costs.

With this important challenge and responsibility in mind, I am honored today to join my distinguished colleague from the State of Washington, Mr. GORTON, to introduce the Fire Prevention Education Act of 1994.

Education is, without question, our most cost-effective weapon in the fight against accidental fires. This legislation will provide modest but important incentives for State and local fire officials to educate those Americans most vulnerable to fire—the very old, the very poor and the very young.

The program would be administered by the U.S. Fire Administration and would provide grants to States over 3 years for the purpose of encouraging State and local programs generating fire data and public education. Because the accurate collection and analysis of fire data is crucial to determining the focus of education programs, the first year of the program would provide modest grants to States implementing the recently revised National Fire Incident Reporting System [NFIRS].

I am also pleased to say that Representative STENY HOYER, chairman of the Congressional Fire Service Caucus, is introducing this same measure today in the House.

With the prompt passage of this legislation, we will see a much-needed reduction in the number of deaths, severe and costly injuries, and property loss caused each year by fire.●

By Mr. PRYOR:

S. 2440. A bill entitled "Prospective Payment System for Nursing Facilities"; to the Committee on Finance.

## THE PROSPECTIVE PAYMENT SYSTEM FOR NURSING FACILITIES ACT OF 1994

● Mr. PRYOR. Mr. President, today I am introducing a bill which would establish a prospective payment system for skilled nursing facilities under Medicare. This proposal has been developed by representatives of the provider community and represents a serious attempt to launch discussions on this issue. I believe many aspects of the proposal outlined in this legislation warrant a thorough discussion.

In 1983 Congress passed legislation that revolutionized the hospital payment system under Medicare. The legislation created the prospective payment system [PPS]. The prospective payment system was first developed as a cost-containment effort for Medicare hospital costs. It did this by changing Medicare payments for inpatient care in hospitals from a retrospective cost system to a prospective payment system. This prospective system bases payment on a predetermined rate for each type of patient that is treated by using diagnostic related groupings [DRG's].

Since the implementation of the prospective payment system in many hospitals, the Health Care Financing Administration [HCFA] has been charged with ascertaining whether this payment method can be applied to other systems, such as rehabilitation hospitals and skilled nursing facilities.

At the present time, the Health Care Financing Administration [HCFA] is in the midst of a demonstration project to study a prospective payment system for skilled nursing facilities. I am introducing this bill to further the discussion on the appropriateness of, and most advisable method for prospectively reimbursing skilled nursing care, and on the consequences of establishing this type of reimbursement system for nursing homes. I look forward to hearing comments from my colleagues, interest groups, and other interested parties.

I ask unanimous consent that the bill be printed in the RECORD.

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

S. 2440

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

## SECTION 100. SHORT TITLE.

This Chapter may be cited as the Prospective Payment System for Nursing Facilities and shall apply to the payment for services of nursing facilities under federally-funded long term care programs.

## SEC. 101. DEFINITIONS.

(a) For purposes of this Chapter:

(1) "Acuity payment" refers to a fixed amount that will be added to the facility-specific prices for certain resident classes designated by the Secretary as requiring heavy care.

(2) "Administrative Procedure Act" refers to 5 U.S.C. §551 *et seq.*

(3) "Aggregated resident invoice" refers to a compilation of the per resident invoices of a nursing facility which contain the number of resident days for each resident and the resident class of each resident at the nursing facility during a particular month.

(4) "Allowable costs" refer to costs which HCFA has determined to be necessary for a nursing facility to incur according to the Provider Reimbursement Manual (hereinafter "HCFA-Pub. 15").

(5) "Base year" refers to the most recent cost reporting period (consisting of a period which is 12 months in length, except for facilities with new owners, in which case the period is not less than four (4) months nor more than thirteen (13) months) for which cost data of nursing facilities is available to be used for the determination of a prospective rate.

(6) "Case mix weight" is the total case mix score of a facility calculated by multiplying the resident days in each resident class by the relative weight assigned to each resident class, and summing the resulting products across all resident classes.

(7) "Complex medical equipment" refers to items such as ventilators, intermittent positive pressure breathing (IPPB) machines, nebulizers, suction pumps, continuous positive airway pressure (CPAP) devices, and bead beds such as air fluidized beds.

(8) "Distinct part nursing facility" refers to an institution which has a distinct part that is certified under Title XVIII of the Social Security Act and meets the requirements of §201.1 of the Skilled Nursing Facility Manual published by HCFA (hereinafter "HCFA-Pub. 12").

(9) "Efficiency incentive" refers to a payment made to a nursing facility in recognition of incurring costs below a pre-specified level.

(10) "Fixed equipment" refers to equipment which meets the definition of building equipment in §104.3 of HCFA-Pub. 15. Fixed equipment includes, but is not limited to, attachments to buildings such as wiring, electrical fixtures, plumbing, elevators, heating systems, and air conditioning systems.

(11) "Geographic ceiling" refers to a limitation on payments in any given cost center for nursing facilities in one of no fewer than eight (8) geographic regions, further subdivided into rural and urban areas, as designated by the Secretary.

(12) "Heavy care" refers to an exceptionally high level of care which the Secretary has determined is required for residents in certain resident classes.

(13) "HCFA" refers to the Health Care Financing Administration of the Department of Health and Human Services.

(14) "Index[ed] forward" refers to an adjustment made to a per diem rate to account for cost increases due to inflation or other factors during an intervening period following the base year and projecting such cost increases for a future period in which the

rate applies. Indexing forward under this Chapter shall be determined from the mid-point of the base year to the mid-point of the rate year.

(15) "Marshall Swift segmented cost method" refers to an appraisal method published by the Marshall Swift Valuation Service.

(16) "Minimum Data Set (hereinafter "MDS")" refers to a resident assessment instrument, currently recognized by HCFA, in addition to any extensions to MDS, such as MDS+, as well as any extensions to accommodate subacute care which contain an appropriate core of assessment items with definitions and coding categories needed to comprehensively assess a nursing facility resident.

(17) "Major movable equipment" refers to equipment which meets the definition of major movable equipment in §104.4 of HCFA-Pub. 15. Major movable equipment includes, but is not limited to, accounting machines, beds, wheelchairs, desks, vehicles, and X-ray machines.

(18) "Nursing facility" refers to an institution which meets the requirements of a "skilled nursing facility" under Section 1819(a) of Title XVIII of the Social Security Act and a "nursing facility" under Section 1919(a) of Title XIX of the Social Security Act.

(19) "Per bed limit" refers to a per bed ceiling on the fair asset value of a nursing facility for one of the geographic regions designated by the Secretary.

(20) "Per diem rate" refers to a rate of payment for the costs of covered services for a resident day.

(21) "Relative weight" is the index of the value of the resources required for a given resident class relative to the value of resources of either a base resident class or the average of all the resident classes.

(22) "R.S. Means Index" refers to the index of the R.S. Means Company, Inc., specific to commercial/industrial institutionalized nursing facilities, which is based upon a survey of prices of common building materials and wage rates for nursing facility construction.

(23) "Rebase" refers to the process of updating nursing facility cost data for a subsequent rate year using a more recent base year.

(24) "Rental rate" refers to a percentage that will be multiplied by the fair asset value of property to determine the total annual rental payment in lieu of property costs.

(25) "Resident classification system" refers to a system which categorizes residents into different resident classes according to similarity of their assessed condition and required services.

(26) "Resident day" refers to the period of services for one resident, regardless of payment source, for one continuous 24 hours of services. The day of admission of the resident constitutes a resident day but the day of discharge does not constitute a resident day. Bed hold days are not to be considered resident days, and bed hold day revenues are not to be offset.

(27) "Resources Utilization Groups, Version III (hereinafter "RUG-III")" refers to a category-based resident classification system used to classify nursing facility residents into mutually exclusive RUG-III groups. Residents in each RUG-III group utilize similar quantities and patterns of resources.

(28) "Secretary" refers to the Secretary of the Department of Health and Human Services.

#### SEC. 102. PAYMENT OBJECTIVES.

(a) Payment rates under the Prospective Payment System For Nursing Facilities shall reflect the following objectives:

(1) To maintain an equitable and fair balance between cost containment and quality of care in nursing facilities.

(2) To encourage nursing facilities to admit residents without regard to their source of payment.

(3) To provide an incentive to nursing facilities to admit and provide care to persons in need of comparatively greater care.

(4) To maintain administrative simplicity, for both nursing facilities and the Secretary.

(5) To encourage investment in buildings and improvements to nursing facilities (capital formation) as necessary to maintain quality and access.

#### SEC. 103. POWERS AND DUTIES OF THE SECRETARY.

(a) The Secretary shall establish by regulation, in accordance with the Administrative Procedure Act, all rules and regulations necessary for the implementation of this Chapter. The rates determined under this Chapter shall reflect the objectives in Section 102 of this Chapter.

(b) The Secretary may require that each nursing facility file such data, statistics, schedules, or information as required to enable the Secretary to implement this Chapter.

#### SEC. 104. RELATIONSHIP TO TITLE XVIII OF THE SOCIAL SECURITY ACT.

(a) No provision in this Chapter shall replace, or otherwise affect, the skilled nursing facility benefit under Title XVIII of the Social Security Act.

(b) The provisions of HCFA-Pub. 15 shall apply to the determination of allowable costs under this Chapter except to the extent that they conflict with any other provision in this Chapter.

#### SEC. 105. ESTABLISHMENT OF RESIDENT CLASSIFICATION SYSTEM.

(a)(1) The Secretary shall establish a resident classification system which shall group residents into classes according to similarity of their assessed condition and required services.

(2) The resident classification system shall be modeled after the RUG-III system and all updated versions of that system.

(3) The resident classification system shall be reflective of the necessary professional and paraprofessional nursing staff time and costs required to address the care needs of nursing facility residents.

(b)(1) The Secretary shall assign a relative weight for each resident class based on the relative value of the resources required for each resident class. The assignment of relative weights for resident classes shall be performed for each geographic region as determined in accordance with subsection (c) of this section.

(2) In assigning the relative weights of the resident classes in a geographic region, the Secretary shall utilize information derived from the most recent MDSs of all of the nursing facilities in a geographic region.

(3) The relative weights of the resident classes in each geographic region shall be recalibrated every three (3) years based on any changes in the cost or amount of resources required for the care of a resident in the resident class.

(c)(1) The Secretary shall designate no fewer than eight (8) geographic regions for the total United States. Within each geographic region, the Secretary shall take appropriate account of variations in cost between urban and rural areas.

(2) There shall be no peer grouping of nursing facilities (e.g., based on whether the nursing facilities are hospital-based or not) other than peer-grouping by geographic region.

#### SEC. 106. COST CENTERS FOR NURSING FACILITY PAYMENT.

(a) Consistent with the objectives established in Section 102 of this Chapter, the Secretary shall determine payment rates for nursing facilities using the following cost/service groupings:

(1) NURSING SERVICE COSTS.—The nursing service cost center shall include salaries and wages for the Director of Nursing, Quality Assurance Nurses, registered nurses, licensed practical nurses, nurse aides (including wages related to initial and on-going nurse aide training and other on-going or periodic training costs incurred by nursing personnel), contract nursing, fringe benefits and payroll taxes associated therewith, medical records, and nursing supplies.

(2) ADMINISTRATIVE AND GENERAL COSTS.—The administrative and general cost center shall include all expenses (including salaries, benefits, and other costs) related to administration, plant operation, maintenance and repair, housekeeping, dietary (excluding raw food), central services and supply (excluding medical supplies), laundry, and social services.

(3) FEE-FOR-SERVICE ANCILLARY SERVICES.—Ancillary services to be paid on a fee-for-service basis shall include physical therapy, occupational therapy, speech therapy, respiratory therapy, hyperalimentation, and complex medical equipment (CME). These fee-for-service ancillary service payments under Part A of Title XVIII of the Social Security Act shall not affect the reimbursement of ancillary services under Part B of Title XVIII of the Social Security Act.

(4) SELECTED ANCILLARY SERVICES AND OTHER COSTS.—The cost center for selected ancillary services and other costs shall include drugs, raw food, medical supplies, IV therapy, X-ray services, laboratory services, property tax, property insurance, minor equipment, and all other costs not included in the other four cost/service groupings.

(5) PROPERTY COSTS.—The property cost center shall include depreciation on the building(s) and fixed equipment, major movable equipment, motor vehicle(s), land improvements, amortization of leasehold improvements, lease acquisition costs, and capital leases; interest on capital indebtedness; mortgage interest; lease costs; and, equipment rental expense.

(b) Nursing facilities shall be paid a prospective, facility-specific, per diem rate based on the sum of the per diem rates established for the nursing service, administrative and general, and property cost centers as determined in accordance with Sections 108, 109, and 112 of this Chapter.

(c) Nursing facilities shall be paid a facility-specific prospective rate for each unit of the fee-for-service ancillary services as determined in accordance with Section 110 of this Chapter.

(d) Nursing facilities shall be reimbursed for selected ancillary services and other costs on a retrospective basis in accordance with Section 111 of this Chapter.

#### SEC. 107. RESIDENT ASSESSMENT.

(a) The nursing facility shall perform a resident assessment in accordance with Section 1819(b)(3) of Title XVIII of the Social Security Act within fourteen (14) days of admission of the resident and at such other times as required by that section.

(b) The resident assessment shall be used to determine the resident class of each resident in the nursing facility for purposes of

determining the per diem rate for the nursing service cost center in accordance with Section 108.

**SEC. 108. THE PER DIEM RATE FOR NURSING SERVICE COSTS.**

(a)(1) The nursing service cost center rate shall be calculated using a prospective, facility-specific per diem rate based on the nursing facility's case-mix weight and nursing service costs during the base year.

(2) The case-mix weight of a nursing facility shall be obtained by multiplying the number of resident days in each resident class at a nursing facility during the base year by the relative weight assigned to each resident class in the appropriate geographic region. Once this calculation is performed for each resident class in the nursing facility, the sum of these products shall constitute the case-mix weight for the nursing facility.

(3) A facility nursing unit value for the nursing facility for the base year shall be obtained by dividing the nursing service costs for the base year, which shall be indexed forward from the midpoint of the base period to the midpoint of the rate period using the DRI McGraw-Hill HCFA Nursing Home Without Capital Market Basket, by the case-mix weight of the nursing facility for the base year.

(4) A facility-specific nursing services price for each resident class shall be obtained by multiplying the lower of the indexed facility unit value of the nursing facility during the base year or the geographic ceiling, as determined in accordance with subsection (b) of this section, by the relative weight of the resident class.

(5) The Secretary shall designate certain resident classes as requiring heavy care. An acuity payment of three (3) percent of the facility-specific nursing services price shall be added on to the facility-specific price for each resident class which the Secretary has designated as requiring heavy care. The acuity payment is intended to provide an incentive to nursing facilities to admit residents requiring heavy care.

(6) The per diem rate for the nursing service cost center for each resident in a resident class shall constitute the facility-specific price, plus the acuity payment where appropriate.

(7) The per diem rate for the nursing service cost center, including the facility-specific price and the acuity payment, shall be rebased annually.

(8) To determine the payment amount to a nursing facility for the nursing service cost center, the Secretary shall multiply the per diem rate (including the acuity payment) for a resident class by the number of resident days for each resident class based on aggregated resident invoices which each nursing facility shall submit on a monthly basis.

(b)(1) The facility unit value identified in subsection (a)(3) of this section shall be subjected to geographic ceilings established by the Secretary in Section 105(c).

(2) The geographic ceiling shall be determined by first creating an array of indexed facility unit values in a geographic region from lowest to highest. Based on this array, the Secretary shall identify a fixed proportion between the indexed facility unit value of the nursing facility which contained the medianth resident day in the array (except as provided in subsection (b)(4) of this section) and the indexed facility unit value of the nursing facility which contained the 95th percentile resident day in that array during the first year of operation of the Prospective

Payment System For Nursing Facilities. The fixed proportion (e.g., 1.1 times the median or 110% of the median) shall remain the same in subsequent years.

(3) To obtain the geographic ceiling on the indexed facility unit value for nursing facilities in a geographic region in each subsequent year, the fixed proportion identified pursuant to subsection (b)(2) of this section shall be multiplied by the indexed facility unit value of the nursing facility which contained the medianth resident day in the array of facility unit values for the geographic region during the base year.

(4) The secretary shall exclude low volume and new nursing facilities, as defined in subsections (a) and (b) of Section 113, respectively, for purposes of determining the geographic ceiling for the nursing service cost center.

(c) The Secretary shall establish by regulation, in accordance with the Administrative Procedure Act, procedures for allowing exceptions to the geographic ceiling imposed on the nursing service cost center. The procedure shall permit exceptions based on the following factors:

(1) Local supply and/or labor shortages which substantially increase costs to specific nursing facilities.

(2) Higher per resident day usage of contract nursing personnel, if utilization of contract nursing personnel is warranted by local circumstances, and the provider has taken all reasonable measures to minimize contract personnel expenses.

(3) Extraordinarily low proportion of distinct part nursing facilities in a geographic region resulting in a geographic ceiling which unfairly restricts the reimbursement of distinct part facilities.

(4) Regulatory changes that increase costs to only a subset of the nursing facility industry.

(5) The offering of a new institutional health service or treatment program by a nursing facility (in order to account for initial start-up costs).

(6) Disproportionate usage of part-time employees, where adequate numbers of full-time employees cannot reasonably be obtained.

(7) Other cost producing factors, to be specified by the Secretary in regulations promulgated pursuant to the Administrative Procedure Act, that are specific to a subset of facilities in a geographic region (except case-mix variation).

**SEC. 109. THE PER DIEM RATE FOR ADMINISTRATIVE AND GENERAL COSTS.**

(a)(1) Payment relative to the administrative and general cost center shall be a facility-specific, prospective, per diem rate.

(2) The Secretary shall assign a per diem rate to a nursing facility by applying two standards which shall be calculated as follows:

(A) Standard A shall be derived for each geographic region by first creating an array of indexed nursing facility administrative and general per diem costs from lowest to highest. The Secretary shall then identify a fixed proportion by dividing the indexed administrative and general per diem costs of the nursing facility which contained the medianth resident day of the array (except as provided in subsection (a)(4) of this section) into the indexed administrative and general per diem costs of the nursing facility which contained the 75th percentile resident day in that array. Standard A for each base year shall constitute the product of this fixed proportion (e.g., 1.1 times the median or 110% of the median) and the administrative

and general indexed per diem costs of the nursing facility which contained the medianth resident day in the array of such costs during the base year.

(B) Standard B shall be derived using the same calculation as in subsection (A) except that the fixed proportion shall use the indexed administrative and general costs of the nursing facility containing the 85th percentile, rather than the 75th percentile, resident day in the array of such costs.

(3) The Secretary shall use the geographic regions identified in Section 105(c) for purposes of determining Standard A and Standard B.

(4) The Secretary shall exclude low volume and new nursing facilities, as defined in subsections (a) and (b) of Section 113, respectively, for purposes of determining Standard A and Standard B.

(5) To determine a nursing facility's per diem rate for the administrative and general cost center, Standard A and Standard B shall be applied to a nursing facility's administrative and general per diem costs, indexed forward using the DRI McGraw-Hill HCFA Nursing Home Without Capital Market Basket, as follows:

(A) The nursing facilities having indexed costs which fall below the median shall be assigned a rate equal to their individual indexed costs plus an "efficiency incentive" equal to one half of the difference between the median and Standard A.

(B) The nursing facilities having indexed costs which fall below Standard A but at or above the median shall be assigned a per diem rate equal to their individual indexed costs plus an "efficiency incentive" equal to one-half of the difference between the nursing facility's indexed costs and Standard A.

(C) The nursing facilities having indexed costs which fall between Standard A and Standard B shall be assigned a rate equal to Standard A plus one-half of the difference between the nursing facility's indexed costs and Standard A.

(D) The nursing facilities having indexed costs which exceed Standard B shall be assigned a rate as if their costs equaled Standard B. These nursing facilities shall be assigned a per diem rate equal to Standard A plus one half of the difference between Standard A and Standard B.

(E) For purposes of subsections (A)—(D) of section (a)(5) of this section, the median represents the indexed administrative and general per diem costs of the nursing facility which contained the medianth resident day in the array of such costs during the base year in the geographic region.

(b) Rebased of the payment rates for administrative and general costs shall occur no less frequently than once a year.

**SEC. 110. PAYMENT FOR FEE-FOR-SERVICE ANCILLARY SERVICES.**

(a) Payment for each ancillary service enumerated in Section 106(a)(3), such as physical therapy, shall be calculated and paid on a prospective fee-for-service basis.

(b) The Secretary shall identify the fee for each of the fee-for-service ancillary services for a particular nursing facility by dividing the nursing facility's actual costs, including overhead allocated through the cost finding process, of providing each particular service, indexed forward using the DRI McGraw-Hill HCFA Nursing Home Without Capital Market Basket, by the units of the particular service provided by the nursing facility during the cost year.

(c) The fee for each of the fee-for-service ancillary services shall be calculated at least once a year for each facility and ancillary service.

**SEC. 111. REIMBURSEMENT OF SELECTED ANCILLARY SERVICES AND OTHER COSTS.**

(a) Reimbursement of selected ancillary services and other costs identified in Section 106(a)(4), such as drugs and medical supplies, shall be reimbursed on a retrospective basis as pass-through costs, including overhead allocated through the cost-finding process.

(b) The Secretary shall set charge-based interim rates for selected ancillary services and other costs for each nursing facility providing such services. Any overpayments or underpayments resulting from the differences between the interim and final settlement rates shall either be refunded by the nursing facility or paid to the nursing facility following submission of a timely-filed Medicare cost report.

**SEC. 112. THE PER DIEM RATE FOR PROPERTY COSTS.**

(a)(1) The basis for payment within the property cost center for nursing facilities shall be calculated and paid on a prospective (except as provided for newly constructed facilities in subsection (d)(2) of this section), facility-specific, per resident day rate based on the fair asset value of the property.

(2)(A) The fair asset value of the property shall constitute the sum of the market value of the land (including site preparation costs), a reconstruction cost appraised value for the building(s) and fixed equipment, and the product of the number of beds in the nursing facility and a per bed allowance for major movable equipment.

(B) The land, building(s) and fixed equipment which are included in determining the fair asset value must be used in connection with the care of residents.

(C) Appraisals for the building(s) and fixed equipment shall be performed using the Marshall-Swift segmented cost method. A nursing facility shall be appraised every four years.

(D) The Secretary shall utilize an annual allowance of \$3,500 per bed for major movable equipment for a nursing facility. The Secretary shall review the annual allowance for major movable equipment every five (5) years to determine its accuracy.

(E) If a nursing facility has commenced a renovation to a building and fixed equipment between appraisals the cost of which constitutes at least five (5) percent of the total value of the existing building and the fixed equipment, it may submit documentation as to the cost of the renovation during the previous year. The Secretary shall add the reasonable costs of the major renovation for the previous year to the fair asset value of the facility. This new asset value is to be the base for the indexing until the next full appraisal.

(F) The value of the assets is determined through appraisals, indexing, and the application of allowances, and is, therefore, unaffected by sales transactions, refinancing, or other changes in financing. Accordingly, the concept of recapture of depreciation is inapplicable to facilities whose payment is established under this chapter.

(3) The value of the land, building(s), and fixed equipment shall be indexed annually between reappraisals as follows:

(A) The land shall be indexed using Consumer Price Index Urban.

(B) The building(s) and fixed equipment shall be indexed annually using the R.S. Means Index.

(4) The annual allowance for major movable equipment shall be indexed annually using the hospital equipment index of the Marshall Swift Valuation Service.

(5) The Secretary shall adjust the indexes used for the land, building(s) and fixed equip-

ment, and major movable equipment for the different geographic regions.

(b)(1) The Secretary shall establish a per bed limit on the fair asset value of a nursing facility for each geographic region, as designated in Section 105(c). The per bed limit shall be equal to the average indexed costs incurred by all recently constructed nursing facilities in the geographic region which have been designed and constructed in an efficient manner.

(2) The per bed limit on the fair asset value shall be indexed annually using the R. S. Means Index.

(3) The per bed limit shall be recalculated every five (5) years.

(c) The total annual rental shall constitute the product of the lower of the indexed fair asset value or the indexed per bed limit and a rental rate which shall be based on the average yield for twenty (20) year United States Treasury Bonds during the prior year plus a risk premium of three (3) percentage points.

(d)(1) The per resident day rental shall be obtained by dividing the total annual rental by ninety (90) percent of the annual licensed bed days. The per resident day rental shall constitute the per diem rate attributable to the property cost center.

(2) The per resident day rental rate for newly-constructed facilities during their first year of operation shall be based on the total annual rental divided by the greater of fifty (50) percent of available resident days or actual annualized resident days up to ninety (90) percent of annual licensed bed days during their first year of operation.

(e) Facilities in operation prior to the effective date of this Chapter shall receive the per resident day rental or actual costs, as determined in accordance with HCFA-Pub. 15, whichever is greater, except that a nursing facility shall be reimbursed the per resident day rental:

(1) Commencing with the date upon which the nursing facility changes ownership; or

(2) After the nursing facility has accepted the per resident day rental; or

(3) After renegotiation of the lease for the land and/or building(s) not including the exercise of optional extensions specifically included in the original lease agreement or valid extensions thereof.

**SEC. 112. MID-YEAR RATE ADJUSTMENTS.**

(a)(1) The Secretary shall establish by regulation, in accordance with the Administrative Procedure Act, a procedure for granting mid-year rate adjustments for the nursing service, administrative and general, and fee-for-service ancillary services cost centers.

(2) The mid-year rate adjustment procedure shall require the Secretary to grant adjustments on an industry-wide basis, without the need for nursing facilities to apply for such adjustments, based on the following circumstances:

(A) Statutory or regulatory changes affecting nursing facilities (e.g., new staffing standards or expanded services); or

(B) Changes to the federal minimum wage; or

(C) General labor shortages with high regional wage impacts; or

(3) The mid-year rate adjustment procedure shall permit specific facilities or groups of facilities to apply for an adjustment based on the following factors:

(A) Local labor shortages; or

(B) Regulatory changes that apply to only a subset of the nursing facility industry; or

(C) Economic conditions created by natural disasters or other events outside of the control of the provider.

(D) Other cost producing factors, except case-mix variation, to be specified by the Secretary in regulations promulgated pursuant to the Administrative Procedure Act.

(4)(A) A nursing facility which applies for a mid-year rate adjustment pursuant to subsection (a)(3) of this section shall be required to show that the adjustment will result in a greater than two (2) percent deviation in the per diem rate for any individual cost service center or a deviation of greater than \$5,000 in the total projected and indexed costs for the rate year, whichever is less.

(B) A nursing facility application for a mid-year rate adjustment must be accompanied by recent cost experience data and/or budget projections.

**SEC. 113. EXCEPTION TO PAYMENT METHODS FOR NEW AND LOW VOLUME NURSING FACILITIES.**

(a) A low volume nursing facility shall constitute a nursing facility having fewer than 2,500 Medicare Part A resident days per year.

(b) A new nursing facility shall constitute a newly constructed, licensed, and certified nursing facility and/or a nursing facility that is in its first three years of operation as a Medicare Part A provider. A nursing facility that has operated for more than three years but has a change of ownership shall not constitute a new facility.

(c) Low volume nursing facilities shall have the option of submitting a cost report to receive retrospective payment for all of the cost centers, other than the property cost center, or accepting a per diem rate which shall be based on the sum of:

(1) The median indexed resident day facility unit value for the appropriate geographic region for the nursing service cost center during the base year as identified in Section 108(b)(2); and

(2) The median indexed resident day administrative and general per diem costs of all nursing facilities in the appropriate geographic region as identified in Section 109(a)(5)(E); and

(3) The median indexed resident day costs per unit of service for fee-for-service ancillary services which shall be obtained using the cost information from the nursing facilities in the appropriate geographic region during the base year, excluding low volume and new nursing facilities, and which shall be based on an array of such costs from lowest to highest; and

(4) The median indexed resident day per diem costs for selected ancillary services and other costs which shall be obtained using information from the nursing facilities in the appropriate geographic region during the base year, excluding low volume and new nursing facilities, and which shall be based on an array of such costs from lowest to highest.

(d) New nursing facilities shall have the option of being paid on a retrospective cost pass-through basis for all cost centers, or in accordance with Section 113(c) (1) through (4)—Low Volume Providers.

**SEC. 114. APPEAL PROCEDURES.**

(a)(1) Any person or legal entity aggrieved by a decision of the Secretary under this Chapter, and which results in an amount in controversy of \$10,000 or more, shall have the right to appeal such decision directly to the Provider Reimbursement Review Board (hereinafter "the Board") authorized under Section 1878 of Title XVIII of the Social Security Act.

(2) The \$10,000 amount in controversy shall be computed in accordance with 42 C.F.R. § 405.1839.

(b) Hearings before the Board under this Chapter, and any appeals thereto, shall follow the procedures under Section 1878 of

Title XVIII of the Social Security Act and the regulations contained in 42 C.F.R. §§405.1841-1889, except to the extent that they conflict with, or are inapplicable on account of, any other provision of this Chapter.●

By Mr. HEFLIN:

S. 2441. A bill to provide for an independent review of the implementation of the national implementation plan for modernization of the National Weather Service at specific sites, and for other purposes; to the Committee on Commerce, Science, and Transportation.

WEATHER SERVICE MODERNIZATION REVIEW ACT  
● Mr. HEFLIN. Mr. President, today I am introducing the Weather Service Modernization Review Act of 1994, a bill that is critical to the safety of my constituents in north Alabama and to other Americans living in areas prone to sudden, severe weather. The urgency of adopting this measure is best highlighted by the Palm Sunday tornadoes which, just this last March, claimed dozens of lives in northeast Alabama, a tragedy that is all too common in the Tennessee Valley area of Alabama.

As I am sure my colleagues are aware, the National Weather Service [NWS] is currently implementing a comprehensive modernization of its capabilities, facilities and services across the country. The centerpiece of the National Service's modernization plan is the next generation weather radar, otherwise known as NEXRAD. The Weather Service contends this NEXRAD technology is superior to existing radar systems. Therefore, they have planned for the closing of many Weather Service offices and limiting the number of NEXRAD systems. While efficiency and streamlining are important for a new system, it is a matter of grave concern that a reduction in the number of radars could potentially create gaps in the current severe weather warning network.

For example, the current plan calls for the National Weather Service to decommission the existing Huntsville Doppler radar and to close the weather service office, with responsibility for weather forecasting in north Alabama being transferred to a site more than 100 miles away. Despite assurances from the Weather Service that their plan will adequately cover north Alabama, serious concerns remain that the severe weather warning needs of north Alabama cannot possibly be satisfied by a radar that is located so far away. In addition, a study released earlier this year by Florida State University professor Peter Ray based on National Weather Service tornado data, population, and location of proposed NEXRAD units, identified eight areas of weak coverage in the NEXRAD network including north Alabama. Therefore, I feel it is absolutely essential that Congress provide a mechanism for independent review of the implementa-

tion of the National Weather Service's modernization plans in specific geographic areas.

The Weather Service Modernization Review Act will effectively create a mechanism for communities and geographic areas adversely affected by the National Weather Service Modernization Plan to ask that an independent, scientific evaluation be conducted over a sufficient period of time to determine whether or not the current NWS plan is adequate for that specific area. Specifically, the Secretary of Commerce and the Modernization Transition Team—a committee comprised of experts on atmospheric science—will determine which geographic locations will be reviewed by the National Academy of Sciences. The academy's conclusions will then be transmitted to the Congress by the Secretary of Commerce along with his recommendations for addressing the findings of the National Academy of Sciences. I believe this proposal is a fair way for every community to be heard and for the interests of all parties to be evaluated in a fair and independent manner.

My colleague from north Alabama, Congressman BUD CRAMER, has introduced similar legislation in the House which has already been marked up by the Subcommittee on Space of the Committee on Science, Space, and Technology. It is my hope that these bills can be voted on before the end of this legislative session. The safety of citizens throughout the Nation who live in areas prone to sudden, severe weather depends on this. I urge my colleagues to join with me in passing the Weather Service Modernization Act.●

#### ADDITIONAL COSPONSORS

S. 825

At the request of Mr. SPECTER, the name of the Senator from Wisconsin [Mr. KOHL] was added as a cosponsor of S. 825, a bill to amend title 28 of the United States Code to permit a foreign state to be subject to the jurisdiction of Federal or State courts in any case involving an act of international terrorism.

S. 1887

At the request of Mr. BAUCUS, the name of the Senator from Alaska [Mr. MURKOWSKI] was added as a cosponsor of S. 1887, a bill to amend title 23, United States Code, to provide for the designation of the National Highway System, and for other purposes.

S. 1889

At the request of Mr. CHAFEE, the name of the Senator from New York [Mr. D'AMATO] was added as a cosponsor of S. 1889, a bill to amend title XIX of the Social Security Act to make certain technical corrections relating to physicians' services.

S. 1908

At the request of Mr. ROCKEFELLER, the name of the Senator from Virginia

[Mr. ROBB] was added as a cosponsor of S. 1908, a bill to provide for a study of the processes and procedures of the Department of Veterans Affairs for the disposition of claims for veterans' benefits.

S. 1933

At the request of Mr. MCCAIN, the name of the Senator from Indiana [Mr. COATS] was added as a cosponsor of S. 1933, a bill to repeal the Medicare and Medicaid Coverage Data Bank, and for other purposes.

S. 2031

At the request of Mr. SMITH, his name was added as a cosponsor of S. 2031, a bill to amend the Merchant Marine Act, 1936, to prohibit the imposition of additional charges or fees for attendance at the United States Merchant Marine Academy, and to express the sense of the Senate that no additional charges or fees shall be imposed for attendance at the United States Military Academy, the United States Naval Academy, the United States Air Force Academy, and the United States Coast Guard Academy, and for other purposes.

S. 2119

At the request of Mr. SMITH, his name was added as a cosponsor of S. 2119, a bill to prohibit the imposition of additional fees for attendance by United States citizens at the United States Merchant Marine Academy.

S. 2140

At the request of Mr. DASCHLE, the name of the Senator from Nevada [Mr. REID] was added as a cosponsor of S. 2140, a bill to permit an individual to be treated by a health care practitioner with any method of medical treatment such individual requests, and for other purposes.

S. 2215

At the request of Mr. LIEBERMAN, the name of the Senator from Indiana [Mr. COATS] was added as a cosponsor of S. 2215, a bill to establish rules governing product liability actions against raw materials and bulk component suppliers to medical device manufacturers, and for other purposes.

S. 2247

At the request of Mr. GORTON, the name of the Senator from Florida [Mr. MACK] was added as a cosponsor of S. 2247, a bill to amend the Fair Housing Act to modify the exemption from certain familial status discrimination prohibitions granted to housing for older persons, and for other purposes.

S. 2288

At the request of Mr. GREGG, the name of the Senator from New York [Mr. D'AMATO] was added as a cosponsor of S. 2288, a bill to amend the Internal Revenue Code of 1986 to provide that a foster care provider and a qualified foster individual may share the same home.

S. 2330

At the request of Mr. ROCKEFELLER, the names of the Senator from Minnesota [Mr. WELLSTONE], and the Senator from Virginia [Mr. ROBB] were added as cosponsors of S. 2330, a bill to amend title 38, United States Code, to provide that undiagnosed illnesses constitute diseases for purposes of entitlement of veterans to disability compensation for service-connected diseases, and for other purposes.

S. 2392

At the request of Mr. BREAUX, the name of the Senator from Oregon [Mr. HATFIELD] was added as a cosponsor of S. 2392, a bill to amend section 18 of the United States Housing Act of 1937, and for other purposes.

S. 2411

At the request of Mr. DOLE, the names of the Senator from North Dakota [Mr. CONRAD], the Senator from Vermont [Mr. LEAHY], the Senator from Wisconsin [Mr. KOHL], the Senator from Vermont [Mr. JEFFORDS], and the Senator from New Hampshire [Mr. SMITH] were added as cosponsors of S. 2411, a bill to amend title 10, United States Code, to establish procedures for determining the status of certain missing members of the Armed Forces and certain civilians, and for other purposes.

## SENATE JOINT RESOLUTION 186

At the request of Mr. PACKWOOD, the name of the Senator from New Mexico [Mr. DOMENICI] was added as a cosponsor of Senate Joint Resolution 186, a joint resolution to designate February 2, 1995, and February 1, 1996, as "National Women and Girls in Sports Day."

## SENATE JOINT RESOLUTION 198

At the request of Mr. PRYOR, the name of the Senator from South Dakota [Mr. DASCHLE] was added as a cosponsor of Senate Joint Resolution 198, a joint resolution designating 1995 as the "Year of the Grandparent."

## SENATE JOINT RESOLUTION 210

At the request of Mr. INOUE, the name of the Senator from Louisiana [Mr. BREAUX] was added as a cosponsor of Senate Joint Resolution 210, a joint resolution to designate the month of November 1994 as "National Native American Heritage Month."

## SENATE JOINT RESOLUTION 211

At the request of Mr. GRAHAM, the name of the Senator from Texas [Mr. GRAMM] was added as a cosponsor of Senate Joint Resolution 211, a joint resolution to designate the second Sunday in October of 1994 as "National Children's Day."

**SENATE RESOLUTION 256—AUTHORIZING THE USE OF FUNDS AVAILABLE TO THE COMMITTEE ON ENERGY AND NATURAL RESOURCES FOR CONSULTANTS**

Mr. JOHNSTON (for himself and Mr. WALLOP) submitted the following reso-

lution; which was referred to the Committee on Rules and Administration:

S. RES. 256

*Resolved*, That section 9(c) of the Omnibus Committee Funding Resolution for 1993 and 1994 (S. Res. 71; 103d Congress, 1st Session) is amended by adding before the period the following: "of which amount not to exceed \$100,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(1) of the Legislative Reorganization Act of 1946, as amended)".

**SENATE RESOLUTION 257—RELATING TO THE "ENOLA GAY" EXHIBIT**

Mrs. KASSEBAUM submitted the following resolution; which was referred to the Committee on Rules and Administration:

S. RES. 257

Whereas the role of the Enola Gay during World War II was momentous in helping to bring World War II to a merciful end, which resulted in saving the lives of Americans and Japanese;

Whereas the current script for the National Air and Space Museum's exhibit on the Enola Gay is revisionist and offensive to many World War II veterans;

Whereas the Federal law states that "the Smithsonian Institute shall commemorate and display the contributions made by the military forces of the Nation toward creating, developing, and maintaining a free, peaceful, and independent society and culture in the United States";

Whereas the Federal law also states that "the valor and sacrificial service of the men and women of the Armed Forces shall be portrayed as an inspiration to the present and future generations of America"; and

Whereas, in memorializing the role of the United States in armed conflict, the National Air and Space Museum has an obligation under the Federal law to portray history in the proper context of the times: Now, therefore, be it

*Resolved*, That it is the sense of the Senate that any exhibit displayed by the National Air and Space Museum with respect to the Enola Gay should reflect appropriate sensitivity toward the men and women who faithfully and selflessly served the United States during World War II and should avoid impugning the memory of those who gave their lives for freedom.

Mrs. KASSEBAUM. Mr. President, I rise today to submit a sense-of-the-Senate resolution related to the National Air and Space Museum's upcoming exhibit involving the *Enola Gay*.

As everyone in this Chamber knows, the *Enola Gay* is the plane that carried the atomic bomb to Hiroshima in August 1945. For the past 44 years, it has been in the possession of the Smithsonian Institute. Until 1960, the plane was simply left outside, exposed to elements and allowed to deteriorate. However, over the past several years, the plane has been restored, and next year it will be displayed at the National Air and Space Museum as part of an exhibit on the end of World War II.

Mr. President, the *Enola Gay* represents a significant piece of our Na-

tion's history, and its exhibition is long overdue. Unfortunately, the current script for this important exhibit is seriously flawed and should be rewritten.

The United States Code states that "the Smithsonian Institution shall commemorate and display the contributions made by the military forces of the Nation toward creating, developing, and maintaining a free, peaceful and independent society and culture in the United States." It also states that "the valor and sacrificial service of the men and women of the Armed Forces shall be portrayed as an inspiration to the present and future generations of America."

As it is currently written, the National Air and Space Museum's script for the exhibit, "The Last Act: The Atomic Bomb and the End of World War II," does not meet the standards set forth in the United States Code. Instead, it is revisionist and unbalanced. It must be changed.

Early this spring, I was stunned to learn that the National Air and Space Museum's script for the exhibit included statements such as: "For most Americans this war was fundamentally different than the one waged against Germany and Italy—it was a war of vengeance. For most Japanese, it was a war to defend their unique culture against Western imperialism." At that time, I wrote to the director of the Smithsonian Institution and informed him that if the National Air and Space Museum could not display the *Enola Gay* in a manner that veterans would not find offensive, it should be moved to a museum that could.

While I am pleased that the museum has worked with veterans groups to improve the script since my letter of March 30, serious problems remain. The script continues to lack balance and historical context. For example, there are still more than twice as many photos of Japanese suffering than Americans. I think this is wrong. The role of the *Enola Gay* was momentous in helping bring World War II to a merciful close, saving both American and Japanese lives. Any exhibit involving the historic plane should respect the men and women who served this country so faithfully and selflessly during World War II and should avoid impugning the memory of those who gave their lives for freedom.

The sense-of-the-Senate resolution that I am introducing today reminds the National Air and Space Museum of its obligation to portray history in the proper context of the times. I hope that my colleagues will join with me enacting this important resolution.

**SENATE RESOLUTION 258—RELIEF OF RICHARD KANEHL**

Mr. HEFLIN submitted the following resolution; which was referred to the Committee on the Judiciary.

S. RES. 258

*Resolved*, That, as a supplement to S. Res. 108 of the 103d Congress, the bill S. 974 entitled "A bill for the relief of Richard Kanehl of Mobile, Alabama," now pending in the Senate, together with all the accompanying papers, is referred to the chief judge of the United States Court of Federal Claims. The chief judge shall proceed with the same in accordance with the provisions of sections 1492 and 2509 of title 28, United States code, notwithstanding the bar of any statute of limitations, laches, res judicata, collateral estoppel, or bar of sovereign immunity, and report thereon to the Senate, at the earliest practicable date, giving such findings of fact and conclusions thereon as shall be sufficient to inform the Congress of the nature and character of the demand as a claim, legal or equitable, against the United States or a gratuity and the amount, if any, legally or equitable due to the claimants from the United States. In complying with this resolution, the Court of Federal Claims is requested to consider the records of any previous trial of the issues in this case, including the records of *Merchants National Bank v. United States* (7 Cl. Ct. 1; 1984).

## NOTICE OF HEARING

## COMMITTEE ON INDIAN AFFAIRS

Mr. INOUE. Mr. President, I would like to announce that the Senate Committee on Indian Affairs will be holding an oversight hearing on Tuesday, September 20, 1994, beginning at 9:30 a.m., in 485 Russell Senate Office Building on tribal self-governance.

Those wishing additional information should contact the Committee on Indian Affairs at 224-2251.

## ADDITIONAL STATEMENTS

## WE ALL LOSE ON THIS ROLL OF THE DICE

• Mr. SIMON. Mr. President, I saw an item on the editorial page of the Los Angeles Times written by State Senator Tom Hayden urging some caution on gambling in California.

The problem we face is a national epidemic of local, State, and tribal governments, desperate for funds, who reach out for this source of funding.

We have not taken a good look at what we are doing to the communities and to the Nation long term in reaching for this new source of funds.

I have serious concerns about this new easy source of funding that we are now leaning upon.

I ask to insert Senator Hayden's article into the CONGRESSIONAL RECORD at this point:

[From the Los Angeles Times, Sept. 12, 1994]

WE ALL LOSE ON THIS ROLL OF THE DICE

(By Tom Hayden)

Gambling suddenly is a hot issue. Amid furious debate in Sacramento, a measure to create a gambling regulatory commission was defeated on the final night of the legislative session. So was a last-minute amendment permitting Hollywood Park race track to branch into card clubs of its own.

In Los Angeles, serious schemes are being laid for a casino hotel near the new Downtown Convention Center, promoted yet again as an effort to rebuild L.A. Its advocates lobbied successfully in Sacramento last month for an amendment to prevent any interference with Downtown casino development. That amendment died with the bill.

One explanation for the gambling control measure's defeat was partisan politics. Gov. Wilson and Democratic leaders could not agree on who would appoint the proposed commission.

But that only skims the truth. Gambling is integral to the vision of a new entertainment economy shared by many powerful decision-makers, and regulation might interfere with their interests.

With the demise of defense contracts and shrinking investments in the inner city, these advocates ask, what better economic strategy is there for America's fantasy capital than a gambling casino for the whole family?

The entertainment economy is now the growth engine of Southern California, and according to *Business Week*, "gambling is humming the fastest." We are becoming a "Gambling Nation," headlines the *New York Times*.

Card clubs in Southern California alone took in \$7.5 billion in wagers last year. More than \$15 billion was wagered on Indian reservations last year, much of it in California. Nationally, legal gambling revenues were \$30 billion in 1993, more than the combined revenue of movies, books, records and arcades.

Feeling their new respectability and clout, the new defenders of gambling ask, "What's wrong with gambling anyway?" It's outmoded Puritanism, they say, to oppose bingo, lotto and blackjack, not to mention those slot machines on Indian reservations. And for clinchers they say gambling means jobs, jobs, jobs.

I'm not a prohibitionist. But you don't have to be Puritan to question whether kids should be exposed to gambling as family entertainment. Gambling is an addiction for many, a fantasy for many. It creates no new wealth and yet, for the first time in our economic history, this non-productive sector is being proposed as an anchor of growth.

With anarchy, hunger, racism and joblessness rising over the globe, what does it say about our character that we devote so much of our high-tech potential to inventing better gambling machines? Gambling, not religion, is the opiate of the people, and those sponsoring it are new Neros.

Above all, there is the cancer of political corruption spread by gambling. Local regulation of card clubs has been lax in cities like Bell Gardens and Commerce which depend on gambling revenues. For example, federal prosecutors proved the Bicycle Club in Bell Gardens was built from laundered drug money. It is now under federal receivership. A long-time operator at the club is on trial for loan sharking and extortion.

Even clean, publicly traded gambling corporations can corrupt and dominate the democratic process with their massive lobbying efforts, usually conducted against penniless opposition.

Since 1990, gambling interests have spent \$5.3 million on campaign contributions and lobbying in Sacramento. Hollywood Park gave \$441,370 to politicians, spent \$364,917 on lobbying and threw in another \$490,000 to the Inglewood voter referendum that approved their casino by 52%.

The explosive growth of gambling makes statewide campaign finance reform more

needed than ever. In addition, a tough, independent state gambling commission should be created; those who hold or seek gambling licenses should be prohibited from making campaign contributions to the attorney general or to local referendums on casinos; and any advertising that promotes gambling as "family entertainment" or healthy for kids should be regarded as deceptive and be prohibited.

As for a Downtown L.A. casino, state law requires local voter approval. The gambling lobby is betting that, in hard times, voters can be lured to vote for Lady Luck. That's all the more reason for getting a serious gambling commission in place by 1995. ●

## EXPLANATION OF ABSENCE AND POSITION ON VOTE

• Mr. WELLSTONE. Mr. President, on Wednesday, September 14, I was necessarily absent due to the Jewish holiday, Yom Kippur. I missed rollcall vote No. 299. If I had been present, I would have voted "yea" on the motion to instruct. ●

## "WE'VE MET THE ECONOMIC ENEMY, AND HE IS US"

• Mr. SIMON. Mr. President, one of the more thoughtful writers on the American economic scene in the Nation today is Hobart Rowen of the Washington Post.

Recently, he had an article entitled, "We've Met the Economic Enemy, and He Is Us" with a subtitle "30 Years of Mismanagement and Betrayal in Washington Have Eroded America's Global Edge."

Unfortunately, the headings convey the truth. We have been unwilling to face up to our fiscal realities, and we are headed in the direction, eventually, of monetizing our debt, unless something dramatic forces us to change our path.

And there I differ with Hobart Rowen in believing that the only thing that is going to change us from the present path is a constitutional amendment. It is simply too easy, politically, to continue to be irresponsible.

He makes another point that we need to look at, and that is the need for investment through the public sector.

We are talking a great deal these days about welfare reform and crime. If we were to have a WPA-type of jobs program that guaranteed every American the opportunity for a job, it would cost some money, but it would do much more to reduce crime than anything we had in the crime bill; and it would gradually move us away from our present welfare dependency, particularly, if we required those who get the public sector jobs to be screened for literacy and job skills and provide them, if they do not have those qualifications.

In any event, the Hobart Rowen comments are worth reflecting upon by those of us who hold public office, and

I ask that it be entered into the RECORD at this point.

The article follows:

[From the Washington Post, Sept. 11, 1994.]  
WE'VE MET THE ECONOMIC ENEMY, AND HE IS US

30 YEARS OF MISMANAGEMENT AND BETRAYAL IN WASHINGTON HAVE ERODED AMERICA'S GLOBAL EDGE

(By Hobart Rowen)

When I began in journalism more than 50 years ago, the United States was struggling to survive the hardships of the Great Depression and soon would face the privations of World War II. Ironically, both experiences would leave the nation more prosperous than ever before. The United States emerged in the late 1940s with the most powerful economy in the world, and for several decades it was able to maintain its unrivaled position.

Today, the United States is the world's largest debtor nation, and many critics insist that we have become a second-class power. Our decline in self-esteem puzzles both our allies and rivals. Many of us search for a scapegoat to blame for our manifold ills. But the bitter truth is that we have no one to blame for our condition but ourselves.

For the wounds to our economic health and to our national pride have been largely self-inflicted. Our recent economic history is a story of blunder, mismanagement, stupidity, and irresponsibility by officials whose obligation to govern the nation was betrayed by their embrace of policies misconceived and ineptly applied.

It is a story that begins during the mid-1960s, with President Lyndon B. Johnson's inheritance of a level of prosperity—with good jobs and without significant inflation—that had never been achieved in the nation's history.

But Johnson's embrace of a forlorn and unwinnable war in Vietnam—and his insistence that the country could have, in the phrase of the time, both "guns and butter"—put this country on a course from which it has yet to recover. The buildup in Vietnam, which occurred without regard to its cost, destroyed the delicate social fabric that had been woven during the Eisenhower and Kennedy years and by Johnson's own Great Society. Johnson faced two unpalatable choices: Either to cut other government spending to match the new costs of his escalating war, or to raise additional taxes to pay for it.

Unhappily, Johnson did neither. In his hubris, he thought he could have it all, and so let the inflation genie out of the bottle, touching off a devastating spiral that, ultimately, the Federal Reserve Board was forced to battle by imposing higher interest rates. Johnson's decision, indulged by a spineless Congress, helped to generate a flight from the dollar. His gamble was that an economy already overheated by a business boom could somehow absorb the costs of an increasingly bloody war—and still escape inflationary price increases.

The United States was thereby set on a course that slowly debilitated its fundamental economic health. Six presidents—two Democrats and four Republicans—would fail, at critical times, to make the right decisions that would have ensured the nation's prosperity as it struggled to survive a period of extraordinary technological change and fierce competition from allies formerly prostrate but now straining and eager, quite literally, to give us a run for our money.

We have been the victims over the past 30 years of an almost sublime mismanagement in Washington. We have stumbled through

an era of greed and malfeasance, from LBJ's failure to finance the Vietnam War through the multiple failures of Reaganomics. In between, we have suffered the duplicity of Richard Nixon, the ineptitude of the well-meaning but bumbling Gerald Ford, the notorious malaise of Jimmy Carter. And throughout, we have seen a futile chase for dollar stability after the Bretton Woods system collapsed in the 1970s and trade imbalances mounted. And at no time was any American president willing or able to combat the menace of the oil cartel, the swindlers on Wall Street or the industrial assault on the environment.

The self-inflicted wounds that are the most recent—and therefore perhaps the most vivid—are those that resulted from Ronald Reagan's counterrevolution.

The sad legacy of the Reagan years was that they widened the gap between the nation's rich and poor. Henry Reuss, a liberal congressman from Wisconsin and one of the few to see Reaganism for what it was, pointed out that the combination of huge tax cuts at the top of the income scale, coupled with higher Social Security taxes and reductions in social programs, would further skew income distribution from the bottom 60 percent of taxpayers to the top 10 percent. In addition, the major increase in military budgets would attract investment in the booming, capital-intensive arms industries in the Sun Belt, while hard-hit blue-collar areas in the Midwest likely would suffer further.

Reaganomics put the New Deal and the Great Society in reverse gear. With George Bush's help, it stayed that way for 12 years, until Bill Clinton's budget and tax package forced a mild redistribution, with higher taxes on upper-income families and a larger "earned income credit" for wage earners under \$27,000 a year.

Yet, on balance, the Clinton package was not, as *Time* magazine argued, a total reversal of Reaganomics: Upper-bracket earners had enjoyed huge accumulations of wealth over the 12-year reigns of Reagan and Bush. The Clinton budget of 1993, with a modestly more progressive tax system, was only a small step in redressing the balance.

At the end of his two terms, Reagan left a weakened United States to George Bush, who, choosing to ignore a deteriorating economy at home, had to pass the tin cup to the nation's allies to support the war in the Persian Gulf in 1991 against Saddam Hussein.

His own presidency having done little to resolve the nation's multiple economic problems, Bush bequeathed to Clinton the complex assignment of restoring some sense of fiscal balance by reducing the federal budget deficit. This required Clinton to opt for substantial increases in taxes across the board while attempting to reform the health insurance system.

Our international economic policy has been wounded, too. During the late 1980s, Bush administration officials James Baker and Richard Darman had carefully crafted a system of international cooperation, but it fell on hard times. Europe and the United States indulged their special interests by allowing a trade war over agricultural products to delay creation of broader new rules and coverage under the General Agreement on Tariffs and Trade. The United States and Japan continued to scrap over trade imbalances that persisted despite a series of agreements aimed at managing currency fluctuations; and Third World nations continued to stagger under the burden of their inter-national debt until the deflation during the

Bush regime forced interest rates sharply lower.

In "the good old days," the Federal Reserve Board could turn on the low-interest-rate switch and jump-start the economy again. Now, it's not so simple: Not only are consumers and businesspeople not anxious to take on new debt, they are worried by the country's and their own long-term future. Thus, from June 1989 through October 1993, the Federal Reserve Board took 24 easing steps that helped corporations and individuals reduce the interest rate burden. But in terms of stimulating the economy, the old magic seemed to have lost some of its potency.

As 1994 got underway, a modest business recovery was taking place, sufficient to trigger a reversal of the Fed's easy-money policy. Clearly, the economy was creating more jobs—notably in the services sector—more quickly than the most optimistic Clinton aides had hoped, with a minimum impact on consumer price inflation. Responding to a higher yen that raised Japanese car prices—and to the improved quality of American cars—American buyers turned increasingly to Detroit's offerings. Thus, for at least a short horizon, the American economy under Bill Clinton was enjoying a comfort level that politicians in Europe and Japan could only envy.

Yet, the harsh reality—and no one knows it better than Clinton—is that the United States faces severe, longer-term problems. The president and Congress, even though committed to a steady reduction of the fiscal deficit, must improve the skills of the labor force. That will require greater expenditures by business as well as government.

Will the economy, despite improvement in 1994, be able to generate the kind of high-quality jobs needed in the new technological age? That remains an unanswered question.

A notable phenomenon of the late 1980s and early 1990s was the "down-sizing" of the large corporation. Day by day, in monotonous and ominous echoes, companies such as International Business Machines Corp., General Motors Corp., Sears, Roebuck and Co. and others announced they would close plants, eliminate thousands of jobs—and more or less carry on production at the same pace.

From the business standpoint, it made sense; from the worker standpoint, it represented a sea change from the good old days, when even a high school graduate could expect employment of sufficient duration to help him or her fulfill the American dream of raising a family, owning a car, and, over the years of a long-term mortgage, owning a home.

Restoration of such an American dream is extremely unlikely in the short run, and perhaps impossible for many years to come. The deficit remains a constant. Of all the self-inflicted wounds of the past three decades, none has been more harmful than the public debt saddled on the American people by the eight years of Reaganomics, accompanied by an actual decline in real wages.

There had been an actual decline in real weekly U.S. earnings from \$315 in 1972 (in 1992 dollars) to a mere \$255 in October 1992—a drop of almost 20 percent. As a result, many American families had to turn to more than one breadwinner. Yet, as Clinton's Council of Economic Advisers Chairman Laura D'Andrea Tyson pointed out, from 1978 through 1991 real median family income showed no change, despite the increase in hours worked.

The right policy prescription is to focus on investment—not just on controlling the federal budget deficit, as important as that may

be. We need a fiscal thrust—the expenditure of more money in the public sector. That would include rehabilitation of the urban educational system, and a revision of teachers' pay commensurate with the responsibilities they have; revival of revenue sharing to take some of the burdens off state and local governments; and the transfer of large amounts of budget money now committed to defense programs to civilian programs, notably for "infrastructure"—roads, bridges, highways and the like.

For the next decade or two, the American people will be forced to live through a regimen of constrained national budgets. But the next decade or two is not forever. The United States remains the strongest economic power, but is more dependent on global well-being than it ever was before. This country cannot operate, as Reagan in his first term supposed it could, with "benign neglect" of the impact of U.S. policies on the prosperity of other nations. Our goal should be to share global power with a stronger Japan and Germany, instead of concluding that we must collide.●

#### THE EMBARGO MUST GO

● Mr. SIMON. Mr. President, the Chairs of the Senate Foreign Relations Committee and the House Foreign Affairs Committee had an item on the Washington Post editorial page suggesting that our policy toward Cuba does not really make any sense.

I could not agree more.

CLAIBORNE PELL and LEE HAMILTON almost always provide commonsense direction for our country in the area of foreign relations, and we ought to be listening to them on this occasion.

I ask to insert their statement into the RECORD at this point.

The article follows:

[From the Washington Post]

#### THE EMBARGO MUST GO

(By Claiborne Pell and Lee H. Hamilton)

The United States and Cuba have taken the positive step of opening talks to address the refugee exodus. But we need to look beyond this crisis. A comprehensive review of U.S. policy toward Cuba is long overdue. Rather than focusing all of our attention on Fidel Castro, we need to start thinking about what's good for the Cuban people, and how to promote lasting, peaceful change.

Current U.S. policy dates from when Cuba was a Soviet surrogate, aggressively challenging U.S. interests from Africa to Central America. That time is past. Cuba poses no threat to the security of the United States. Yet Washington's hard-line stance continues—more a product of shortsighted domestic politics than of prudent foreign policy considerations.

We share the president's goal of fostering democratic change on the island: We want Cuba to join the community of democratic nations by instituting political and economic reform and respecting human rights. Unfortunately, current policy seems based on the longstanding hope that isolating Cuba will bring about change. We believe the critical challenge is to construct a policy that doesn't put the pace of change in Castro's hands but that proactively promotes a peaceful transition to democracy in Cuba.

For the last 33 years, the cornerstone of U.S. policy has been an embargo that restricts trade, travel and the flow of informa-

tion. Defenders of the approach argue that by isolating the regime and aggravating Cuba's economic crisis, the United States can force the Cuban government to capitulate, or induce a desperate Cuban people to overthrow the regime. Toward that end, the embargo was tightened two years ago. President Clinton's recent decision to block Cuban Americans from sending cash to relatives in Cuba and to drastically restrict travel to and from the island further tightens the noose.

Unfortunately, after three decades the embargo has failed to bring about democracy in Cuba. Though Cuba has suffered the loss of Soviet subsidies and its worst sugar harvest and most devastating tropical storm in recent history, Castro remains in power. No matter how hard the United States squeezes the Cuban economy, we doubt it will force the Cuban government to embrace democracy. Castro has made a career of defying U.S. pressure and is unlikely to yield: U.S. policy provides a convenient scapegoat for Cuba's economic woes and a rallying point for Cuban nationalism.

Moreover, U.S. policy has done little to advance the cause of human rights in Cuba. Instead, it creates an atmosphere of hostility, reinforcing a siege mentality and providing a justification for repressive policies. The U.N. special rapporteur on Cuba stated in his 1994 report to the U.N. commissioner on human rights that the embargo is "totally counterproductive" to improving human rights. Reformers see the embargo as an obstacle to change, providing ammunition for Cuban hard-liners to accuse anyone advocating reform of playing into the hands of "imperialists" to the north.

Escalating economic pressure may actually reduce prospects for a peaceful transition. If economic sanctions create sufficient hardship to cause social unrest, the most likely consequence would be widespread political violence. This would be a tragedy for the Cuban people and a disaster for the United States. Civil strife would generate a tidal wave of refugees far beyond current flows from Cuba. And it would provoke intense domestic political pressure for U.S. military intervention—far greater than we have witnessed with Haiti.

We have learned that the best way to move a communist country toward freedom is to intensify and broaden our engagement with its people. The Cuban people need an invasion of people, ideas and information, not a tightened embargo or a blockade. The United States seeks to change regimes in China and Vietnam through trade and broader engagement. If we use this approach to pry open societies halfway around the world, why should Cuba, 90 miles away, be different?

The United States should open the door for a positive, rather than punitive, influence on Cuba's future by expanding contact with the Cuban people. As initial steps, the United States should: (1) Lift the travel ban that prevents most U.S. citizens from traveling to Cuba; (2) lift the ban on remittances to family members; (3) remove restrictions limiting telecommunications and the exchange of press between the United States and Cuba; (4) expand exchange programs between United States and Cuban citizens; (5) lift the ban on the commercial sale of food and medicine; and (6) remove the extraterritorial provisions of the embargo that have angered our allies and hindered a multilateral approach to Cuba. Beyond these measures the United States can, over time, take additional step-by-step measures to modify the embargo in response to positive Cuban actions.

In contrast to Haiti, where the United States is collaborating with other countries to promote democracy, we are alone in our Cuban policy. Many of our closest allies in Europe and Latin America are establishing closer political and economic ties with Cuba, diminishing the economic impact of the U.S. embargo. At the last U.N. General Assembly, only Israel, Albania and Paraguay joined us in opposing an end to the embargo.

We don't think lifting the embargo immediately is politically possible. We may need to move gradually—but we need to move. Lifting the embargo in stages can give the United States leverage over the Cuban government, which fears openness more than isolation. We will better erode totalitarianism by reaching out to the Cuban people.●

#### ORDERS FOR TOMORROW

Mr. MITCHELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in recess until 10:30 a.m., Tuesday, September 20; that following the prayer, the Journal of proceedings be deemed approved to date and the time for the two leaders reserved for their use later in the day; that on Tuesday, the Senate stand in recess from 12:30 p.m. to 2:15 p.m., in order to accommodate the respective party conferences.

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

Mr. MITCHELL. Mr. President, I note the presence of my colleague, the distinguished chairman of the Senate Foreign Relations Committee. I understand he wishes to address the Senate.

I therefore ask unanimous consent that Senator PELL be recognized to address the Senate, and that, upon completion of his remarks, the Senate stand in recess as previously ordered.

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

The Senator from Rhode Island [Mr. PELL] is recognized.

Mr. PELL. Mr. President, I congratulate President Clinton for working out an agreement to restore the democratically elected Haitian Government to power while minimizing the risks to United States forces. By making one last effort to resolve the crisis diplomatically, President Clinton opened the way for yesterday's dramatic events, which accomplished—peacefully—our primary goal in Haiti, and deftly avoided sending our troops into a combat situation.

I would also like to praise President Carter, General Powell, and Senator NUNN for their successful mission. Theirs was a difficult and delicate task which they carried out skillfully and tirelessly.

I wish the President and our Armed Forces success in the current operation. Today, the Nation is breathing a collective sigh of relief that instead of invading, United States troops are entering into a peaceful environment with the apparent cooperation of the Haitian Armed Forces. We must be fully aware, however, that many uncertainties remain which could have an

impact on the safety and security of U.S. forces. While the streets are quiet today in Port-au-Prince, the potential for violence over the coming weeks remains.

The United States and our allies in the multinational forces still face the daunting challenge of securing a stable environment, facilitating the transition of power, and aiding in the professionalization of the military and the establishment of a new civilian police force. While I suspect it may take several months to accomplish these goals, I am heartened that goalposts have been set for extricating U.S. troops. It is imperative now to define precisely what needs to be done to meet those goals, so that they can be completed with a minimum of long-term commitment on our part.

In addition to the difficult tasks facing our United States troops, many details have yet to be worked out regarding the transfer of power and actions to be taken by the Haitian Parliament. It is imperative that all parties abide by the commitments made over the weekend and act in good faith as these issues are addressed. Despite opposition at home, President Clinton has clearly demonstrated his commitment to the restoration of the democratically elected Government in Haiti and the coup leaders would be wise not to underestimate his resolve to enforce this agreement.

Mr. President, I fully support the pending resolution and believe President Clinton deserves great credit for the leadership, wisdom, and prudence he has demonstrated in Haiti.

RECESS UNTIL TOMORROW AT 10:30 A.M.

The PRESIDING OFFICER. Under the previous order, the Senate will now stand in recess until 10:30 a.m., on Tuesday, September 20, 1994.

Thereupon, at 6:33 p.m., the Senate recessed until Tuesday, September 20, 1994, at 10:30 a.m.

NOMINATIONS

Executive nominations received by the Secretary of the Senate September 15, 1994, under authority of the order of the Senate of January 5, 1993:

THE JUDICIARY

MAURICE E. FOLEY, OF CALIFORNIA, TO BE A JUDGE OF THE U.S. TAX COURT FOR A TERM EXPIRING 15 YEARS AFTER HE TAKES OFFICE, VICE CHARLES E. CLAPP II, RETIRED.

JUAN F. VASQUEZ, OF TEXAS, TO BE A JUDGE OF THE U.S. TAX COURT FOR A TERM EXPIRING 15 YEARS AFTER HE TAKES OFFICE, VICE PERRY SHIELDS, RETIRED.

Executive nomination received by the Secretary of the Senate September 16, 1994, under authority of the order of the Senate of January 5, 1993:

EXECUTIVE OFFICE OF THE PRESIDENT

ALICE M. RIVLIN, OF THE DISTRICT OF COLUMBIA, TO BE DIRECTOR OF THE OFFICE OF MANAGEMENT AND BUDGET, VICE LEON E. PANETTA.

Executive nominations received by the Senate September 19, 1994:

THE JUDICIARY

SANDRA L. LYNCH, OF MASSACHUSETTS, TO BE U.S. CIRCUIT JUDGE FOR THE FIRST CIRCUIT, VICE STEPHEN G. BREYER, ELEVATED.

DEPARTMENT OF JUSTICE

CHARLES R. WILSON, OF FLORIDA, TO BE U.S. ATTORNEY FOR THE MIDDLE DISTRICT OF FLORIDA FOR THE TERM OF 4 YEARS, VICE LARRY HERBERT COLLETON, RESIGNED.

NATIONAL MUSEUM SERVICES BOARD

ROBERT G. BREUNIG, OF ARIZONA, TO BE A MEMBER OF THE NATIONAL MUSEUM SERVICES BOARD FOR A TERM EXPIRING DECEMBER 6, 1994. (REAPPOINTMENT.)

KINSHASHA HOLMAN CONWILL, OF NEW YORK, TO BE A MEMBER OF THE NATIONAL MUSEUM SERVICES BOARD FOR A TERM EXPIRING DECEMBER 6, 1997, VICE WILLARD L. BOYD, TERM EXPIRED.

AYSE MANYAS KENMORE, OF FLORIDA, TO BE A MEMBER OF THE NATIONAL MUSEUM SERVICES BOARD FOR A TERM EXPIRING DECEMBER 6, 1995, VICE DAPHNE WOOD MURRAY, RESIGNED.

NANCY MARSIGLIA, OF LOUISIANA, TO BE A MEMBER OF THE NATIONAL MUSEUM SERVICES BOARD FOR A TERM EXPIRING DECEMBER 6, 1998, VICE GEORGE S. ROSBOROUGH, JR., TERM EXPIRED.

ARTHUR ROSENBLATT, OF NEW YORK, TO BE A MEMBER OF THE NATIONAL MUSEUM SERVICES BOARD FOR A TERM EXPIRING DECEMBER 6, 1997, VICE RICHARD J. SCHWARTZ, TERM EXPIRED.

TOWNSEND WOLFE, OF ARKANSAS, TO BE A MEMBER OF THE NATIONAL MUSEUM SERVICES BOARD FOR A TERM EXPIRING DECEMBER 6, 1995, VICE ROSEMARY G. MCMILLAN, TERM EXPIRED.

NATIONAL INSTITUTE OF BUILDING SCIENCES

H. TERRY RASCO, OF ARKANSAS, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE NATIONAL INSTITUTE FOR BUILDING SCIENCES FOR A TERM EXPIRING SEPTEMBER 7, 1997, VICE ARNOLD L. STEINBERG, TERM EXPIRED.

CHRISTINE M. WARNKE, OF THE DISTRICT OF COLUMBIA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE NATIONAL INSTITUTE FOR BUILDING SCIENCES FOR A TERM EXPIRING SEPTEMBER 7, 1995, VICE LOUIS L. GUY, JR., RESIGNED.

NATIONAL COUNCIL ON DISABILITY

AUDREY L. MCCRIMON, OF ILLINOIS, TO BE MEMBER OF THE NATIONAL COUNCIL ON DISABILITY FOR A TERM EXPIRING SEPTEMBER 17, 1997, VICE ROBERT S. MUELLER, TERM EXPIRED.

CIVIL LIBERTIES PUBLIC EDUCATION FUND

SUSAN HAYASE, OF CALIFORNIA, TO BE MEMBER OF THE BOARD OF DIRECTORS OF THE CIVIL LIBERTIES PUBLIC EDUCATION FUND FOR A TERM OF 3 YEARS. (NEW POSITION.)

SECURITIES INVESTOR PROTECTION CORPORATION

JAMES CLIFFORD HUDSON, OF OKLAHOMA, TO BE A DIRECTOR OF THE SECURITIES INVESTOR PROTECTION CORPORATION FOR A TERM EXPIRING DECEMBER 31, 1994, VICE JAMES G. STERNS, TERM EXPIRED.

JAMES CLIFFORD HUDSON, OF OKLAHOMA, TO BE A DIRECTOR OF THE SECURITIES INVESTOR PROTECTION CORPORATION FOR A TERM EXPIRING DECEMBER 31, 1997. (REAPPOINTMENT.)

IN THE NAVY

THE FOLLOWING-NAMED LIEUTENANTS IN THE LINE OF THE NAVY FOR PROMOTION TO THE PERMANENT GRADE OF LIEUTENANT COMMANDER, PURSUANT TO TITLE 10, UNITED STATES CODE, SECTION 624, SUBJECT TO QUALIFICATIONS THEREFORE AS PROVIDED BY LAW:

UNRESTRICTED LINE OFFICERS

To be lieutenant commander

- AAKRE, THOR D.
ABBOTT, CHRISTOPHER E.
ABELL, DAVID D.
ABRESCH, RICHARD J.
ADAMS, STEVEN E.
ADAMS, THOMAS L., III
AHLGRIM, MICHAEL W.
ALABATA, AL A.O.
ALBERT, DAVID J.
ALBERTO, DONALD F.
ALBRIGHT, MATT NMN.
ALFORD, ANDREW NMN.
ALKOV, STEVEN L.
ALLEN, KENNETH R.
ALLEN, MARK W.
ALLEN, ROBERT D.
ALLEN-KENDRICK, JOYCE A.
ALLMAN, JAMES M.
ANDERSEN, GENE R.
ANDERSEN, KEVIN R.
ANDERSON, DANIEL S.
ANDREAS, MARK J.
ANDREWS, MARGARET A.
ANDREWS, STEPHEN J.

- ANDRUS, EDWARD Y.
ANGELINO, HENRY D., JR.
APOLLO, ROLANDO A.
APPLEGATE, CAROLYN L.
AREND, JAMES D.
ARMBRUSTER, ROBERT R.
ARMISTEAD, EDWIN L.
ARMSTRONG, JAMES S.
ARMSTRONG, MARK A.
ARMSTRONG, ROBERT B.
ARNOLD, DOUGLAS E.
ARNOLD, JOHN F., JR.
ASHE, JOHN D.
ASHE, DAVID.
ASSEL, ALLAN J., JR.
AUSTIN-STANLEY, TRACY J.
AVILA, MATTHEW R.
BADZIK, DAVID V.
BAKER, MARK A.
BALAN, GAVIN W.
BARFIELD, LISA C.
BARR, HAROLD E.
BARRETT, KENNETH J.
BARRETT, WILLIAM P. M.
BARRICKMAN, DARRYL L.
BARROW, RICHARD D., II.
BARTHOLOMEW, TIMOTHY J.
BARWIS, ROBERT C.
BATCHELDER, BRET C.
BATES, JOHN S.
BAUKNECHT, JOSEPH A.
BAY, JEFFREY L.
BEATTY, JAMES C.
BEAVER, MATTHEW S.
BECKLER, ERIC M.
BEEL, JOSEPH J.
BELANGER, JON C.
BELCZYK, KARL S.
BELL, HAROLD A.
BELLAMY, LATOYA NMN.
BELLANTONI, PAUL N.
BELT, WARREN, C.
BERG, TIMOTHY L.
BERNARDI, JEFFREY T.
BERTRAND, ROBERT W.
BERTHE, THOMAS M.
BIANCHI, KEVIN A.
BIERBRAUER, ANDREAS P.
BILES, JAMES B.
BIRON, ERICA T.
BITZER, TIMOTHY B.
BLACKETTER, ALAN W.
BLAISDELL, STEVEN H.
BLAKE, CHERYL D.
BLAKEY, JOHN W.
BLAZER, WILLIAM E.
BLOUNT, JAMES R.
BOAL, DAVID D.
BOEHM, LAURA A.
BOEX, ANTHONY R.
BOLIVAR, BABELLE.
BONNER, MICHAEL L.
BONOMO, JAMES A.
BORROSH, MICHAEL A.
BOSTON, BRENT L.
BOTTESON, JAY D.
BOURBEAU, THOMAS F.
BOVERI, JOSEPH A.
BOVINGTON, SAMUEL R.
BOWERS, EARL C.
BOWERS, VINCENT C., JR.
BOWIE, JOHN B.
BOXALL, RONALD A.
BOYKIN, TIMOTHY R.
BRADFIELD, PAUL J.
BRADFORD, WILLIAM J.
BRADLEY, BRUNHILDE K.
BRAND, GREGORY R.
BRANDENBURG, GLENN E.
BRAULT, LAURELL A.
BRAUNSCHWEIG, JOHN J.
BRAWFORD, JOHN L.
BRENTON, KEVIN R.
BRESE, ROBERT F.
BRIGHTWELL, JEFFREY J.
BRISTOW, STEVEN G.
BRODEUR, DAVID L.
BROOKS, DENNIS M.
BROOKS, DIANE C.
BROWN, PAUL C.
BROWN, RICHARD A.
BROWN, ROBERT C.
BROWNE, MARK J.
BROWNSWEIGER, JEFFREY S.
BROWNAHLER, YVETTE C.
BRUBAKER, STEVEN H.
BRUNO, ANTHONY I.
BRYANT, EDWARD G.
BRYANT, JOHN L., JR.
BUCKLEY, JAMES F., II.
BUCKLEY, PATRICK E.
BUDUO, ANDREW I.
BUGELLI, FRANK NMN.
BURDA, ROBERT E., JR.
BURKE, BRIAN T.
BURKE, ROBERT P.
BURKE, THOM W.
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TAMAS, ROBERT J., JR.
TAMMEN, JOHN W., JR.
TANAKA, CLEMENT NMN
TANAKA, PAUL M.
TARRELL, ALVIN E.
TATOMER, WILLIAM J., JR.
TAYLOR, BARRY R.
TAYLOR, DAVID M.
TAYLOR, MICHAEL G.
TAYLOR, MICHAEL P.
TEMBE, TUSHAR R.
TENORIO, MATTHEW P.
THALER, TIMOTHY J.
THEBAUD, CYNTHIA M.
THOMAS, CHRISTOPHER B.
THOMAS, GREG A.
THOMAS, GREG A.
THOMPSON, JEFFERY G.
THOMPSON, LEE E.
THOMPSON, MARK A.
THORNHILL, ANDREW H.
THORNTON, DAVID R.
THURMAN, MICHAEL NMN
TILBURY, JEFFREY P.
TILGHMAN, RICHARD W.
TILLMAN, WILLARD J.
TINDAL, RALPH L., III
TOKARICK, KEVIN J.
TOOKER, WILLIAM M.
TOOLE, JOEL K.
TRANORIS, JAMES E.
TURLEY, LESLIE S.
ULBRICHT, JONATHAN G.
VAHSEN, STEVEN S.
VALENZUELA, JOSEPH J.
VANBRABANT, JOHN D.
VANCE, ROBERT M.
VANCE, JOHN A.
VANDENBERG, GEORGE M.
VANDEUSEN, KARL J.
VANDEVER, KELLY A.
VANDIVER, JAMES L.
VANDYKE, STEVEN M.
VANHOOK, TINA H.
VANMETRE, CHRISTOPHER H.
VANSTRE, PETER M.
VARALLO, THOMAS A., JR.
VAUGHAN, ROBERT G.
VAUTIER, REBECCA L.
VECE, THOMAS W.
VENABLE, JAIME E.
VERFURTH, JOHN M.
VIELOCK, JEFFREY C.
VIGNERON, KAREN J.
VILAND, MICHAEL S.
VINCENT, PATRICK J.
VISSER, STEVEN N.
VISSERS, STEPHEN J.
VIZCARRA, MICHAEL A.
VOORS, PATRICK M.
WADDINGHAM, PHILIP L.
WAGNER, EDWARD S., JR.
WAGONER, KEITH L.
WALKER, TIMOTHY J.
WALLACE, DAVID E.
WALLER, MARK C.
WALLS, KENNETH C.
WALSH, DANIEL J.
WALZER, ROBERT J., II
WARREN, THOMAS W., JR.
WASHBAUGH, JASON NMN
WASHINGTON, GLEN L.
WATERS, DOUGLAS E.
WATSON, GARY H., JR.
WATTS, GEOFFREY W.
WAUER, BRIAN D.
WEAVER, MICHAEL J.
WEIDENHAMER, WILLIAM H.
WEINZETTLE, JOHN M.
WELLBORN, RAYMOND B., JR.
WELLER, SCOTT N.
WELLINGTON, MICHAEL J.
WELLS, SUSAN K.
WENDEL, MICHAEL W.
WERNER, MARK H.
WESTERBEKE, JOHN M.
WETHERALD, HUGH D.
WEZDENKO, RICHARD J.
WHALEN, EDWARD A.

WHALEN, KENT D. xxx-xx-x  
 WHITAKER, STEPHEN C. xxx-xx-x  
 WHITE, JAMES B. II xxx-xx-x  
 WHITESPELL, KENNETH R. xxx-xx-x  
 WHITTLE, MARK A. xxx-xx-x  
 WICKLINE, JAMES O. xxx-xx-x  
 WIEGERT, ROBERT N. xxx-xx-x  
 WILKERSON, JAMES N. J. xxx-xx-x  
 WILLARD, RICHARD J. xxx-xx-x  
 WILLIAMS, CHARLES F. xxx-xx-x  
 WILLIAMS, GARY H. xxx-xx-x  
 WILLIAMS, GORDON C. xxx-xx-x  
 WILLIAMS, JOHN B. III xxx-xx-x  
 WILLIAMS, RANDALL G. xxx-xx-x  
 WILLIAMS, RICHARD L. JR. xxx-xx-x  
 WILLIAMS, STEVEN C. xxx-xx-x  
 WILLIAMS, TERRANCE NMN xxx-xx-x  
 WILLIAMS, WILLIAM L. xxx-xx-x  
 WILLIAMSON, BRAD NMN xxx-xx-x  
 WILLIAMSON, DONALD E. xxx-xx-x  
 WILLIAMSON, MARK R. xxx-xx-x  
 WILLIAMSON, RICKY L. xxx-xx-x  
 WILLIAMSON, THOMAS J. xxx-xx-x  
 WILSON, CHEST E. xxx-xx-x  
 WILSON, KALIN F. xxx-xx-x  
 WILSON, MICHAEL J. xxx-xx-x  
 WILSON, STEVEN R. xxx-xx-x  
 WILSON, TONY W. xxx-xx-x  
 WILTON, DAVID S. xxx-xx-x  
 WING, THOMAS M. xxx-xx-x  
 WINTER, MATTHIAS W. xxx-xx-x  
 WISE, DANIEL E. xxx-xx-x  
 WISEMAN, KARL R. xxx-xx-x  
 WITTICK, BRIAN D. xxx-xx-x  
 WOLTERS DORF, KURT D. xxx-xx-x  
 WOODS, ALPHONSO L. xxx-xx-x  
 WRIGHT, DOUGLAS E. xxx-xx-x  
 WRIGHT, MATTHEW P. xxx-xx-x  
 WYNHAM, VANESSA NMN xxx-xx-x  
 YANKOVICH, MICHAEL C. xxx-xx-x  
 YBARRA, RAMON J. xxx-xx-x  
 YI, CHONG M. xxx-xx-x  
 YOUNG, EUGENIA A. xxx-xx-x  
 YOUNG, VERNON E. xxx-xx-x  
 YOUNG, WILLIAM J. JR. xxx-xx-x  
 ZACCARDI, VINCENT J. xxx-xx-x  
 ZAUN, JEFFREY N. xxx-xx-x  
 ZEIDERS, GLENN W. III xxx-xx-x  
 ZGRAGGEN, CRAIG J. xxx-xx-x  
 ZICK, HERBERT L. xxx-xx-x  
 ZIEBARTH, KURT W. xxx-xx-x  
 ZORN, ERIC W. xxx-xx-x

ENGINEERING DUTY OFFICERS  
*To be lieutenant commander*

ALFARO, RAYMOND M. xxx-xx-x  
 ALHAMBRA, EDGAR M. xxx-xx-x  
 BILLINGSLEY, ARTHUR III xxx-xx-x  
 CHISUM, JAMES E., JR. xxx-xx-x  
 COLEMAN, WILLIAM F. xxx-xx-x  
 DAVIS, CHARLES A. xxx-xx-x  
 DEOSS, DISTER L. JR. xxx-xx-x  
 DEVOGEL, GREGORY F. xxx-xx-x  
 EVERT, RICHARD W. II xxx-xx-x  
 FORD, TERESA O. xxx-xx-x  
 FOX, DAVID M. xxx-xx-x  
 HAMLETT, NEIL A. xxx-xx-x  
 HAMMOND, GREGORY A. xxx-xx-x  
 HARTMAN, RICHARD M. xxx-xx-x  
 HOOKER, DONALD T. II xxx-xx-x  
 IACOVETTA, JOSEPH M. xxx-xx-x  
 INGLES, EDWARD N. xxx-xx-x  
 KONICKI, JOSEPH S. xxx-xx-x  
 KOWALICK, DAVID J. xxx-xx-x  
 KRESTOS, DEAN M. xxx-xx-x  
 LOCHNER, JANE T. xxx-xx-x  
 LONGENECKER, FREDRIC W. xxx-xx-x  
 MADDOX, DOUGLAS NMN xxx-xx-x  
 MALDIA, LEOPOLDO C. xxx-xx-x  
 MARKLE, STEPHEN P. xxx-xx-x  
 MATHERS, BRUCE H. xxx-xx-x  
 MAY, GARY L. xxx-xx-x  
 MCCARTHY, TIMOTHY G. xxx-xx-x  
 MC COY, TIMOTHY J. xxx-xx-x  
 MITCHELL, STEPHEN W. xxx-xx-x  
 MURPHY, BRIAN P. xxx-xx-x  
 MYRE, DAVID D. xxx-xx-x  
 NARDI, PETER A. xxx-xx-x  
 PARKER, ROBERT E., JR. xxx-xx-x  
 PEFFERS, STEPHEN B. xxx-xx-x  
 PRICE, DENISE S. xxx-xx-x  
 SCHUPP, PETER E. xxx-xx-x  
 SKOGERBOE, PAUL E. xxx-xx-x  
 SPOONER, SCOTT G. xxx-xx-x  
 STETTNER, JEFFREY W. xxx-xx-x  
 THIEL, RICHARD A. xxx-xx-x  
 THOMAS, MARK W. xxx-xx-x  
 TURNER, JEFFREY J. xxx-xx-x  
 VICTORY, CHARLES W. xxx-xx-x  
 VOLLWEILER, FRED O. III xxx-xx-x  
 WALKER, JOHN A. III xxx-xx-x  
 WESTER, RODERICK C. xxx-xx-x  
 WHITCOMB, CLIFFORD A. xxx-xx-x

AEROSPACE ENGINEERING DUTY OFFICERS  
 (ENGINEERING)  
*To be lieutenant commander*

BRENNAN, SEAN P. xxx-xx-x  
 BUCK, NICHOLAS V. xxx-xx-x  
 COLLAZO, RAMON A., JR. xxx-xx-x

DEPPE, MARTIN W. xxx-xx-x  
 HATCHER, CHARLES S., JR. xxx-xx-x  
 KNUDSON, WADE E. xxx-xx-x  
 NOWAK, LISA M. xxx-xx-x  
 PUGH, LARRY A. xxx-xx-x  
 YOUNG, MAUDE E. xxx-xx-x

AEROSPACE ENGINEERING DUTY OFFICERS  
 (MAINTENANCE)  
*To be lieutenant commander*

COYNE, ELLEN NMN xxx-xx-x  
 CROWDER, GERALD L. xxx-xx-x  
 ETHERIDGE-BROWN, TRACY A. xxx-xx-x  
 FARNUM, PHILLIP H. xxx-xx-x  
 FLYNN, THOMAS F. xxx-xx-x  
 FURR, MITCHELL L. xxx-xx-x  
 HANSHAW, RAYMOND L. xxx-xx-x  
 HAWK, JOEL S., JR. xxx-xx-x  
 HEINTSCHEL, ANN L. xxx-xx-x  
 HUDSON, JAMES N. xxx-xx-x  
 KELLY, MICHAEL A. xxx-xx-x  
 KILLEY, DOUGLAS S. xxx-xx-x  
 MCDONALD, PRENTIS M. xxx-xx-x  
 MEUER, CASEY C. xxx-xx-x  
 MITCHELL, MARQUITA A. xxx-xx-x  
 MORRIS, BRIAN W. xxx-xx-x  
 ORTIZ, MIGUEL A. xxx-xx-x  
 PAULK, DAVID A. xxx-xx-x  
 PETERS, CYNTHIA L. xxx-xx-x  
 RETTIE, SCOTT L. xxx-xx-x  
 SCOTT, RAYMOND G. xxx-xx-x  
 SUMMERS, TOMMY L. xxx-xx-x  
 TRIMBATH, BRETT W. xxx-xx-x  
 VIERA, DARREN T. xxx-xx-x  
 WELAND, LINDA V. xxx-xx-x  
 WILLIAMS, LEONARD NMN xxx-xx-x  
 ZUMBRO, JERRY L. xxx-xx-x

AVIATION DUTY OFFICERS  
*To be lieutenant commander*

PIVERAL, MARK W. xxx-xx-x

SPECIAL DUTY OFFICERS (CRYPTOLOGY)  
*To be lieutenant commander*

ALLBRITTON, MARK J. xxx-xx-x  
 ATWELL, THERESA M. xxx-xx-x  
 BARKSDALE, CARL A. xxx-xx-x  
 BISHOP, STEVEN B. xxx-xx-x  
 BROWN, JEFFREY F. xxx-xx-x  
 CAIRNS-MCFEETERS, EUGENIA L. xxx-xx-x  
 CULL, SCOTT D. xxx-xx-x  
 FULLER, WAYNE A. xxx-xx-x  
 GRADT, TIMOTHY R. xxx-xx-x  
 GRONWOLD, DIANE K. xxx-xx-x  
 HARDING, MARK J. xxx-xx-x  
 HAWS, GREGORY J. xxx-xx-x  
 HOWLIN, TIMOTHY M. xxx-xx-x  
 KING, MICHAEL K. xxx-xx-x  
 LAJEUNESSE, MICHAEL H. xxx-xx-x  
 LIPSCOMB, MICHAEL P. xxx-xx-x  
 LOGSDON, PATRICK B. xxx-xx-x  
 LUNDE, KERN D. xxx-xx-x  
 MACKIN, JOHN M. xxx-xx-x  
 MALCOMSON, GARY L. xxx-xx-x  
 MARLOW, ERIN K. xxx-xx-x  
 MCGINN, ELIZABETH M. xxx-xx-x  
 MCINTYRE, EDDIE L. xxx-xx-x  
 MCKINSTRY, JOHN W. xxx-xx-x  
 METTS, WILLIE L. xxx-xx-x  
 MILLER, CHRIS A. xxx-xx-x  
 NEWHOUSE, ERIC J. xxx-xx-x  
 PARODE, STEVEN L. xxx-xx-x  
 PETTY, ROY S. xxx-xx-x  
 PHILLIPS, BARRY W. xxx-xx-x  
 POST, JOHN C. xxx-xx-x  
 RAWLS, DWIGHT G. xxx-xx-x  
 RICH, LYFORD D. xxx-xx-x  
 ROBINSON, GEORGE E. xxx-xx-x  
 SPATHAROS, FRANK A. xxx-xx-x  
 STROZZO, PHILLIP G. xxx-xx-x  
 TEXLEY, THOMAS E. xxx-xx-x  
 THARRINGTON, CHRISTOPHER B. xxx-xx-x  
 VANDENBERG, DENNIS J. xxx-xx-x  
 VANMETER, GUY E. xxx-xx-x  
 VULCAN, LELAND C. xxx-xx-x  
 WHITLOW, GREGORY NMN xxx-xx-x

SPECIAL DUTY OFFICERS (INTELLIGENCE)  
*To be lieutenant commander*

ABBATIELLO, LEONARD M. xxx-xx-x  
 ANDERSON, PATRICIA R. xxx-xx-x  
 ASHCRAFT, PAUL D. xxx-xx-x  
 AZZARITA, NICHOLAS J. xxx-xx-x  
 BARKER, MICHELE C. xxx-xx-x  
 BERNALES, BARTON J. xxx-xx-x  
 BEVERLY, JOSEPH F. xxx-xx-x  
 BLASCO, GEORGE L. xxx-xx-x  
 BURKART, GREGORY G. xxx-xx-x  
 CARR, WILLIAM J. xxx-xx-x  
 CARTER, STUART AT xxx-xx-x  
 CANANERI, BERTRAND A. xxx-xx-x  
 CORBERO, LUIS G. xxx-xx-x  
 CROSS, RAY A. xxx-xx-x  
 CUNNINGHAM, WILLIAM S. xxx-xx-x  
 CURTIS, STEPHEN G. xxx-xx-x  
 CUTTS, ANDREW W. xxx-xx-x  
 DODD, CARL S. xxx-xx-x  
 DRISCOLL, DAINELM. xxx-xx-x

DWIGGINS, DAVID W. xxx-xx-x  
 FANELL, JAMES E. xxx-xx-x  
 FERNANDEZ, PELAYO F. xxx-xx-x  
 GLAZIER, WENDY L. xxx-xx-x  
 GREEN, DANIEL M. xxx-xx-x  
 GREENWOOD, MICHAEL D. xxx-xx-x  
 GRIFFIN, BRENT J. xxx-xx-x  
 HESS, PAUL A. xxx-xx-x  
 HILL, DEBORAH J. xxx-xx-x  
 HOLCOMB, ROSS D. xxx-xx-x  
 HUGHES, JAMES C. xxx-xx-x  
 IMHOFF, DEENAN M. xxx-xx-x  
 INMAN, CARL R. xxx-xx-x  
 JENNINGS, CHARLES A. xxx-xx-x  
 KENNETT, ROBERT P. xxx-xx-x  
 KESSLER, STEPHANIE S. xxx-xx-x  
 KRISTIN, ERIC V. xxx-xx-x  
 KROTOW, GERALDINE S. xxx-xx-x  
 KURIYAMA, WILLIAM A. xxx-xx-x  
 LAIN, KATHERINE I. xxx-xx-x  
 LEE, JEFFREY D. xxx-xx-x  
 LEECH, THOMAS M., JR. xxx-xx-x  
 LINDSAY, ROBERT R. xxx-xx-x  
 LOVELLESS, BRUCE F. xxx-xx-x  
 MC AULIFFE, KATHLEEN NMN xxx-xx-x  
 MCCOLLUM, SCOTT F. xxx-xx-x  
 MCMILLAN, JAMES F. xxx-xx-x  
 MUNACO, PHILIP A. xxx-xx-x  
 OAKELEY, KELLY M. xxx-xx-x  
 ORTWEIN, MICHAEL T. xxx-xx-x  
 PAGACH, KENNETH I. xxx-xx-x  
 PAGETT, STEVEN L. xxx-xx-x  
 RIEP, PETER R. xxx-xx-x  
 ROBERTS, BECKY A. xxx-xx-x  
 ROSE, ROBERT E. xxx-xx-x  
 ROSSER, JAMES A., III xxx-xx-x  
 RUPP, ROBERT NMN xxx-xx-x  
 SCOTT, EDWARD M. xxx-xx-x  
 SCRIBNER, JEFFREY L., JR. xxx-xx-x  
 SEARS, TODD R. xxx-xx-x  
 SHUEY, DONALD W. xxx-xx-x  
 SIBICK, KEITH M. xxx-xx-x  
 SMITH, CLAUDE D. xxx-xx-x  
 SPER, MARY K. xxx-xx-x  
 STUBBS, JOHN B. xxx-xx-x  
 SULZBACH, EDWARD F., III xxx-xx-x  
 TRAIL, THOMAS R., JR. xxx-xx-x  
 ULATOWSKI, VALERIE A. xxx-xx-x  
 ULISNIK, KAREN D. xxx-xx-x  
 VANREESMA, BRYAN P.S. xxx-xx-x  
 VIEIRA, MICHAEL L. xxx-xx-x  
 WALEY, KENNETH A. xxx-xx-x  
 WALL, ALAN R. xxx-xx-x  
 WARFORD, EDWARD E. xxx-xx-x  
 WERTZ, MATTHEW A. xxx-xx-x  
 WHEATLEY, WILLIAM NMN xxx-xx-x  
 WHITEFIELD, PAUL M. xxx-xx-x  
 WILBER, JOHN J. xxx-xx-x  
 WILLIAMS, JAMES E. xxx-xx-x  
 ZIMMERMANN, LEONARD A. III xxx-xx-x

SPECIAL DUTY OFFICERS (PUBLIC AFFAIRS)  
*To be lieutenant commander*

ALDERSON, WILLIAM J. xxx-xx-x  
 AUSTIN, EDWARD L. xxx-xx-x  
 BRENTON, REBECCA E. xxx-xx-x  
 BROOKS, JAMES E. xxx-xx-x  
 BROWN, MATTHEW S. xxx-xx-x  
 GRAYBEAL, JAMES W. xxx-xx-x  
 HAEG, SUSAN M. xxx-xx-x  
 HILL, RODNEY A. xxx-xx-x  
 JEFFRIES, KAREN D. xxx-xx-x  
 JONES, ELIZABETH A. xxx-xx-x  
 MC CAFFREY, MARK E. xxx-xx-x  
 MC WHORTER, CHARLES D. xxx-xx-x  
 NEWELL, ROBERT D. xxx-xx-x  
 PITTMAN, HAROLD E. xxx-xx-x  
 ROSS, ROBERT T. xxx-xx-x  
 SPANN, WILLIAM S. xxx-xx-x  
 TALLMAN, KATRINA A. xxx-xx-x  
 WELLS, DAVID E. xxx-xx-x

SPECIAL DUTY OFFICERS (OCEANOGRAPHY)  
*To be lieutenant commander*

ANGOVE, MICHAEL D. xxx-xx-x  
 BALDAUF, BRIAN K. xxx-xx-x  
 BERDEGUEZ, JAMES NMN xxx-xx-x  
 COLUCCI, JAY W. xxx-xx-x  
 COOPER, GRANT A., IV xxx-xx-x  
 DAGOSTINO, ANTHONY F. xxx-xx-x  
 HARRISON, DANIEL E. xxx-xx-x  
 KRAFT, ANTON J. xxx-xx-x  
 LANE, TIMOTHY G. xxx-xx-x  
 MALSICK, MARK D. xxx-xx-x  
 OCARROLL, ROSEMARIE NMN xxx-xx-x  
 OTIS, DAVID E. xxx-xx-x  
 PETRUNCIO, EMIL T. xxx-xx-x  
 PETTIGREW, JAMES C. xxx-xx-x  
 RUPPE, KAREN M. xxx-xx-x  
 RUTHERFORD, STEVEN J. xxx-xx-x  
 SCHULZ, WILLIAM J., JR. xxx-xx-x  
 SPINELLI, JULIA M. xxx-xx-x  
 SPRINGER, CORY A. xxx-xx-x  
 STANTON, ROBERT J. xxx-xx-x  
 STEADLEY, ROBERT S. xxx-xx-x  
 STEEVES, MARY A. xxx-xx-x  
 STONE, REBECCA E. xxx-xx-x  
 TRAMM, EUGENE P. xxx-xx-x  
 VANN, JAMES R. xxx-xx-x  
 WALSH, DAVID J. xxx-xx-x

WEBB, BENNY H.
WHALEN, JOHN D.
WHITNEY, CLAUDIA S.

LIMITED DUTY OFFICERS (LINE)
To be lieutenant commander

ALLEN, JAMES H.
ALLEN, RONALD R.
ATKINSON, PURVIS J.
BALLENGER, JAMES E.
BARTSCH, BRYAN W.
BENEDETTO, JANE A.
BIRTCHET, LESTER N.
BLACK, SAMUEL K.
BOONE, DAVID B.
BORGERDING, ROBERT E.
BRACKMAN, RAYMOND C.
BRADDOCK, RANDALL L.
BRIGHTBILL, GARY R.
BRINK, JAMES M.
BROKAW, JAMES E.
BRUMFIEL, GARY A.
BURNETT, JOHN T.
BUTTERWORTH, GARY W.
CABREIRA, JOSEPH NMN
CALE, WILLIAM A.
CENTER, RONALD E.
CENTERS, CASH J.
CHAYER, MARK C.
CHURCH, MICHAEL J.
CLAYTON, BROOKS F.
COLE, RICHARD E.
COLE, STEVEN R.
COLLINS, EDMUND B.
CONNOLLY, TIMOTHY M.
CREASON, CARL A.
CRUZ, FRANCISCO Q.
CUMBERBATCH, VALENTINE G.
CYWINSKI, DAVID D.
DAMMANN, DENNIS A.
DANIELS, KEVIN W.
DAVIS, JERRY F.
DAVIS, MARK K.
DENBY, JOE C.
DESANTIS, ROBERT W.
DESROSIER, THOMAS G.
DEWIRE, JONATHAN C.
DIETZ, RICHARD K.
DRAKE, DOUGLAS D.
DYSON, DAVID L.
EATON, DAVID A.
EATON, NORMAN D.
ERICKSON, WILLIAM D.
EVERETTE, TERRY L.
FINLEY, ROBERT K.
FINLEY, ROBERT S.
FOSTER, THOMAS D.
FREEMAN, JEFFERY A.
FRETWELL, RONNIE L.
FRIDLEY, TIMOTHY L.
GANN, DAVID E.
GARRIGAN, PETER D.
GATES, RONALD E.
GILLIS, EUGENE B.
GILMORE, MICHAEL E.
GLYNN, DANIEL E.
GRINSTEAD, BARRY M.
GUIDRY, DIANE T.
HAMILL, JEROME J.
HAMMOND, GERALD J., JR.
HAMMOND, MARK D.

HANSON, JULIE K.
HARKER, JAMES A.
HARPER, DAVID D.
HARRIS, WILLIAM K.
HARVEY, TIMOTHY B.
HAYNES, BILLY D.
HEART, RAYMOND D.
HENNESSY, WILLIAM J.
HERNDON, GEORGE L.
HOLLEY, WILLIAM D.
HOLMES, DONALD C.
HOPPER, JAMES M.
HOTCHKISS, MICHAEL J.
HOWARD, JAMES S.
HUMMEL, JAMES C.
ISRAEL, THOMAS J.
IVES, JAMES L.
JACKS, PATRICK NMN
JACKSON, CRAIG J.
JESSEN, DAVID A.
JOHNSON, CHARLES W.
JOHNSON, GREGORY L.
JOHNSON, STEPHEN E.
JUDY, MARK R.
KAUSEK, ALBERT J.
KEIDEL, WILLIAM L., JR.
KENNEDY, ALBERT E.
KINSEY, MICHAEL S.
KIRSTINE, CHARLES E.
KNIGHTON, RONNIE L.
KOHLER, KENNETH A.
KRIEBEL, EDWARD T.
KUESTER, ROBERT W.
LAMB, KEVIN N.
LANGLAIS, STEPHEN A.
LASHUA, ERNEST E., JR.
LAURSEN, BRIAN K.
LAWTON, WILLIAM B.
LEASURE, GEORGE M.
LETTIS, BRADLEY J.
LEWIS, JERRY G., JR.
LITTLE, GLEN M., JR.
LOKEN, ROBERT E.
MACARTHUR, JEFFREY S.
MACDONALD, JAMES B.
MANUMA, LENE S., JR.
MARSHALL, ALAN R.
MAUPIN, RONALD A.
MAVES, KENNETH A.
MCCOOL, DAVID E.
MCGLAUFLIN, KELLY G.
MCHATTIE, DONALD G.
MCMANUS, DONOVAN S.
MCSHANE, MICHAEL J.
MILLER, DALE L.
MILLER, ERIC C.
MILLS, EDWARD E.
MILLS, GREGORY L.
MITCHELL, DERRICK A.
MOLLOY, EDWARD F.
MOORE, GERALD W.
MORIN, NORBERT D.
MUELLER, TIMOTHY G.
MUGRAGE, DAVID J.
MULLINS, BOBBY R.
MURPHY, WILLIAM A.
NAGEL, DAVID A.
NAHITCHEVANSKY, ANTONY H.
NELSON, DONALD F.
NOLAN, DONALD J.
OAKES, JAMES R.
ODONNELL, RAYMOND C.

OLDLAND, BRENT D.
OSTRANDER, DAVID P.
OZKOSAR, OZKAN NMN
PAGONA, JOHN L., JR.
PANTER, DANIEL R.
PARRON, WANDA S.
PATTERSON, JASON L.
PAULETTE, WILLIAM R.
PAXTON, DEBRA A.
PAYNE, FRANCIS I.
PECK, JOSEPH S.
PEREZ, LAURENT M.
PIERCE, TIMOTHY L.
PON, ARNOLD L.
PREMO, DAVID M.
PRESCOTT, PAUL B.
QUINN, MICHAEL
RADER, ARTHUR P.
REED, BUDDY V.W.
RENFRO, CURTIS A.
RESNICK, MAX M.Z.
RHOADES, VICTOR S.
RIGHTER, MARK H.
ROBBINS, CHUCK D.
ROBERSON, PAUL M.
RODRIGUEZ, JESUS M.
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