SENATE—*Monday, April 11, 1994*

The Senate met at 1 p.m., and was called to order by the President pro tempore [Mr. BYRD].

The PRESIDENT pro tempore. The Senate will be led in prayer by the Senate Chaplain, the Reverend Dr. Richard C. Halverson.

Dr. Halverson, please.

PRAYER

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

Let us pray:

Trust in the Lord with all thine heart; and lean not unto thine own understanding. In all thy ways acknowledge him, and he shall direct thy paths.—Proverbs 3:5,6.

Gracious God our Father, thank Thee for a safe return following a profitable recess. Thank Thee for the Senators' opportunity to meet face to face with constituents, to share their views on significant issues. Thank Thee for a renewed sense of the people's thinking. Thank Thee for family togetherness, reconciliation and recreation, rest and restoration of strength, and vision.

Now, Lord, the Senate confronts a backbreaking load of legislation on critical and potentially divisive issues with a national election approaching rapidly. Grant to Your servants the wisdom of Proverbs to look to God and trust Him for guidance.

And, mighty God, awaken the people to the fundamental reality of our political system—"a government of the people, by the people, and for the people." Help them take seriously their responsibility as citizens to inform their leaders of their views, to prepare themselves to vote, and then go to the polls in November.

Blessed Lord, cover the Senate with Your grace and guide the Senators in perfect wisdom and righteousness in their debate and decisions.

In His name who is the Way, the Truth, and the Life. Amen.

RESERVATION OF LEADER TIME

The PRESIDENT pro tempore. Under the previous order, the time of the two leaders has been reserved.

MORNING BUSINESS

The PRESIDENT pro tempore. Also under the previous order, there will now be a period for the transaction of morning business not to extend beyond the hour of 2 p.m., with Senators permitted to speak therein for not to exceed 10 minutes each.

The Chair, in his capacity as a Senator from West Virginia, suggests the absence of a quorum.

The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

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

The Republican leader is recognized.

Mr. DOLE. Mr. President, was leader time reserved?

The PRESIDENT pro tempore. Leader time has been reserved.

CRIME LEGISLATION

Mr. DOLE. Mr. President, later this week, the House of Representatives will finally begin deliberations on anticrime legislation. As the House begins its work, the American people should ask themselves some important questions.

Will the House pass a bill that devotes sufficient resources to incarceration? Last year, the Senate adopted legislation that earmarked $6.5 billion for various forms of incarceration, including $3 billion to build and operate 10 new regional prisons for the most violent offenders. Will the House match this effort, recognizing that a violent criminal kept behind bars will not terrorize a single law-abiding citizen?

Will the House follow the Senate's lead and take steps to slam shut the revolving prison door by promoting truth-in-sentencing. When it comes to violent criminals, a 15-year sentence should mean just that—15 years. Not 5 years or 10 years. But the full sentence—no exceptions and no parole.

Will the House pass a bill that stops the endless appeals that clog the court system and do so much to erode public confidence in our system of justice? Or will the House make these appeals easier, allowing criminals to escape justice by taking advantage of yet more loopholes and more technicalities?

Will the House bill recognize that youthful offenders who commit a violent crime have forsaken their innocence and must be held accountable for their actions—as adults?

And perhaps most fundamentally, will the House pass a bill that properly views society as the victim of criminals, and not the other way around?

Today, President Clinton is out promoting the administration's crime bill, even though the administration has not drafted a crime bill, relying instead on Democrats and the Republicans in the Senate and House to do the legislative heavy lifting.

If the President really wants to make a difference in the crime debate this week, he would today—publicly and unequivocally—endorse the proposed House Republican amendment earmarking $10 billion for new prison construction and operation. Under this amendment, only those States that adopt the truth-in-sentencing and three-strikes-and-you're-out reforms would be eligible for the new prison money. Needless to say, this is one tough-on-crime proposal that lives up to its billing, and the President should get behind it.

Unfortunately, it is becoming increasingly clear that the administration's actions do not always match its tough rhetoric.

The President talks tough about locking up violent offenders. Yet the administration's 1995 budget actually slashes funding for Federal prison construction by 29 percent.

The President talks tough about helping law enforcement. Yet the administration's 1995 budget reduces law enforcement block grants by a staggering $500 million and eliminates more than 1,000 permanent positions in the FBI, the DEA, the Justice Department's Criminal Division, and the U.S. attorney's offices.

The President says that he wants to stiffen criminal penalties and supports three-strikes-and-you're-out. Yet his Attorney General has told Federal prosecutors they may ignore charging defendants with crimes carrying mandatory minimum sentences if, in their subjective view, these sentences would be unreasonable. This directive reverses the guidelines established by Attorney General Thornburgh, which required prosecutors to charge defendants with the most serious and readily provable offense.

So, the American people should ask the President: Does he mean three-strikes-and-you're-out? or three strikes-and-maybe-perhaps-you're-out—and only if the Justice Department lawyers think that life imprisonment is a reasonable sentence?

And let us look at the administration's so-called war on drugs. The President talks tough, yet funding for the Office of National Drug Control Policy is slashed by 94 percent, the Department of Justice cites phony constitutional concerns when opposing the death penalty for vicious drug kingpins, funding for drug interdiction is severely reduced, and the U.S. Surgeon General tours the country promoting the misguided idea of legalizing the very thing we are trying to stigmatize—the use of illegal drugs, particularly by our young people.

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

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

Mr. President, the sad truth is that no community is safe in America today. And, unfortunately, no crime bill can guarantee security for the American people. While the Senate-passed crime bill is a small step in the war against crime, it is nonetheless a step in the right direction. And it passed this body by a vote of 94 to 4; totally bipartisan, as I hope it will be in the House. I do not think the House should do any less. The American people do not want gimmicks.

In fact, I met yesterday morning with an outstanding leader in my State, Bill Koch, who has undertaken an effort to help the Governor there, a Democrat Governor and Republican legislators. Everybody in Kansas is concerned about crime. They are doing a lot of focus groups, and a lot of surveys now to see what we can do in our small State to deal with some of the real problems that affect children, that affect senior citizens, that affect people of all ages.

I think one thing that certainly is clear is that we have to focus sometimes on the victims of crime, and not all the social engineers who want to continue to focus and excuse those who commit violent offenses.

The American people do not want gimmicks. They do not want false promises. But they do deserve the toughest crime bill possible, one that matches the tough rhetoric emanating from both sides of the aisle here in Congress, and from both ends of Pennsylvania Avenue.

I certainly hope that our colleagues on the House side are up to the challenge. I know it is going to be a difficult week for them this week and next week, because they are going to be on crime legislation.

I do hope—and I say it without any criticism—that they take a look at what happened on the Senate side. Nearly every amendment was adopted with bipartisan support. And again, the final bill itself passed by a vote of 94 to 4.

This Senator is not suggesting that there are not a few excesses in the Senate bill. Certainly, changes can be made in the conference report.

At least we can say that we have done it in the right way and in a bipartisan way, and that it is one that will actually make a difference in the lives of the American people.

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

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

The assistant legislative clerk proceeded to call the roll.

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

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

CRIME

Mr. HATCH. Mr. President, I am going to speak here today on the issue of crime and what we need to do.

Today, President Clinton and Attorney General Reno were at the Justice Department and delivered remarks to law enforcement officers about the need to get tough on crime. I am glad they did. At a similar event staged before law enforcement officers in Ohio, President Clinton talked tough about crime saying, "I care a lot about this problem." I believe he does.

Alluding to his years as State attorney general and Governor, the President went on to say:

> I know what it means to double the prison capacity of a State, and to sign laws toughening crimes, and to * * * add to the stock of police officers and to deal with all the problems that are facing them. I know this is a tough problem. I also know it is a complicated one. It's easy to demagog, easy to talk about, and quite another thing to do something that will make a fundamental difference in the lives of the people of this Country.

Ironically, despite his statements about the need to enhance our crime-fighting efforts, President Clinton delivered to Congress a budget that cuts Federal prison construction by nearly 30 percent, or a $78 million reduction, cuts Federal law enforcement personnel, and cuts existing grants to State law enforcement.

The President's budget does not reflect the rhetoric of enthusiastic support for crime control and the law enforcement that he has been espousing.

The fiscal year 1995 budget cuts 1,523 Department of Justice law enforcement agency positions. According to a Justice Department budget summary, the Federal Bureau of Investigation loses 847 positions; the Drug Enforcement Agency loses 355; the Department's Criminal Division loses 28; the Organized Crime Drug Enforcement Task Forces lose 150, and Federal prosecutors lose 143 positions.

Absent the fiscal year 1995 budget cuts there are still, without those budget cuts, 431 fewer FBI agents and 301 fewer DEA agents today than there were in 1992, at the end of the 1992 Presidential campaign.

At a time when violent crime and drug control are said to be national priorities, these cuts will reduce the effectiveness of Federal law enforcement, and the President's budget acknowledges this. The administration's own budget figures reveal that Federal prosecutors will be filing 527 fewer criminal cases in fiscal year 1995 than the year before. The Organized Crime Drug Enforcement Task Force Program, cut by over $12 million, will investigate, indict, and convict fewer criminals. Indeed, former Deputy Attorney General Philip Heymann confirmed this in a recent article he wrote for the Washington Post on February 27, 1994:

> With fewer Federal investigators and fewer Federal prosecutors in the years ahead, there will not be more Federal law enforcement, but less * * *.

These reductions will only add to an already lagging Federal anticrime effort under the Clinton administration. The Administrative Office of the U.S. Courts recently reported that in 1993, the number of criminal cases filed by Federal prosecutors decreased by over 3 percent. This was the first decrease in 10 years. The Administrative Office attributes this overall decrease in criminal filings to the Clinton Justice Department's significant reduction in drug prosecutions. Drug prosecutions in 1993 decreased by 7 percent, or 902 cases.

Existing State and local law enforcement block grants, which police have been counting on, are also cut by over $400 million in order to fund the crime bill's proposed police hiring program. The money to pay for the police hiring program was supposed to come from savings earned through personnel cuts, not from existing law enforcement grants. Senator GORTON and I succeeded in amending the budget resolution to restore funding for this program, and that was a valuable first step.

Ironically, when it suits the administration's purpose, they will defend the preservation of Federal prosecutors and law enforcement strength. In testifying against the balanced budget amendment, Attorney General Reno recently stated that preserving adequate funding for the FBI, DEA, and U.S. attorney's office are what "our Nation so desperately needs to fight crime aggressively." She went on to state that the effect of cuts on Federal law enforcement could be "catastrophic."

At this same hearing, Attorney General Reno discussed the importance of adequate staffing for the Justice Department. She said:

> I try, when I travel to different districts, to visit with the U.S. attorney's offices. I ask one question when I go to the offices to begin a discussion: If you were Attorney General of the United States, what would you do to improve the operation of this office? Consistently, they said we need more staff in the civil and criminal division.

There is a substantial increase in overall funding for the Department of Justice. Yet, instead of spending this money on Federal criminal law enforcement agencies, a bulk of this money goes to fund the Department's assorted civil agencies or branches. For example, the Department plans to bring more civil suits—450 more cases—and more antitrust suits, and 33 new positions are created. The Department plans to bring more environmental and natural resource cases—nearly 900 more cases, given an increase of 78 positions.

There is clearly a need for fiscal restraint. Recognizing the need to address the budget deficit, Attorney Gen-

eral Reno has expressed a willingness on behalf of Federal law enforcement agencies and prosecutors to do their part to regain control over our Nation's financial well-being. But, in a budget of $1.5 trillion, priorities can and must be met. We must ensure that the sacrifices we ask law enforcement to make do not impair the Government's ability to meet its obligations to our Nation's law-abiding citizens.

Cutting Federal law enforcement positions, prison construction, and existing law enforcement grants programs is an unwise choice, especially in light of our Nation's crime problem. It is also inconsistent with the President's stated drug strategy and the bravado we are hearing from the administration.

Mr. President, I have a couple of charts here that I would like to point to. This chart shows the Department of Justice law enforcement agency cuts. The President's fiscal year 1995 budget cuts 1,523 total positions, Justice law enforcement agency positions. According to the Justice Department, its own budget survey, the FBI would lose 847 positions; the Drug Enforcement Administration would lose 355; the Organized Crime and Drug Enforcement Task Forces will lose 150; U.S. attorneys will lose 143 positions; the Criminal Division will lose 28 positions between fiscal 1994 and 1995.

These are tremendous losses. With regard to cuts to FBI agents, the number of FBI agents end of the year on-board strength between 1980 and 1994, in 1990, as you can see, there were a little less than 8,000 positions. We gradually got them up through 1992 to a higher point, under Republican administrations. When Reagan took over, we were down here. When Bush left, it was right here. Under Republican administrations, the positions for the FBI reached a peak in fiscal year 1992 when there were 10,475 FBI agents. Beginning with the Clinton administration here, there currently are only 10,044 FBI agents. That is 431 fewer agents than there were in 1992.

The President's budget proposes additional cuts on top of that.

Finally, let us look at the DEA agents at the end of the year on-board strength between 1980 and 1994. When Reagan took over we were here. They gradually built the DEA up to the point where the Clinton administration took over. As a matter of fact, here again we see increase in agent strength during Republican administrations. The number of agents increased from 1,897 back here in 1980 to 3,702 in 1992. Under the current administration, there has been a cut in the number of DEA agents. Absent the fiscal year 1995 budget cuts, there are still 301 fewer DEA agents today than there were in 1992.

So Mr. President, I am really concerned about it because we are having more and more crime in our society, more and more pressures on the public, more and more pressures on our citizens' right to live freely and without criminal influence, and yet we are cutting back on some of the more important areas this country has.

Mr. President, my time is up, and I yield back any further time I have, and I suggest the absence of a quorum.

The PRESIDENT pro tempore. The point of no quorum has been suggested. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. DECONCINI. Mr. President, I will be proceeding in morning business.

The PRESIDING OFFICER. The Senator from Arizona is recognized.

ARIZONA STATE UNIVERSITY

Mr. DECONCINI. Mr. President, I want to enter into the RECORD a short statement and an editorial from the Arizona Republic, dated April 6, 1994, pointing out the exclusive advances and club that the Arizona State University has been enshrined in by becoming part of what is known as a circle of Research I schools. There are some 80-plus schools in the United States that reached this particular status of recognized research as well as academics.

Arizona State University has an outstanding faculty and facility and outstanding President Lattie Coor who has helped bring this about.

Our other university has reached this sometime in the past. Arizona State University is one of the few universities without a medical school or an agricultural college to reach this select group which puts them on a plateau with the more recognized universities, not that universities cannot be outstanding if they are not part of the Research I group. This puts them into a new sphere of influence and acceptance in the academic and research area, and I compliment the university and the president, Mr. Coor, and ask unanimous consent that this editorial be printed in the RECORD.

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

[From the Arizona Republic, Apr. 6, 1994]

ASU EARNS RESEARCH I

Arizona State University's arrival in the exclusive circle of Research I schools is an accomplishment that resonates far beyond the walls of academia.

It's good news for ASU and Tempe.

No, that's not right . . .

It's great news for ASU and the Valley.

No, that's not right, either . . .

It's fantastic news for ASU and Arizona.

Ah, that's more like it.

This is an achievement that puts ASU among only 88 schools nationwide—public or private—to have reached that coveted goal. It says that ASU's research programs are of sufficient renown and high caliber to attract at least $40 million in federal support.

Some schools do that the easy way with a medical school or college of agriculture. Those two programs traditionally attract big federal dollars. The University of Arizona has both. It has been a Research I facility since 1976.

ASU earned its new status the hard way, says President Lattie Coor.

"No university in the country has come further, faster," he said.

Everyone on ASU's campuses deserves to take a bow. But the university's fine academic accomplishments in business administration, solid-state sciences, engineering, computer sciences, urban and public programs, fine arts and law get an extra ovation. The Board of Regents' challenge to ASU to "develop nationally recognized programs" in those disciplines paid off handsomely.

And while we're giving credit . . .

Valley industry provided an important boost in ASU's rise. Businesses put up matching money, equipment and services to attract federal support, says Robert Barnhill, ASU vice president for research and strategic initiatives.

Those outside academia who helped ASU reach an enviable spot on the Carnegie Foundation for the Advancement of Teaching's "Research University I" list can share in the kudos now.

And reap the rewards later.

"Having a top research university . . . helps us enormously in marketing the region," says Ioanna Morfessis, president and chief executive officer of the Greater Phoenix Economic Council.

What you hear resounding from ASU is a sweet thing called success.

IN SUPPORT OF SAM BROWN, NOMINEE FOR AMBASSADOR TO CSCE

Mr. DECONCINI. Mr. President, it has been nearly 5 months since President Clinton nominated Sam Brown to be U.S. Ambassador to the Conference on Security and Cooperation in Europe. And it has been 5 months since his hearing before the Foreign Relations Committee—5 months and still this body has failed to approve the nomination. Some may think the delay is needed to investigate Sam Brown's credentials. Mr. President, I think that is wrong. For more than 3 months after his hearing no questions were asked about his background. During the last 6 weeks Sam Brown has responded fully and completely to all the questions which have been raised regarding his background.

We know what we need to know about Sam Brown. Sam Brown is an energetic and articulate American with a deep commitment to public service. He has served as the statewide-elected treasurer of Colorado, and perhaps that is the problem, that because he was an elected official now that should hold him up from advancing into public service in another way and in a very important position.

In the Carter administration he was the Director of ACTION, the Federal

Agency in charge of the Peace Corps and a number of domestic volunteer programs, and on the board of the National Consumer Cooperative Bank. Both of these positions required Senate confirmation, which he secured.

Sam Brown is a man of dedication and integrity. He has earned the support of the President. And the President has a right to expect that his nominees will not undergo partisan sabotage. Blocking a Presidential nomination is a serious action which, of course, occurs here often, too often in my judgment. I have held up nominations when I had to have questions satisfied for myself, and then I would let them proceed and not participate in perpetuity preventing them from coming to the floor. I would vote against them or argue against the person.

This is the President's nominee. He has been through the process. The committee has approved it. And now he is here on the calendar for nearly 5 months. I say it is time to support him, and I hope the majority leader will move his nomination early next week.

Critics have charged that Sam Brown lacks the necessary experience to hold this position. Yet the CSCE is an evolving institution. Many of its initiatives reflect experience that can only be learned on the job. Believe me I know a little about at it having served on that Commission since 1980 and being the chairman now of the Congressional Commission on Security Cooperation.

Sam Brown has been spent months participating in extensive briefings at the State Department, the Defense Department, and the Central Intelligence Agency. He has the knowledge and the background of what the CSCE is all about. He has met with policymakers and others engaged in the CSCE process here in Washington and has spent much time discussing the challenges ahead for the United States with both career and noncareer former representatives to the CSCE from both parties—Warren Zimmermann, Richard Schifter, and Max Kampelman, just to mention a few. Sam Brown is fully briefed. And he brings to the task the drive and the convictions to represent the United States as Ambassador to the Commission on Security and Cooperation in Europe.

Frankly, Mr. President, holding up Sam Brown's confirmation does not serve the United States position in the CSCE well at all. With a major CSCE review conference and summit this winter, we need to have an Ambassador in Vienna laying the groundwork for U.S. policy positions now, not the day before the conference starts. We need to have someone who can continue the fine work done by the departing CSCE Ambassador, John Kornblum, someone who can work with our colleagues from other delegations, someone who can help assure that the United States comes to the Budapest review conference with a strong and coherent policy in hand. Previous noncareer CSCE Ambassadors, like Max Kampelman have honorably served Republicans and Democrats alike, without the benefit of Foreign Service or military experience. I am confident Sam Brown can do the same.

Mr. President, this is too critical and fundamental position to let go vacant. It is time that the Senate put aside any partisan problems as it relates to this nominee. And I urge my colleagues to vote for Sam Brown and urge the majority leader to bring his nomination to the floor.

REGISTRATION OF MASS MAILINGS

The filing date for 1994 first quarter mass mailings is April 25, 1994. If a Senator's office did no mass mailings during this period, please submit a form that states "none."

Mass mailing registrations, or negative reports, should be submitted to the Senate Office of Pubic Records, 232 Hart Building, Washington, DC 20510–7116.

The Public Records Office will be open from 8 a.m. to 6 p.m. on the filing date to accept these filings. For further information, please contact the Public Records Office on (202) 224–0322.

1994 APRIL QUARTERLY REPORTS

The mailing and filing date of the April quarterly report required by the Federal Election Campaign Act, as amended, is Friday, April 15, 1994. All principal campaign committees supporting Senate candidates in the 1994 races must file their reports with the Senate Office of Public Records, 232 Hart Building, Washington, DC 20510–7116. Senators may wish to advise your campaign committee personnel of this requirement.

The Public Records Office will be open from 8 a.m. until 9 p.m. on April 15, to receive these filings. In general, reports will be available the day after receipt. For further information, please do not hesitate to contact the Office of Public Records on (202) 224–0322.

TRIBUTE TO BEDFORD CASH

Mr. HEFLIN. Mr. President, the U.S. Forest Service mourned one of its own when Bedford Cash died suddenly on February 26. He was the district ranger for the Tuskegee National Forest near Tuskegee, AL. He was a native of Minden, LA.

Bedford Cash was a Forest Service employee for 21 years. He started his career with the agency in 1971 as a part-time summer student while attending Southern University in Baton Rouge. After graduating with a degree of agronomy in 1974, he began working in the Kisatchie National Forest as a soil scientist trainee. He spent 2 years there, and during that time served also as EEO counselor.

In 1976, he transferred to the Ozark St. Francis National Forest supervisor's office in Russellville, AR as a journeyman soil scientist. It was here he met and married his wife Jocelyn.

In 1980, Cash and his family moved to St. Anthony, ID to the Targhee National Forest. They were the only black family in the community and surrounding areas. While in this area, he also worked as a primary resource assistant in the Ashton Ranger District, with program responsibility in recreation, range, wildlife, wilderness, and special uses. It was here that he learned to snowmobile and ski as ways to manage winter recreation programs. He was given opportunities to explore areas of Yellowstone National Park that few will ever see.

His next assignment came as the recreation/lands/special use officer in the Cleveland National Forest, Descanso Ranger District. Here, his wife also became a Forest Service employee. In 1989, they came to the Tuskegee Ranger District, where Bedford was serving at the time of his death.

Many of his coworkers remember Cash as an energetic and dedicated member of the Forest Service family. He epitomized the mission of the Forest Service in every way.

I extend my sincere condolences to Bedford's wife Jocelyn and their entire family in the wake of their loss. Bedford was a special person who will be greatly missed.

IRRESPONSIBLE CONGRESS? HERE IS TODAY'S BOXSCORE

Mr. HELMS. Mr. President, at the close of business on Friday, April 8, the Federal debt stood at $4,560,730,816,474.55, meaning that on a per capita basis, every man, woman and child in America owes $17,493.43 as his or her share of that debt.

REMEMBRANCE OF VICTOR P. RAYMOND, VA ASSISTANT SECRETARY FOR POLICY AND PLANNING

Mr. AKAKA. Mr. President, it is with great sadness that I note the death of Mr. Victor Raymond, Assistant Secretary for Policy and Planning in the Department of Veterans Affairs.

Victor, who passed away on Good Friday at the untimely age of 46, was one of the truly bright lights at the Department of Veterans Affairs. Since his confirmation as Assistant Secretary last year, he served as the Secretary's principal advisor on all long-term policy for the Department, especially health care policy—a role whose importance was heightened by the absence of

an Under Secretary for Health. Earlier, as Acting Assistant Secretary, and the Department's chief liaison to the President's Health Care Reform Task Force, he distinguished himself as the intellectual force behind plans to make the Nation's largest health care system competitive with private health care providers.

Mr. President, few individuals have been so well-prepared to undertake the duties of the Assistant Secretary for Policy and Planning. Victor earned a doctorate from Johns Hopkins University and spent more than 14 years in Federal service working on health care policy issues, first at the Department of Health and Human Services, later at the National Center for Health Services Research, and still later as a staffer with the Senate and House Veterans' Affairs Committees. Just before joining VA, and his eventual nomination by President Clinton to the Assistant Secretary post, he served as Deputy Director of the Commission on the Future Structure of Veterans' Health Care. Victor distinguished himself in all of these positions by his unsurpassed knowledge of health care issues, an intimate knowledge of government processes, and a finely honed ability to work with people—a rare and potent combination.

But Victor's most important preparation for high office was his service in the military. Few were aware that this mild-mannered intellectual who reveled in public policy debates was also a former B-52 pilot who flew combat missions in Southeast Asia during the Vietnam conflict. This experience gave him first-hand knowledge of the battlefield sacrifices made by those who wear the uniform. The war brought him face to face with the health and readjustment problems encountered by returning war veterans, and certainly helped crystallize his resolve to help those who sacrificed so much in defense of our country.

As a member of the Senate Veterans' Affairs Committee, I was privileged to enjoy a fruitful relationship with Victor in his capacity as the executive branch's sole chief minority affairs officer. This unique position was established by Congress to ensure that the needs of minority and women veterans are properly considered in the provision of VA services and benefits. Although Victor was the second chief minority affairs officer to be so designated, he was the first to attempt to fully carry out the intent of the legislation.

Victor, who was of Native American ancestry, was among the first administration officials to recognize and accept the need for special consideration of the needs of Asians, Hispanics, African-Americans, native Americans, and other minorities as well as women in assessing VA policies and programs. He embraced his role as the Department's principal minority advocate by organizing a new office to focus exclusively on minority issues. Last week, only days after Victor's death, that office circulated final copies of the chief minority affairs officer's annual report, a compendium of statistics and departmental accomplishments in the minority arena which will serve as a primary resource document for all future minority-related undertakings.

Mr. President, I believe that the energy and commitment Victor Raymond brought to minority issues will be recognized as one of his most important legacies. Women veterans and veterans of color everywhere will one day have reason to be grateful to a man who did everything possible to ensure that every veteran, without regard to race or gender, receives appropriate and equitable treatment.

Mr. President, Victor Raymond's death was nothing less than tragic. He was a gifted man who was doing the right job at the right moment. Fate struck him down in the prime of life, and the Nation will be the poorer for it. All of us who were closely involved in veterans issues will miss him deeply. My heart goes out to his family and loved ones in their hour of grief.

DISCOVERY OF A MADAGASCAR SERPENT EAGLE BY THE PEREGRINE FUND

Mr. CRAIG. Mr. President, I rise today to bring to the attention of my colleagues something that occurred recently in Madagascar. The first capture and release of a Madagascar serpent-eagle—Eutriorchis astur—in 63 years was confirmed recently by the Peregrine Fund, a nonprofit conservation organization based in Boise, ID. Biologists were also able to take the first live photographs ever of this rarest of species.

The first confirmed sighting occurred on November 2, 1993, at the edge of some of Madagascar's last remaining rainforest by Peregrine Fund biologists Russell Thorstrom, Victor Baba, and Barthelemy Damary. They had established a camp at a bird inventory site in northeastern Madagascar when Mr. Thorstrom discovered the eagle not far from the camp.

Although Mr. Thorstrom and his colleagues saw this serpent-eagle several times over the next few days, they were unable to photograph it during this trip. Returning to the area 3 weeks later with traps and radio gear, they discovered the forest was being destroyed by slash-and-burn farmers and the eagle was not found.

Subsequently, on January 14, 1994, on the west side of the peninsula, Malagasy field biologists trained by the Peregrine Fund trapped a Madagascar serpent-eagle. Before it was released, a band was placed on the bird and careful measurements and photographs were taken. These photographs were used to confirm the identity of the bird.

I would like to congratulate Rick Watson, Russell Thorstrom, Victor Baba, Barthelemy Damary, Martin Baba, and others from the Peregrine Fund who were involved.

Mr. KEMPTHORNE. Mr. President, I would also like to add my congratulations to the Peregrine Fund for this accomplishment. The Peregrine Fund is best known for their efforts to recover the Peregrine falcon. Very few people know that this is an international conservation organization which has worked in over 30 countries around the world. They discovery of the Madagascar serpent-eagle is an excellent milestone for this organization.

Madagascar is one of the world's top 10 conservation priorities. Three of the world's most endangered birds of prey exist there. The Peregrine Fund has been working in Madagascar since 1990 to conserve these species and their wetland and rainforest habitats. For the first time since 1930, when early explorers shot the last specimen of the Madagascar serpent-eagle, Peregrine Fund biologists have captured and released for study this very rare eagle.

Mr. CRAIG. A brief side note about Boise State University's involvement with the Peregrine Fund. Very few people know that Boise State University is the only university in the world where one can obtain a master's degree in raptor biology. Russell Thorstrom, the biologist who saw the eagle, received this degree in 1993. This important work is supported by the Liz Claiborne Foundation, Environment Now, the John D. and Catherine T. MacArthur Foundation, and U.S. Agency for International Development. I congratulate the sponsors, the Peregrine Fund and these fine scientists for their discovery and important conservation work.

CONCLUSION OF MORNING BUSINESS

The PRESIDENT pro tempore. Morning business is now closed under the order.

CALIFORNIA DESERT PROTECTION ACT OF 1993

MOTION TO PROCEED

The PRESIDENT pro tempore. Under the previous order, the Senate will now proceed to the consideration of the motion to proceed to S. 21, which the clerk will report.

The legislative clerk read as follows:

Motion to proceed to consideration of Calendar 248, S. 21, a bill to designate certain lands in the California desert as wilderness, to establish Death Valley, Joshua Tree, and Mojave National Parks, and for other purposes.

The Senate proceeded to consider the motion to proceed.

Mr. WALLOP addressed the Chair.

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

Mr. WALLOP. I thank the Chair.

Mr. President, the majority leader, for reasons best known to himself, has already framed this debate as another Republican filibuster. I have no idea where he received his information or how he arrived at such a conclusion. Obviously, they do not either, because there have now been inquiries as to whether or not we could vitiate the vote. I never asked for a vote and, as far as this Senator is concerned, there is no reason not to vitiate it, because there never was a threat of a filibuster. I am unaware of any Senator on this side who was intending to filibuster the motion to proceed.

It is true that I had a hold on the bill. I did so only to ensure that I and other Members on this side of the aisle had some notification and time to prepare their respective amendments and to make certain that we all knew what other amendments may be offered. Had I been afforded the courtesy of an inquiry as to my intentions, I would have been more than pleased to respond and would have explained that, while I have concerns about the legislation—and they are genuine—it is not my intention to filibuster this bill.

It is, however, Mr. President, my intention to amend it and to not agree to any time limitations until we know the universe of amendments about to be placed on the bill. That is fairly standard practice. The supposition that protecting the rights of Members as well as our committee rights constitutes a filibuster is dead wrong.

Mr. President, the debate on the status of the lands in the California Desert has been with the Committee on Energy and Natural Resources for many years.

Clearly, the Senate elections in California redefined and, to some degree, clarified the debate on this contentious issue. Conventional wisdom and agreeable custom would suggest that because the two Senators from California now agree on this legislation, the rest of us should simply pass the bill and go on about other matters.

We have long, and I have long, respected the prerogatives of two Senators from a State that have the predominant control over public land matters within their State. And this is a tradition that should, by all means, carry great weight in this body. After all, those Senators are accountable to the people who are most affected by "our," as is often the want of the people elsewhere to say, public lands decisions, and their opinions are important.

But, Mr. President, it is also prudent, before we approve any public lands legislation, to ask ourselves two equally important questions. First, does this legislation have a significant impact on areas outside the State of California and, if so, what are they and what are the views of the Senators from those States?

Second, does the legislation set important precedents that will influence subsequent legislation in other States?

If the answer to either of these questions is yes, then the Senate is entitled to, indeed obligated to, decide independently whether the threat to those lands, in this case the California Desert, is so great that we should proceed anyway or if we should amend the legislation in order to minimize the significant impacts on areas outside the State of California.

Mr. President, let me first say that any objective study of this issue would reveal that the Park System, the National Park System, the Park System that is the envy of the world, the Park System to which all Senators from every State pay great and legitimate attention, that Park System will suffer, and suffer greatly should this legislation be enacted. The impact of S. 21 on the integrity of the National Park System is, make no mistake, substantial.

Systemwide, throughout the National Park System, the Park Service has been deferring maintenance for so long that now entire road, sewage, and water systems in many of our parks need to be replaced. The cost, Mr. President, just to bring the road system in Yellowstone National Park up to standard—not improve the roads, not improve their carrying capacity, just to bring them back—is over $300 million.

The General Accounting Office has adequately documented the state of the park employee housing in more than one report. In short, Mr. President, through the actions of Congress and the lack of care, we have become slum landlords to the employees of the National Park System.

I would say to the Senate that our priorities are in disarray. I cannot fathom how we can imagine adding a new park of this magnitude to the system when, in the Senator's own State, we still have a ranger living in a cargo container in the Channel Islands National Park and who, when he comes to Santa Barbara, cannot afford to live there, and lives in the back of his car.

We have substandard housing in every single national park in America where housing is provided.

If Congress were to make a wise choice today and demand that there would be no new additions to the Park System until housing was repaired and replaced and the maintenance backlog was adequately addressed, it would be literally decades, with expenditures in the billions of dollars, before we would consider adding even one additional unit to the System.

Most Americans are very proud of the National Park System. They love it and they visit it and they utilize it and they bring friends from abroad to it. But most Americans do not really know what it consists of and do not really know the state of disrepair into which we have allowed it to lapse.

Today, it is composed of 367 areas, encompassing more than 80 million acres in 49 States, the District of Columbia, the islands of Guam, Saipan, American Samoa, and the Virgin Islands.

Mr. President, today I will speak to two of the amendments which I intend to offer tomorrow or at some such time as it becomes appropriate. One of the amendments will direct the Bureau of Land Management to continue to manage the East Mojave as a national monument. This is not without precedent. It is within the budget already of the Bureau of Land Management.

My second amendment will provide for the continuation of law enforcement activities in a critical area along the United States-Mexico border.

Our Government has already spent over $8 million and thousands and thousands of manhours developing a comprehensive desert management plan, which was composed of the thought processes of environmentalists in the Bureau of Land Management and others in the State of California. The plan won rave reviews just 12 years ago when it passed, when it was put into place and implemented. The plan is in place today and working well under the direction of the Bureau of Land Management and its multiple-use program.

Unfortunately, a very small, but very vocal, group of individuals has alleged that the BLM has mismanaged the desert. Nothing could be further from the truth.

There is a double standard of the worst sort in play by these groups. When resource damage is found on BLM lands is characterized as bad management. When the same sort of resource damage occurs in a unit of the National Park Service it is excused as lack of funds.

The sponsor of this legislation, my friend, Senator FEINSTEIN, from California, was kind enough to share several lovely photographs of the California desert with me. These photographs of areas currently managed by the Bureau of Land Management only reinforce my belief that the men and women working for the BLM are doing an excellent job in the area of resource management. The photographs offer compelling evidence that a change in management is not required to protect the California Desert.

The BLM is and can continue to be perfectly capable of operating the East Mojave Scenic Area as a national monument.

One of my amendments will address this very issue. The bill as currently drafted would direct the National Park Service to manage the East Mojave Scenic Area as a national park.

S. 21 creates the Mojave National Park and expands the boundaries of Death Valley National Monument and Joshua Tree National Monument. Hear these words: "It increases the National Park System by approximately 4 million acres."

Put in simple terms, this is the equivalent of adding two new Yellowstone National Parks to the System. And we will pay for it by taking something away from each of the other 367 units of the National Park System.

Somewhere along the line every park in every Senator's State is going to suffer because of a diminished amount of resource available to it, if we put these into the National Park System.

Mr. President, the only way to operate the proposed Mojave National Park is to take something away from existing parks. Prior to last summer—and mark my words, we will hear it again this summer—we all had the opportunity to read newspaper reports and editorials and to view television programs which explained that visitors centers in our parks would be opening later and closing earlier. Certain trails, campgrounds, and other facilities would be closed to park visitors. Interpretive programs would be curtailed and several vital and needed maintenance projects would be deferred as cost-savings measures.

Simply put, the National Park Service and system is out of money. There cannot be a clearer statement of what is going on than that. And those who have looked at the budget and voted on it and other things, would be wise to note that there is no new source of revenue to pay for the costs of managing, maintaining, developing, or purchasing lands within the proposed new Mojave National Park. Our colleagues on the Interior Appropriations, for example, including the distinguished chairman of this committee, increased the operations account to the National Park Service for fiscal year 1994 by 9 percent above the 1993 level in an effort to improve conditions of the existing parks. However, park personnel know that even that is not enough for them to keep up with just the recent increases in pay and retirement costs for employees, or to make up for the across-the-board decreases, maintenance deferrals, and cutbacks in seasonal personnel. It will not take care of pay increases and retirement costs. So the Park System is declining and we in the Congress continue, annually, for whatever reasons, without a thought, to continue to add to the decline of the National Park System.

While all of us are saying what a wonderful thing—everybody pays lip service to it. Senators ask to have parks put in in the last days of a session so they can assure their reelection. All of us think the National Park Service and the National Park System is something worthy of America. But we do not pay for it. We do not buy the land from Americans. We are allowing the infrastructure to degrade. We are executing takings. And we are allowing the condition of these parks to degrade significantly.

Funds that have been appropriated, including that 9 percent increase, have had to be absorbed from existing areas to finance the 27 new areas that the Congress added to the system during the last 5 congressional sessions. Think of it, 27 new areas in the last 5 sessions, without any increase in personnel, or operating funds.

Within the National Park Service, under the Clinton administration, an estimated 3,700 positions will be eliminated over the next 5 years. So, not only are we in this instance asking to add a park the size of two new Yellowstones, but we are doing it in the face of knowing that there are 3,700 personnel fewer going to be in the System when it is over. It is not responsible, especially when this park area, this so-called area of consideration, has been, is now in the management of the Bureau of Land Management, under a desert management plan that, just a few years ago, was being widely praised as the model of management and the model of an arrangement between the environmental community and the operating community.

In addition, this summer in each of our States we will witness additional facility closures, elimination of additional interpretive and visitor service programs, maintenance projects will be deferred within the existing parks. Hundreds of temporary and seasonal personnel will not be hired this summer—all to the detriment of park visitors.

All of this will occur before we add the Mojave to the already ever-burdened System. Remember, the budget targets are set for the next 5 years. There is no possibility to keep up with existing obligations, let alone fund this massive proposal.

There are 20 national park units within the State of California with 22,192 acres of authorized but unacquired lands—22,000 acres of private citizens' lands that has been authorized by Congress to be national parks but which this Congress and the preceding ones will not pay those Americans for. We execute takings in this Congress with the blithe supposition that, somehow or another, nobody will notice. And, after all, if it is for a national park we ought to be able to take it out of the hides of Americans. They ought to be grateful to have it stolen from them—because that is what we have done. So you have 22,000 acres now in the State of California—let alone the hundreds of thousands of acres that exist around the rest of America—that belong to private American citizens which this Congress will not pay for. And the preceding Congresses have not paid for.

Estimates vary, but land acquisition for Santa Monica Mountains National Recreation Area, alone, has been estimated at $500 million and is climbing everyday.

To put this in national perspective, Congress appropriates between $80 to $100 million a year for land acquisition throughout the entire National Park System to deal with a backlog of unacquired lands which is in the multiple billions of dollars. Some of us have been using the figure of $2 billion since I came here.

We have added substantial acreage since that time, and the cost of land has not declined in that time. So the figure has to be well in excess of $5 billion, and it is so much that the National Park Service, despite the law, refuses to provide the information to the Senate.

Mr. President, in addition to this park, Congress has directed that the Presidio in San Francisco will become a national park when the Sixth Army turns it over to the National Park Service to operate. The operation budget there will be an additional $60 million. Just operations; not to bring it up. You saw the television program the other day showing that it was going to cost hundreds of millions of dollars to bring the infrastructure back up to standard. But $60 million a year to operate that park; 60 million bucks. That is more than it costs us to operate Yellowstone, Yosemite, Glacier, Great Smokeys, Blue Ridge—all of these parks together—for the one little one at the Presidio. Now you are talking about putting in a national park that is approximately the size of two Yellowstones to a system that is overburdened and unable to live with the obligations that Congress continually thrusts upon it.

In addition to that, additional legislation introduced by Members of the California delegation before this Congress includes the Bodie Bowl Protection Act for 6,000 new acres; another 40,000 acres at Point Reyes National Seashore, and God only knows the cost of those two acquisitions or where that money will come from.

I do not know how to gain the attention of the Senate or the Congress, but we desperately need to deal with this reality. There is no money for this proposal without taking it from existing parks in other States, including the State of California.

So my first amendment would leave the management of the Mojave area under the Bureau of Land Management as it is now. It would create a national monument, a land status similar to Death Valley National Monument, before we will have changed it to a national park under this legislation.

This is not about not protecting the desert. The desert is today protected, and we can enhance and add to that protection. But we do not have to do it

at the cost of the degradation of the National Park Service. That is what the choice is going to be for Senators.

The only difference when you visit Death Valley National Park after this legislation is enacted versus Death Valley National Monument before it was enacted is that you will see the men and women dressed in gray and green uniforms, if there are any of them left; while on the Mojave National Monument, the men and women would be wearing brown and tan uniforms. I am serious. That is going to be the distinction. We have the ability to write in protections if we do not feel they are adequate, but we do not have any sense of responsibility if we add this to the National Park System.

By amending the legislation and leaving the Mojave under the management of the Bureau of Land Management, we would be helping to maintain the integrity of the National Park System rather than participating in its eventual destruction.

In so doing, we would also enhance the integrity of the Bureau of Land Management by allowing them to manage a national monument just as we did with the Forest Service when we and this Congress established the Mount St. Helens National Volcanic Monument. Nobody has suggested that the Forest Service has badly managed that. Nobody, to date, has suggested that the Bureau of Land Management is incapable of managing a national monument.

For a moment, let me address one other issue that I will attempt to repair by amendment tomorrow, and that concerns the designation of Jacumba Coyote Mountains and Fish Creek Mountains as wilderness areas.

These are three areas of the California Desert where illegal immigration and drug activities abound. The Senator from California is expected to offer an amendment which would allow law enforcement agencies to have aerial or motor vehicle access to these three wilderness areas in hot pursuit, in search and rescue operations, or other emergency response situations. However, all of these responses must be in accordance with the provisions of the Wilderness Act, which prohibits them.

The Wilderness Act states, in part—let me quote it:

> There shall be no permanent road within any wilderness area designated by this act and, except as necessary to meet minimum requirements for the administration of the area for the purposes of this act, including measures required in emergencies involving the health and safety of the persons within the area, there shall be no temporary road, no use of motor vehicles, motorized equipment, motor boats, no landing of aircraft, no other form of mechanical transport, and no structure or installation within any such area.

Mr. President, the provisions of the Wilderness Act are specific and clear. There is no motor vehicle access. Even a helicopter will never land on wilderness except in emergency situations. The Senate will have a clear choice: Either we are serious about turning the tide of illegal immigration and stemming the flow of illegal drugs into this country out of Mexico or we are not serious. We cannot play games by authorizing things in accordance with the provisions of the Wilderness Act which the Wilderness Act prohibits. That is a game the public may listen to for the moment, but not for long.

These three areas represent a major sieve through which illegal immigration and drug transportation flow, and it is not always the case of hot pursuit, search and rescue, or other emergency responses. It is a 24-hour-a-day presence by various law enforcement personnel, Federal and State. It is an area of major, ongoing activity 24 hours a day. In addition to the regular patrol through these areas, there exists various on-the-ground sensor units, and other detection devices which require continued maintenance, rehabilitation, and upgrading, and which would not be permitted to be there anyway if they are made wilderness.

This is a unique area along the border, and it requires the full time and attention of law enforcement officials. It requires more than hot pursuit limitation. The amendment which I will offer tomorrow will leave the areas as wilderness, but it allows for ongoing law enforcement activities to continue uninterrupted.

Let me say again, this is not a quarrel between the California Senators and me about protecting the desert. I assure the Senators of that. It is a quarrel about protecting the National Park System and the National Park Service, and it is a quarrel about the integrity of the law enforcement activities for illegal immigration and drugs that are coming into this country.

It is not my intent to stand in the way and stop this bill, but it is my intent to try in every way I know to defend the National Park Service from the Congress, which continues to pile obligations on it without in any way intending to provide them with resources to deal with those obligations.

Mr. President, I yield the floor.

Mr. JOHNSTON addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from Louisiana.

MEASURES PLACED ON THE CALENDAR, EN BLOC

Mr. JOHNSTON. Mr. President, I ask unanimous consent that it be in order for the six measures now listed under "Bills and Joint Resolutions" and read the first time be deemed to have received their second reading en bloc and placed on the calendar, as provided under rule XIV, paragraph 2.

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

CALIFORNIA DESERT PROTECTION ACT OF 1993

MOTION TO PROCEED

The Senate continued with the consideration of the motion.

PRIVILEGE OF THE FLOOR

Mr. JOHNSTON. Mr. President, I ask unanimous consent that Ms. Susan McGill, a congressional fellow from the National Park Service, who is currently on the staff of the Committee on Energy and Natural Resources, be accorded the privilege of the floor during the consideration of S. 21, including any votes thereon.

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

Mr. WALLOP. Will the Senator yield for a brief unanimous consent request?

Mr. JOHNSTON. Of course.

PRIVILEGE OF THE FLOOR

Mr. WALLOP. I ask unanimous consent that privileges of the floor be granted to the following members of our staff: Jim Beirne, Jim O'Toole, Kelly Fischer, Jim Tate, Marian Marshall, Carol Craft, Gerry Hardy, and Camille Heninger, during pendency of S. 21.

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

Mr. WALLOP. I thank the Chair. I thank the Senator.

Mr. JOHNSTON. Mr. President, S. 21 is one of the most significant pieces of environmental legislation that will be considered by the 103d Congress.

The California Desert contains some of America's most spectacular, diverse, unique, and fragile landscapes which deserve the high level of protection that the wilderness and park designations contained in S. 21 afford.

As reported from the Committee on Energy and Natural Resources, S. 21 would designate approximately 7.74 million acres of the Bureau of Land Management, Forest Service, and National Park Service lands in the California Desert as wilderness; it would add approximately 1.5 million acres to the existing Joshua Tree and Death Valley National Monuments and redesignate these areas as national parks; and it would establish a 1.2 million acre Mojave National Park.

At the same time, the bill would provide for continued use of the area by the military, ensure that sufficient lands remain available for off-road vehicle enthusiasts, sportsmen, miners, and others who want to use the desert for a variety of purposes.

S. 21 was reported from the Energy and Natural Resources Committee last fall by a bipartisan vote of 13 to 7. The bill has been before our committee and the Senate since 1986, and a total of 10 hearings have been held by the respective House and Senate subcommittees,

both here and in California. In the past, the committee was unable to report a California Desert bill because the two Senators from California were never able to reach a consensus. Now, after 8 years, the two Senators from California have come together and are supporting a measure, this measure, to designate wilderness and units of the national park system in their State.

Mr. President, since I became chairman of the committee, I have done my best to accommodate two Senators from a State when they have been able to reach an agreement on a park or wilderness bill, especially with regard to the designation of areas and boundaries. I think this is generally a good rule to follow, and based on statements made in the Chamber and in committee, I know that most of my colleagues also share this view.

In this regard, Mr. President, I wish to commend the Senator from California [Mrs. FEINSTEIN] for her efforts in bringing this bill to the floor today, for the tremendous amount of highly skilled work which she has done in putting the provisions of this bill together and being able to pass it successfully through our committee by, as I say, a vote of 13 to 7. Since her election to the Senate, she has made this bill one of her top priorities. She has worked tirelessly on this bill, and, Mr. President, the results both of the structure of the bill and its political success through the committee and in the Chamber are the fruits of that very excellent and arduous work which she has put in on this bill.

Prior to the committee's consideration of this bill, she developed a comprehensive package of amendments which were, for the most part, included in the committee reported bill. These amendments were in addition to changes she has already made in S. 21 when compared with earlier versions. All of these modifications were offered in an effort to accommodate a variety of interests and deal with the issues in a positive and responsive manner. It is my understanding that during the course of debate on this bill, she will offer additional amendments to address still more specific concerns that others have raised with the bill.

Throughout this process, Senator FEINSTEIN has listened to those who have had problems with the bill and tried her best to solve them. To be sure, not every amendment has been accommodated in every single instance, in every single detail, but the California Desert bill that we have before us today and that will be brought up for consideration tomorrow is largely, as a result of her efforts, a reasonable and balanced bill that protects key parts of the California Desert but recognizes other legitimate interests.

Mr. President, the time has come to resolve this issue. The bill before us today is supported by the two California Senators, the administration, and millions of people in the State of California and around the Nation.

I think this is a good bill. It is a controversial bill. But the efforts of the Senator from California have gone a long way toward dealing with much of that controversy. I think it is broadly supported. This bill deserves to be passed, and along with it my commendations to the Senator from California [Mrs. FEINSTEIN].

I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana yields the floor. Who seeks recognition?

Mrs. FEINSTEIN addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from California [Mrs. FEINSTEIN].

Mrs. FEINSTEIN. I thank the Chair. I thank the Senator from Louisiana for his comments and particularly to thank him and thank the committee staff for all the work that has been done. This has not been an easy bill. It has taken a long, long time and a great many people have worked very hard, not the least of which is the young woman sitting on my left, Kathy Lacey, who has been my major staff person on this bill and was before.

Mr. President, I would like to dedicate my remarks today to a wonderful Californian. His name is Frank Wells. He was the president of the Disney Corp. He was killed last weekend in a helicopter crash, a skiing trip on which, just at the last moment, my husband had decided not to accompany him and therefore did not happen to board that aircraft.

Mr. Wells was a great supporter of this desert bill. He was scheduled to join me and visit the desert on December 18 but, unfortunately, that trip had to be canceled because of weather and other things, and we were not able to go. I know of his strong support, and so I would like to dedicate these comments to him this afternoon.

Mr. President, many Americans think of desert, as in the Sahara, hundreds of miles of bare sand, shifting dunes in the wind, barren horizons, often a mirage with unrelenting heat and an absence of water that makes it foreboding territory.

But the California Desert is different. Mountains, volcanoes, streams, lakes, petroglyphs, sheep, deer, tortoise, and incredible flowers, some of the most beautiful flowers, make 25 million acres of California Desert really unprecedented anywhere in America.

I rise to support S. 21, the California Desert Protection Act. As the chairman from Louisiana said, both Senator BOXER and I support this legislation. And I am very pleased to say that as of today, we have 47 cosponsors of this legislation in this body.

Shortly after I was elected—and I had campaigned on passage of a desert bill—Senator Cranston called and asked if I would take over sponsorship of the desert bill, and I said "I will take a look at it" and, "yes, I believe I will." I proceeded to take a look at it, find out what the problems were, talk with people, and offer amendments to that bill. I wanted to pass a desert bill that was tailored to fit the needs of the people who live and work in the desert. I wanted to protect existing jobs, so a bottom line became for me no jobs would be lost; rather, jobs would be gained. I wanted to provide for the interests and concerns of private property owners, and in fact no private property will be taken by this bill.

Since introducing the desert bill more than a year ago, I have set about to analyze all the issues involved in the legislation and to really make great efforts to consult with local governmental officials, law enforcement agencies, the military, mining companies, off-road vehicle user groups, property owners, hunters, ranchers, and others interested in this bill.

My staff and I have spent literally hundreds of hours meeting with more than 60 different organizations and businesses in an effort to resolve concerns about the desert bill. I sat down with my staff and considered the requests for change. We went over it amendment by amendment—maps, pictures, pro and con. As a result, the bill before the Senate today is far different from earlier California Desert protection legislation.

More than 50 amendments, as the chairman said, have been made. The area included in the bill has been reduced by about 1 million acres. The bill protects 6.37 million acres now managed by the Bureau of Land Management.

In addition, the Death Valley National Monument is currently 2,067,793 acres. It has these lines around it. We would change it to a national park, and we would add the surrounding area to that park for good reasons.

The Joshua Tree Monument today is 559,959 acres, and this land, as well as the area around it, would become a national park. The new national park, and the centerpiece of the bill, albeit the most controversial part of the bill, is the East Mojave.

I believe this is a balanced bill, a bill which will protect important desert resources and at the same time allow existing activities to continue and future needs to be met.

This bill has had many hearings. It had 2 days of hearings in 1987, a hearing in 1989, 3 days in 1992, and 2 days in 1993. In 1991, a bill passed the House, authored by Congressman Mel Levine. Congressman RICK LEHMAN and cosponsor GEORGE MILLER are prepared to move with similar legislation in the House of Representatives.

This bill is supported by the Southern California Association of Govern-

ments, known as SCAG, which includes Los Angeles, Riverside, Orange, Ventura, San Bernardino, and Imperial County. It is supported by 16 boards of supervisors representing 16 counties, 36 city councils representing 36 cities, including 8 of the largest cities in California—San Diego, Los Angeles, San Francisco, and so on.

Five newspapers outside California, including USA Today, support this legislation, and 15 California newspapers have endorsed this bill. It is supported by 118 conservation groups, including the Sierra Club, the Wilderness Society, the National Parks and Conservation Association, the Garden Club of America, the National Audubon Society, Friends of The Earth, the National Resources Defense Council [NRDC], and the Fund for Animals.

In terms of public support, in my State this bill is supported strongly. These are polls that go back to 1991, 1992, and 1993. They are not my polls. They are California field polls, public interest polls that have been done.

In 1992, it showed that park status for the East Mojave was supported by 70 percent of the people, including people in that area.

In 1993 to test hunting—because it became known that there are some that would want this reduced to a monument status so that hunting could be allowed—a poll was done. And the finding was that 75 percent of those Californians questioned supported creating the Mojave National Park with no hunting; 75 percent by independent poll, a February 1993 field poll. So we believe there is a strong support.

What is everybody supporting, and why? The California Desert contains some of the most incredible scenic, natural, cultural, historic, archaeological, and recreational resources in the Nation. As I said, it comprises 25 million total acres, and the desert is incredibly diverse—sand dunes, extinct volcanoes, 90 mountain ranges, the world's largest Joshua tree forest, over 100,000 archaeological sites. These varied land forms provide habitats rich in biological diversity with more than 760 different wildlife species.

There are many unexpected features in the desert such as waterfalls. Here you have Darwin Falls in the Death Valley National Park, soon to be a national park. You have seasonal lakes and wetlands; sunrise at Saline Lake in the Death Valley National Park.

You have cinder cones and other volcanic features. This is a volcanic wash in Death Valley National Park.

You have mountains over 8,000 feet in the desert. Here are the Inyo Mountains in the Inyo Mountain Wilderness area. You have sand dunes over 700 feet, taller than the Washington Monument. It is perhaps one picture that does look like the Sahara Desert.

At this time of the year the desert is blanketed with the most incredible profusion of wildflowers. I mean, it is truly amazing—the colors of a sunset, the sky, the mountains. The flowers are not replicated anywhere else on Earth.

Even at other times of the year, there is an abundance of flora and fauna, such as the Barrel Cactus gardens. There is the Kingston Range Wilderness Area; the desert willow from Eagle Mountain; the Joshua Tree National Park; desert chicory from Death Valley National Park; catchfly flowers. Look at that beautiful blossom.

The Golden Eagle frequents the California Desert. Bighorned sheep frequent the California Desert. And the endangered Desert Tortoise has a major habitat in the California Desert.

There are important cultural and scientific resources such as ancient petroglyphs. These are petroglyphics in the rock done by ancient Indians, some of which it is believed go back 100 million years. There are historic homesteads.

This is Lanfair Valley, the Mojave National Park is here, and dinosaur tracks. The last remaining dinosaur tracks in California are preserved in a place called the Jurassic Sand Dune. It is approximately 180 million years old. It is actually right outside the boundaries of the Mojave park. But we have language in the bill to protect this.

These tracks are from three species of bipedal, two-legged, dinosaurs the size of ostrichs. They occur with tracks of quadrupedal, four-legged, reptiles that may have been their prey. And efforts to manage and preserve this unique relic is really done jointly by the mining industry, the Bureau of Land Management, the San Bernadino California Museum paleontologists.

The scientific and educational value of the desert is immense. I have seen firsthand how inordinately fragile the California Desert is.

Unlike the Sahara, tracks from off-road vehicles in the desert do not disappear. Year in, year out, if you take an off-road vehicle over desert land, the tracks never go away. They remain for all time.

So our desert resources deserve protection as part of our National Park System and National Wilderness System where they can be managed so people can enjoy them without destroying them and protect them for our children and our children's children.

The desert bill reported by the Senate Energy and Natural Resources Committee before us today adds 6.37 million acres of the 25 million acres of California Desert. It will create three new national parks—Death Valley, Joshua Tree and Mojave. Specifically, it designates 3.7 million acres of land as BLM wilderness. This is one area, the Picacho Peaks wilderness area. The bill adds 1.3 million acres to Death Valley National Monument and redesignates the area a national park. It adds 234,000 acres to Joshua Tree National Monument and redesignates the area as a national park. And it establishes a 1.2 million-acre Mojave National Park. It designates national park wilderness for Death Valley, Joshua Tree, and the Mojave.

These are some of the incredible pictures. This one is looking toward Clark Mountain in the Mojave National Park. This is Castle Peak, again, in the East Mojave National Park. Look at that peak; it is incredible. This one is the Panamint Dunes and Telescope Peak in Death Valley National Park. This is Last Chance Canyon. This is part of 20,500 acres of BLM land which will be transferred to the State of California for the addition of Red Rock Canyon State Park.

The bill would designate a 2,040-acre desert lily sanctuary. As you can see, that very fragile desert flower is blooming in the middle of the sand with the mountains behind it.

The proposed Mojave National Park has been called the centerpiece of the Desert Protection Act, and it has been the center of controversy. This area contains mountain ranges, as you can see. Look at that mountain range—dry lakes, cinder cones, badlands, innumerable washes, mesas, buttes, lava beds, caves. It is one of California's most complex sand dune systems and has a number of alluvial fans. Because it is at the junction of three major desert ecosystems—the Sonoran, Mojave, and the Great Basin—its biological resources are extremely varied.

(Mrs. MURRAY assumed the chair.)

Mrs. FEINSTEIN. As far back as 1979, the Bureau of Land Management staff report found:

> In all the California Desert, there is no finer grouping of different wildlife habitats. Many observers feel that the East Mojave embodies the finest scenery in the California Desert.

In 1987, an evaluation by the Western Regional Office of the National Park Service concluded that the East Mojave meets all criteria for inclusion in the National Park System. It has, one, national significance; two, suitability and feasibility; and, three, management. The Park Service found that the Mojave "contains a rich array of highly significant natural and cultural resources. It would be difficult to find an area of similar size with so many outstanding sites."

The Park Service concluded that the "overall quality of the area and the multiple resource attractions are sufficient to meet the significant standards for new units." It recommended that the East Mojave be added to the National Park System.

The National Park Service and the Department of the Interior wholeheartedly support the establishment of the Mojave National Park as part of the Desert Protection Act.

Roger Kennedy, Director of the National Park Service, has said:

This remarkable place is of unquestionable significance—biologically, culturally, recreationally, scenically, and scientifically. National park designation would preserve the resources of the Mojave as no other protective public land status can.

The Mojave National Park unquestionably merits national park status. The proposed area is a combination of haunting and harsh beauty that compares favorably in drama, distinction, and character to any great area of the National Park System. It contains a nationally significant diversity of biological, geological, and ecological resources, including California's most complex dune system, lava beds, mountain ranges, playas, and areas that range in elevation from 2,000 to 7,000 feet in a relatively compact area. The resources of the proposed Mojave National Park meet the high standards required for a national park.

So we have everybody, past and present, from the National Park Service supporting this bill. The California Desert Protection Act protects these nationally significant resources. It also recognizes other important uses of the desert lands.

The bill provides reasonable vehicle access to wilderness areas. More than 33,000 miles of roads and primitive routes are unaffected by the bill, including more than 18,000 miles of primitive, unmaintained dirt routes. This bill permits all active mines to continue. It protects valid mining claims. It allows livestock grazing to continue in wilderness areas. I will later introduce an amendment to allow it to continue in perpetuity in the parks subject to park regulation. I am convinced, based on my own eyes' observation, that this can be accomplished. It maintains hunting opportunities on approximately 10 million acres of public land. It provides for land exchanges for the Federal Government to acquire 250,000 acres of land owned by the State of California. It recognizes the importance of military testing, training and research activities conducted in the California Desert. It allows for continued military use of several existing bases, and it does not restrict or preclude low-level overflights of military aircraft.

When legislation was discussed by the Senate committee, I proposed more than 50 amendments to allow existing activities to continue and to meet future needs. Since the bill was originally introduced, as I said, more than 1 million acres have been dropped from the park and wilderness designations, making these lands available for a variety of uses.

The amendments already incorporated into this bill include 13 amendments to provide for off-road vehicle access in 14 wilderness areas and to remove the entire 61,630-acre South Algodones Dunes from the bill to allow for vehicle use; 11 amendments to modify the boundaries of the parks and wilderness areas to eliminate potential mining conflicts and areas of high mineral potential, which will protect jobs; 15 amendments to remove communication sites, power lines, and other utilities from the parks and wilderness areas and ensure their continued use; six amendments to ensure the ability of the military to conduct and expand its use of lands in the California Desert; and two amendments to provide for continued use of existing road maintenance sites used by the California Department of Transportation; bill language clarifying State jurisdiction over fish and wildlife activities to maintain and support fish and wildlife populations and their habitats; bill language has been added clarifying that ongoing law enforcement will be maintained in wilderness areas along the United States-Mexico border; bill language has been added clarifying that there is no effect on the operation of dams on the Colorado River or on any compacts relating to waters of the Colorado River; 14 amendments have been made to improve manageability of wilderness areas, delete private property, and correct mapping errors; and bill language has been added to protect the only known dinosaur tracks in California, or in America.

As a result of all the changes, organizations that had previously opposed desert legislation have withdrawn their opposition. This includes the American Motorcycle Association, U.S. Borax, Viceroy Gold Corp., Unical, and the North American Chemical Co., among others.

There is one amendment narrowly adopted by the Senate Energy and Natural Resources Committee which I do not support. This is the Lanfair Valley amendment. The committee excluded 276,000 acres.

Let me just point out a little bit about how the land is concentrated in Lanfair Valley. There is a concentration of private inholdings in Lanfair Valley. Let me point out for the Record what the land distribution is in Lanfair Valley. Federal land in Lanfair Valley in the East Mojave, this whole square, has been exempted. Seventy-four percent of this land is already public land. Most of it is owned by the Bureau of Land Management, specifically 203,000 acres. Catellas owns about 10 percent, 26,000 acres. Private owners own 14 percent, or 40,000 acres. And the State owns 2 percent or 7,000 acres. That totals 276,000 acres.

Now, let me tell you about the private land. My staff in California went to the San Bernardino County Assessor's Office and obtained information on every single parcel of property in the Lanfair Valley. According to the San Bernardino County Assessor's reference books, there are less than 20 structures on the private lands in Lanfair Valley. Property taxes are currently being paid on only 10 single family residences, 3 mobile homes, and 5 miscellaneous structure-like cabins in that private ownership in Lanfair.

Some of the property owners in Lanfair Valley want to have their lands included in the Mojave National Park. Mr. Gary Overson, a rancher, writes me:

I own the Kessler Springs and O.X. Ranch, which consists of my deeded land, approximately 4700 acres, railroad and State leases and BLM land. Lanfair Valley lies in the heart of the O.X. Ranch * * * From my point of view Lanfair Valley should be included in the proposed park.

Another property owner, Mrs. Ruey Guirado writes me:

I own 160 acres of undeveloped land in the Lanfair Valley, and I am writing to you to express my approval of the proposed Mojave National Park. I will be pleased to have my property included in the new park, as Park Service stewardship of the land will be a great improvement over existing Bureau of Land Management control.

The amendment excluded much more than the private land because 74 percent of the land is already owned by the Federal Government and there is an acquisition program already approved going on to acquire more.

By removing these lands, the amendment excluded some of the most significant scenic, cultural, and biological resources. Effectively this cuts the heart out of the East Mojave Park. Let me show you what it excludes.

Lanfair Valley contains cactus gardens, desert grasslands, great basin sage habitat, coastal chaparral, pinion and juniper forests, relic firs, a perennial stream, the historic Mojave Trail, Rebirth Rock, U.S. cavalry posts, Native American petroglyphs; Caruthers Canyon, wilderness areas, campgrounds, and habitat for bighorn sheep, desert tortoise, and deer.

Let me describe a few key areas and illustrate them with pictures.

Caruthers Canyon here is one of the most scenic areas in the Mojave. Situated on the southern face of the New York Mountains, Caruthers Canyon was one of the highest priorities for land acquisition by the Bureau of Land Management and was just recently acquired. Now it will be taken out.

The New York Mountains are home to a rich diversity of unusual desert flora, including species normally associated with the coast such as canyon oaks, manzanita and silk tassel. Nearly 300 plant species are found in Caruthers Canyon and Keystone Canyons alone. This scenic mountain range also provides habitat for muledeer, bighorn sheep, and other wildlife. Because of its spectacular scenery and its isolation, Caruthers Canyon is a popular destination for hikers and campers.

Let us talk for a minute about Rock Springs. Rock Springs is at the transition of the Great Mojave sage and Joshua-tree forests. There is a historic water source here used by native Americans and early explorers and today helping sustain desert wildlife. There are also petroglyphs here, as well as the remains of an 1850's Army camp and rock corrals.

Woods Wash. Woods Wash is a famous site in the heart of the Woods Mountains with petroglyphs of strikingly dense and elaborate patterns. The petroglyphs are more than 1,000 years old. We do not know much about the Indians who did them, but archeologists believe this was a religious site. The art is linked with our most distant past. This area was purchased by the Bureau of Land Management in 1992.

Table Mountain, a high flat-topped mesa, with pinion forests on top, is an unusual landform in California. Situated in the center of the proposed park, the mountain anchors the East Mojave. It is the dominant feature of the Mojave landscape and can be seen from 40 miles away.

Located at the mouth of the Piute Gorge are the remains of Fort Piute, a U.S. Army fort built in 1859. This outpost was built to protect the wagon trains on the government road from Prescott, AZ, into California. Some of the rocks used to construct the fort are covered with Native American petroglyphs and hundreds of petroglyphs can be seen along a 2-mile stretch of the historic Old Mojave Road leaving the fort. Henry Robert served as the commanding officer at Fort Piute, and when he retired, guess what he wrote: Roberts Rules of Order.

Rebirth Rock is a significant archeological and Chemehuevi Indian ceremonial site. It is believed to have inspired a Native American legend on the origin of man. The large volcanic rock has a natural hole and is surrounded by petroglyphs and pictographs on the perimeter. It is hard to see on the photograph here, but they are there.

The Lanfair Valley exclusion goes far beyond that which is necessary to exclude the private land. It affects the National Park Service ability to properly manage and protect the entire bioregional resource. As the superintendent of Joshua Tree National Monument has pointed out:

> The loss of areas such as Caruthers Canyon in the New York mountains, the Mid Hills of the Providence Mountains, and many significant areas of the Piute Mountains represent severe blows to the biological integrity of the new park. If the intent is to remove significant private lands, many of the areas within this large tract do not deserve to be eliminated. In fact, their loss would cut deeply into the resources that will be important in the future for meaningful management of the natural systems. A more careful approach to delineating the area for removal must include a review of the resources before final designation.

At the appropriate time, I will offer an amendment to restore at least the Federal lands in Lanfair Valley to Mojave National Park.

Now let me speak for a moment about the cost of the bill.

The Congressional Budget Office has estimated that enactment of the bill will result in additional administrative and construction costs to the Federal Government totaling $36 million over the next 5 years. This averages $7 million annually.

Additional funding is going to be required to provide adequate protection for the Federal lands in the California Desert—protection which they merit and deserve, protection which Californians want. Moreover, the existing Bureau of Land Management plan for the California Desert identifies additional management needs.

The establishment of the Mojave National Park, additions to Death Valley and Joshua Tree, and designation of BLM wilderness provide an opportunity to manage the California Desert as an ecosystem and maximize cooperative management of these areas while keeping cost to a minimum. The National Park Service and BLM have already completed a study that identifies strategies for minimizing the expense of managing the lands added to the National Park System. These strategies include using existing resources and sharing BLM facilities and personnel during a transition period of 1 to 2 years, whereby we could keep costs down to next to nothing.

Now, let me speak for a moment of the economic benefits of creating national parks.

Virtually every national park established in the United States has been shown to increase tourism and raise the visibility of the natural attractions there. The three national parks created by this bill will have economic benefits as well.

According to the National Park Service, in 1992, Death Valley and Joshua Tree provided $115 million in sales to the area, $11 million in tax revenues, and 2,000 jobs in the regions. The Park Service projects the new Mojave National Park will result in sales from $59 to $99 million—and I think you would have to take the $55 million based on these numbers—and tax revenues from tourist expenditures of $2.7 million to $16.5 million and create from 1,100 to 2,000 new jobs.

Madam President, I am also pleased to state that there is a Portland, OR, newspaper up your way that has also come out today in support of this legislation.

I have visited the California Desert many times, beginning in the 1960's, where I spent weekends in parts of this desert. It is an unparalleled and fragile piece of Americana, so fragile that it can easily be destroyed.

This bill seeks to protect that in a prudent way without taking anyone's public property. It enables an individual, if you have a residential piece of property in this area, to develop it, subject to its appropriateness as part of a national park, which means you can build a home; and if you have a home, you can add an extension to it. Obviously, you cannot build a 30-story highrise in the middle of a desert, but I think that is understandable.

It protects every known active mine, every valid existing mining claim.

We have made a dozen amendments to add for more use of off-road vehicle users. We have tried very hard to satisfy the concerns of people who live in the desert without hurting the environmental impact of this legislation.

I believe it is good legislation. I believe its time has come.

I will make additional amendments to the bill at the appropriate time tomorrow.

I thank you, Madam President.

I yield the floor.

Mr. WALLOP addressed the Chair.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. WALLOP. Madam President, again, I say to the Senator from California, I have no quarrel with the idea of protecting the desert. I happen to believe that it can and ought to be protected in another way, because the Desert Protection Act ought not to be the National Park Assassination Act.

The figures which the Senator cited of the cost of management and other things are low, but they come from a budget that is already under severe distress and cannot manage but what it has. The figures that she cited for the creation of jobs did not happen at Redwoods, by any stretch of the imagination. In fact, the area suffered from having it designated there.

So this is not a question about whether or not we ought to protect the desert. This is a question as to how do we hold onto the fabric of the National Park Service, which serves all Americans in every State and in the territories as well.

You cannot continue to heap burdens on this camel's back called the National Park Service and expect it to continue to provide quality maintenance and protection of these areas.

Part of the problem is going to be that as you take what will ultimately be 12 million acres between wilderness areas, national parks, and tortoise habitat—I am informed that it is 8 million acres of park and wilderness and 3 million acres of tortoise and native habitat. That is 11 million acres. There will be fewer than 2 million acres left for the normal pursuits of Americans.

Where that comes into environmental irresponsibility is that nobody will have done anything about diminishing the public's desire to see and recreate and participate in the desert. So all of a sudden, what you have is the same number of people who now use the desert collapsed into a little over 1.5 million to 2 million acres. You will see degradation of that desert necessarily. It cannot be. Otherwise, we will have that which is not designated park and wilderness denied to Americans because they are abusing it or hurting it otherwise.

So there is a way to protect this and there is a way to save the National

Park Service System. And, Madam President, it behooves Congress to pay close mind to both of those. The only way to protect the world is not to create national parks.

If you want to see real degradation in rangeland, go to Yellowstone National Park. It is not the fault of the Park Service. It is part of the management programs that have been thrust upon it that do not allow it to control elk and buffalo and other kinds of things. But there, the ranges are being destructed.

If you want to see degradation of habitat and resources, take a look at what wild burros are doing in the Grand Canyon. The only way to provide protection is not by national park status.

This thing, this wonderful area—and I have no quarrel with the Senator's characterization of it—this wonderful area can be protected, ought to be protected; but so too should the National Park Service systems.

Madam President, I suggest the absence of a quorum.

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

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. HELMS. Madam President, inasmuch as neither side anticipates a speaker any time in the next several minutes, I ask it be in order that I proceed as if in morning business with the understanding that when a speaker on the pending business arrives, I will suspend and resume after he or she has finished.

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

WHY CAN'T THE VOICE OF THE PEOPLE BE HEARD ON PRAYER IN SCHOOLS?

Mr. HELMS. Madam President, during the final 2 or 3 days prior to the Senate's Easter recess, the distinguished majority leader, Mr. MITCHELL, and Senator KENNEDY, conducted another one of those—I am not sure what you call it but I am going to call it a filibuster for the lack of a better descriptive word. They were careful to blame others for delaying the Senate when in fact it was they who were holding up the Senate's work.

The record will show it was the majority leader, at the urging of Senator KENNEDY, who delayed the departure of Senators for the Easter recess—a recess, mind you, that had been scheduled and announced early in the year by the majority leader, and a recess for which most Senators had made travel plans on the assumption that the majority leader would not keep the Senate in session in anything resembling a power grab unbecoming to the Senate.

Madam President, the record should be made clear on what happened in the hope—perhaps a vain hope—that the majority leader will not again allow this injustice to his fellow Senators.

It was the school prayer amendment offered by Senator LOTT of Mississippi, and me, that started it all. The Senate on February 3, 1994, overwhelmingly approved 75 to 22, the following language now referred to in the media as the Helms amendment, which I emphasize was cosponsored by the able Senator from Mississippi [Mr. LOTT].

Here is what the amendment said, and it was approved by the Senate on a rollcall vote of 75 to 22:

> No funds made available through the Department of Education under this act, or any other act, shall be available to any state or local educational agency which has a policy of denying or which effectively prevents participation in, constitutionally protected prayer in public schools by individuals on a voluntary basis. Neither the United States nor any state nor any local educational agency shall require any person to participate in prayer or influence the form or content of any constitutionally-protected prayer in such public schools.

That, Mr. President, was the language approved by the Senate on February 3, 1994, by a lopsided vote.

I might add, Madam President, that Senator KENNEDY has never to my knowledge failed to resist all school prayer legislation, whether offered by me or any other Senator. It apparently does not matter to the Senator from Massachusetts that the vast majority of his colleagues disagree with him. It does not matter apparently, that 75 to 80 percent of the American people, in poll after poll, disagree with the Senator and with the ACLU. The American people want—in fact, they are demanding—a restoration of moral and spiritual principles in America.

But the able Senator from Massachusetts apparently—apparently—believes that he is wiser than the overwhelming majority of his colleagues in the Senate, and that he knows better than the overwhelming majority of members of the House of Representatives, and that he knows better than 75 to 80 percent of the American people.

He obviously has vowed that there will be no return to school prayer in America, and using the majority leader's powerful leverage just before Easter, Senator KENNEDY had his way in a spectacle, riding roughshod over the will of the U.S. Senate, the House of Representatives—and the will of 75 to 80 percent of the American people.

All that is bad enough. But some astonishing statements attributed to the Senator from Massachusetts by individuals in the news media were clearly intended to blame the able Senator from Mississippi and this Senator from North Carolina, and Republicans in general, for the delay in the Senate recess for Easter and Passover.

Now the Senator from Massachusetts is bound to know that this was absolutely not so. I acknowledge that I opposed the so-called Goals 2000 bill—S. 1150/H.R. 1804—to which the Helms-Lott school prayer amendment was added by a vote of 75 to 22 on February 3, 1994.

But the record will show, and I will demonstrate this to be the case momentarily, that I repeatedly offered the majority leader and Senator KENNEDY an agreement that would have enabled there to be a final passage vote on the conference report to H.R. 1804, the Goals 2000 bill long before Senators were forced to stay past midnight on March 25 for a cloture vote.

All that, Madam President, just to defeat the Helms-Lott school prayer amendment.

As I indicated earlier, Senator KENNEDY is reported to have made some astonishing declarations to the media, perhaps in an effort to cover his tracks when he deliberately and calculatedly overrode the will of the Senate, the House and the American people.

He told one reporter in effect that Helms wanted to kill the Goals 2000 conference report because he said it contained restrictions on smoking in schools.

That was absolutely without foundation.

I do not know of anybody—anybody—who opposes restrictions on smoking in school. Certainly, I do not and never have. As a matter of fact, students were not allowed to smoke in school when I came along.

Senator KENNEDY also reportedly described the Helms-Lott school prayer amendment as some sort of Republican plot to frustrate President Clinton's agenda, a statement too absurd to dignify with a response. And besides, Madam President, Mr. Clinton is doing a fair job himself at frustrating his own agenda.

But to pin the tail on the donkey and to illustrate that it was Senator KENNEDY who needlessly kept Senators in session until after midnight on March 25, I will refer the Chair to page 6188 of the CONGRESSIONAL RECORD of March 23, 1994, and I will ask the Chair if the following unanimous-consent request was propounded. Let me quote the request:

> Mr. President, I ask unanimous consent that the Senate proceed to the consideration of House Concurrent Resolution 230, to correct the enrollment of the conference report to accompany H.R. 1804; and that it be in order for the Senator from North Carolina [Mr. HELMS] to modify the resolution with the text of amendment No. 1382; and that there be then 30 minutes to be equally divided in the usual form; and that upon the use or yielding back of time, the Senate, without any intervening action or debate, vote on the concurrent resolution.
>
> I further ask unanimous consent that once the Senate has adopted the concurrent resolution, as modified, and immediately upon the receipt of the House message that the House has agreed to House Concurrent Reso-

lution 230, without further modification, the conference report to accompany H.R. 1804 be deemed agreed to and the motion to reconsider be laid upon the table.

I further ask unanimous consent that if the Senate does not receive the House message re: action on the concurrent resolution, prior to the end of business on Friday, March 25, or receives the message that the House has further modified the concurrent resolution, that the conference report then become the pending business on Monday, April 11, and that following 1 hour of debate, a cloture vote occur on the conference report under the provisions of rule 22.

Further, I ask unanimous consent that immediately following the disposition of the concurrent resolution, the Senate resume consideration of the budget resolution.

Madam President, does that unanimous consent language appear on page 6188 of the RECORD of March 23, 1994?

The PRESIDING OFFICER. The RECORD appears to show that.

Mr. HELMS. I thank the Chair.

Madam President, who propounded that unanimous-consent request, according to the RECORD?

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. HELMS. I thank the Chair.

Madam President, was that unanimous-consent request that I just referred to objected to?

The PRESIDING OFFICER. Yes, it was.

Mr. HELMS. Madam President, may I ask whom the RECORD identifies as having objected to the unanimous-consent request?

The PRESIDING OFFICER. The Senator from Massachusetts [Mr. KENNEDY].

Mr. HELMS. I thank the Chair.

Madam President, let me again read that unanimous-consent request, made by this Senator from North Carolina, on the evening of March 23, 1994. As I have already indicated, it appears on page 6188 of the CONGRESSIONAL RECORD, and my exact words were:

Mr. President, I ask unanimous consent that the Senate proceed to the consideration of House Concurrent Resolution 230, to correct the enrollment of the conference report to accompany H.R. 1804; and that it be in order for the Senator from North Carolina [Mr. HELMS] to modify the resolution with the text of amendment No. 1382: and that there be then 30 minutes to be equally divided in the usual form; and that upon the use or yielding back of time, the Senate, without any intervening action or debate, vote on the concurrent resolution.

I further ask unanimous consent that once the Senate has adopted the concurrent resolution, as modified, and immediately upon the receipt of the House message that the House has agreed to House Concurrent Resolution 230, without further modification, the conference report to accompany H.R. 1804 be deemed agreed to and the motion to reconsider be laid upon the table.

I further ask unanimous consent that if the Senate does not receive the House message re: action on the concurrent resolution, prior to the end of business on Friday, March 25, or receives the message that the House has further modified the concurrent resolution that the conference report then become the pending business on Monday, April 11, and that following 1 hour of debate, a cloture vote occur on the conference report, under the provisions of rule 22.

Further, I ask unanimous consent that immediately following the disposition of the concurrent resolution, the Senate resume consideration of the budget resolution.

The point is this: All of this badgering, calling back Senators, holding up Senators, for a cloture vote right after midnight on Friday, March 25, came to pass after this unanimous-consent request that has just been read—read twice in the RECORD—was rejected.

Then this Senator, and others on this side of the aisle, tried again to make it possible for the Senate to go home as the majority leader had pledged early in the year.

But, no, the scheme around this place is to back the Senate into a recess or an adjournment and say: "You don't get to go home unless you pass this exactly as we want it. We're not going to give you any vote on it. You have to pass it like we want it,"—like Mr. KENNEDY from Massachusetts wants it. You know, the one who runs the U.S. Senate.

In any case, at about 3 o'clock on the afternoon of March 25, several of us offered to the majority leader and to the Senator from Massachusetts another proposed unanimous-consent agreement which, if it had been accepted, would have permitted Senators to leave for the Easter recess long before suppertime.

The Senator from Idaho [Mr. CRAIG] had the text of this proposed agreement placed in the RECORD for that day. It is on page 6982, and let me read it. This is what I proposed to Senator KENNEDY. This is what I proposed to the majority leader.

The language read as follows:

I ask unanimous consent that when the Senate considers the Elementary and Secondary Education bill, S. 1513, or its House companion, H.R. 6, that the only amendments or motions dealing with the subject of prayer in schools be a first degree amendment to be offered by Senator HELMS.

You remember, he is the guy who offered the original amendment that was passed overwhelmingly by the Senate and by the House of Representatives at the request of 75 to 80 percent of the American people. Let me pick up:

a first degree amendment to be offered by Senator HELMS, which is the exact language as adopted on H.R. 1804, in the Senate on February 3, and one first degree amendment consisting of the exact language of the Levin amendment adopted by the Senate February 8, or the exact language of the Danforth amendment adopted by the Senate on February 8, or the exact language of the Williams amendment offered on the House floor during consideration of H.R. 6, to be offered by Senator KENNEDY.

Let me parenthetically point out that what I was offering was to let us have Senator HELMS' amendment voted on and let us have Senator KENNEDY's amendment voted on and stop all this tomfoolery.

I further added:

that no amendments be in order to either amendment and that no tabling motions be in order with respect to either amendment and that a rollcall vote occur first on the Helms amendment.

Madam President, what do you know? This proposed unanimous-consent request which, as I have said, would have avoided the need for the Senate to stay in past midnight on March 25, was rejected, as was the agreement proposed on March 23.

See, they were going to have it their way or the Senate would just stay in session and we would have cloture vote and cloture vote and cloture vote. And it was said right there by the majority leader that that is exactly what would happen. The threat went out.

In any case, the RECORD clearly shows that it was the Senator from Massachusetts who delayed the recess of the Senate because he did not want the Helms-Lott school prayer amendment in the bill. The Senate had voted it in. The House voted twice in favor of it. But no, no, that was not good enough. Senator KENNEDY did not like it, so it did not get in, and I will explain in just a minute how this occurred.

All of this just went by like a ship at night, as far as the news media were concerned. The Associated Press did not touch it. And the Associated Press was told about it—what was going on. But the news media accounts made it appear that the Republicans and JESSE HELMS and Senator LOTT were delaying the Senate when it was not so.

The RECORD clearly shows, I reiterate, that it was the Senator from Massachusetts who delayed the recess of the Senate, and it was the Senator from Massachusetts who totally disregarded and reversed the will and wishes of the U.S. Senate, the U.S. House of Representatives, and 75 to 80 percent of the American people, as reflected in poll after poll of public opinion.

Madam President, so much for this unpleasant little legislative power play.

But before I conclude, a bit of legislative history may be in order. About 2 months ago, on February 3, Senator LOTT and I came to the floor and beseeched Senators to make clear to the American people that there is a constitutional right to pray in school.

I displayed a chart, right here. C-SPAN carried it. The chart identified the Senate's telephone number and I suggested that interested Americans might want to call their Senators if they were in favor of the Helms-Lott amendment—or if they were opposed to it. I thought they ought to get involved in this one way or another.

Madam President, did they ever get involved! The staff in office after office said, "What in the heck is going on? Our switchboard is overloaded with

people saying, 'We want the Helms-Lott prayer amendment.'"

Shortly thereafter, the Senate voted, as I have said two or three times earlier, 75 to 22 to approve the Helms-Lott school prayer amendment. And that was February 3, I reiterate for emphasis.

Twenty days later, the House of Representatives responded overwhelmingly when Congressman DUNCAN of Tennessee offered a motion to instruct the House of Representatives conferees to that Goals 2000 bill to accept the Helms-Lott school prayer language. On February 23, that vote in favor of the Helms-Lott school prayer amendment in the House of Representatives was 367 to 55.

How do you like them apples? But it did not mean a thing to Senator KENNEDY, not a thing. "Ha, ha, ha," he said. "We will take care of that when it gets to conference."

Overwhelming votes in both Houses of Congress supported the Helms-Lott school prayer amendment. And in supporting this amendment the Members of these two bodies were reflecting, as I have said over and over again today, the wishes of 75 to 80 percent of the American people who want school prayer restored to their schools.

But despite this overwhelming support, this provision was dropped in the conference by the House and Senate conferees. The Senate conferees were headed by, guess who? Mr. KENNEDY of Massachusetts. The provision was dropped and then replaced with meaningless language. And this was done with a nod and a wink: See, we have done it again to old HELMS. We took his amendment out. We took Trent Lott's amendment out. Chuckle, chuckle, chuckle.

According to some who were present at the time, the conference spent less than 60 seconds, less than a minute on the school prayer issue—and that was the last 60 seconds of the conference on the Goals 2000 bill. A deal had obviously been cut by Senator KENNEDY and Congressman FORD.

We have testimony by a number of staff members, representing a number of Senators, who agree that Senators KENNEDY, KASSEBAUM, PELL, and JEFFORDS were preparing to leave the final session of the House-Senate conference when Senator KENNEDY sort of casually asked Representative WILLIAM FORD, who is chairman of the House Education and Labor Committee, if there were any other issues to be taken up.

By obvious prearrangement, Representative FORD said, "Yes, the school prayer issue remains." and Senator KENNEDY then asked if there was a proposal in that regard. And Mr. FORD said, "Yes."

See, this is a one-act play. Mr. FORD said, "Yes." He and Representative KILDEE had substitute language authored by Representative PAT WILLIAMS.

Well, what do you know? Senator KENNEDY's concluding line in this one-act play was to the effect that this was fine with him, and he left. Everybody left, as a matter of fact. There was not a vote by the conferees on the school prayer issue or, for that matter, on the passage of the conference report itself. If the transcript says that there was, somebody doctored it.

This is not the first time, Madam President, that this sort of power assumption has occurred. For instance, in June 1990, the Senator from Massachusetts single-handedly dropped an amendment, in the House-Senate conference on the Americans With Disabilities Act, which would have exempted restaurants from being required—being forced by the Federal Government—to hire in their kitchens, foodhandlers who tested positive for HIV virus. The Senator prevented that provision from becoming law despite substantial votes in both the House and Senate in favor of the amendment. Senator KENNEDY is recorded as having assured the conferees that the Senate vote was basically meaningless.

Madam President, I ask unanimous consent that an article in this regard be printed in the RECORD at the conclusion of my remarks.

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

(See exhibit 1.)

Mr. HELMS. Madam President, the Goals 2000 conferees dropped the Helms-Lott school prayer amendment. But on March 21, 1994, the House of Representatives again overwhelmingly voted to approve the precise language of the Helms-Lott prayer amendment by a vote of 345 to 64. The House specifically rejected Representative WILLIAMS' language 239–171 as part of H.R. 6, the Elementary and Secondary Education Reauthorization Act.

All of this was ignored by the great news media, and I come from the news media.

But in doing so the House of Representatives reconfirmed what I have already described as a prearrangement between Mr. KENNEDY, Mr. WILLIAMS, and others that led to the will of the Senate and the House of Representatives and the American people being deliberately scuttled.

Madam President, the November 1992 issue of Reader's Digest contained an article by Eugene H. Methvin, who noted that 75 percent of Americans at that time supported school prayer. The title of the article included a question, "Why can't the voice of the people be heard on prayer in schools?"

Why, indeed, Madam President, why, indeed? He is not here now, but the Senator from Massachusetts is why. The American people should now know the answer to that question.

Small wonder that Congress is held in such low esteem when the votes of a majority, a vast majority of Senators and a vast majority of the House of Representatives, are rendered meaningless by two or three House-Senate conferees. I rest my case, and I yield the floor.

EXHIBIT 1

[From the Washington Post, June 26, 1990]

PROVISION ON AIDS WORKERS SCRAPPED—CONFEREES ON DISABILITY LEGISLATION BAR TRANSFERS OF FOOD HANDLERS

(By Helen Dewar)

A proposal to allow employers to transfer workers with AIDS out of food-handling jobs was killed yesterday by House-Senate conferees even though the provision had been approved by majorities of both houses for inclusion in sweeping legislation to protect the disabled from discrimination.

It is rare for a conference committee to defy majority votes of both houses, and the conferees' action could lead to another row over the food handlers issue when the bill goes back to the House and Senate for final approval, probably later this week.

The legislation, which would guarantee employment, public access and other rights to the disabled, was approved by the Senate last year without the food handlers provision. But after the House voted 199 to 187 to add the provision to its version of the legislation this year, the Senate took the unusual step of voted 53 to 40 to approve a proposal from Sen. Jesse Helms (R-NC) to instruct its conferees to go along with the House language.

Such instructions are nonbinding, and Senate Labor and Human Resources Committee Chairman Edward M. Kennedy (D-Mass), a principal backer of the legislation and foe of the food handlers provision told the conferees that he regarded the Senate vote on the issue as "basically meaningless." Kennedy asked the House conferees to drop the proposal, and they did by a vote of 12 to 10 over protests from Rep. Steve Bartlett (R-Tex.) that such a move could jeopardize passage of the bill. "We would slow down and perhaps kill the bill for this session if we go against a majority of both houses," Bartlett said.

The conferees' agreement is scheduled to go first to the Senate, where proponents of the food handlers provision could force a vote on the issue. The House could then accept or reject the measure as approved by the Senate.

The provision allows job transfers for food handlers, who have communicable diseases, such as AIDS, even if the disease is not transmitted in food, and requires employers to make "reasonable accommodation" for alternative employment.

Proponents of the provision said many restaurants would lose customers and could be forced out of business if AIDS patients cannot be prevented from handling food.

CALIFORNIA DESERT PROTECTION ACT OF 1993

MOTION TO PROCEED

The Senate continued to consider the motion.

Mr. BUMPERS addressed the Chair.

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. BUMPERS. Madam President, I have come to the floor to speak very briefly on the California Desert Protection Act. I almost feel as though this is

my legislation because it comes out of my subcommittee, the Energy Committee, and, if I am not mistaken, we held our first hearing on this bill in 1987. There were 2 days of hearings to a packed committee room on a very hot day. We had at least one, and maybe two other hearings since then. They were lengthy hearings.

Since I have been chairman of the Subcommittee on Public Lands, National Parks and Forests since 1987, I think this legislation—with the possible exception of the mine law reform bill—has easily taken more time and generated more controversy than any other legislation that has come before this subcommittee.

S. 21, the bill now under consideration, marks the fourth consecutive Congress that we have considered this bill, or one similar to it. We have had literally tens of thousands of cards and letters from people—mostly in California but also throughout the country—expressing their views on both sides of the issue. Any time you are setting aside 3.7 million acres for national parks and wilderness, you are going to create a firestorm.

This particular bill by Senator FEINSTEIN has not generated quite as much heat as those previous. The previous bills were never even reported out of committee. And the reason they were not is because we could never get both California Senators on track. Senator Wilson, now Governor Wilson, was always adamantly opposed to the bill. Senator Cranston, the chief architect and mover of it, was never able to overcome Senator Wilson's objection.

But now both California Senators, Senators FEINSTEIN and BOXER have both introduced this legislation, and that is the reason we have been able to get it out of committee and onto the floor for consideration. I would like to commend Senator FEINSTEIN for all of her efforts in trying to address the many controversial issues that have come up with this bill.

Last year the committee held 2 days of hearings, and I think Senator FEINSTEIN was there every minute. Before we marked the bill up, she had a number of changes, trying to address the legitimate concerns of her constituents in California for which she is to be commended. Since we marked up the bill, she has continued to work on some boundary modifications, and other amendments in an effort to address even more concerns. Nobody can ever accuse Senator FEINSTEIN of bad faith, because nobody has ever worked harder than she has, not only to pass this bill but also to do it in a way that would accommodate as many people as possible.

I think this is a good bill. It provides protection for one of the most fragile areas of the United States. The 3.75 million acres to which I alluded a moment ago is BLM wilderness expansions to Death Valley and Joshua Tree National Monuments, and redesignation of both areas; that is, Death Valley and Joshua Tree National Monuments. It redesignates them national parks. And it designates a new national park, the Mojave National Park.

One of the few aspects with S. 21 that I am highly disappointed in concerns the boundary adjustments made by the committee to the Mojave National Park and to some of the wilderness areas. Against the wishes of the two California Senators, the committee decided to delete 290,000 acres of what is called Lanfair Valley from the bill, and to delete our cherry stem—that is, exclude a short stem area—for certain four-wheel-drive trails within four of the wilderness areas. I am not an expert on the specific characteristics of these areas, nor is any other Member of the Senate other than the two California Senators.

While I think this is a very good bill, Madam President, it has taken 7 years to bring it to the floor. Just a few weeks ago, the Senate overwhelmingly passed legislation that I sponsored to reform the concessions policies of the National Park Service. That bill took 15 years. I held the first hearing on that in 1978.

So, compared to that bill, this bill is on a fast track. I do not know what it is about the bills that come before my subcommittee, they always take forever. Maybe it is a lack of leadership, but they take forever to get to the floor and get them passed. Everybody in the U.S. Senate knew that our concessions policy was an abomination. Everybody knew that the leasing of lands of the Federal Government for oil and gas for $1 an acre was an abomination. Everybody knows the mining laws of this country are an absolute abomination. Yet it takes years and years to do things. And once you get them done, not one Member of the Senate would ever stand still for undoing them. So it is in the California desert bill. It protects an area that badly needs to be protected.

I again salute the Senators from California. I want to say I do not know what amendments are going to be offered. There are going to be several. But I am informed, happily, that there will not be a filibuster. So, presumably, Senator FEINSTEIN will be able to finish this bill sometime this week. I know that is going to be a red letter day for her, and it certainly is for me, to know that I will never have to hold another hearing on this bill.

Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. MURKOWSKI. Mr. President, I rise in opposition to S. 21, the California desert protection bill. I think it is important that we recognize the realities of what legislation such as this will do to the California desert. I think it is noteworthy that we also recognize the management expertise shown by the Bureau of Land Management that has managed this area for many years. The area has been open to multiple use, and now we face a restriction that will classify these lands resulting in the loss of their high resource values and values for citizens' recreation use.

I think it is the reality, if we were to reflect on whether this bill is needed or not, to recognize that we already have a desert plan, a workable management plan under the BLM that was developed with the input of desert user groups and the public. The BLM spent some $8 million developing this desert plan. The plan is now guiding the management of the desert and it is a plan that is working.

This bill would designate areas of the desert as national parks that are really not national park caliber. It will create new national park acreage equal to nearly two Yellowstones. But it is rather interesting, like so many things we do around here, there is no provision for authorizing any new funding. Funding would have to come from the already overburdened National Park Service budget. This is a particular concern of mine because I bear the responsibility as ranking member of the Senate subcommittee with jurisdiction over the National Park System. We simply do not have the funds to oversee the responsibilities we have now, and this bill would include a huge addition.

The bill would create national park and wilderness units that would contain a total of about 700,000 acres of private inholdings. This is something that is far too often overlooked. There are no provisions in the bill to address the acquisition of these inholdings. The bill is simply silent.

Many of the wilderness areas proposed for designation contain greater than 50 percent private inholdings. So we are going to have to go out and buy this private property. That may sound like something we could address in a relatively simple appropriations process. But recognizing there is already a backlog of national park inholdings amounting to $8 billion, Mr. President, we have already, over an extended period of time, acquired inholdings, but we have not paid for them.

This bill would add 700,000 more acres to the unfunded backlog. It is estimated it is going to take 20 years just to fund the existing inholdings. So how are we, with the authorization of 700,000 acres, affecting this backlog? How will it affect the acquisition of

inholdings and proposed park expansion in other States?

The Department of the Interior has underestimated the cost of implementation of this legislation, in the opinion of the Senator from Alaska. It will cost $40 million to $70 million in the first 3 years, and there is no estimate of the cost of acquiring the inholdings. But there is an estimate that it could approach $1 billion. We already have $8 billion in backlog and we are talking about another $1 billion.

Now, I know the Senator from California has worked very hard on this bill, and I know that her intentions with regard to creating this area have a real ideology in the sense of setting up this area in its wilderness capacity, which a portion of this legislation would authorize. But I think it is important to recognize that this bill also would close millions of acres of the California desert from mining exploration and development. There are a lot of resources there. We know it is an area of world class mineral potential.

California Gov. Pete Wilson wrote a letter in opposition to the bill for the "unfavorable impact on the California economy, both now and in the future."

The bill, in my opinion, ignores the changing economics of the mineral industry and the relationship of that industry to the future validity of existing mining claims.

Finally, the bill closes hundreds of miles of roads, trails, and ways that provide access to inholders and opportunities for motorized recreation in the California desert. Without roads, access is limited to the distance a person can walk or ride a horse when carrying all necessary water. That is a requirement in the desert. Let me assure my colleagues that this would be a very limited access for potential visitors.

So what we are doing here is setting up these areas for people who can afford to hire, if you will, a guide to take them on a wilderness experience because you just do not walk off in the desert for a wilderness experience without considerable planning to allow you to enjoy your wilderness experience.

Why have so many wilderness areas been proposed for designation that include roads? Well, because in this case the definition of a road as used in this bill does not include those roads created and maintained simply by the repeated passage of vehicles. The desert has many areas where that is all that is needed to create a road. Dragging the blade of a Caterpillar or grading a road would be the worst thing that could be done. But these are not true wilderness areas, Mr. President. Many of the areas are crisscrossed with old roads; some of the structures are still there, old rights of way, old train tracks, and they contain huge amounts of inholdings. Some have even been used for military tank training.

These roads are used by families on picnics, camping, by rockhounds, archeologists, geologists, folks driving out to look at ghost towns, and these are legitimate and important uses of the desert. These are activities that can be conducted safely in the desert and would be under continued BLM oversight.

Well, let me tell you, Mr. President, in closing, we have a tradition around here of respecting the wishes of a united Senate delegation on Federal land designations within the State. It does not necessarily apply to my State of Alaska, but that is neither here nor there. It should. And that tradition is subject to the caveat that the land designation has no impact outside the State.

But I would strongly suggest this bill will have in fact a very profound impact outside the State of California. The possible expenditure of billions of dollars of Federal taxpayers' money will affect the rest of the United States. It will severely compromise the maintenance and management of the 367 other units of the National Park Service, and it will set back the acquisition of inholdings already authorized in other States by many, many years.

As I said, at current funding rates, it is going to take over 20 years and several billion dollars to purchase existing inholdings.

It sets a bad national precedent that the Federal Government will trample on the private property rights of Federal inholders by authorizing restrictive Federal land classifications which includes private inholdings, yet includes no provision to address the acquisition of these inholders.

Mr. President, is it not ironic that we go ahead and initiate authorizations and no appropriations? And that is just what we are talking about here. In S. 21, we are talking about taking a huge area of the desert, and making it into national parks, taking areas that have been classified for multiple use, and putting them into wilderness designation. It all sounds very, very fine, but we are making no provision to pay for it.

Mr. President, I would like to see this body reflect on its obligation to not mislead the American people by suggesting that we can create in the California Desert Protection Act a new park and new wildernesses. Reality dictates, Mr. President, we are talking about acquisition of huge amounts of private land, and we are not meeting the responsibility of figuring out how to pay for it.

As a consequence, Mr. President, as I indicated, I must oppose the legislation. I would hope that my colleagues will recognize that pursuing this legislation and supporting it as it is laid down is really unrealistic in the sense of meeting the obligation of providing for those inholders who are going to be waiting a long, long time for an appropriation to take care of their particular interest. They are entitled to better than that from this body.

I thank the Chair. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mrs. FEINSTEIN. Mr. President, I ask that I be recognized to make additional remarks on Senate bill, S. 21, the California Desert Protection Act.

The PRESIDING OFFICER. The Senator is recognized.

Mrs. FEINSTEIN. Thank you very much, Mr. President.

Mr. President, I note from concerns that have been raised by the Senator from Alaska, and most probably by others, that the question of the economics of this bill is causing some concern. I thought I might add to the RECORD this letter. Mr. President, this is a letter from the Secretary of the Interior dated April 11. May I read it?

It reads:

This historic opportunity to provide environmental protection to the California Desert is not to be missed simply because we are operating in an era of fiscal constraint. The Department has the fiscal and personnel resources to make this bill work. Assuming FY 1995 is the transition year, the Department can implement the bill within its existing FY 1995 budget request now pending before the Congress. I have approved a proposal developed by the Bureau of Land Management (BLM) and the National Park Service (NPS) to manage desert resources cooperatively, sharing facilities and equipment. Claims about excessive implementation costs of the bill are exaggerated and ignore the long term savings that will accrue because of this implementation strategy.

As you know, the Congressional Budget Office (CBO) estimated the long term operational costs and land acquisition costs for S. 21. CBO estimated land acquisition costs at $100–300 million. However, as their report states, "CBO cannot estimate the budgetary impact of these land acquisition activities with any certainty." There are several important points to consider.

First of all, these lands were already targeted for acquisition in BLM's protection plans for the California Desert. The land acquisition envisioned in S. 21 is less than that originally planned by the BLM. Thus, these acquisition costs are now new; in fact, the potential cost to the Federal treasury will be less.

The point I am going to make is that according to the Secretary of the Interior the cost of this bill will be less than costs incurred without the bill by BLM acquisition. Let me go on and explain and quote from the letter again.

Second, land acquisition costs are discretionary to the extent that they can be spread over a long period of time. For instance, whenever any new unit of the NPS is created there are land acquisition costs which are requested and funded as budget limitations permit.

Third, let's put these estimates into prospective: In the 1995 budget alone, the four land managing agencies of the Federal Government (BLM, FWS, NPS, and USFS) requested $257 million for high priority land acquisition projects. Even at $15 million a year for the California Desert, that is less than 6 percent of the annual Federal budget request. That is very realistic to protect this spectacular natural resource.

In terms of operational costs, CBO estimates that costs will range between $6 to $9 million annually for five years. The Department estimates these costs between $5.8 and $7.4 million. Our estimates are based on BLM's actual experiences with the Arizona wilderness. It is important to note that these are optimal estimates for a five year period; we certainly have the option to work with Congress to phase them in over a longer period of time.

I anticipate that the Department of the Interior will be able to fully implement S. 21, and will do so more efficiently and in a more cost effective manner than ever before by managing the California Desert as one ecosystem. Enactment of S. 21 will assist us in introducing a new standard for public lands management that will benefit us all in many ways. I appreciate your leadership in securing passage of this important legislation.

Sincerely,

BRUCE BABBITT.

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

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

THE SECRETARY OF THE INTERIOR,
Washington, DC, April 11, 1994.

Hon. DIANNE FEINSTEIN,
U.S. Senate, Washington, DC.

DEAR SENATOR FEINSTEIN: As the California Desert Protection Act (S. 21) comes to the Senate floor today, I want to commend you on your tireless efforts to pass this legislation. If enacted into law, this bill assure protection of the valuable desert wilderness ecosystem.

This historic opportunity to provide environmental protection to the California Desert is not to be missed simply because we are operating in an era of fiscal constraint. The Department has the fiscal and personnel resources to make this bill work. Assuming FY 1995 is the transition year, the Department can implement the bill within its existing FY 1995 budget request now pending before the Congress. I have approved a proposal developed by the Bureau of Land Management (BLM) and the National Park Service (NPS) to manage desert resources cooperatively, sharing facilities and equipment. Claims about excessive implementation costs of the bill are exaggerated and ignore the long term savings that will accrue because of this implementation strategy.

As you know, the Congressional Budget Office (CBO) estimated the long term operational costs and land acquisition costs for S. 21. CBO estimated land acquisition costs of $100-300 million. However, as their report states, "CBO cannot estimate the budgetary impact of these land acquisition activities with any certainty." There are several important points to consider.

First of all, these lands were already targeted for acquisition in BLM's protection plans for the California Desert. The land acquisition envisioned in S. 21 is less than that originally planned by the BLM. Thus, these acquisition costs are not new; in fact, the potential cost to the Federal treasury will be less.

Second, land acquisition costs are discretionary to the extent that they can be spread over a long period of time. For instance, whenever any new unit of the NPS is created there are land acquisition costs which are requested and funded as budget limitations permit.

Third, let's put these estimates into perspective: in the 1995 budget alone, the four land managing agencies of the Federal government (BLM, FWS, NPS, and USFS) requested $257 million for high priority land acquisition projects. Even at $15 million a year for the California Desert, that is less than 6 per cent of the annual Federal budget request. That is very realistic to protect this spectacular natural resource.

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I anticipate that the Department of the Interior will be able to fully implement S. 21, and will do so more efficiently and in a more cost effective manner than ever before by managing the California Desert as one ecosystem. Enactment of S. 21 will assist us in introducing a new standard for public lands management that will benefit us all in many ways. I appreciate your leadership in securing passage of this important legislation.

Sincerely,

BRUCE BABBITT.

Mrs. FEINSTEIN. Mr. President, I would like this opportunity to clear up some concerns about mining that I believe are really misperceptions. Let me go over them once again. Let me give you the correct facts.

This bill excludes all producing mines. The bill recognizes valid existing mining claims. There are 14 minerals considered strategic by the Office of Technology Assessment. There are no known mineral resources anywhere in California desert areas designated by the bill of these 14 minerals. The 14 minerals identified by the Office of Technology Assessment as having strategic value are chromium, cobalt, manganese, platinum, bauxite/aluminum, beryllium, columbium, diamond (industrial), graphite (natural), rutile, tantalum, tin, titanium sponge, and vanadium. None of these minerals is produced in the California Desert.

When the committee marked up the desert bill, I proposed 11 amendments to modify boundaries of the parks and wilderness areas to eliminate potential mining conflicts and areas of high mineral potential. As a result of the changes in the bill, mining companies that opposed earlier versions of the desert bill have withdrawn their objections. This includes Viceroy Gold Corp., U.S. Borax, Unocal, North American Chemical Co., and Canyon Resources.

I do this to set the record straight. All existing mines are protected. All valid existing mining claims are protected. As a result of the amendments we have made, information provided by the California Department of Mines and Geology indicates that no mines are within the legislation's wilderness proposals, and only 5 of the over 400 mines in the 5 desert counties are within park additions or expansions. The BLM expected three of these to end operations during 1993, regardless of action on the California Desert Protection Act. The remaining two mines are likely to have valid rights, which will allow them to continue to operate.

So I hope we have set the mining myth straight. I have worked very hard to see that no jobs are lost from existing mining operations, and I believe we have achieved this in S. 21.

I yield the floor.

Mrs. BOXER addressed the Chair.

The PRESIDING OFFICER. The junior Senator from California [Mrs. BOXER] is recognized.

Mrs. BOXER. Mr. President, I am so pleased to join the senior Senator, Senator FEINSTEIN, in strong support of her bill, the California Desert Protection Act. I am very proud to be her original cosponsor on this legislation.

Mr. President, when we pass this bill, we will protect the California Desert and prove once and for all that strong environmental policy makes good economic sense. Recently, Mr. President—and I am sure you will remember—Senator FEINSTEIN and I stood on the floor of the U.S. Senate and we asked our colleagues for help. We asked them to look at photographs and scenes of the California earthquake. We wanted them to help us rebuild our State and repair the damage the earthquake left in its wake.

I want to take this opportunity to again thank all of our colleagues who overwhelmingly supported quick assistance to our State. We are rebuilding and we are coming back, and many people owe a great debt of thanks to the U.S. Senate, to this administration, and to all those on both sides of the aisle who joined hands to help us.

Well, Mr. President, today I have brought along some very different pictures. I know Senator FEINSTEIN has shown some beautiful ones, as well. But we are going to show another kind of power of nature—its power to inspire, to provide recreation. You do not have to be a scientist, a geologist, or even an environmentalist to appreciate the beauty of our natural resources. All you need to do is open your eyes.

Many of us have had the good fortune to visit Yosemite, Shenandoah, and the Everglades. Millions of Americans have stared across beautiful mountaintops, and artists have captured their beauty for the benefit of future generations.

The relationship between nature and the people of this Nation is certainly a two-way street.

Just as we need the U.S. Senate to step in after a flood or a devastating

earthquake or fire, it is our responsibility to protect and preserve and defend nature's most splendid gifts today so that we never have to mourn their destruction.

California's unique and precious resources belong to this entire Nation. The people know it, and they come there in droves to see the ocean and mountains, the wetlands, the plains, the rivers, and the deserts. Let us look at some of those resources, Mr. President.

Here is a photograph taken of Yosemite, the soaring, snow-capped mountains that so many millions of Americans enjoy. The incomparable rivers here at Nevada Falls and the Merced River. We must also protect the rivers for all time. The magnificent wetlands that we are losing at such a terrible rate, Mr. President—we have lost 50 percent of them in this country, and 90 percent of them in California—another wonder of nature.

Here is the ocean. I was very pleased to see that the State legislature in California passed an Ocean Protection Act which would protect the first 3 miles, from the coast out into the ocean, not allowing any oil rigs or destructive activities on that coast within that first 3 miles. We must protect the ocean. Here is another view of the power of nature.

Finally, thanks to my colleague and all of the work that has gone into the Desert Act, we have a picture of an oasis at the Mojave, an underwater spring that makes this incomparable and very fragile.

This is a photograph of the Lanfair Valley—my colleague is working hard on that particular area—where we can see the ponds that come up. There is hardly any water. It is extraordinary to see this. Here are the badlands, and here are the palm trees.

So, Mr. President, a picture is worth a lot of words, but I am a Senator, so I have a few more. Just 3 days ago, I stood in awe of the California desert environment. I am a little person as it is; I barely reach 5 feet. I stood among those cliffs of the desert, and I really felt the power and the spirit of nature. It is an unbelievable feeling, surrounded by these soaring mountain ranges marked by literally millions of years of evolution. It really is a transforming experience, Mr. President, to be that close to raw nature. And again it is our responsibility to preserve nature as it is so we can understand just who we are.

After 8 years of hard work, very hard work, first by Senator Alan Cranston, and now by my talented and hard-working colleague, Senator DIANNE FEINSTEIN, we finally have an opportunity to pass meaningful desert protection.

I want to say that I remember when a young legislative assistant named Kathy Files was working night and day for Senator Cranston. Now she has a different name. So many years have gone past. She is Kathy Lacey, and she has worked for Senator FEINSTEIN and for Senator Cranston before that. And I say for Senator FEINSTEIN and for this Senator and for all those who worked so hard, and especially for Kathy, I hope we can pass this before she is retired and before many of us are in the nursing home or are a part of history.

Eight years is much too long when you are talking about a resource as fragile as the desert. Eight years is much too long in a State that depends upon its natural resources to increase tourism and strengthen the economy. And it is too long in a State that counts on these unique ecosystems to give us beauty, recreation, and solitude.

So today we have an incredible opportunity, today, tomorrow and the few days after that. With our vote, the National Park Service estimates that California can bring in an estimated $200 million in revenues, create up to 2,000 new jobs, and add almost 3 million acres to the National Park System.

With just one vote, we can protect these soaring mountain ranges you saw, the volcanic spires, the cactus gardens, bighorn sheep, desert tortoises, golden eagles, and spectacular dune systems. With just one vote, we can preserve a wealth of cultural and historic sites—from our 12,000 archeological sites to our 1,500 historic sites and from our prehistoric pictographs, petroglyphs, and rock shelters to the ghost towns and historic military outposts from the more recent past. And, perhaps more important than anything else, we can offer real leadership by looking down the timeless road before us and creating something permanent and beautiful for all those who follow.

The legislation will create a beautiful Mojave National Park on the 1.9 million acres of desert land lying east of Barstow. People from every region of our Nation will travel to this park to see the spectacular mountain ranges, sand dunes that stand 600 feet tall, the world's largest Joshua-tree forest, archeological sites and more than 300 animal species, including the endangered desert tortoise and the desert bighorn sheep. They will come to this beautiful park, and they will have an incredible experience and they will help our State of California because, along with the increase in tourism, healthy, good tourism, that will create jobs that are sorely needed—respected jobs and permanent jobs.

This legislation will increase the prestige and protection and revenue of the Death Valley and Joshua Tree National Monuments by redesignating both of them as national parks.

Currently, the Death Valley Monument provides 885 jobs and generates roughly $57 million in tourist and tax income. When we redesignate it as a national park, we will be protecting a total of 3.4 million acres of land and increasing our ability to attract more tourists.

It will be the same with the Joshua Tree National Park. Currently, the monument provides 1,140 jobs and generates approximately $58 million in tourist and tax revenue. This legislation will help build on these successes by creating a national park that protects a total of 784,000 acres of land.

Mr. President, my colleague deserves a tremendous amount of credit.

This legislation strikes the critical balance between protecting our fragile desert ecosystems, creating economic growth, and preserving the legitimate uses of our public and our private lands. Listen to the San Diego Union Tribune. Now they are very often critical when we try to overreach when it comes to the environment. This is what they say that this bill achieves a "balance between environmental and economic concerns." The San Bernardino Sun agreed, explaining that the bill not only protects natural habitat, but "also aims to protect jobs."

So, Mr. President, this bill is fair, it strikes that critical balance, and it makes sense. And that is why polls show that over three-quarters of all Californians want the desert protected and why conservation groups across the Nation, including the Sierra Club, the Wilderness Society, and the National Audobon Society all support this bill; and it is why city and county governments throughout California have endorsed this important piece of legislation—from Los Angeles to San Diego and from Sacramento to San Francisco.

Mr. President, it is rare to have that kind of broad support, and yet Senator FEINSTEIN has gotten that kind of support for this bill.

Now, unfortunately, we will always hear those who will try to distort and misrepresent the Desert Protection Act. For example, the National Rifle Association claims this bill hurts hunters by not allowing them to practice their sport in the newly created Mojave National Park. What they fail to mention is that this is standard policy. The National Park Service prohibits hunting in all but 1 of its 51 national parks. And with good reason. Hunting threatens visitor safety, creates both real and de facto exclusions for visitors, and inevitably leads to fearful tourists avoiding the area entirely. This bill does not eliminate hunting in the desert. Let me repeat. This bill does not eliminate hunting in the desert. They will still have free range in nearly 10 million acres of Federal desert land and several million acres of State and private land—10 million acres of Federal land on which hunting will still be permitted.

Finally, the NRA fails to mention something that the hunters of the re-

gion have known for years: hunting in the East Mojave area is just not that good. Each year, only 20 to 30 deer and 5 bighorn sheep are taken by hunters in that entire area. This means that, each year, more deer are killed by cars on the George Washington Parkway than the entire East Mojave.

The NRA is out of touch with the people of California and even with the group they claim to represent: the hunters. A 1993 field poll found that 70 percent of all desert residents and two-thirds of all desert households with hunters support barring hunting from the proposed Mojave National Park.

Then, there are those who will say that this legislation will hurt the recreational vehicle users. I know how they feel. I had community meetings all over the State, and they came to all my meetings dressed in orange and that symbolized they were bike riders and they were opposed to this bill.

Let me just say almost 500,000 acres of public land—an area 10 times the size of Washington, DC—will remain open for trail bikes, for all-terrain vehicles and for other types of off-road vehicles.

So, Mr. President, when you hear those arguments about hunting and riding motorbikes, please know that Senator FEINSTEIN has a bill here that really responds to their needs.

Next, there are those who will argue that this legislation will weaken private property rights. Nothing could be further from the truth. This bill simply creates national park and wilderness areas out of already existing Federal lands. Private land within those boundaries will remain in private hands. The owners can sell the land to the Government if they want to, or they can use it in any way that does not damage the surrounding Federal land.

Finally, there are some who will argue this bill will cost California jobs. And as I have said continually through my statement, on the contrary, this bill will create jobs because of the increased tourism, and it will help shatter a myth—the myth that says you cannot have a healthy environment and a strong economy.

This bill will protect current mining claims, as Senator FEINSTEIN has painstakingly explained, will allow all existing mining operations to continue. So we are looking at a bill again that has been very well thought out. It just does not come to us out of the air. It has been worked on for 8 long years, and Senator FEINSTEIN knew what she had to do to preserve the desert and yet respond to the needs of her constituents and mine in California, who have come to our meetings, who have spoken to us at length, and have written us letters and asked us to respond.

So, Mr. President, I again want to commend my colleague to piece together this legislation was really a very difficult job and we should act on it now.

When we pass this Desert Protection Act, we will give a healthy shot of adrenalin to the environment and the California economy, and we will preserve our desert for all Americans from every State in the Union and for all the world for generations to come.

I urge my colleagues to support this important legislation and to oppose all weakening amendments. Let it be said of this Senate that in 1994 we finally stepped up to the plate and preserved the California desert for all times.

Thank you very much, Mr. President, and I yield the floor.

The PRESIDING OFFICER. The senior Senator from California.

Mrs. FEINSTEIN. Mr. President, I thank my friend and colleague, the Senator from California, for those remarks and that very strong statement.

I would also like to point out that her support has been there from the very beginning. It has been true, it has been steadfast, it has been consistent. She has been my primary cosponsor.

I am fully aware of the fact that, as the chairman of the committee, the distinguished Senator from Louisiana, pointed out and the chairman of the subcommittee, the Senator from Arkansas, pointed out, this bill would not be where it is today if it were not for the support of both of the Senators of the State. And so for this kind of assistance and support, I say to the Senator thank you very much.

Mrs. BOXER. Mr. President, I would like to respond to my colleague.

Of course, this was a great pleasure to work with her on this bill. We will not rest until it becomes law. It has a lot of hurdles yet ahead.

But I think we told the people of California very clearly that it would make a difference when the California Senators can work as a team, and I think nowhere could we show this more than on this bill. We also showed it on the earthquake bill, and we will have other opportunities to show it as well.

But I say to my colleague, it has been an honor and a privilege and we will certainly celebrate when this bill becomes law.

I yield the floor.

APPOINTMENT BY THE VICE PRESIDENT

The PRESIDING OFFICER. The Chair, on behalf of the Vice President, pursuant to 22 U.S.C 276h-276k, as amended, appoints the Senator from Georgia [Mr. COVERDELL] as vice chairman of the Senate delegation to the Mexico-United States Interparliamentary Group during the second session of the 103d Congress, vice the Senator from Texas [Mr. GRAMM].

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

MORNING BUSINESS

Mrs. FEINSTEIN. Mr. President, I ask unanimous consent that there be a period for morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

PREVENTIVE HEALTH SERVICES AND HEALTH PROFESSIONS AMENDMENTS ACT OF 1993

The text of S. 1569, an act to amend the Public Health Service Act to establish, reauthorize, and revise provisions to improve the health of individuals from disadvantaged backgrounds, and for other purposes, as passed by the Senate on March 26, 1994, is as follows:

S. 1569

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

SECTION 1. SHORT TITLE; REFERENCE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Disadvantaged Minority Health Improvement Act of 1994".

(b) REFERENCE.—Except as otherwise expressly provided, whenever in this Act an amendment or a repeal is expressed in terms of an amendment to, or a repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Public Health Service Act (42 U.S.C. 201 et seq.).

(c) TABLE OF CONTENTS.—The table of contents is as follows:

Sec. 1. Short title; reference; table of contents.
Sec. 2. Findings.

TITLE I—HEALTH POLICY

Sec. 101. Office of Minority Health.
Sec. 102. Agency Offices of Minority Health.
Sec. 103. State Offices of Minority Health.
Sec. 104. Assistant Secretary of Health and Human Services for Civil Rights.

TITLE II—HEALTH SERVICES

Sec. 201. Health services for residents of public housing.
Sec. 202. Issuance of regulations regarding language as impediment to receipt of services.
Sec. 203. Health services for Pacific Islanders.

TITLE III—HEALTH PROFESSIONS

Sec. 301. Loans for disadvantaged students.
Sec. 302. Cesar Chavez primary care scholarship program.
Sec. 303. Thurgood Marshall scholarship program.
Sec. 304. Loan repayments and fellowships regarding faculty positions at health professions schools.
Sec. 305. Centers of excellence.
Sec. 306. Educational assistance regarding undergraduates.
Sec. 307. Area health education centers.

TITLE IV—RESEARCH AND DATA COLLECTION

Sec. 401. Office of Research on Minority Health.

Sec. 402. Activities of Agency for Health Care Policy and Research.
Sec. 403. Data collection by National Center for Health Statistics.
TITLE V—MISCELLANEOUS
Sec. 501. Revision and extension of program for State Offices of Rural Health.
Sec. 502. Technical corrections relating to health professions.
Sec. 503. Clinical traineeships.
Sec. 504. Demonstration project grants to States for Alzheimer's disease.
Sec. 505. Medically underserved area study.
Sec. 506. Programs regarding birth defects.
Sec. 507. Demonstration projects regarding diabetic-retinopathy.
Sec. 508. Mexican Border State Analytical Laboratories.
Sec. 509. Construction of regional centers for research on primates.
TITLE VI—MULTIETHNIC PLACEMENT
Sec. 601. Short title.
Sec. 602. Findings and purpose.
Sec. 603. Multiethnic placements.
TITLE VII—VOLUNTARY MUTUAL REUNIONS
Sec. 701. Facilitation of reunions.
TITLE VIII—GENERAL PROVISIONS
Sec. 801. Effective date.

SEC. 2. FINDINGS.

Section 1(b) of the Disadvantaged Minority Health Improvement Act of 1990 (42 U.S.C. 300u-6 note) is amended to read as follows—

"(b) FINDINGS.—Congress finds that—

"(1) the health status of individuals from racial and ethnic minorities in the United States is significantly lower than the health status of the general population and has not improved significantly since the issuance of the 1985 report entitled "Report of the Secretary's Task Force on Black and Minority Health";

"(2) racial and ethnic minorities are disproportionately represented among the poor;

"(3) racial and ethnic minorities suffer disproportionately high rates of cancer, heart disease, diabetes, substance abuse, acquired immune deficiency syndrome, and other diseases and disorders;

"(4) the incidence of infant mortality among African Americans is almost double that for the general population;

"(5) Mexican-American and Puerto Rican adults have diabetes rates twice that of non-Hispanic whites;

"(6) a third of American Indian deaths occur before the age of 45;

"(7) according to the 1990 Census, African Americans, Hispanics, American Indians, and Asian/Pacific Islanders constitute approximately 12.1 percent, 9 percent, 0.08 percent, and 2.9 percent, respectively, of the population of the United States;

"(8) minority health professionals have historically tended to practice in low-income areas, medically underserved areas, and to serve racial and ethnic minorities;

"(9) minority health professionals have historically tended to engage in the general practice of medicine and specialties providing primary care;

"(10) reports published in leading medical journals indicate that access to health care among minorities can be substantially improved by increasing the number of minority professionals;

"(11) diversity in the faculty and student body of health professions schools enhances the quality of education for all students attending the schools; and

"(12) health professionals need greater access to continuing medical education programs to enable such professionals to upgrade their skills (including linguistic and cultural competence skills) and improve the quality of medical care rendered in minority communities.".

TITLE I—HEALTH POLICY

SEC. 101. OFFICE OF MINORITY HEALTH.

Section 1707 (42 U.S.C. 300u-6) is amended by striking subsection (b) and all that follows and inserting the following:

"(b) DUTIES.—With respect to improving the health of racial and ethnic minorities, the Secretary, acting through the Deputy Assistant Secretary for Minority Health, shall carry out the following:

"(1) Establish short-range and long-range goals and objectives and coordinate all other activities within the Public Health Service that relate to disease prevention, health promotion, service delivery, and research concerning such individuals. The Director of the Centers for Disease Control and Prevention, the Administrator of the Health Resources and Services Administration, the Director of the Agency for Health Care Policy and Research, the Administrator of the Substance Abuse and Mental Health Services Administration and the Director of the National Institutes of Health shall consult with the Deputy Assistant Secretary for Minority Health to ensure the coordination of all activities within the Public Health Service as they relate to disease prevention, health promotion, service delivery, and research concerning such individuals.

"(2) Carry out the following types of activities by entering into interagency agreements with other agencies of the Public Health Service:

"(A) Support research, demonstrations and evaluations to test new and innovative models.

"(B) Increase knowledge and understanding of health risk factors.

"(C) Develop mechanisms that support better information dissemination, education, prevention, and service delivery to individuals from disadvantaged backgrounds, including racial and ethnic minorities.

"(3) Support a national minority health resource center to carry out the following:

"(A) Facilitate the exchange of information regarding matters relating to health information and health promotion, preventive health services, and education in the appropriate use of health care.

"(B) Facilitate access to such information.

"(C) Assist in the analysis of issues and problems relating to such matters.

"(D) Provide technical assistance with respect to the exchange of such information (including facilitating the development of materials for such technical assistance).

"(4) Establish a national center that shall carry out programs to improve access to health care services for individuals with limited English proficiency by facilitating the removal of impediments to the receipt of health care that result from such limitation.

"(5) With respect to grants and contracts that are available under certain minority health programs, the Secretary shall ensure that the agencies of the Public Health Service—

"(A) inform entities, as appropriate, that the entities may be eligible for the awards;

"(B) provide technical assistance to such entities in the process of preparing and submitting applications for the awards in accordance with the policies of the Secretary regarding such application; and

"(C) inform populations, as appropriate, that members of the populations may be eligible to receive services or otherwise participate in the activities carried out with such awards.

"(6) Not later than September 1 of each year, the Deputy Assistant Secretary of Minority Health shall prepare and submit to the Secretary a report summarizing the activities of each Office of Minority Health within the Public Health Service, including the Office of Research on Minority Health at the National Institutes of Health.

"(c) ADVISORY COMMITTEE.—

"(1) IN GENERAL.—The Secretary shall establish an advisory committee to be known as the Advisory Committee on Minority Health (in this subsection referred to as the 'Committee').

"(2) DUTIES.—The Committee shall provide advice to the Secretary on carrying out this section, including advice on the development of goals and specific program activities under subsection (b)(1) for each racial and ethnic group.

"(3) CHAIRPERSON.—The Deputy Assistant Secretary for Minority Health shall serve as the Chairperson of the Committee.

"(4) COMPOSITION.—The Committee shall be composed of no fewer than 12, and not more than 18 individuals, who are not officers or employees of the Federal Government. The Secretary shall appoint the members of the Committee from among individuals with expertise regarding issues of minority health. The membership of the Committee shall be equitably representative of the various racial and ethnic groups. The Secretary may appoint representatives from selected Federal agencies to serve as ex officio, non-voting members of the Committee.

"(5) TERMS.—Each member of the Committee shall serve for a term of 4 years, except that the Secretary shall initially appoint a portion of the members to terms of 1 year, 2 years, and 3 years.

"(6) VACANCIES.—If a vacancy occurs on the Committee, a new member shall be appointed by the Secretary within 90 days from the date that the vacancy occurs, and serve for the remainder of the term for which the predecessor of such member was appointed. The vacancy shall not affect the power of the remaining members to execute the duties of the Committee.

"(7) COMPENSATION.—Members of the Committee who are officers or employees of the United States shall serve without compensation. Members of the Committee who are not officers or employees of the United States shall receive, for each day (including travel time) they are engaged in the performance of the functions of the Committee, compensation at rates that do not exceed the daily equivalent of the annual rate in effect for grade GS-18 of the General Schedule under title 5, United States Code.

"(d) CERTAIN REQUIREMENTS REGARDING DUTIES.—

"(1) RECOMMENDATIONS REGARDING LANGUAGE AS IMPEDIMENT TO HEALTH CARE.—The Secretary, acting through the Director of the Office of Refugee Health, the Director of the Office of Civil Rights, and the Director of the Office of Minority Health of the Health Resources and Services Administration, shall make recommendations regarding activities under subsection (b)(4).

"(2) EQUITABLE ALLOCATION REGARDING ACTIVITIES.—In awarding grants or contracts under section 338A, 338B, 340A, 724, 737, 738, or 1707, the Secretary shall ensure that such awards are equitably allocated with respect to the various racial and ethnic populations.

"(3) CULTURAL COMPETENCY OF SERVICES.—The Secretary shall ensure that information and services provided pursuant to subsection

(b) are provided in the language and cultural context that is most appropriate for the individuals for whom the information and services are intended.

"(4) PEER REVIEW.—The Secretary shall ensure that each application for a grant, contract or cooperative agreement under this section undergoes appropriate peer review.

"(e) REPORTS.—Not later than January 31 of fiscal year 1995 and of each second year thereafter, the Secretary shall submit to the Congress a report describing the activities carried out under this section during the preceding 2 fiscal years and evaluating the extent to which such activities have been effective in improving the health of racial and ethnic minorities.

"(f) GRANTS AND CONTRACTS REGARDING DUTIES.—

"(1) AUTHORITY.—In carrying out subsection (b), the Secretary may enter into grants and contracts with public and nonprofit private entities.

"(2) EVALUATION AND DISSEMINATION.—The Secretary shall, directly or through contracts with public and private entities, provide for evaluations of projects carried out with financial assistance provided under paragraph (1) during the preceding 2 fiscal years. The report shall be included in the report required under subsection (e) for the fiscal year involved.

"(g) DEFINITION.—As used in this section, the term 'racial and ethnic minority group' means Hispanics, Blacks, Asian Americans, Pacific Islanders, Native Americans, and Alaskan Natives. The term 'Hispanic' means individuals whose origin is Mexican, Puerto Rican, Cuban, Central or South American, or any other Spanish-speaking country, including Spain or the Caribbean Islands, and individuals identifying themselves as Hispanic, Latino, Spanish, or Spanish-American.

"(h) FUNDING.—

"(1) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section, there is authorized to be appropriated $20,500,000 for fiscal year 1994, and such sums as may be necessary for each of the fiscal years 1995 through 1998.

"(2) ALLOCATION OF FUNDS BY SECRETARY.—Of the amounts appropriated under paragraph (1) for a fiscal year in excess of $15,000,000, the Secretary shall make available not less than $3,000,000 for activities to improve access to health care services for individuals with limited English proficiency, including activities identified in subsection (b)(4).".

SEC. 102. AGENCY OFFICES OF MINORITY HEALTH.

Title XVII (42 U.S.C. 300u et seq.) is amended by adding at the end the following new section:

"SEC. 1709. AGENCY OFFICES OF MINORITY HEALTH.

"(a) IN GENERAL.—The Secretary shall ensure that an Office of Minority Health is operating at the Centers for Disease Control and Prevention, the Health Resources and Services Administration, the Substance Abuse and Mental Health Services Administration, and the Agency for Health Care Policy and Research. Such Offices shall ensure that services and programs carried out within each such respective agency or office—

"(1) are equitably delivered with respect to racial and ethnic groups;

"(2) provide culturally and linguistically competent services; and

"(3) utilize racial and ethnic minority community-based organizations to deliver services.

"(b) REPORTS.—Each Office of Minority Health within the Public Health Service, including the Office of Research on Minority Health at the National Institutes of Health, shall submit a report, not later than May 1 of each year, to the Deputy Assistant Secretary for Minority Health (as provided for in section 1707(b)) describing the accomplishments or programs of the plan, the budget allocation and expenditures for, and the development and implementation of, such health programs targeting racial and ethnic minority populations. The Secretary shall ensure the participation and cooperation of each Agency in the development of the annual report.".

SEC. 103. STATE OFFICES OF MINORITY HEALTH.

Title XVII (42 U.S.C. 300u et seq.), as amended by section 102, is further amended by adding at the end the following new section:

"SEC. 1710. GRANTS TO STATES FOR OPERATION OF OFFICES OF MINORITY HEALTH.

"(a) IN GENERAL.—The Secretary, acting through the Deputy Assistant Secretary for Minority Health (as provided for in section 1707), may make grants to States for the purpose of improving the health status in minority communities, through the operation of State offices of minority health established to monitor and facilitate the achievement of the Health Objectives for the Year 2000 as they affect minority populations.

"(b) ADMINISTRATION OF PROGRAM.—The Secretary may not make a grant to a State under subsection (a) unless such State agrees that the program carried out by the State with amounts received under the grant will be administered directly by a single State agency.

"(c) CERTAIN REQUIRED ACTIVITIES.—The Secretary may not make a grant to a State under subsection (a) unless such State agrees that activities carried out by an office operated under the grant received pursuant to such subsection will—

"(1) establish and maintain within the State a clearinghouse for collecting and disseminating information on—

"(A) minority health care issues;

"(B) research findings relating to minority health care; and

"(C) innovative approaches to the delivery of health care and social services in minority communities;

"(2) coordinate the activities carried out in the State that relate to minority health care, including providing coordination for the purpose of avoiding redundancy in such activities;

"(3) identify Federal and State programs regarding minority health, and providing technical assistance to public and nonprofit entities regarding participation in such program; and

"(4) develop additional Healthy People 2000 objectives for the State that are necessary to address the most prevalent morbidity, mortality and disability concerns for racial and ethnic minority groups in the State.

"(d) REQUIREMENT REGARDING ANNUAL BUDGET FOR THE OFFICE.—The Secretary may not make a grant to a State under subsection (a) unless such State agrees that, for any fiscal year for which the State receives such a grant, the office operated under such grant will be provided with an annual budget of not less than $75,000.

"(e) CERTAIN USES OF FUNDS.—

"(1) RESTRICTIONS.—The Secretary may not make a grant to a State under subsection (a) unless such State agrees that—

"(A) if research with respect to minority health is conducted pursuant to the grant, not more than 10 percent of the amount received under the grant will be expended for such research; and

"(B) amounts provided under the grant will not be expended—

"(i) to provide health care (including providing cash payments regarding such care);

"(ii) to conduct activities for which Federal funds are expended—

"(I) within the State to provide technical and other nonfinancial assistance under subsection (m) of section 340A;

"(II) under a memorandum of agreement entered into with the State under subsection (h) of such section; or

"(III) under a grant under section 386I;

"(iii) to purchase medical equipment, to purchase ambulances, aircraft, or other vehicles, or to purchase major communications equipment;

"(iv) to purchase or improve real property; or

"(v) to carry out any activity regarding a certificate of need.

"(2) AUTHORITIES.—Activities for which a State may expend amounts received under a grant under subsection (a) include—

"(A) paying the costs of establishing an office of minority health for purposes of subsection (a);

"(B) subject to paragraph (1)(B)(ii)(III), paying the costs of any activity carried out with respect to recruiting and retaining health professionals to serve in minority communities or underserved areas in the State; and

"(C) providing grants and contracts to public and nonprofit entities to carry out activities authorized in this section.

"(f) REPORTS.—The Secretary may not make a grant to a State under subsection (a) unless such State agrees—

"(1) to submit to the Secretary reports containing such information as the Secretary may require regarding activities carried out under this section by the State; and

"(2) to submit a report not later than January 10 of each fiscal year immediately following any fiscal year for which the State has received such a grant.

"(g) REIMBURSEMENT OF APPLICATION.—The Secretary may not make a grant to a State under subsection (a) unless an application for the grant is submitted to the Secretary and the application in such form, is made in such manner, and contains such agreements, assurances, and information as the Secretary determines to be necessary to carry out such subsection.

"(h) NONCOMPLIANCE.—The Secretary may not make payments under subsection (a) to a State for any fiscal year subsequent to the first fiscal year of such payments unless the Secretary determines that, for the immediately preceding fiscal year, the State has complied with each of the agreements made by the State under this section.

"(i) AUTHORIZATION OF APPROPRIATIONS.—

"(1) IN GENERAL.—For purposes of making grants under subsection (a) there are authorized to be appropriated $3,000,000 for fiscal year 1995, $4,000,000 for fiscal year 1996, and $3,000,000 for fiscal year 1997.

"(2) AVAILABILITY.—Amounts appropriated under paragraph (1) shall remain available until expended.

"(j) TERMINATION OF PROGRAM.—No grant may be made under this section after the aggregate amounts appropriated under subsection (i)(1) are equal to $10,000,000.".

SEC. 104. ASSISTANT SECRETARY OF HEALTH AND HUMAN SERVICES FOR CIVIL RIGHTS.

(a) IN GENERAL.—Part A of title II (42 U.S.C. 202 et seq.), as amended by section 2010 of Public Law 103-43, is amended by adding at the end the following new section:

"SEC. 229. ASSISTANT SECRETARY FOR CIVIL RIGHTS.

"(a) ESTABLISHMENT OF POSITION.—There shall be in the Department of Health and Human Services an Assistant Secretary for Civil Rights, who shall be appointed by the President, by and with the advice and consent of the Senate.

"(b) RESPONSIBILITIES.—The Assistant Secretary shall perform such functions relating to civil rights as the Secretary may assign.".

(b) CONFORMING AMENDMENT.—Section 5315 of title 5, United States Code, is amended, in the item relating to Assistant Secretaries of Health and Human Services, by striking "(5)" and inserting "(6)".

TITLE II—HEALTH SERVICES

SEC. 201. HEALTH SERVICES FOR RESIDENTS OF PUBLIC HOUSING.

Section 340A(p)(1) (42 U.S.C. 256a(p)(1)) is amended—

(1) by striking "$35,000,000 for fiscal year 1991" and inserting "$12,000,000 for fiscal year 1994"; and

(2) by striking "1992 and 1993" and inserting "1995 and 1996".

SEC. 202. ISSUANCE OF REGULATIONS REGARDING LANGUAGE AS IMPEDIMENT TO RECEIPT OF SERVICES.

(a) PROPOSED RULE.—Not later than the expiration of the 90-day period beginning on the date of the enactment of this Act, the Secretary of Health and Human Services (in this section referred to as the "Secretary") shall issue a proposed rule regarding policies to reduce the extent to which having limited English proficiency constitutes a significant impediment to individuals in establishing the eligibility of the individuals for—

(1) participation in health programs under the Public Health Service Act;

(2) the receipt of services under such programs and under programs under titles XVIII and XIX of the Social Security Act; or

(3) participation in programs or activities otherwise receiving financial assistance from the Secretary or receiving services under such programs or activities.

(b) FINAL RULE.—

(1) IN GENERAL.—Not later than the expiration of the 1-year period beginning on the date of the enactment of this Act, the Secretary shall issue a final rule regarding the policies described in subsection (a).

(2) FAILURE TO ISSUE BY DATE CERTAIN.—If the Secretary fails to issue a final rule under paragraph (1) before the expiration of the period specified in such paragraph, the proposed rule issued under subsection (a) is upon such expiration deemed to be the final rule under paragraph (1) (and shall remain in effect until the Secretary issues a final rule under such paragraph).

SEC. 203. HEALTH SERVICES FOR PACIFIC ISLANDERS.

Section 10 of the Disadvantaged Minority Health Improvement Act of 1990 (42 U.S.C. 254c-1) is amended—

(1) in subsection (b)—

(A) in paragraph (2)—

(i) by inserting ", substance abuse" after "availability of health"; and

(ii) by striking ", including improved health data systems";

(B) in paragraph (3)—

(i) by striking "manpower" and inserting "care providers"; and

(ii) by striking "by—" and all that follows through the end thereof and inserting a semicolon;

(C) by striking paragraphs (5) and (6);

(D) by redesignating paragraphs (7), and (8) as paragraphs (5) and (6), respectively;

(E) in paragraph (5) (as so redesignated), by striking "and" at the end thereof;

(F) in paragraph (6) (as so redesignated), by striking the period and inserting a semicolon; and

(G) by inserting after paragraph (6) (as so redesignated), the following new paragraphs:

"(7) to provide primary health care, preventive health care, and related training to American Samoan health care professionals; and

"(8) to improve access to health promotion and disease prevention services for rural American Samoa.";

(2) in subsection (f)—

(A) by striking "there is" and inserting "there are"; and

(B) by striking "$10,000,000" and all that follows through "1993" and inserting "$5,000,000 for fiscal year 1994, and such sums as may be necessary for each of the fiscal years 1995 and 1996"; and

(3) by adding at the end thereof the following new subsection:

"(g) STUDY AND REPORT.—

"(1) STUDY.—Not later than 180 days after the date of enactment of this subsection, the Secretary, acting through the Administrator of the Health Resources and Services Administration, shall enter into a contract with a public or nonprofit private entity for the conduct of a study to determine the effectiveness of projects funded under this section.

"(2) REPORT.—Not later than July 1, 1995, the Secretary shall prepare and submit to the Committee on Labor and Human Resources of the Senate and the Committee on Energy and Commerce of the House of Representatives a report describing the findings made with respect to the study conducted under paragraph (1).".

TITLE III—HEALTH PROFESSIONS

SEC. 301. LOANS FOR DISADVANTAGED STUDENTS.

Section 724(f)(1) (42 U.S.C. 292t(f)(1)) is amended—

(1) by striking "there is" and inserting "there are"; and

(2) by striking "$15,000,000 for fiscal year 1993" and inserting "$8,000,000 for fiscal year 1994, and such sums as may be necessary for each of the fiscal years 1995 and 1996".

SEC. 302. CESAR CHAVEZ PRIMARY CARE SCHOLARSHIP PROGRAM.

Section 736 (42 U.S.C. 293) is amended—

(1) by striking the section heading and inserting the following:

"SEC. 736. CESAR CHAVEZ PRIMARY CARE SCHOLARSHIP PROGRAM.";

(2) in subsection (c)—

(A) by striking "there is" and inserting "there are"; and

(B) by striking "$11,000,000 for fiscal year 1993" and inserting "$10,500,000 for fiscal year 1994, and such sums as may be necessary for each of the fiscal years 1995 and 1996".

SEC. 303. THURGOOD MARSHALL SCHOLARSHIP PROGRAM.

Section 737 (42 U.S.C. 293a) is amended—

(1) by striking the section heading and inserting the following:

"SEC. 737. THURGOOD MARSHALL SCHOLARSHIP PROGRAM.";

(2) in subsection (a)—

(A) in paragraph (1), by inserting "(to be known as Thurgood Marshall Scholars)" after "providing scholarships to individuals"; and

(B) in paragraph (3), by inserting "schools offering programs for the training of physician assistants," after "public health,"; and

(3) in subsection (h), by striking paragraph (1) and inserting the following new paragraph:

"(1) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section, there are authorized to be appropriated $17,100,000 for fiscal year 1994, and such sums as may be necessary for each of the fiscal years 1995 and 1996.".

SEC. 304. LOAN REPAYMENTS AND FELLOWSHIPS REGARDING FACULTY POSITIONS AT HEALTH PROFESSIONS SCHOOLS.

Section 738 (42 U.S.C. 293b) is amended—

(1) in subsection (a)—

(A) in paragraph (2), by striking "disadvantaged backgrounds who—" and inserting "racial or ethnic groups that are under-represented in the health professions who—"

(B) in paragraph (5)—

(i) by striking "; and" in subparagraph (A) and inserting a period;

(ii) by striking "unless—" and all that follows through "the individual involved" in subparagraph (A) and inserting "unless the individual involved"; and

(iii) striking subparagraph (B);

(C) by striking paragraph (6); and

(D) by redesignating paragraph (7) as paragraph (6); and

(2) in subsection (b)(2)(B), by striking "$30,000" and inserting "$50,000";

(3) in subsection (c)—

(A) by striking "there is" and inserting "there are"; and

(B) by striking "$4,000,000 for fiscal year 1993" and inserting "$1,100,000 for fiscal year 1994, and such sums as may be necessary for each of the fiscal years 1995 and 1996".

SEC. 305. CENTERS OF EXCELLENCE.

Section 739 (42 U.S.C. 293c) is amended—

(1) in subsection (b)—

(A) in paragraph (2), by inserting before the semicolon the following: "through collaboration with public and nonprofit private entities to carry out community-based programs to prepare students in secondary schools and institutions of higher education for attendance at the health professions school";

(B) in paragraph (4), by striking "and" at the end thereof;

(C) in paragraph (5), by striking the period and inserting "; and"; and

(D) by adding at the end thereof the following new paragraph:

"(6) to train the students of the school at community-based health facilities that provide health services to a significant number of minority individuals and that are located at a site remote from the main site of the teaching facilities of the school.";

(2) in subsection (e)—

(A) by striking the subsection heading and inserting "AUTHORITY REGARDING CONSORTIA.—";

(B) by striking paragraph (1) and inserting the following new paragraph:

"(1) IN GENERAL.—The Secretary may make a grant under subsection (a) to any school of medicine, osteopathic medicine, dentistry, clinical psychology, or pharmacy that has in accordance with paragraph (2) formed a consortium of schools.";

(C) in paragraph (2), by striking subparagraphs (A) through (D) and inserting the following new subparagraphs:

"(A) the consortium consists of—

"(i) the health professions school seeking the grant under subsection (a); and

"(ii) one or more schools of medicine, osteopathic medicine, dentistry, pharmacy, nursing, allied health, or public health, or graduate programs in mental health practice;

"(B) the schools of the consortium have entered into an agreement for the allocation of such grant among the schools; and

"(C) each of the schools agrees to expend the grant in accordance with this section."; and

(D) by adding at the end the following paragraph:

"(3) AUTHORITY FOR COLLECTIVELY MEETING RELEVANT REQUIREMENTS IN CERTAIN CASES.—With respect to meeting the conditions specified in subsection (c)(4) for Native American Centers of Excellence, the Secretary may make a grant to any school that has in accordance with paragraphs (1) and (2) formed a consortium of schools that meets such conditions (without regard to whether the schools of the consortium individually meet such conditions)."; and

(3) in subsection (i)—

(A) in paragraph (1), by striking "such sums as may be necessary for fiscal year 1993" and inserting "$25,000,000 for fiscal year 1994, and such sums as may be necessary for each of the fiscal years 1995 and 1996"; and

(B) in paragraph (2)(C) by adding at the end the following: "Health professions schools described in subsection (c)(2)(A) shall be eligible for grants under this subparagraph in a fiscal year if the amount appropriated for the fiscal year under paragraph (1) is greater than $23,500,000. Such schools shall be eligible to apply only for grants made from the portion of such amount that exceeds $23,500,000.".

SEC. 306. EDUCATIONAL ASSISTANCE REGARDING UNDERGRADUATES.

Section 740 (42 U.S.C. 293d) is amended—

(1) in subsection (a)(1), by adding at the end the following new sentence: "To be eligible for such a grant, a school shall have in place a program to assist individuals from disadvantaged backgrounds in gaining entry into a health professions school or completing the course of study at such a school.";

(2) in subsection (d)(1)—

(A) by striking "there is" and inserting "there are"; and

(B) by striking "1993" and inserting "1994, and such sums as may be necessary for each of the fiscal years 1995 and 1996".

(3) in subsection (d)(2)(B), by adding at the end thereof the following new sentence: "Scholarship recipients under this section shall be known as 'Cesar Chavez Primary Care Scholars'.".

SEC. 307. AREA HEALTH EDUCATION CENTERS.

Section 746(d)(2)(D) (42 U.S.C. 293j(d)(2)(D)) is amended by inserting "and minority health" after "disease prevention".

TITLE IV—RESEARCH AND DATA COLLECTION

SEC. 401. OFFICE OF RESEARCH ON MINORITY HEALTH.

Section 404 (42 U.S.C. 283b), as added by section 151 of Public Law 103-43, is amended by adding at the end the following subsections:

"(c) PLAN.—The Director of the Office, shall collaborate with the Deputy Assistant Secretary for Minority Health (as provided for in section 1707), to develop and implement a plan for carrying out the duties required by subsection (b). The Director, in consultation with the Deputy Assistant Secretary for Minority Health, shall review the plan not less often than annually, and revise the plan as appropriate.

"(d) EQUITY REGARDING VARIOUS GROUPS.—The Director of the Office shall ensure that activities under subsection (b) address equitably all minority groups.

"(e) ADVISORY COMMITTEE.—

"(1) ESTABLISHMENT.—In carrying out subsection (b), the Secretary shall establish an advisory committee to be known as the Advisory Committee on Research on Minority Health (in this subsection referred to as the 'Advisory Committee').

"(2) COMPOSITION.—

"(A) VOTING AND NONVOTING MEMBERS.—The Advisory Committee shall be composed of voting members appointed in accordance with subparagraph (B) and the ex officio nonvoting members described in subparagraph (C).

"(B) VOTING MEMBERS.—The Advisory Committee shall include not fewer than 12, and not more than 18, voting members who are not officers or employees of the Federal Government. The Director of the Office shall appoint such members to the Advisory Committee from among physicians, practitioners, scientists, consumers and other health professionals, whose clinical practices, research specialization, or professional expertise includes a significant focus on research on minority health or on the barriers that minorities must overcome to participate in clinical trials. The membership of the Advisory Committee shall be equitably representative of the minority groups served by the Office.

"(C) EX OFFICIO NONVOTING MEMBERS.—The Deputy Assistant Secretary for Minority Health and the Directors of each of the national research entities shall serve as ex officio nonvoting members of the Advisory Committee (except that any of such Directors may designate an official of the institute involved to serve as such member of the Committee in lieu of the Director).

"(3) CHAIRPERSON.—The Director of the Office shall serve as the chairperson of the Advisory Committee.

"(4) DUTIES.—The Advisory Committee shall—

"(A) advise the Director of the Office on appropriate research activities to be undertaken by the national research institutes with respect to—

"(i) research on minority health;

"(ii) research on racial and ethnic differences in clinical drug trials, including responses to pharmacological drugs;

"(iii) research on racial and ethnic differences in disease etiology, course, and treatment; and

"(iv) research on minority health conditions which require a multidisciplinary approach;

"(B) report to the Director of the Office on such research;

"(C) provide recommendations to such Director regarding activities of the Office (including recommendations on priorities in carrying out research described in subparagraph (A)); and

"(D) assist in monitoring compliance with section 492B regarding the inclusion of minorities in clinical research.

"(5) BIENNIAL REPORT.—

"(A) PREPARATION.—The Advisory Committee shall prepare a biennial report describing the activities of the Committee, including findings made by the Committee regarding—

"(i) compliance with section 492B;

"(ii) the extent of expenditures made for research on minority health by the agencies of the National Institutes of Health; and

"(iii) the level of funding needed for such research.

"(B) SUBMISSION.—The report required in subparagraph (A) shall be submitted to the Director of the National Institutes of Health for inclusion in the report required in section 403.

"(f) REPRESENTATIVES OF MINORITIES AMONG RESEARCHERS.—The Secretary, acting through the Assistant Secretary for Personnel Administration and in collaboration with the Director of the Office, shall determine the extent to which minorities are represented among senior physicians and scientists of the national research institutes and among physicians and scientists conducting research with funds provided by such institutes, and as appropriate, carry out activities to increase the extent of such representation.

"(g) DEFINITIONS.—For purposes of this part:

"(1) MINORITY HEALTH CONDITIONS.—The term 'minority health conditions', with respect to individuals who are members of minority groups, means all diseases, disorders, and conditions (including with respect to mental health)—

"(A) unique to, more serious, or more prevalent in such individuals;

"(B) for which the factors of medical risk or types of medical intervention are different for such individuals, or for which it is unknown whether such factors or types are different for such individuals; or

"(C) with respect to which there has been insufficient research involving such individuals as subjects or insufficient data on such individuals.

"(2) RESEARCH ON MINORITY HEALTH.—The term 'research on minority health' means research on minority health conditions, including research on preventing such conditions.

"(3) MINORITY GROUPS.—The term 'minority groups' means Blacks, American Indians, Alaskan Natives, Asian/Pacific Islanders, and Hispanics, including subpopulations of such groups.".

SEC. 402. ACTIVITIES OF AGENCY FOR HEALTH CARE POLICY AND RESEARCH.

Section 902(b) (42 U.S.C. 299a(b)) is amended to read as follows:

"(b) REQUIREMENTS WITH RESPECT TO CERTAIN POPULATIONS.—In carrying out subsection (a), the Administrator shall undertake and support research, demonstration projects, and evaluations with respect to the health status of, and the delivery of health care to—

"(1) the populations of medically underserved urban or rural areas (including frontier areas); and

"(2) low-income groups, minority groups, and the elderly.".

SEC. 403. DATA COLLECTION BY NATIONAL CENTER FOR HEALTH STATISTICS.

Section 306(n) of the Public Health Service Act (42 U.S.C. 242k(n)), as redesignated by section 501(a)(5)(B) of Public Law 103-183 (107 Stat. 2237), is amended to read as follows:

"(n)(1) For health statistical and epidemiological activities undertaken or supported under this section, there are authorized to be appropriated such sums as may be necessary for each of the fiscal years 1995 through 1998.

"(2) Of the amounts appropriated under paragraph (1) for a fiscal year, the Secretary shall obligate not more than an aggregate $5,000,000 for carrying out subsections (h), (l), and (m) with respect to particular racial and ethnic population groups, except that not more than $100,000 may be expended in the aggregate for the administration of activities under subsection (m) and for activities described in paragraph (2) of such subsection.".

TITLE V—MISCELLANEOUS

SEC. 501. REVISION AND EXTENSION OF PROGRAM FOR STATE OFFICES OF RURAL HEALTH.

(a) MATCHING FUNDS.—Section 338J(b) (42 U.S.C. 254r(b)) is amended to read as follows:

"(b) REQUIREMENT OF MATCHING FUNDS.—

"(1) IN GENERAL.—With respect to the costs to be incurred by a State in carrying out the

purpose described in subsection (a), the Secretary may not make a grant under such subsection unless the State agrees to provide non-Federal contributions toward such costs, in cash, in an amount that is not less than $1 for each $1 of Federal funds provided in the grant.

"(2) DETERMINATION OF AMOUNT CONTRIBUTED.—In determining the amount of non-Federal contributions in cash that a State has provided pursuant to paragraph (1), the Secretary may not include any amounts provided to the State by the Federal Government.".

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 338J(j)(1) (42 U.S.C. 254r(j)(1)) is amended—

(1) by striking "and" after "1992,"; and

(2) by inserting before the period the following: ", and $5,000,000 for each of the fiscal years 1994 through 1996".

(c) TERMINATION OF PROGRAM.—Section 338J(k) (42 U.S.C. 254r(k)) is amended by striking $10,000,000" and inserting ' $20,000,000".

SEC. 502. TECHNICAL CORRECTIONS RELATING TO HEALTH PROFESSIONS.

(a) HEALTH EDUCATION ASSISTANCE LOAN DEFERMENT FOR BORROWERS PROVIDING HEALTH SERVICES TO INDIANS.—

(1) IN GENERAL.—Section 705(a)(2)(C) is amended by striking "and (x)" and inserting "(x) not in excess of three years, during which the borrower is providing health care services to Indians through an Indian health program (as defined in section 108(a)(2)(A) of the Indian Health Care Improvement Act (25 U.S.C. 1616a(a)(2)(A)); and (xi)".

(2) CONFORMING AMENDMENTS.—Section 705(a)(2)(C) is further amended—

(A) in clause (xi) (as so redesignated) by striking "(ix)" and inserting "(x)"; and

(B) in the matter following such clause (xi), by striking "(x)" and inserting "(xi)".

(3) EFFECTIVE DATE.—The amendments made by this subsection shall apply with respect to services provided on or after the first day of the third month that begins after the date of enactment of this Act.

(b) MAXIMUM STUDENT LOAN PROVISION.—

(1) IN GENERAL.—Section 722(a)(1) (42 U.S.C. 292r(a)(1)), as amended by section 2014(b)(1) of Public Law 103-43, is amended by striking "the sum of" and all that follows through the end thereof and inserting "the cost of attendance (including tuition, other reasonable educational expenses, and reasonable living costs) for that year at the educational institution attended by the student (as determined by such educational institution).".

(2) THIRD AND FOURTH YEARS.—Section 722(a)(2) (42 U.S.C. 292r(a)(2)), as amended by section 2014(b)(1) of Public Law 103-43, is amended by striking "the amount $2,500" and all that follows through "including such $2,500" and inserting "the amount of the loan may, in the case of the third or fourth year of a student at school of medicine or osteopathic medicine, be increased to the extent necessary".

(c) REQUIREMENT FOR SCHOOLS.—Section 723(b)(1) (42 U.S.C. 292s(b)(1)), as amended by section 2014(c)(2)(A)(ii) of Public Law 103-43 (107 Stat. 216), is amended by striking "3 years before" and inserting "4 years before".

(d) SERVICE REQUIREMENT FOR PRIMARY CARE LOAN BORROWERS.—Section 723(a) (42 U.S.C. 292s(a)) is amended in subparagraph (B) of paragraph (1), by striking "through the date on which the loan is repaid in full" and inserting "for 5 years after completing the residency program".

(e) PREFERENCE AND REQUIRED INFORMATION IN CERTAIN PROGRAMS.—

(1) TITLE VII.—Section 791 (42 U.S.C. 295j) is amended by adding at the end thereof the following subsection:

"(d) EXCEPTIONS.—

"(1) IN GENERAL.—To permit new programs to compete equitably for funding under this section, those new programs that meet the criteria described in paragraph (3) shall qualify for a funding preference under this section.

"(2) DEFINITION.—As used in this subsection, the term 'new program' means any program that has graduated less than three classes. Upon graduating at least three classes, a program shall have the capability to provide the information necessary to qualify the program for the general funding preferences described in subsection (a).

"(3) CRITERIA.—The criteria referred to in paragraph (1) are the following:

"(A) The mission statement of the program identifies a specific purpose of the program as being the preparation of health professionals to serve underserved populations.

"(B) The curriculum of the program includes content which will help to prepare practitioners to serve underserved populations.

"(C) Substantial clinical training experience is required under the program in medically underserved communities.

"(D) A minimum of 20 percent of the faculty of the program spend at least 50 percent of their time providing or supervising care in medically underserved communities.

"(E) The entire program or a substantial portion of the program is physically located in a medically underserved community.

"(F) Student assistance, which is linked to service in medically underserved communities following graduation, is available to the students in the program.

"(G) The program provides a placement mechanism for deploying graduates to medically underserved communities.".

(2) TITLE VIII.—Section 860 (42 U.S.C. 298b-7) is amended by adding at the end thereof the following subsection:

"(f) EXCEPTIONS.—

"(1) IN GENERAL.—To permit new programs to compete equitably for funding under this section, those new programs that meet the criteria described in paragraph (3) shall qualify for a funding preference under this section.

"(2) DEFINITION.—As used in this subsection, the term 'new program' means any program that has graduated less than three classes. Upon graduating at least three classes, a program shall have the capability to provide the information necessary to qualify the program for the general funding preferences described in subsection (a).

"(3) CRITERIA.—The criteria referred to in paragraph (1) are the following:

"(A) The mission statement of the program identifies a specific purpose of the program as being the preparation of health professionals to serve underserved populations.

"(B) The curriculum of the program includes content which will help to prepare practitioners to serve underserved populations.

"(C) Substantial clinical training experience is required under the program in medically underserved communities.

"(D) A minimum of 20 percent of the faculty of the program spend at least 50 percent of their time providing or supervising care in medically underserved communities.

"(E) The entire program or a substantial portion of the program is physically located in a medically underserved community.

"(F) Student assistance, which is linked to service in medically underserved communities following graduation, is available to the students in the program.

"(G) The program provides a placement mechanism for deploying graduates to medically underserved communities.".

(f) DEFINITIONS.—Section 799(6) (42 U.S.C. 295p(6)) is amended—

(1) in subparagraph (B) by striking "; or" at the end thereof;

(2) in subparagraph (C) by striking the period and inserting a semicolon; and

(3) by adding at the end thereof the following:

"(D) ambulatory practice sites designated by State Governors as shortage areas or medically underserved communities for purposes of State scholarships or loan repayment or related programs; or

"(E) practices or facilities in which not less than 50 percent of the patients are recipients of aid under title XIX of the Social Security Act or eligible and uninsured.".

(g) GENERALLY APPLICABLE MODIFICATIONS REGARDING OBLIGATED SERVICE.—

(1) IN GENERAL.—Section 795(a)(2) (42 U.S.C. 295n(a)(2)), is amended—

(A) in subparagraph (A), by striking "speciality in" and inserting "field of"; and

(B) in subparagraph (B), by striking "speciality" and inserting "field"; and

(2) EFFECTIVE DATE.—Each amendment made by paragraph (1) shall take effect as if such subsection had been enacted immediately after the enactment of the Health Professions Education Extension Amendments of 1992.

(h) RECOVERY.—Part G of title VII (42 U.S.C. 295j et seq.) is amended by inserting after section 795, the following new section:

"SEC. 796. RECOVERY.

"(a) IN GENERAL.—If at any time within 20 years (or within such shorter period as the Secretary may prescribe by regulation for an interim facility) after the completion of construction of a facility with respect to which funds have been paid under section 720(a) (as such section existed one day prior to the date of enactment of the Health Professions Education Extension Amendments of 1992 (Public Law 102-408)—

"(1)(A) in case of a facility which was an affiliated hospital or outpatient facility with respect to which funds have been paid under such section 720(a)(1), the owner of the facility ceases to be a public or other nonprofit agency that would have been qualified to file an application under section 605;

"(B) in case of a facility which was not an affiliated hospital or outpatient facility but was a facility with respect to which funds have been paid under paragraph (1) or (3) of such section 720(a), the owner of the facility ceases to be a public or nonprofit school, or

"(C) in case of a facility which was a facility with respect to which funds have been paid under such section 720(a)(2), the owner of the facility ceases to be a public or nonprofit entity,

"(2) the facility ceases to be used for the teaching or training purposes (or other purposes permitted under section 722 (as such section existed one day prior to the date of enactment of the Health Professions Education Extension Amendments of 1992 (Public Law 102-408)) for which it was constructed, or

"(3) the facility is used for sectarian instruction or as a place for religious worship, the United States shall be entitled to recover from the owner of the facility the base amount prescribed by subsection (c)(1) plus the interest (if any) prescribed by subsection (c)(2).

"(b) NOTICE.—The owner of a facility which ceases to be a public or nonprofit agency,

school, or entity as described in subparagraph (A), (B), or (C) of subsection (a)(1), as the case may be, or the owner of a facility the use of which changes as described in paragraph (2) or (3) of subsection (a), shall provide the Secretary written notice of such cessation or change of use within 10 days after the date on which such cessation or change of use occurs or within 30 days after the date of enactment of this subsection, whichever is later.

"(c) AMOUNT.—

"(1) BASE AMOUNT.—The base amount that the United States is entitled to recover under subsection (a) is the amount bearing the same ratio to the then value (as determined by the agreement of the parties or in an action brought in the district court of the United States for the district in which the facility is situated) of the facility as the amount of the Federal participation bore to the cost of construction.

"(2) INTEREST.—

"(A) IN GENERAL.—The interest that the United States is entitled to recover under subsection (a) is the interest for the period (if any) described in subparagraph (B) at a rate (determined by the Secretary) based on the average of the bond equivalent rates of ninety-one-day Treasury bills auctioned during that period.

"(B) PERIOD.—The period referred to in subparagraph (A) is the period beginning—

"(i) if notice is provided as prescribed by subsection (b), 191 days after the date on which the owner of the facility ceases to be a public or nonprofit agency, school, or entity as described in subparagraph (A), (B), or (C) of subsection (a)(1), as the case may be, or 191 days after the date on which the use of the facility changes as described in paragraph (2) or (3) of subsection (a), or

"(ii) if notice is not provided as prescribed by subsection (b), 11 days after the date on which such cessation or change of use occurs,

and ending on the date the amount the United States is entitled to recover is collected.

"(d) WAIVER.—The Secretary may waive the recovery rights of the United States under subsection (a)(2) with respect to a facility (under such conditions as the Secretary may establish by regulation) if the Secretary determines that there is good cause for waiving such rights.

"(e) LIEN.—The right of recovery of the United States under subsection (a) shall not, prior to judgment, constitute a lien on any facility.".

SEC. 503. CLINICAL TRAINEESHIPS.

Section 303(d)(1) (42 U.S.C. 242a(d)(1)) is amended by inserting "counseling" after "family therapy,".

SEC. 504. DEMONSTRATION PROJECT GRANTS TO STATES FOR ALZHEIMER'S DISEASE.

(a) IN GENERAL.—Section 398(a) (42 U.S.C. 280c-3(a)) is amended—

(1) in the matter preceding paragraph (1), by striking "not less than 5, and not more than 15,";

(2) in paragraph (2)—

(A) by inserting after "disorders" the following: "who are living in single family homes or in congregate settings"; and

(B) by striking "and" at the end;

(3) by redesignating paragraph (3) as paragraph (4); and

(4) by inserting after paragraph (2) the following:

"(3) to improve access for individuals with Alzheimer's disease or related disorders, particularly such individuals from ethnic, cultural, or language minorities and such individuals who are living in isolated rural areas, to services that—

"(A) are home-based or community-based long-term care services; and

"(B) exist on the date of enactment of this paragraph; and".

(b) DURATION.—Section 398A (42 U.S.C. 280c-4) is amended—

(1) in the title, by striking "**LIMITATION ON**";

(2) in subsection (a)—

(A) in the heading, by striking "LIMITATION ON"; and

(B) by striking "may not exceed" and inserting "may exceed"; and

(3) in subsection (b), in paragraphs (1)(C) and (2)(C), by inserting ", and any subsequent year," after "third year".

(c) AUTHORIZATION OF APPROPRIATIONS.—Section 398B(e) (42 U.S.C. 280c-5(e)) is amended by striking "and 1993" and inserting "through 1998".

SEC. 505. MEDICALLY UNDERSERVED AREA STUDY.

(a) IN GENERAL.—The Secretary of Health and Human Services shall conduct a study concerning the feasibility and desirability of, and the criteria to be used for, combining the designations of "health professional shortage area" and "medically underserved area" into a single health professional shortage area designation.

(b) REQUIREMENTS.—As part of the study conducted under subsection (a), the Secretary of Health and Human Services, in considering the statutory and regulatory requirements necessary for the creation of a single health professional shortage area designation, shall—

(1) review and report on the application of current statutory and regulatory criteria used—

(A) in designating an area as a health professional shortage area;

(B) in designating an area as a medically underserved area; and

(C) by a State in the determination of the health professional shortage area designations of such State; and

(2) review the suggestions of public health and primary care experts.

(c) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary of Health and Human Services shall prepare and submit to the appropriate committees of Congress a report concerning the findings of the study conducted under subsection (a) together with the recommendations of the Secretary.

(d) RECOMMENDATIONS.—In making recommendations under subsection (c), the Secretary of Health and Human Services shall give special consideration to (and describe in the report) the unique impact of designation criteria on different rural and urban populations, and ethnic and racial minorities, including—

(1) rational service areas, and their application to frontier areas and inner-city communities;

(2) indicators of high medical need, including fertility rates, infant mortality rates, pediatric population, elderly population, poverty rates, and physician to population ratios; and

(3) indicators of insufficient service capacity, including language proficiency criteria for ethnic populations, annual patient visits per physician, waiting times for appointments, waiting times in a primary care physician office, excessive use of emergency facilities, low annual office visit rate, and demand on physicians in contiguous rural or urban areas.

SEC. 506. PROGRAMS REGARDING BIRTH DEFECTS.

Section 317C of the Public Health Service Act (42 U.S.C. 247b-4), as added by section 306 of Public Law 102-531 (106 Stat. 3494), is amended to read as follows:

"PROGRAMS REGARDING BIRTH DEFECTS

"SEC. 317C. (a) The Secretary, acting through the Director of the Centers for Disease Control and Prevention, shall carry out programs—

"(1) to collect, analyze, and make available data on birth defects, including data on the causes of such defects and on the incidence and prevalence of such defects;

"(2) to provide information and education to the public on the prevention of such defects;

"(3) to operate centers for the conduct of applied epidemiologic research and study of such defects, and to improve the education, training, and clinical skills of health professionals with respect to the prevention of such defects; and

"(4) to carry out demonstration projects for the prevention of such defects.

"(b) NATIONAL CLEARINGHOUSE.—In carrying out subsection (a)(1), the Secretary shall establish and maintain a National Information Clearinghouse on Birth Defects to collect and disseminate to health professionals and the general public information on birth defects, including the prevention of such defects.

"(c) GRANTS AND CONTRACTS.—

"(1) IN GENERAL.—In carrying out subsection (a), the Secretary may make grants to and enter into contracts with public and nonprofit private entities. Recipients of assistance under this subsection shall collect and analyze demographic data utilizing appropriate sources as determined by the Secretary.

"(2) SUPPLIES AND SERVICES IN LIEU OF AWARD FUNDS.—

"(A) Upon the request of a recipient of an award of a grant or contract under paragraph (1), the Secretary may, subject to subparagraph (B), provide supplies, equipment, and services for the purpose of aiding the recipient in carrying out the purposes for which the award is made and, for such purposes, may detail to the recipient any officer or employee of the Department of Health and Human Services.

"(B) With respect to a request described in subparagraph (A), the Secretary shall reduce the amount of payments under the award involved by an amount equal to the costs of detailing personnel and the fair market value of any supplies, equipment, or services provided by the Secretary. The Secretary shall, for the payment of expenses incurred in complying with such request, expend the amounts withheld.

"(3) APPLICATION FOR AWARD.—The Secretary may make an award of a grant or contract under paragraph (1) only if an application for the award is submitted to the Secretary and the application is in such form, is made in such manner, and contains such agreements, assurances, and information as the Secretary determines to be necessary to carry out the purposes for which the award is to be made.

"(d) BIENNIAL REPORT.—Not later than February 1 of fiscal year 1995 and of every second such year thereafter, the Secretary shall submit to the Committee on Energy and Commerce of the House of Representatives, and the Committee on Labor and Human Resources of the Senate, a report that, with respect to the preceding 2 fiscal years—

"(1) contains information regarding the incidence and prevalence of birth defects and the extent to which birth defects have contributed to the incidence and prevalence of infant mortality;

"(2) contains information under paragraph (1) that is specific to various racial and ethnic groups; and

"(3) contains an assessment of the extent to which each approach to preventing birth defects has been effective, including a description of effectiveness in relation to cost;

"(4) describes the activities carried out under this section; and

"(5) contains any recommendations of the Secretary regarding this section.

"(e) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section, there are authorized to be appropriated such sums as may be necessary for each of the fiscal years 1994 through 1997.".

SEC. 507. DEMONSTRATION PROJECTS REGARDING DIABETIC-RETINOPATHY.

(a) IN GENERAL.—The Secretary of Health and Human Services, acting through the Director of the National Eye Institute and in consultation with the Director of the Centers for Disease Control and Prevention, may make grants to public and nonprofit private entities for demonstration projects to serve the populations specified in subsection (b) by carrying out, with respect to the eye disorder known as diabetic retinopathy, all activities regarding information, dissemination, early detection, education, and prevention.

(b) RELEVANT POPULATIONS.—The populations referred to in subsection (a) are minority populations that have diabetes mellitus.

(c) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section, there is authorized to be appropriated $1,000,000 for each of the fiscal years 1995 through 1997.

SEC. 508. MEXICAN BORDER STATE ANALYTICAL LABORATORIES.

(a) IN GENERAL.—The Secretary of Health and Human Services, acting through the Director of the Centers for Disease Control and Prevention, may make grants to eligible entities to establish and operate State laboratories to analyze human, wildlife, air, water, and soil samples. The laboratories shall serve the border region.

(b) ELIGIBLE ENTITY.—To be eligible to receive a grant under subsection (a), an entity shall be a State that borders Mexico.

(c) APPLICATIONS REQUIREMENTS.—No grant may be made under subsection (a) unless an application has been submitted to and approved by the Secretary of Health and Human Services.

(d) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out subsection (a), there are authorized to be appropriated such sums as may be necessary for each of the fiscal years 1995 through 1997.

SEC. 509. CONSTRUCTION OF REGIONAL CENTERS FOR RESEARCH ON PRIMATES.

Section 481B of the Public Health Service Act (42 U.S.C. 287a-3), as added by section 1503 of Public Law 103-43 (107 Stat. 178), is amended to read as follows:

"CONSTRUCTION OF REGIONAL CENTERS FOR RESEARCH ON PRIMATES

"SEC. 481B. With respect to activities carried out by the National Center for Research Resources to support regional centers for research on primates, the Director of NIH may, for each of the fiscal years 1994 through 1996, reserve from the amounts appropriated under section 481A(h) not more than $3,000,000 for the purpose of making awards of grants and contracts to public and nonprofit private entities to construct, renovate, or otherwise improve such regional centers. The reservation of such amounts for any fiscal year is subject to the availability of qualified applicants for such awards.".

79-059 O—97 Vol. 140 (Pt. 5) 39

TITLE VI—MULTIETHNIC PLACEMENT

SEC. 601. SHORT TITLE.

This title may be cited as the "Multiethnic Placement Act of 1994".

SEC. 602. FINDINGS AND PURPOSE.

(a) FINDINGS.—Congress finds that—

(1) nearly 500,000 children are in foster care in the United States;

(2) tens of thousands of children in foster care are waiting for adoption;

(3) 2 years and 8 months is the median length of time that children wait to be adopted;

(4) child welfare agencies should work to eliminate racial, ethnic, and national origin discrimination and bias in adoption and foster care recruitment, selection, and placement procedures; and

(5) active, creative, and diligent efforts are needed to recruit parents, from every race and culture, for children needing foster care or adoptive parents.

(b) PURPOSE.—It is the purpose of this Act to decrease the length of time that children wait to be adopted and to prevent discrimination in the placement of children on the basis of race, color, or national origin.

SEC. 603. MULTIETHNIC PLACEMENTS.

(a) ACTIVITIES.—

(1) PROHIBITION.—An agency, or entity, that receives Federal assistance and is involved in adoption or foster care placements may not—

(A) categorically deny to any person the opportunity to become an adoptive or a foster parent, solely on the basis of the race, color, or national origin of the adoptive or foster parent, or the child, involved; or

(B) delay or deny the placement of a child for adoption or into foster care, or otherwise discriminate in making a placement decision, solely on the basis of the race, color, or national origin of the adoptive or foster parent, or the child, involved.

(2) PERMISSIBLE CONSIDERATION.—An agency or entity to which paragraph (1) applies may consider the race, color, or national origin of a child as a factor in making a placement decision if such factor is relevant to the best interests of the child involved and is considered in conjunction with other factors.

(3) DEFINITION.—As used in this subsection, the term "placement decision" means the decision to place, or to delay or deny the placement of, a child in a foster care or an adoptive home, and includes the decision of the agency or entity involved to seek the termination of birth parent rights or otherwise make a child legally available for adoptive placement.

(b) LIMITATION.—The Secretary of Health and Human Services shall not provide placement and administrative funds under section 474(a)(3) of the Social Security Act (42 U.S.C. 674(a)(3)) to an agency or entity described in subsection (a) that is not in compliance with subsection (a).

(c) EQUITABLE RELIEF.—Any individual who is aggrieved by an action in violation of subsection (a), taken by an agency or entity described in subsection (a), shall have the right to bring an action seeking relief in a United States district court of appropriate jurisdiction.

(d) CONSTRUCTION.—Nothing in this section shall be construed to affect the application of the Indian Child Welfare Act of 1978 (25 U.S.C. 1901 et seq.).

TITLE VII—VOLUNTARY MUTUAL REUNIONS

SEC. 701. FACILITATION OF REUNIONS.

The Secretary of Health and Human Services, in the discretion of the Secretary and at no net expense to the Federal Government, may use the facilities of the Department of Health and Human Services to facilitate the voluntary, mutually requested reunion of an adult adopted child who is 21 or older with—

(1) any birth parent of the adult child; or

(2) any adult adopted sibling, who is 21 or older, of the adult child,

if all such persons involved in any such reunion have, on their own initiative, expressed a desire for a reunion.

TITLE VIII—GENERAL PROVISIONS

SEC. 801. EFFECTIVE DATE.

This Act and the amendments made by this Act shall take effect October 1, 1993, or upon the date of the enactment of this Act, whichever occurs later.

MESSAGES FROM THE HOUSE RECEIVED DURING ADJOURNMENT

Under the authority of the order of January 5, 1993, the Secretary of the Senate, on March 28, 1994, during the adjournment of the Senate received a message from the House of Representatives announcing that the Speaker has signed the following enrolled bills:

H.R. 1804. An act to improve learning and teaching by providing a national framework for education reform; to promote the research, consensus building, and systemic changes needed to ensure equitable education opportunities and high levels of educational Achievement for all students; to provide a framework for reauthorization of all Federal education programs; to promote the development and adoption of a voluntary national system of skill standards and certifications and for other purposes.

S. 476. An act to reauthorize and amend the National Fish and Wildlife Foundation Establishment Act, and for other purposes.

S. 1299. An act to amend section 203 of the Housing and Community Development Amendments of 1978 to provide for the disposition of multifamily properties owned by the Secretary of Housing and Urban Development, to provide for other reforms in programs administered by the Secretary, and to make certain technical amendments, and for other purposes.

Under the authority of the order of January 5, 1993, the Secretary of the Senate, on March 30, 1994, during the adjournment of the Senate, received a message from the House of Representatives, announcing that the Speaker has signed the following enrolled bill:

H.R. 4122. An act to temporarily extend certain provisions of the Marine Mammal Protection Act.

ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED DURING ADJOURNMENT

Under the authority of the order of January 5, 1993, the followed enrolled bill was signed by the President pro tempore (Mr. BYRD) on March 28, 1994, during the adjournment of the Senate:

H.R. 1804. An act to improve learning and teaching by providing a national framework for education reform; to promote the research, consensus building, and systemic changes needed to ensure equitable education opportunities and high levels of edu-

cational Achievement for all students; to provide a framework for reauthorization and adoption of a voluntary national system of skill standards and certifications and for other purposes.

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S. 476. An act to reauthorize and amend the National Fish and Wildlife Foundation Establishment Act, and for other purposes.

S. 1299. An act to amend section 203 of the Housing and Community Development Amendments of 1978 to provide for the disposition of multifamily properties owned by the Secretary of Housing and Urban Development, to provide for other reforms in programs administered by the Secretary, and to make certain technical amendments, and for other purposes.

H.R. 4122. An act to temporarily extend certain provisions of the Marine Mammal Protection Act.

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 which were referred to the appropriate committees.

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

MEASURES PLACED ON THE CALENDAR

The following bills were read the second time and placed on the calendar:

S. 1865. An act to amend title XIX of the Social Security Act to promote demonstrations by States of alternative methods of more efficiently delivering health care services through community health authorities.

S. 1951. An act to establish a comprehensive system of reemployment services, training and income support for permanently laid off workers, to facilitate the establishment of one-stop career centers to serve as a common point of access to employment, education and training information and services, to develop an effective national labor market information system, and for other purposes.

S. 1944. An act to increase and extend criminal and other penalties for health care fraud and abuse, and for other purposes.

S. 1964. An act to establish a comprehensive system of reemployment services and retraining for permanently laid off workers, to facilitate the establishment of one-stop career centers to serve as a common point of access to employment, education and training information and services, to develop an effective national labor market information system, and for other purposes.

S. 1969. An act to amend the Worker Adjustment and Retraining Notification Act to minimize the adverse effects of employment dislocation, and for other purposes.

S. 1996. An act to amend title XVIII of the Social Security Act to provide Medicare beneficiaries a choice among health plans, and for other purposes.

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-2418. A communication from the Administrator of the Federal Aviation Administration, transmitting, pursuant to law, a report relative to vulnerability assessments; to the Committee on Commerce, Science and Transportation.

EC-2419. A communication from the Secretary of Commerce, transmitting, a draft of proposed legislation to amend the statutory authority of the commissioned corps of the National Oceanic and Atmospheric Administration; to the Committee on Commerce, Science and Transportation.

EC-2420. A communication from the Deputy Associate Director for Compliance, Minerals Management Service, Department of the Interior, transmitting, pursuant to law, notification of refunds of offshore lease revenues; to the Committee on Energy and Natural Resources.

EC-2421. A communication from the Deputy Associate Director for Compliance, Minerals Management Service, Department of the Interior, transmitting, pursuant to law, notification of refunds of offshore lease revenues; to the Committee on Energy and Natural Resources.

EC-2422. A communication from the Chairman of the Advisory Council on Historic Preservation, transmitting, pursuant to law, the report of the Council for 1993; to the Committee on Energy and Natural Resources.

EC-2423. A communication from the Assistant Secretary for Fish and Wildlife and Parks, Department of the Interior, transmitting, a draft of proposed legislation to establish a Heritage Partnership Program to assist in the conservation and interpretation of certain outstanding natural, cultural, historic, and scenic resources that are the source of values important to the people of the United States, that contribute to the quality of life for residents and visitors, and that provide outstanding educational and recreational opportunities for this and future generations; to the Committee on Energy and Natural Resources.

EC-2424. A communication from the Secretary of Energy, transmitting, pursuant to law, the Department's annual report on energy management and conservation programs for fiscal year 1992; to the Committee on Energy and Natural Resources.

EC-2425. A communication from the Secretary of Transportation, transmitting, pursuant to law, the Department's annual report relative to the national maximum speed limit for fiscal year 1992; to the Committee on Environment and Public Works.

EC-2426. A communication from the Director of the Office of Civilian Radioactive Waste Management, Department of Energy, transmitting, pursuant to law, a notice of delay of the submission of a report relative to management plans for nuclear fuel and radioactive waste; to the Committee on Environment and Public Works.

EC-2427. A communication from the Senior Vice President, Communications, Tennessee Valley Authority, transmitting, pursuant to law, the statistical summaries of the Authority for fiscal year 1993; to the Committee on Environment and Public Works.

EC-2428. A communication from the Administrator of the General Services Administration, transmitting, pursuant to law, the fiscal year 1995 Public Buildings Service Capital Improvement Program; to the Committee on Environment and Public Works.

EC-2429. A communication from the Director of the Defense Security Assistance Agency, transmitting, pursuant to law, a report relative to the operation of the Special Defense Acquisition Fund for fiscal year 1993; to the Committee on Foreign Relations.

EC-2430. A communication from the Director of the United States Arms Control and Disarmament Agency, transmitting, pursuant to law, a report relative to the Chemical Weapons Convention; to the Committee on Foreign Relations.

EC-2431. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, copies of D. C. Act 10-209; to the Committee on Governmental Affairs.

EC-2432. A communication from the Secretary of the Postal Rate Commission, transmitting, pursuant to law, a correction to Attachment A to Order No. 1007; to the Committee on Governmental Affairs.

EC-2433. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, copies of D. C. Act 10-208; to the Committee on Governmental Affairs.

EC-2434. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, copies of D. C. Act 10-210; to the Committee on Governmental Affairs.

EC-2435. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, copies of D. C. Act 10-212; to the Committee on Governmental Affairs.

EC-2436. A communication from the Executive Director of the National Capital Planning Commission, transmitting, pursuant to law, a report relative to compliance with the Inspector General Act; to the Committee on Governmental Affairs.

EC-2437. A communication from the Comptroller General, transmitting, pursuant to law, a list of General Accounting Office reports for February 1994; to the Committee on Governmental Affairs.

EC-2438. A communication from the Secretary of the Naval Sea Cadet Corps, transmitting, pursuant to law, the annual report of the Corps for 1993; to the Committee on the Judiciary.

EC-2439. A communication from the Acting Director of the Selective Service, transmitting, pursuant to law, a report relative to requests made under the Freedom of Information Act for calendar year 1993; to the Committee on the Judiciary.

EC-2440. A communication from the Director of the Federal Judicial Center, transmitting, pursuant to law, the annual report of the center for calendar year 1993; to the Committee on the Judiciary.

EC-2441. A communication from the Assistant Vice President for Government and Public Affairs, National Railroad Passenger Corporation, transmitting, pursuant to law, a report relative to requests for information under the Freedom of Information Act for fiscal year 1993; to the Committee on the Judiciary.

EC-2442. A communication from the Director of the Office of Science and Technology Policy, Executive Office of the President, transmitting, pursuant to law, a report relative to requests made under the Freedom of Information Act for calendar year 1993; to the Committee on the Judiciary.

EC-2443. A communication from the General Manager of the Defense Nuclear Facilities Safety Board, transmitting, pursuant to law, a report relative to requests made under the Freedom of Information Act for calendar year 1993; to the Committee on the Judiciary.

EC-2444. A communication from the Senior Deputy Assistant Administrator, Bureau for Legislative and Public Affairs, Agency for International Development, transmitting, pursuant to law, a report relative to requests made under the Freedom of Information Act for calendar year 1993; to the Committee on the Judiciary.

EC-2445. A communication from the Secretary of Transportation, transmitting, pursuant to law, a report relative to requests made under the Freedom of Information Act for calendar year 1993; to the Committee on the Judiciary.

EC-2446. A communication from the Secretary of Veterans Affairs and the Secretary of Defense, transmitting, pursuant to law, a report relative to health resources sharing; to the Committee on Veterans Affairs.

EC-2447. A communication from the President of the United States, transmitting, pursuant to law, a report relative to Iraq's compliance with the resolutions adopted by the U.N. Security Council; to the Committee on Foreign Relations.

REPORTS OF COMMITTEES

Under the authority of the order of the Senate of March 22, 1994, the following reports of committees were submitted on April 5, 1994:

By Mr. MOYNIHAN, from the Committee on Finance, with amendments and an amendment to the title:

S. 1814. A bill to amend the Internal Revenue Code of 1986 to provide that a taxpayer may elect to include in income crop insurance proceeds and disaster payments in the year of the disaster or in the following year (Rept. No. 103-244).

By Mr. JOHNSTON, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute:

S. 859. A bill to reduce the restrictions on lands conveyed by deed under the Act of June 8, 1926 (Rept. No. 103-245).

H.R. 1305. A bill to make boundary adjustments and other miscellaneous changes to authorities and programs of the National Park Service (Rept. No. 103-246).

By Mr. JOHNSTON, from the Committee on Energy and Natural Resources, with amendments:

H.R. 2947. A bill to extend for an additional 2 years the authorization of the Black Revolutionary War Patriots Foundation to establish a memorial (Rept. No. 103-247).

The following report was submitted on April 11, 1994:

S. 318. A bill to provide for the energy security of the Nation through encouraging the production of domestic oil and gas resources in deep water on the Outer Continental Shelf in the Gulf of Mexico, and for other purposes (Rept. No. 103-248).

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. WOFFORD:

S. 2007. A bill to require the Secretary of the Treasury to mint coins in commemoration of the 50th anniversary of the end of World War II and General George C. Marshall's service therein; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. GRAMM (for himself and Mrs. HUTCHISON):

S. 2008. A bill to designate the Federal building and United States courthouse located at 100 East Houston Street in Marshall, Texas, as the "Sam B. Hall, Jr. Federal Building and United States Courthouse"; to the Committee on Environment and Public Works.

By Mr. HARKIN (for himself, Mr. BOND, and Mr. STEVENS):

S. 2009. A bill to amend title IV of the Social Security Act by reforming the aid to families with dependent children program, and for other purposes; to the Committee on Finance.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. WOFFORD:

S. 2007. A bill to require the Secretary of the Treasury to mint coins in commemoration of the 50th anniversary of the end of World War II and Gen. George C. Marshall's service therein; to the Committee on Banking, Housing, and Urban Affairs.

GEORGE C. MARSHALL COMMEMORATIVE COIN ACT OF 1994

• Mr. WOFFORD. Mr. President, this year we are marking the 50th anniversary of many critical events of World War II. As we honor the heroes of World War II, none are more deserving than George C. Marshall, a Pennsylvanian, who commanded over 8 million soldiers in the U.S. Armed Forces and led the allies in 1944. He chose some of the most highly regarded officers of the war in Eisenhower, Bradley, Ridgeway, Stillwell, Patton, and Gavin.

On this day, April 11th, 48 years ago, General Marshall received permanent Five Star General rank, and with that honor, he earned the title of General of the Army. But Marshall was more than a leader of the Armed Forces. After the war, President Truman appointed him Secretary of State. In this role, he developed a comprehensive economic plan to assist war-torn Europe. The Marshall plan earned the General the Nobel Peace Prize in 1953. He is still the only professional soldier ever so honored.

To commemorate World War II and General Marshall's legacy, I introduce the George C. Marshall Coin Act of 1994. This bill will authorize the minting of a coin in honor of General Marshall, and the proceeds would be used for the construction of the George C. Marshall Memorial and Visitors Center in Uniontown, PA, his boyhood home. The Marshall Center will become a destination for students, scholars, and visitors interested in learning more about the General's formative years, his leading role in organizing the Civilian Conservation Corps in the 1930's, his experiences in World War II, and all his extraordinary accomplishments.

President Truman once said of Marshall that "his standards of character, conduct, and efficiency inspired the entire army, nation, and the world." We owe it to our children to educate them not only of the horrors of World War II, but also of its heroes.

I urge my colleagues to support this bill, and I ask unanimous consent that the full text of the bill be placed in the RECORD following my statement.

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

S. 2007

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "George C. Marshall Commemorative Coin Act of 1994".

SEC. 2. COIN SPECIFICATIONS.

(a) $1 SILVER COINS.—The Secretary of the Treasury (hereafter in this Act referred to as the "Secretary") shall mint and issue not more than 500,000 $1 coins, which shall—

(1) weigh 26.73 grams;

(2) have a diameter of 1.500 inches; and

(3) contain 90 percent silver and 10 percent copper.

(b) LEGAL TENDER.—The coins issued under this Act shall be legal tender, as provided in section 5103 of title 31, United States Code.

(c) NUMISMATIC ITEMS.—For purposes of section 5134 of title 31, United States Code, the coins minted under this Act shall be considered to be numismatic items.

SEC. 3. SOURCES OF BULLION.

The Secretary shall obtain silver for minting coins under this Act only from stockpiles established under the Strategic and Critical Materials Stock Piling Act.

SEC. 4. DESIGN OF COINS.

(a) DESIGN REQUIREMENTS.—

(1) IN GENERAL.—The design of the coins minted under this Act shall have the likeness of George C. Marshall on the obverse side of such coins.

(2) DESIGNATION AND INSCRIPTIONS.—On each coin minted under this Act there shall be—

(A) a designation of the value of the coin;

(B) an inscription of the year "1995"; and

(C) inscriptions of the words "Liberty", "In God We Trust", "United States of America", and "E Pluribus Unum".

(b) SELECTION.—The design for the coins minted under this Act shall be—

(1) selected by the Secretary after consultation with the Friends of George C. Marshall and the Commission of Fine Arts; and

(2) reviewed by the Citizens Commemorative Coin Advisory Committee.

SEC. 5. ISSUANCE OF COINS.

(a) QUALITY OF COINS.—Coins minted under this Act shall be issued in uncirculated and proof qualities.

(b) MINT FACILITY.—Only 1 facility of the United States Mint may be used to strike any particular quality of the coins minted under this Act.

(c) COMMENCEMENT OF ISSUANCE.—The Secretary may issue coins minted under this Act beginning January 1, 1995.

(d) TERMINATION OF MINTING AUTHORITY.—No coins may be minted under this Act after December 31, 1995.

SEC. 6. SALE OF COINS.

(a) SALE PRICE.—The coins issued under this Act shall be sold by the Secretary at a price equal to the sum of—

(1) the face value of the coins;

(2) the surcharge provided in subsection (d) with respect to such coins; and

(3) the cost of designing and issuing the coins (including labor, materials, dies, use of machinery, overhead expenses, marketing, and shipping).

(b) BULK SALES.—The Secretary shall make bulk sales of the coins issued under this Act at a reasonable discount.

(c) PREPAID ORDERS.—

(1) IN GENERAL.—The Secretary shall accept prepaid orders for the coins minted under this Act before the issuance of such coins.

(2) DISCOUNT.—Sale prices with respect to prepaid orders under paragraph (1) shall be at a reasonable discount.

(d) SURCHARGES.—All sales shall include a surcharge of $7 per coin.

SEC. 7. GENERAL WAIVER OF PROCUREMENT REGULATIONS.

(a) IN GENERAL.—Except as provided in subsection (b), no provision of law governing procurement or public contracts shall be applicable to the procurement of goods and services necessary for carrying out the provisions of this Act.

(b) EQUAL EMPLOYMENT OPPORTUNITY.—Subsection (a) shall not relieve any person entering into a contract under the authority of this Act from complying with any law relating to equal employment opportunity.

SEC. 8. DISTRIBUTION OF SURCHARGES.

(a) IN GENERAL.—All surcharges received by the Secretary from the sale of coins issued under this Act shall be promptly paid by the Secretary to the Friends of George C. Marshall to be used solely for the construction of the George C. Marshall Memorial and Visitor Center in Uniontown, Pennsylvania.

(b) AUDITS.—The Comptroller General of the United States shall have the right to examine such books, records, documents, and other data of the Friends of George C. Marshall as may be related to the expenditures of amounts paid under subsection (a).

SEC. 9. FINANCIAL ASSURANCES.

(a) NO NET COST TO THE GOVERNMENT.—The Secretary shall take such actions as may be necessary to ensure that minting and issuing coins under this Act will not result in any net cost to the United States Government.

(b) PAYMENT FOR COINS.—A coin shall not be issued under this Act unless the Secretary has received—

(1) full payment for the coin;

(2) security satisfactory to the Secretary to indemnify the United States for full payment; or

(3) a guarantee of full payment satisfactory to the Secretary from a depository institution whose deposits are insured by the Federal Deposit Insurance Corporation or the National Credit Union Administration Board.●

By Mr. HARKIN (for himself, Mr. BOND and Mr. STEVENS):

S. 2009. A bill to amend title IV of the Social Security Act by reforming the Aid to Families With Dependent Children Program, and for other purposes.

WELFARE TO SELF-SUFFICIENCY ACT OF 1994

● Mr. HARKIN. Mr. President, today my distinguished colleague from Missouri, KIT BOND and I are introducing the first bipartisan plan to reform welfare—the Welfare to Self-Sufficiency Act.

Mr. President, our welfare system is failing the people it was designed to help and it is failing the American taxpayers. It must be fundamentally overhauled.

I would like to begin with a simple definition of welfare from the Random House Dictionary. Welfare is "the good fortune, health, happiness, prosperity, etc. of a person, group or organization."

This simple definition effectively demonstrates just how badly broken our welfare system really is. I do not believe there is anyone who believes that our welfare programs promote the good fortune, health, happiness, and prosperity of the recipients. So it seems that the real question is, How did we get so far off the track?

As many of my colleagues know, our current welfare system had its beginning in the 1930's with the creation of aid to dependent children. Policymakers believed that children would be happier and more prosperous if left in their own homes rather than being sent off to an institution. At that time, the death of the father usually created the need for public assistance.

Well, times have certainly changed. Now, most families receiving AFDC are still headed by single parents. However, most of the parents are unmarried, not widowed. Incredible societal changes have created this significant shift.

Not too long ago, a high school dropout could get a high-paying factory job, that would more than meet the needs of the family. In the 1990's this is no longer true. A worker needs to be better educated and more skilled in order to provide a decent income for the family.

And finally, most families today need two incomes in order to survive. In few families is one income sufficient.

These changes have created the need for a vastly different kind of welfare system—one that does not keep parents at home, but prepares and supports working families. These changes require a system that provides financial support for children from both parents—even if the parents are divorced or were never married. We now view welfare as a safety net. That's wrong. A net binds and traps. And that's exactly how people on welfare feel—trapped by the safety net.

Trapped by a system that does not reward work and encourages dependence. Trapped in a cycle of poverty that is virtually impossible to escape. Trapped in programs that are more interested in filling out forms than helping people find jobs and become self-sufficient.

The first positive contribution we can make to this debate is to stop referring to welfare as a safety net. On many occasions, I have described what I believe welfare should be—a ladder, or ramp of opportunity; a program that helps people help themselves and supports them along the way; a system that empowers people and rewards initiative; a plan that does not judge and punish families.

I have talked with a lot of families on welfare. I have also visited with a lot of welfare caseworkers. I have talked with policymakers and concerned citizens. This is what I have learned.

Familes on AFDC love their children and want to make their lives better. Most hate being on welfare. They want to get off of welfare and they want to do it now. They want to be self-sufficient and they desperately want to work. They don't want to wait—they want to work right now.

Social workers believe they spend too much time filling out forms and too little time helping people. The focus on error rates instead of graduation rates and job placements.

Policymakers and concerned citizens are troubled by escalating poverty rates, increases AFDC caseloads, and rising costs. Everyone is concerned about the impact on children and everyone agrees that we must reform the welfare system.

Mr. President, there are over 9 million children on welfare—that is more than three times the number of people that live in the entire state of Iowa. Without reform, these children will languish on the welfare rolls and may likely end up on welfare as adults. Welfare reform must focus on breaking this cycle and the legislation we are introducing will do just that.

The Welfare to Self-Sufficiency Act provides welfare recipients with the support and skills they need to become self-sufficient and move off of welfare. The bill provides incentives to encourage families to work and save and demands welfare recipients take responsibility for their families by requiring them to sign a binding contract, tailored to their specific situation. This contract outlines the steps an individual family will take to reach self-sufficiency and states when welfare benefits will end.

This is a very important point and one that I would like to stress. These are individual agreements based on the unique circumstances of the family. This is not one-size-fits-all welfare reform.

The contract, or Family Investment Agreement, is a two-way street. If a contract specifies that the State will provide education, training or child care, then the State must provide those services. The same would apply to a family that needed assistance to improve parenting skills or other tem-

porary community services. Failure to do so will nullify the contract. The State would be unable to reduce benefits for the family in that situation.

Likewise, failure by the recipient to live up the terms of the agreement will result in default, leading to reduction and termination of welfare benefits. The bill allows renegotiation of the agreement to deal with significant changes in family circumstances and provides appeal procedures. Further, an inquiry will be made by a third party prior to benefit termination to make sure the children will be protected.

The plan is based on a simple premise—Government is a contract. The Government has a responsibility to offer a hand up, and individuals have a responsibility to grab onto it.

Mr. President, this is a realistic and responsible welfare reform plan. It focuses on establishing the framework to help make families self-sufficient and I believe this program will help break the welfare cycle for many families by providing incentives to work and save.

I am deeply troubled by the fact that so families are forced to return to the welfare rolls. Many point to the fact that most families that are off of welfare are on the program for less than 2 years to justify a 2-year time limit on benefits. This argument ignores the fact that many of the families will return after a short period of employment or that for others, it is just a return visit to the welfare system.

Therefore, welfare reform must focus not only on getting people off the welfare rolls, but also on how we keep families off—permanently.

Our legislation has a number of other provisions that I would also like to discuss.

You might remember that in his State of the Union speech President Clinton proclaimed, "Governments don't raise children; parents do."

The President was right; too often, only one parent does the raising—while the other one does the running away. In fact, at least $5 billion in court-ordered child support goes uncollected every year. There is over $560 million in delinquent child support owed to Iowa children.

That's not fair to those kids or to the custodial parents. We need a little realism and responsibility when it comes to child support.

This legislation would turn the collection of some past due child support over to the IRS. States would refer some of the hardest to collect cases to that Federal agency. Cases in which less than 50 percent of the court-ordered support has been collected within the past year would be referred to the IRS for collection. That means people can still run from State to State—but they can no longer hide. They can't hide from the police. They can't hide from their kids. And they can't hide from their responsibility.

We should not ignore the impact that good old public pressure can have on making people pay their debts. In Iowa, under the leadership of Attorney General Bonnie Campbell, an innovative program in which wanted posters picturing deadbeat parents have been released has been very successful. Since this program began, collection of child support in Iowa has increased by 16 percent.

Recently, the Iowa Child Support Recovery Unit made the list available of individuals who did not pay child support during November, December, or January. The unit's hotline has been ringing off the hook with people calling in with information that will help locate more of the noncustodial parents who are delinquent on their child support obligations.

In our legislation, we apply this successful program nationally by giving States the authority to make the names and locations of deadbeat parents available for publication.

The legislation also authorizes a wage supplementation demonstration program to aid welfare recipients in obtaining self-sufficient employment. For newly created jobs, the value of the AFDC grant and food stamps will supplement the earnings of a welfare recipient for up to 48 months.

If there is one thing we know about welfare, its that it is not working. We need to test some new ideas to see if there is a better way of helping achieve the goal of making welfare families self-sufficient.

Kansas City, MO is trying to create some new jobs for welfare recipients. This is a serious problem in many areas. Kansas City officials would like to implement a wage supplementation program under which employers would be required to pay workers at least the base minimum wage. To provide an incentive for welfare recipients to take these jobs, the value of the recipients AFDC grant and food stamps would be paid, in cash, as a wage supplement. This effectively creates a job that pays far in excess of $4.25 and may allow the family to become self-sufficient. They believe this can be a powerful incentive for welfare recipients to join the work force and work their way off of welfare. I believe it is a program that should be tested.

To address any concerns that such a program could displace other workers, Senator BOND and I worked together to include language in the bill that makes it clear that these must be new jobs and that no worker can be displaced. We also added language to strengthen the grievance procedure and require union concurrence.

While the wage supplementation demonstration would allow the testing of cashing out food stamps benefits if certain condition are met, I want to make it very clear that I will strongly oppose any efforts to reduce support for this vital program and this provision should not be taken as an indication that I support the total cash-out of food stamp benefits. The Food Stamp Program clearly is an example of a program that works. There is no question about that. However, I do believe there is always a benefit in trying to see if there are ways good programs might be improved. Our legislation includes a provision to study the impact of the program, which should include any impact on the nutrition of the families involved.

I have seen some remarkable things happen with an Iowa program, sponsored by the Institute for Social and Economic Development. This program trains AFDC recipients and helps them start small businesses. Iowans are starting small companies called microenterprises with the help of a little training and technical assistance. And they are succeeding. We all know the risks associated with starting a new business. Only 20 percent survive longer than 6 months. However, businesses started with the help of ISED break that mold and succeed. Since 1988, 75 percent of businesses started with the guidance and assistance of ISED are still operating. I was so impressed with this program that the Welfare to Self-Sufficiency Act contains a number of provisions designed to expand it nationwide.

As my distinguished colleague and undisputed leader on welfare reform in the Senate, PAT MOYNIHAN, has long pointed out, a significant contributor to the current welfare system has been the steady increase in the birth rate to teenagers. It has risen for 5 straight years beginning in 1986. A study by the Center for Population Options estimates that if all births to teens in 1992 had been delayed until the mother was in her twenties, taxpayers could have saved $13 billion.

Title X family planning services have proven effective in reducing unintended pregnancies; therefore, the Welfare to Self-Sufficiency Act includes an additional $100 million for this program to reduce teen pregnancy. This investment will be cost effective. For every $1 spent on family planning services, the taxpayer saves $4.40 to support an unintended pregnancy and birth.

Our legislation also seeks to better ensure that poor children have a healthy start in life. The bill creates incentives for AFDC parents to have their children receive appropriate preventive health care, including timely immunization.

Finally, the legislation increases the authorization of funding the JOBS program to $3 billion in 1999 and reduces the required State match to enable participation by more families.

While paying for comprehensive welfare reform will not be easy, we are committed to assuring that the cost of our legislation is fully offset. As soon

as we receive an estimate from the Congressional Budget Office on the cost of this bill, we will include offsets in our proposal. We have preliminarily identified savings from two changes to be targeted for our proposed plan. First, we should reform and control the rate of growth in Federal payments for the administration of AFDC, food stamps, and Medicaid. Second, we should require that the income and resources of the sponsors of noncitizens be counted in determining the eligibility of those noncitizens for major means tested Federal benefit programs.

Mr. President, welfare reform cannot occur in a vacuum. We must also continue working on a host of other issues.

Last year we took one important step to assist many welfare families in becoming self-sufficient with the expansion of the earned income tax credit. When fully phased in, the expansion will mean more money in the pockets of many workers. This can mean a 40-cent pay raise for each dollar earned.

We need to get the word out about the earned income tax credit. I frequently ask Nowans if they know about this program and the benefits it could provide for their families. Unfortunately, few are aware of it.

We need to spread the word and to also get more people to ask their employers for advance payments rather than waiting for a refund at the end of the year.

We must also reform our health care system and provide universal coverage for all Americans. That way, uninsured families will not be forced to stay on welfare in order to provide health insurance for their families.

But most importantly, we must create jobs. Jobs that will pay enough money so the families can be self-sufficient. Unfortunately, in recent years, the trend has been in the opposite direction. We must redouble our efforts to create high-skilled, high-wage jobs so all families can participate in the American dream.

The minimum wage has simply not kept pace with inflation. Full-time, full-year earnings now fall well below the annual poverty rate for most families. We must continue our efforts to increase the minimum wage so that it truly provides an income sufficient for a family to meet its most basic needs without public assistance.

Mr. President, I'm concerned that a 2-year limit on the welfare rolls will actually become a 2-year minimum. If people aren't encouraged, or in some cases required, to help themselves, many simply will not.

The fact is, many families don't need to be on welfare for 2 more years—with the proper assistance they can start moving into the job market within months.

This plan requires responsibility from day one, not year two. It's realistic, and it's responsible.

This is a plan that will work and this is why I'm so sure: I know a lot of people who are doing it right now in my home State of Iowa.

Since the work incentives went into effect in Iowa on October 1, the number of welfare recipients with jobs has increased from 18 percent when the program started to 27.2 percent at the end of March. Now, that is what I call making work pay. It is paying off for former welfare recipients who now have jobs and it is paying off for taxpayers as well. Since more families getting more of the income from work rather than the Government, the cost per welfare grant is also down. It has declined almost $19 per household, or 5 percent, since last September.

Americans caught up in the system should not have to wait for 2 more years to move from welfare into the work force. Taxpayers shouldn't have to foot the bills for 2 more years. We all want to end welfare as we know it, and our plan would start doing it on day one, not year two.

Mr. President, I began with a definition of welfare from the Random House dictionary. I will close with another definition. Welfare Work is "the efforts or programs of an agency, community, business organization, et cetera, to improve living conditions, increase job opportunities, secure hospitalization, and the like for needy persons within its jurisdiction."

Mr. President, this definition should serve as the guiding principle for welfare reform. I believe the Welfare to Self Sufficiency Act meet this principle. Our legislation will improve the living conditions and increase job opportunities for people on welfare.

I urge my colleagues to examine the Harkin-Bond plan and join us in this sensible bipartisan approach. I look forward to working with the Clinton administration and with my Senate colleagues as we work toward enactment of bipartisan welfare reform.

Mr. President, I ask unanimous consent that a summary and section-by-section analysis of the legislation appear in the RECORD.

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

SUMMARY OF THE WELFARE TO SELF-SUFFICIENCY ACT OF 1994—A BIPARTISAN APPROACH TO WELFARE REFORM

The Welfare to Self-Sufficiency Act of 1994 reforms welfare to help families receiving Aid to Families with Dependent Children benefits become self-sufficient. It provides welfare recipients with the support and skills they need to become self-sufficient and move off of welfare. It also demands that welfare recipients take responsibility for their families by requiring them to sign a binding contract which specifies when welfare benefits will end.

The centerpiece of the legislation is the authorization of the Family Investment Program. Families receiving or applying for AFDC will be required to negotiate and sign Family Investment Agreements. This agreement is a contract between the state and family which will outline the steps each individual family will take to become self-sufficient and move off of welfare. Unlike other proposals which set a one-size-fits-all two year time limit, this plan provides for time limits that will vary from family to family based on the unique circumstances of each family. Failure to comply with the contract would result in termination of benefits.

The bill provides incentives for families to work and save. The legislation encourages AFDC families to work by allowing them to keep more of their earned income and encourages them to save by raising resource limits.

The disregard for child care expenses remains the same. $200 for each child under age 2 and $175 for each child over the age of 2.

The disregard for work expenses is increased from $90 to 20% of gross earnings.

Under current law, an individual has a 12 month work transition period. During the first 4 months, $30 plus ⅓ of gross earnings are disregarded. For the following 8 months $30 is disregarded. The Family Investment Program disregards 50% of gross earnings until a family has reached self-sufficiency.

To encourage work by teen-age members of the household, the wages of teen-age children will be disregarded also.

The resource limitation for families applying for AFDC is increased from $1000 to $2000. To encourage saving by AFDC families, the resource limitation for recipients already on public assistance is increased from $1000 to $5000. The equity value of a car is increased from $1500 to $3000.

Families are also encouraged to save and plan for long-term expenses such as starting a small business, buying a first home or for job training or education programs. Families can save up to $10,000 for these purposes. Training programs for small business development are also included.

Further, to encourage work, states will also be given the option to implement wage supplementation programs in which the value of the AFDC grant and food stamp benefits is added to supplement the minimum wage of the worker.

Families who refuse to negotiate and sign a contract or fail to meet the obligations outlined in the individual agreement will enter a limited benefit plan that will lead to the termination of welfare benefits. Families will continue to receive full benefits for three months, for the next three months the benefit will be reduced so that payment is made for the children only and benefits will cease at the end of this six month period.

Many families are forced onto the welfare rolls when an absent parent refuses to meet child support obligations. At the present time, only one-third of court ordered child support is paid. This bill strengthens child support enforcement by referring collection of certain delinquent child support orders to the Internal Revenue Service. Cases in which less than 50% of the child support was collected during the preceding 12 months would be referred to the IRS. To encourage additional collection, the bill allows states to make the names available of deadbeat parents for publication by the news media.

Other provisions of the bill include:

An additional $100 million for family planning programs to reduce the number of teen-age pregnancies.

To make children healthier, the bill requires AFDC parents to have their children receive appropriate preventive health care, including timely immunization.

Increases the authorization of funding the JOBS program and reduces the state match.

The program will be financed from savings in two areas. First, by reforming and controlling the rate of growth in federal payments for the administration of AFDC, Food Stamps and Medicaid. Second, we will require that the income and resources of the sponsors of noncitizens be counted in determining the eligibility of those noncitizens for certain means tested federal benefits programs.

WELFARE TO SELF-SUFFICIENCY ACT OF 1994
SECTION-BY-SECTION SUMMARY

The Welfare to Self-Sufficiency Act of 1994 reforms welfare to help families receiving Aid to Families with Dependent Children benefits become self-sufficient. The legislation authorizes the Family Investment Program in which AFDC applicants and recipients will be required to negotiate and sign contracts which outline the steps each individual family will take to become self-sufficient and move off of welfare. The bill provides incentives for families to work and save by increasing limitations on assets and earned income, including income earned by dependent teen-age children. Unlike other proposals which set a one-size-fits-all two year time limit, this plan provides for time limits that will vary from family to family based on the unique circumstances of each family. Failure to comply with the contract would result in termination of benefits.

The legislation also authorizes a wage supplementation demonstration program to aid welfare recipients in obtaining self-sufficient employment. For newly created jobs, the value of the AFDC grant and Food Stamps will supplement the earnings of a welfare recipient for up to 48 months. The employer is required to pay at least the minimum wage. The legislation includes provisions to ensure that no worker be displaced by the projects.

In addition, the bill strengthens child support enforcement by referring collection of certain delinquent child support orders to the Internal Revenue Service. Cases in which less than 50% of the child support was collected during the preceding 12 months would be referred to the IRS. Further, to encourage additional collection, the bill allows states to make the names available of deadbeat parents for publication by the news media.

The legislation also provides an additional $100 million for family planning programs and requires AFDC parents to have their children receive appropriate preventive health care, including timely immunization. Finally, the legislation increases authorization in funding the JOBS program and reduces the state match.

TITLE I—FAMILY INVESTMENT AGREEMENT AND OTHER WELFARE REFORM

Section 101—Family Investment Program.

Section 101(a) Provides that states have in effect a family investment program.

Section 101(b) Family investment program is defined as a program in which the state agency negotiates a family investment agreement and offers a limited benefit in lieu of such agreement.

An agreement shall be entered into by each adult member of a household receiving AFDC benefits unless the individual is the parent of a child under the age of 6 months; employed for 30 or more hours per week; is ill, incapacitated, or of advanced age; or is needed in the home because of the illness or incapacity of another member of the household.

Any correspondence with program participants shall be in a format that is easily understandable to the individual; shall be understandable to individuals who are not English language speakers and the employees of the State agency are readily available to assist individuals in the completion of any documents required.

The state agency shall establish a procedure for the resolution of disputes which includes an opportunity for a hearing and provide a family the option of entering into a limited benefit plan in lieu of a family investment agreement.

The state agency shall phase in the implementation of the family investment program. A minimum of non-exempt families would be required to participate—10 percent in FY 1995; 15 percent in FY 1996; 20 percent in FY 1997; 30 percent in FY 1998; 40 percent in FY 1999; 60 percent in FY 2000; 70 percent in FY 2001 and 90 percent in FY 2002.

Section 101(c) Family investment agreement is defined. A contract that outlines the steps a family will take to become self-sufficient. Contains a negotiated time-limited period of eligibility for AFDC benefits that is consistent with the unique circumstances of the family.

Non-exempt individuals are required to participate in one or more of the following activities: full-time or part-time employment; job search activities; JOBS program; education or training program; unpaid community service; work experience placement; high school completion for individuals under the age of 20 or any arrangement to strengthen the individual's parenting skills if the individual participates in one of the preceding options.

Unpaid community service shall only be included as part of a plan to improve the employability of the individual and lead to self-sufficiency. Unpaid community service shall meet the same requirements of the community work experience program and shall not lead to the displacement of any worker. An individual's participation in unpaid community service shall not exceed 3 months.

Any member of the household entering into a family investment agreement shall receive the supplemental services required to attain self-sufficiency, including health care, transportation, child care, education or training.

The state agency shall provide other services that may be required to help an individual reach self-sufficiency including substance abuse treatment, programs to strengthen the parenting skills and assure family stability, programs that lead to the improved school readiness for preschool children and on-grade performance for school age children or other social services.

The state agency shall provide the family with support and case management in the creation, monitoring and adaptation of the family investment agreement.

The state agency shall renegotiate the Family Investment Agreement to reflect substantial changes in family circumstances or at the conclusion of the agreement if the family has made a good faith effort to comply with the terms of the agreement but was unable to reach self-sufficiency because of factors outside the control of the family.

Provides that the family will enter into a limited benefit plan if an individual fails to comply with the agreement and provides that the agreement shall be invalid if the state agency fails to comply with the terms of the agreement.

Limited benefit plan is defined. The failure of an individual to comply with the Family Investment Agreement will lead to the termination of AFDC benefits. A family will receive 3 months of full benefits followed by 3 months in which benefits are paid for the children only. The family will then be ineligible for benefits for a period of 6 months.

During the duration of a limited benefit plan, a third-party counselor shall inquire about the well being of the dependent children. This inquiry is to make sure appropriate arrangements are being made to meet the needs of the children when AFDC benefits are terminated.

Provides a 45 day reconsideration period for families on a limited benefit plan.

Section 101(d) The Secretaries of Health and Human Services, Labor and Education shall ensure appropriate coordination in the planning, development and operations of programs related to improving the self-sufficiency of AFDC beneficiaries.

Section 101(e) The amendments made in this section shall take effect on the first day of the first fiscal year beginning after the date of enactment of this Act.

Section 102—Work Incentives.

The bill seeks to help families become economically self-sufficient by encouraging work and savings. To encourage work, the bill gives states the option to increase the disregards for earned income and increase the resource limitations for families. States may implement the incentives on a statewide basis or in a defined area of the state.

Section 102(a) Provides an option to change the disregard for work expenses to the first $90 or 20% of earned income (whichever is greater).

Section 102(b) Provides an option to change the earned income disregard to 50% of earned income and eliminate the time limitation.

The state agency shall not disregard the earned income of an individual if such individual's employment was terminated without good cause or the individual refused to accept employment without good cause.

Section 102(c) Provides an option to disregard the first 4 months of earned income for a new employee if the individual earned less than $1200 in the preceding 12 months and shall not consider the payment erroneous if the state relied on the best information available in determining eligibility.

Section 102(d) For new applicants, the state agency may consider the loss of income from the first month income is lost if the termination was for just cause.

Section 102(e) Provides an option to disregard interest income.

Section 102(f) Provides an option to disregard income and resources, up to $10,000, that are placed in a qualified asset account for long term expenses such as education and training, self-employment or purchase of a home.

Section 102(g) Provides an option to disregard income and resources related to establishment of a microenterprise. Includes microenterprise training and activities in the JOBS program. Microenterprise is a commercial enterprise which has 5 or fewer employees.

Section 102(h) Extends the period for transitional child care benefits to 24 months.

Section 102(i) The amendments made in this section shall take effect on the first day of the first fiscal year beginning after the date of enactment of this Act.

Section 103—Optional State disregard of dependent child's income.

Section 103(a) At the option of the state, the state agency shall disregard all or any part of the earned income of a dependent child.

Section 103(b) The amendments made in this section shall take effect on the first day of the first fiscal year beginning after the date of enactment of this Act.

Section 104—Family stability.

Section 104(a) Extends earned income and child care disregard to non-recipient stepparents.

Section 104(b) For two parent families, eliminates the primary wage earner provision; the work history requirement and the 100 hour rule

Section 104(c) Provides the option to increase the asset limitation up to $2000 for applicant families and up to $5000 for recipient families.

Section 104(d) provides the option to increase the equity disregard for automobiles up to $3000.

Section 104(e) the amendments made in this section shall take effect on the first day of the first fiscal year beginning after the date of enactment of this Act.

Section 105—Work requirements for unemployed parents.

Section 105(a) Eliminates the limitation that requires participation of only one parent in the work component of the JOBS program.

Section 105(b) A state may condition continued eligibility of AFDC for unemployed parents upon the participation of both parents in the program which shall include job search activities, counseling, and training services.

Section 105(c) The amendments made in this section shall take effect on the first day of the first fiscal year beginning after the date of enactment of this Act.

Section 106—JOBS program.

Section 106(a) Eliminates the total exemption for required JOBS participation by pregnant individuals.

Section 106(b) Removes the limitation on length of job search program.

Section 106(c) Provides protection for existing workers regarding placements in wage supplementation projects, unpaid community service work programs and community work experience programs. The individuals shall not perform any services or duties or engage in activities that will supplant the hiring of employed workers; are services, duties or activities with respect to which an individual has recall rights pursuant to a collective bargaining agreement or other applicable personnel procedures or had been performed by or assigned to an employee who is subject to a reduction in force or has recall rights.

No work assignment shall be made until the State agency has obtained the written concurrence of any local labor organization representing employees of the employer.

Section 106(d) The state shall establish and maintain a grievance procedure for resolving complaints. Except for a grievance that alleges fraud or criminal activity, a grievance shall be made not later than one year after the date of the alleged occurrence that is the subject of the grievance.

A hearing shall be conducted within 30 days and a decision shall be made not later than 60 days after the filing of the grievance. In the event the decision is adverse to the party who filed the grievance, or if no decision has been made within the 60 day period, the party shall be permitted to submit the grievance to binding arbitration before a qualified arbitrator who is jointly selected and independent of the interested parties. If the parties cannot agree to an arbitrator, the Governor shall appoint one within 15 days.

An arbitration proceeding shall be held not later than 45 days after the request for such action. A decision shall be made not later than 30 days after the date the arbitration proceeding begins.

The cost of the arbitration shall be divided evenly between the two parties except if the employee or the employee's representative prevails, the state agency shall pay the total cost of the proceeding.

Remedies would include the prohibition of the work assignment; reinstatement of the displaced employee to the position held prior to displacement; payment of lost wages and benefits to the displaced employee; and other relief as is necessary to make the displaced employee whole. Suits to enforce arbitration awards may be brought in district court.

Section 106(e) the amendments made in this section shall take effect on the first day of the first fiscal year beginning after the date of enactment of this Act.

Section 107—Increased Payments to States.

Section 107(a) Reduces the state matching requirements in the JOBS for expenditures over the FY 94 level.

Section 107(b) Increases the authorization for JOBS. $1.5 billion in FY 1995; $2 billion in FY 1996; $2.5 billion in FY 1997; $3 billion in FY 1998 and $3.5 billion in FY 1999.

Section 107(c) Reduces the state matching requirements for the AFDC child care program.

Section 108—Assessment, monitoring, and evaluation.

Section 108(a) In order to increase the percentage of families moving from welfare to self-sufficiency, allows states to conduct an assessment to determine the barriers that AFDC families face in becoming self sufficient; the capacity of the state to provide employment opportunities for AFDC families; and the number and skills of workers needed to develop Family Investment Agreements. Allows states to establish a system to monitor and evaluate the economic gains related to employment by AFDC families as well as the impact on the children.

Section 108(b) The amendments made in this section shall take effect on the first day of the first fiscal year beginning after the date of enactment of this Act.

Section 109—Timely preventive health care for children.

Section 109(a) Requires parents to provide timely preventive health care for their children. Families would receive a bonus payment upon receipt of the verification that each child under the age of 6 has been immunized and received well-baby and well-child care in accordance with the guidelines issued by the Surgeon General. Aid shall be reduced if such verification is not provided. The Secretary shall determine the amount of the bonus or deduction. This provision shall not apply if the state agency provides the Secretary with adequate certification that the services are not available in the area in which the family resides.

Section 109(b) The amendments made in this section shall take effect on the first day of the first fiscal year beginning after the date of enactment of this Act.

Section 110—Wage supplementation demonstration projects.

Section 110(a) The Secretary shall establish wage supplementation demonstration projects for certain individuals eligible for AFDC to provide an incentive to work.

Section 110(b) An eligible individual would be employed by a participating employer. The state shall make monthly incentive payments to the eligible individual for each month of employment. The incentive payment would be an amount equal to the AFDC and food stamps that would otherwise be payable to the individual and the incentive payment would be in lieu of such benefits.

An eligible individual shall participate for the lesser of 48 months or the length of employment by the participating employer. The state will establish a limitation on income for eligible individuals.

Wages paid to the individuals shall be treated as earned income. Participants shall remain eligible for AFDC and food stamps for the duration of their participation in this program. Participating individuals shall remain eligible notwithstanding the receipt of child support payments. Wages paid to an eligible individual by the participating employer shall not be taken into account in determining assistance for federal housing programs.

Eligible individual means an individual eligible for AFDC. Participating employer means an employer certifying the gross wages will be the product of applicable minimum wage and the hours worked. The employer shall not receive a wage subsidy under any other provision of federal law. The eligible individual receives the same employer-provided benefits (with the exception of health care benefits, which are provided by Medicaid). The employer shall submit a monthly certification report.

The demonstration project shall not last longer than 5 years.

The state will submit an application to the Secretary which includes an explanation of the plan for evaluating the project. A state shall begin a demonstration upon approval by the Secretary or within 60 days of the application unless the proposal is denied by the Secretary. A state shall issue a public notice when the application is submitted which contains a description of the project and allow any interested party to comment to the state or to the Secretary within 30 days.

Each state conducting a demonstration project shall submit an annual and final evaluation that determines the success of moving people from welfare dependence to self-sufficiency.

The portion of the monthly AFDC benefit shall be considered as expenditures under the state plan. The expenses incurred by the state for administration shall be considered expenditures by the state for administrative costs in operating a program under Part F of the Social Security Act. The portion of the monthly payments to a participant in the project that is attributable to the cash value of food stamp benefits shall be considered expenditures under the food stamp program.

Funds for the activities covered by the demonstration project shall supplement and shall not supplant funds.

Section 111—Increase in authorizations of Public Health Service title X planning grants.

Section 111 Increases authorization by $100 million for Title X family planning services under the Public Health Service Act.

Section 112—Delay in Certain Effective Dates.

Section 112 Provides a special rule for states that require state legislation to enact the provisions of the bill.

Title II—Improvements in the Collection of Child Support

Section 201—Transmission and submission of certain child support orders to the IRS.

Section 201 Establish procedures which require any state court or administrative agency to transmit a copy of any child support order to the IRS upon completion of a 12 month period during which less than 50% of the court-ordered child support has been paid.

Any individual with a right to child support assigns the right to collect the support

unless the individual rescinds the assignment. The assignment may be revived at any time.

Section 202—Collection of child support by the Internal Revenue Service.

Section 202(a) The Secretary shall establish a program to collect child support orders. The program shall provide for wage withholding and estimated tax payments.

Payment of the entire child support obligation is required within the taxable year. If an individual fails to pay the full amount required, the Secretary is authorized to assess and collect the unpaid amount.

Child support is dispersed to the individual specified in the child support order as quickly as possible. Authorizes payment of penalties and interest collected to such individual.

Section 202(b) The Secretary shall submit an estimate of the additional cost of administering the program within one year of enactment.

Section 202(c) Clerical amendment.

Section 203—Publication of delinquent child support obligers.

Section 203 At the option of the state, provide that for any case in which no payment has been made within a preceding 3-month period, the state make available for publication a listing of all such orders by name of the obligor, the verified city and state address, and any other information deemed appropriate.

Section 204—Effective date.

Section 204(a) The amendments made in this section shall take effect on the first day of the first fiscal year beginning after the date of enactment of this Act.

Section 204(b) Provides a special rule for states that require state legislation to enact the provisions of this section.•

• Mr. BOND. Mr. President, in the last 2 or 3 months the debate over welfare reform ideas has taken place largely in the editorial pages. Earlier today the Labor/HHS/Education Appropriations Subcommittee held a hearing to kick off the congressional debate in earnest. Several bills have been introduced recently; several other bills are in the works right now. The administration has a working group; there is a House Republican plan and a Senate Republican plan. Today Senator HARKIN and I will introduce the first bipartisan welfare reform plan. Its centerpiece is a binding contract between a welfare recipient and the State from day one outlining how and when the recipient will leave the welfare rolls and become self-sufficient. I believe our plan has a number of strengths in comparison with other approaches now being proposed.

First, the philosophy behind the family investment agreement, or family self-sufficiency pact as it is called in Missouri, truly breaks new ground. For the past 30 years, government has said "If you meet our income guidelines, you are entitled to aid, for years if necessary." The Harkin/Bond approach says "government has a responsibility to provide for those in need; however, those in need also have a responsibility to work toward self-sufficiency." I believe this philosophy, implemented through the family investment agreements, has real potential in getting large numbers of people to move off the system and into self-sufficiency.

Our bill, based on what our respective States are already doing or propose, is based on an individualized and binding contract between welfare recipients and the State. Each contract is tailored to the individual, unique needs and circumstances of the recipient. It requires recipients to take responsibility for their families and outlines specific steps that each welfare recipient will take to move off of welfare. The contract states clearly when welfare benefits will end. If a recipient fails to live up to the terms of the agreement at any time, benefits will be reduced and ultimately terminated.

The contract also obligates the State to live up to its side of the agreement, based on the individual's specific needs, by providing education, training, or child care. If a State fails in its responsibilities, the contract is nullified and the family's benefits may not be reduced or eliminated.

The Harkin/Bond plan differs from other welfare reform proposals in other key ways. The flexible and individual approach will move recipients off welfare before 2 years, which is the time limit for welfare benefits set in most proposals. Also, our proposal does not rely on creating costly and inefficient public sector jobs, but focuses on moving individuals into permanent jobs in the private sector.

Our bill also makes it easier for young women with children to move off the rolls through work. One of the biggest criticisms I have heard of the present system is that it penalizes work. Women who are able to find part- or full-time jobs are not able to keep very much of what they earn, nor are they able to save it, nor are they able to keep their Medicaid and child-care benefits for long once they start working. Our bill will allow States to experiment with a number of disincentives to work. States will have the option to allow recipients to keep more of what they earn, and to begin to accumulate assets. We also permit welfare families to save money for education or home purchasing purposes. Finally, recognizing that child care is a costly impediment to self-sufficiency, we will extend the transitional child-care benefits from 12 months to 2 years. The current system also penalizes marriage. Our approach will eliminate some disincentives to marriage by making it easier for two-parent families to qualify for benefits.

Our bill represents real welfare reform. We do not propose to go outside the existing system for cost savings. We plan to pay for our bill by reforming the administrative cost reimbursement system for AFDC, food stamps, and Medicaid. And we will require that the income and resources of the sponsors of legal aliens be counted in determining the eligibility of those persons for AFDC and other means tested Federal benefit programs. We will not increase taxes, nor cut discretionary spending to pay for this program. We pay for our ideas by trimming the excesses of the current system.

Later this week I will have more to say about our particular approach and why it makes sense. I urge other Senators to take a look at our bill, and look forward to working with Members on both sides of the aisle as we begin to tackle this topic.•

ADDITIONAL COSPONSORS

S. 21

At the request of Mrs. FEINSTEIN, the names of the Senator from Montana [Mr. BAUCUS] and the Senator from Michigan [Mr. RIEGLE] were added as cosponsors of S. 21, a bill to designate certain lands in the California Desert as wilderness, to establish Death Valley, Joshua Tree, and Mojave National Parks, and for other purposes.

S. 88

At the request of Mr. LUGAR, the name of the Senator from Nevada [Mr. BRYAN] was added as a cosponsor of S. 88, a bill to amend the National School Lunch Act to remove the requirement that schools participating in the school lunch program offer students specific types of fluid milk, and for other purposes.

S. 155

At the request of Mr. DASCHLE, the name of the Senator from New Mexico [Mr. BINGAMAN] was added as a cosponsor of S. 155, a bill to amend the Internal Revenue Code of 1986 with respect to the treatment of certain amounts received by a cooperative telephone company.

S. 1037

At the request of Mrs. MURRAY, the name of the Senator from Minnesota [Mr. WELLSTONE] was added as a cosponsor of S. 1037, a bill to amend the Civil Rights Act of 1991 with respect to the application of such Act.

S. 1208

At the request of Mr. WOFFORD, the name of the Senator from New Jersey [Mr. LAUTENBERG] was added as a cosponsor of S. 1208, a bill to authorize the minting of coins to commemorate the historic buildings in which the Constitution of the United States was written.

S. 1355

At the request of Mr. HEFLIN, the name of the Senator from Wyoming [Mr. SIMPSON] was added as a cosponsor of S. 1355, a bill to amend chapter 91 of title 28, United States Code, to provide that the U.S. Court of Federal Claims may have jurisdiction over certain pending claims, and for other purposes.

S. 1406

At the request of Mr. KERREY, the name of the Senator from Idaho [Mr.

KEMPTHORNE] was added as a cosponsor of S. 1406, a bill to amend the Plant Variety Protection Act to make such act consistent with the International Convention for the Protection of New Varieties of Plants of March 19, 1991, to which the United States is a signatory, and for other purposes.

S. 1450

At the request of Mrs. FEINSTEIN, the name of the Senator from Louisiana [Mr. JOHNSTON] was added as a cosponsor of S. 1450, a bill respecting the relationship between the workers' compensation benefits and the benefits available under the Migrant and Seasonal Agricultural Worker Protection Act.

S. 1690

At the request of Mr. PRYOR, the names of the Senator from Nevada [Mr. BRYAN] and the Senator from Kansas [Mrs. KASSEBAUM] were added as cosponsors of S. 1690, a bill to amend the Internal Revenue Code of 1986 to reform the rules regarding subchapter S corporations.

S. 1782

At the request of Mr. LEAHY, the name of the Senator from Massachusetts [Mr. KERRY] was added as a cosponsor of S. 1782, a bill to amend title 5, United States Code, to provide for public access to information in an electronic format, to amend the Freedom of Information Act, and for other purposes.

S. 1806

At the request of Mr. NICKLES, the name of the Senator from Mississippi [Mr. COCHRAN] was added as a cosponsor of S. 1806, a bill to rescind the fee required for the use of public recreation areas at lakes and reservoirs under the jurisdiction of the Army Corps of Engineers, and for other purposes.

S. 1830

At the request of Mrs. FEINSTEIN, the name of the Senator from Alaska [Mr. STEVENS] was added as a cosponsor of S. 1830, a bill to authorize funding for the small business defense conversion program of the Small Business Administration, and for other purposes.

S. 1836

At the request of Mr. DOLE, the names of the Senator from Hawaii [Mr. INOUYE] and the Senator from Wisconsin [Mr. KOHL] were added as cosponsors of S. 1836, a bill for the relief of John Mitchell.

S. 1852

At the request of Mr. KENNEDY, the names of the Senator from Michigan [Mr. RIEGLE], the Senator from California [Mrs. BOXER], the Senator from Vermont [Mr. LEAHY], the Senator from Ohio [Mr. GLENN], the Senator from West Virginia [Mr. ROCKEFELLER], and the Senator from Michigan [Mr. LEVIN] were added as cosponsors of S. 1852, a bill to amend the Head Start Act to extend authorizations of appropriations for programs under that act, to strengthen provisions designed to provide quality assurance and improvement, to provide for orderly and appropriate expansion of such programs, and for other purposes.

S. 1955

At the request of Mr. LOTT, the name of the Senator from Texas [Mr. GRAMM] was added as a cosponsor of S. 1955, a bill to amend the Congressional Budget and Impoundment Control Act of 1974 to reform the budget process, and for other purposes.

S. 1974

At the request of Mr. ROCKEFELLER, the name of the Senator from Colorado [Mr. CAMPBELL] was added as a cosponsor of S. 1974, a bill to authorize the Secretary of Veterans Affairs to conduct pilot programs in order to evaluate the feasibility of the participation of the Department of Veterans Affairs health care system in the health care systems of States that have enacted health care reform.

S. 1979

At the request of Mrs. MURRAY, the name of the Senator from Ohio [Mr. METZENBAUM] was added as a cosponsor of S. 1979, a bill to require employers to post, and to provide to employees individually, information relating to sexual harassment that violates title VII of the Civil Rights Act of 1964, and for other purposes.

S. 2006

At the request of Mr. DOLE, the name of the Senator from Mississippi [Mr. LOTT] was added as a cosponsor of S. 2006, a bill to require Federal agencies to prepare private property taking impact analyses, and for other purposes.

SENATE JOINT RESOLUTION 146

At the request of Mr. WOFFORD, the names of the Senator from Colorado [Mr. BROWN], the Senator from Tennessee [Mr. SASSER], the Senator from Arizona [Mr. DECONCINI], the Senator from South Carolina [Mr. THURMOND], the Senator from Massachusetts [Mr. KERRY], and the Senator from Louisiana [Mr. JOHNSTON] were added as cosponsors of Senate Joint Resolution 146, a joint resolution designating May 1, 1994, through May 7, 1994, as "National Walking Week."

SENATE JOINT RESOLUTION 158

At the request of Mr. WOFFORD, the name of the Senator from Alabama [Mr. HEFLIN] was added as a cosponsor of Senate Joint Resolution 158, a joint resolution to designate both the month of August 1994 and the month of August 1995 as "National Slovak American Heritage Month."

SENATE JOINT RESOLUTION 176

At the request of Mr. PRYOR, the names of the Senator from Ohio [Mr. GLENN] and the Senator from Michigan [Mr. RIEGLE] were added as cosponsors of Senate Joint Resolution 176, a joint resolution to designate the month of May 1994 as "Older Americans Month."

SENATE CONCURRENT RESOLUTION 55

At the request of Mr. LIEBERMAN, the names of the Senator from Colorado [Mr. BROWN], the Senator from New York [Mr. D'AMATO], and the Senator from Washington [Mr. GORTON] were added as cosponsors of Senate Concurrent Resolution 55, a concurrent resolution expressing the sense of the Congress with respect to Taiwan's membership in the United Nations and other international organizations.

SENATE CONCURRENT RESOLUTION 61

At the request of Mr. WOFFORD, the name of the Senator from California [Mrs. BOXER] was added as a cosponsor of Senate Concurrent Resolution 61, a concurrent resolution expressing the sense of the Congress in support of the President's actions to reduce the trade imbalance with Japan.

NOTICES OF HEARINGS

SPECIAL COMMITTEE ON AGING

Mr. PRYOR. Mr. President, I would like to announce for the public that the Special Committee on Aging has scheduled a hearing entitled, "Health Care Reform: The Long-Term Care Factor" to examine the importance of long-term Care as a component of national health care reform.

The hearing will take place on Tuesday, April 12, 1994, beginning at 9:30 a.m. in room 216 of the Hart Senate Office Building in Washington, DC.

For further information please contact Theresa Forster, staff director at (202) 224-5364.

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. LEAHY. Mr. President, I would like to announce that the Senate Committee on Agriculture, Nutrition, and Forestry will hold a hearing on the oversight of the disaster assistance programs. The hearing will be held on Wednesday, April 13, 1994 at 10 a.m. in SR-332.

For further information, please contact Christine Sarcone at 224-2035.

COMMITTEE ON INDIAN AFFAIRS

Mr. INOUYE. Mr. President, I would like to announce that the Senate Committee on Indian Affairs will be holding a markup on Wednesday, April 13, 1994, beginning at 9:30 a.m., in 485 Russell Senate Office Building on S. 1216, Crow Settlement Act; S. 1526, Fish and Wildlife Resources Management; S. 720, Indian Lands Open Dump Clean-Up Act; S. 1066, a bill to provide Federal recognition for the Pokagan Band of Potawatomi Indians; S. 1357, a bill to provide Federal recognition for Little Traverse Bay Band of Odawa Indians and the Little River Band of Ottawa Indians; H.R. 734, act to provide for the extension of certain Federal benefits, services and assistance to the Pascua Yaqui Indians of Arizona; and for other purposes, to be followed immediately by an oversight hearing on the Presi-

dent's fiscal year 1995 budget request for the Bureau of Indian Affairs.

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

COMMITTEE ON SMALL BUSINESS

Mr. BUMPERS. Mr. President, I would like to announce that the Small Business Committee will hold a full committee hearing on interstate sales tax collection. The hearing will be held on Wednesday, April 13, 1994, at 2 p.m., in room 428A of the Russell Senate Office Building. For further information, please call Stan Fendley, tax counsel for the Small Business Committee at 224-5175.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. JOHNSTON. Mr. President, I would like to announce for my colleagues and the public that a hearing has been scheduled before the Committee on Energy and Natural Resources.

The purpose of the hearing is to receive testimony on the recent failure of a natural gas pipeline in New Jersey and current policies regarding pipeline rights of way in congested urban areas.

The hearing will take place on Tuesday, April 19, 1994, as 9:30 a.m. in room SD-366 of the Dirksen Senate Office Building, First and C Streets, NE., Washington, DC.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the printed hearing record should send their comments to the Committee on Energy and Natural Resources, U.S. Senate, Washington, DC 20510, Attention: Patricia Temple.

For further information, please contact Patricia Temple of the committee staff at (202) 224-4756.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. JOHNSTON. Mr. President, I would like to announce that a hearing has been scheduled before the Committee on Energy and Natural Resources.

The hearing will take place on Wednesday, April 20, 1994, beginning at 9:30 a.m. in room SD-366 of the Dirksen Senate Office Building in Washington, DC.

The purpose of the hearing is to receive testimony on the Department of the Interior's proposed rule to amend the Department's regulations concerning livestock grazing. Secretary Babbitt has been invited to testify at this hearing. Additionally, the Secretary has been asked to comment on two other grazing-related measures pending before the committee: S. 1326, a bill to establish a forage fee formula on lands under the jurisdiction of the Department of Agriculture and the Department of the Interior, and S. 896, a bill to amend the Federal Land Policy and Management Act of 1976 to promote ecologically healthy and biologically diverse ecosystems on rangelands used for domestic livestock grazing.

For further information regarding the hearing, please contact Tom Williams of the committee staff at (202) 224-7145.

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. LEAHY. Mr. President, I would like to announce that the Senate Committee on Agriculture, Nutrition, and Forestry will hold a hearing on the GATT Agreement. The hearing will be held on Wednesday, April 20, 1994 at 10 a.m. in SD-562. Secretary Espy and Ambassador Kantor will testify.

For further information, please contact Pat Westhoff at 224-5207.

COMMITTEE ON INDIAN AFFAIRS

Mr. INOUYE. Mr. President, I would like to announce that the Senate Committee on Indian Affairs will be holding an oversight hearing on Wednesday, April 20, 1994, beginning at 9:30 a.m., in 485 Russell Senate Office Building on the regulation of gaming.

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

SUBCOMMITTEE ON PUBLIC LANDS, NATIONAL PARKS AND FORESTS

Mr. BUMPERS. Mr. President, I would like to announce that a hearing has been scheduled before the Subcommittee on Public Lands, National Parks and Forests.

The hearing will take place on Thursday, April 21, 1994, beginning at 2:30 p.m. in room SD-366 of the Dirksen Senate Office Building in Washington, DC.

The purpose of the hearing is to receive testimony on the following bills pending before the subcommittee:

S. 1509, to transfer a parcel of land to the Taos Pueblo Indians of New Mexico;

S. 1897, the Santa Fe National Forest Boundary Adjustment Act of 1994;

S. 1975 and H.R. 2921, to establish a grant program to restore and preserve historic buildings at historically black colleges and universities, and for other purposes;

S. 1980, the Cane River Creole National Historical Park and National Heritage Area Act; and

S. 1919, the Rio Puerco Watershed Act of 1994.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, anyone wishing to submit a written statement is welcome to do so by sending two copies to the Committee on Energy and Natural Resources, 304 Dirksen Senate Office Building, Washington, DC 20510.

For further information regarding the hearing, please contact Kira Finkle of the subcommittee staff at (202) 224-7933.

SUBCOMMITTEE ON AGRICULTURAL RESEARCH, CONSERVATION, FORESTRY AND GENERAL LEGISLATION

Mr. LEAHY. Mr. President, I would like to announce that the Senate Committee on Agriculture, Nutrition, and Forestry Subcommittee on Agricultural Research, Conservation, Forestry and General Legislation will hold a hearing on new management directives for the U.S. Forest Service. The hearing will be held on Thursday, April 21, 1994 at 2:30 p.m. in SD-628.

For further information, please contact Maureen O'Brien at 224-2321.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON LABOR AND HUMAN RESOURCES

Mrs. FEINSTEIN. Mr. President, I ask unanimous consent that the Committee on Labor and Human Resources' Subcommittee on Aging be authorized to meet for a hearing on long-term care, during the session on the Senate on April 11, 1994, at 10 a.m.

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

ADDITIONAL STATEMENTS

FRIENDS AWARE PROGRAM OF CUMBERLAND COUNTY

• Mr. SARBANES. Mr. President, I rise today to pay tribute to the Friends Aware Program of Cumberland County, an organization that for 40 years has been dedicated to promoting the worth and dignity of its community's mentally retarded citizens.

Cumberland—Friends Aware Industries [FAI] has been providing training, employment, and residential services to individuals with developmental disabilities since 1954. FAI uses the unique approach of selecting mentally retarded trainees from the Developmental Disabilities Administration, teaching them viable work skills, and then affording each individual client an employment opportunity which best suits his or her talents and abilities. By providing a wide range of local employers with specialized, enthusiastic personnel assistance, Friends Aware has changed the public's attitude about persons with mental retardation, while instilling in each of its workers a newfound sense of pride, responsibility, and self-esteem.

Because of the dedicated commitment by its founders, employees and clients, Friends Aware Industries has grown steadily and substantially in recent years and presently holds contracts with over 60 businesses in the Cumberland County area. To date, FAI has over 100 nondisabled staff members and 108 mentally disabled clients.

Mr. President, I would like to commend everyone involved in Friends Aware's extraordinary efforts over the past 40 years including John and Margaret Long, who have dedicated untold hours to the organization. Service programs like this one, which allow each member of the community to contribute his or her own special talents, are

essential to the diversification of our work force. Friends Aware has ensured that diligent, eager persons with varying skill levels will be integrated into their community's daily work routine as contributing, hard-working citizens, regardless of their developmental disabilities.●

NOTICE OF DETERMINATION BY THE SELECT COMMITTEE ON ETHICS UNDER RULE 35, PARAGRAPH 4, REGARDING EDUCATIONAL TRAVEL

● Mr. BRYAN. Mr. President, it is required by paragraph 4 of rule 35 that I place in the CONGRESSIONAL RECORD notices of Senate employees who participate in programs, the principal objective of which is educational, sponsored by a foreign government or a foreign educational or charitable organization involving travel to a foreign country paid for by that foreign government or organization.

The select committee received notification under rule 35 for Corine Larson, a member of the staff of Senator BENNETT, to participate in a program in Taiwan sponsored by the Tamkang University from March 28 through April 4, 1994.

The committee determined that no Federal statute or Senate rule would prohibit participation by Ms. Larson in this program.

The select committee received notification under rule 35 for William Triplett, a member of the staff of Senator BENNETT, to participate in a program in Taiwan sponsored by the Tamkang University from March 26–31, 1994.

The committee determined that no Federal statute or Senate rule would prohibit participation by Mr. Triplett in this program.

The select committee received notification under rule 35 for Richard Cresanti, a member of the staff of Senator BENNETT, to participate in a program in China sponsored by the Chinese People's Institute for Foreign Affairs, from March 28 through April 8, 1994.

The committee determined that no Federal statute or Senate rule would prohibit participation by Mr. Cresanti in this program.

The select committee received notification under rule 35 for Jennifer Rhodes, a staff member of the Senate Small Business Committee for Senator BUMPERS, to participate in a program in Korea sponsored by the A-san Foundation from March 26 through April 2, 1994.

The committee determined that no Federal statute or Senate rule would prohibit participation by Ms. Rhodes in this program.

The select committee received notification under rule 35 for Patrick A. Rogers, a member of the staff of Senator CHAFEE, to participate in a program in Taiwan sponsored by the Tamkang University from March 29 through April 4, 1994.

The committee determined that no Federal statute or Senate rule would prohibit participation by Mr. Rogers in this program.

The select committee received notification under rule 35 for Thomas Mahr, a member of the staff of Senator CONRAD, to participate in a program in Hong Kong and southern China sponsored by the Hong Kong Chamber of Commerce from March 27 through April 3, 1994.

The committee determined that no Federal statute or Senate rule would prohibit participation by Mr. Mahr in this program.

The select committee received notification under rule 35 for Roberta Schorr, a member of the staff of Senator DECONCINI, to participate in a program in Peru sponsored by the Catholic University of Peru from February 16–20, 1994.

The committee determined that no Federal statute or Senate rule would prohibit participation by Ms. Schorr in this program.

The select committee received notification under rule 35 for Christopher McLean, a member of the staff of Senator EXON, to participate in a program in Japan sponsored by the Japanese Ministry of Foreign Affairs from March 28 through April 5, 1994.

The committee determined that no Federal statute or Senate rule would prohibit participation by Mr. McLean in this program.

The select committee received notification under rule 35 for Sam Spina, a member of the staff of Senator GORTON, to participate in a program in Japan sponsored by the Japanese Ministry of Foreign Affairs from March 28 through April 6, 1994.

The committee determined that no Federal statute or Senate rule would prohibit participation by Mr. Spina in this program.

The select committee received notification under rule 35 for Vasiliki Alexopoulos, a member of the staff of Senator GREGG, to participate in a program in Korea sponsored by the A-san Foundation from March 26 through April 2, 1994.

The committee determined that no Federal statute or Senate rule would prohibit participation by Mr. Alexopoulos in this program.

The select committee received notification under rule 35 for Matthew Lane, a member of the staff of Senator GREGG, to participate in a program in Taiwan sponsored by the Soochow University from April 2–9, 1994.

The committee determined that no Federal statute or Senate rule would prohibit participation by Mr. Lane in this program.

The select committee received notification under rule 35 for Martha Austin, a member of the staff of Senator GREGG, to participate in a program in Hong Kong and Southern China sponsored by the Hong Kong Chamber of Commerce from March 27 through April 3, 1994.

The committee determined that no Federal statute or Senate rule would prohibit participation by Ms. Austin in this program.

The select committee received notification under rule 35 for Brett Francis, a member of the staff of Senator HATCH, to participate in a program in Taiwan sponsored by Tamkang University, from March 28 through April 4, 1994.

The committee determined that no Federal statute or Senate rule would prohibit participation by Mr. Francis in this program.

The select committee received notification under rule 35 for Mary Irace, a member of the staff of Representative OBEY, to participate in a program in Hong Kong sponsored by the Hong Kong Chamber of Commerce from March 27 through April 3, 1994.

The committee determined that no Federal statute or Senate rule would prohibit participation by Ms. Irace in this program.

The select committee received notification under rule 35 for Cheryl Bruner, a member of the staff of Senator ROCKEFELLER, to participate in a program in Hong Kong and Southern China sponsored by the Hong Kong Chamber of Commerce from March 27 through April 4, 1994.

The committee determined that no Federal statute or Senate rule would prohibit participation by Ms. Bruner in this program.

The select committee received notification under rule 35 for Alex Flint, a member of the staff of Senator DOMENICI, to participate in a program in England and France sponsored by the British Nuclear Fuels from April 4–9, 1994.

The committee determined that no Federal statute or Senate rule would prohibit participation by Alex Flint in this program.

The select committee received notification under rule 35 for Deanna Tanner Okun, a member of the staff of Senator MURKOWSKI, to participate in a program in Hong Kong and China sponsored by the Hong Kong Chamber of Commerce from March 27 through April 3, 1994.

The committee determined that no Federal statute or Senate rule would prohibit participation by Ms. Okun in this program.

The select committee received notification under rule 35 for Peter Cleveland, a member of the staff of Senator ROBB, to participate in a program in Hong Kong and China sponsored by the Hong Kong Chamber of Commerce from March 26 through April 3, 1994.

The committee determined that no Federal statute or Senate rule would

prohibit participation by Mr. Cleveland in this program.

The select committee received notification under rule 35 for Matthew Prince, a member of the staff of Senator JOHNSTON, to participate in a program in Taiwan sponsored by the Soochow University from April 2–9, 1994.

The committee determined that no Federal statute or Senate rule would prohibit participation by Mr. Prince in this program.●

THE TERRAPINS' GREAT SEASON

● Mr. SARBANES. Mr. President, I rise today to congratulate the men's basketball team from the University of Maryland on their outstanding 1993–94 season.

These talented, young collegians worked hard all year long to accomplish what only a few thought possible. A gutsy and tenacious team, they inspired many fans en route to winning 18 games and a spot in the NCAA basketball tournament's Sweet 16.

Maryland started a group of freshman and sophomores, including the winner of the National Freshman of the Year Award, center Joe Smith. Prognosticators labeled the Terrapins a seventh or eighth place team in the nine-team Atlantic Coast Conference, but the players knew better and, by season's end, had raced to the fourth best record in the ACC. They consistently challenged the premiere teams in the country and were frequently ranked in the top 25. Once in the NCAA tournament, the team raised its level of play another notch and demonstrated real talent and team spirit in an opening round win against St. Louis and again in a convincing upset over Massachusetts. Their final game was against an experienced Michigan team. In this matchup, the Terps trailed most of the night, and seemed on the verge of defeat, midway through the second half, they began one of their characteristic rallies. The team showed resilience and determination during this impressive comeback and fell just short of advancing to the next round.

The Maryland basketball program is one with a proud and winning tradition, and the success of this year's team is reminiscent of the great Maryland teams that have competed at Cole Field House in the past. Just mention the names of a few former Maryland Terrapin stars, such greats as Tom McMillen, John Lucas, and Len Elmore come to mind, and fans quickly conjure up images of many classic college basketball games.

At the same time, this season also signified the end of a frustrating and painful period for Maryland. The proud basketball program was sent reeling with the death of Len Bias in 1986 and further torn apart after NCAA sanctions were imposed for violations under their former coach. Faced with penalties that kept the team off live television for a year and left them ineligible for the NCAA tournament for 2 years, the Maryland basketball program was in chaos. The guidance of an effective leader was needed to restore the program to its past greatness. The university looked to former player Gary Williams to fill this role.

Since returning to his alma mater in 1989, Coach Williams has responded well to this challenge and deserves much praise for his efforts. He has overcome recruiting difficulties and low morale to bring Maryland basketball back to its winning ways. The coach and his team also face a bright future after reaching the Sweet 16 this year with no seniors and only one junior among the top nine players. But today, on behalf of all Maryland fans, I congratulate the Maryland Terrapins for this year's significant accomplishments.●

DROP THE CHOP! INDIAN NICKNAMES JUST AREN'T RIGHT

● Mr. SIMON. Mr. President, no native American journalist has made a greater impact on the Nation than Tim Giago, whose newspaper has chronicled what is happening in the American Indian community.

One of the last vestiges of racism in the United States is our use of Indian nicknames for athletic teams.

There is a great deal of subtle and not so subtle racism in the United States, but nothing else as blatant as that.

For that reason, some years ago I took a stand in opposition to the American Indians as athletic mascots by the University of Illinois. It is not the most popular stand I have ever taken, I can assure you.

But recently, Tim Giago, had an item in the New York Times explaining why we should discontinue this practice.

I ask to insert his article at the end of my remarks. Let me, at the same time, commend our colleague, Senator BEN NIGHTHORSE CAMPBELL, for his efforts in this field. I am pleased to cosponsor his legislation regarding the use of Redskins for the Washington professional football team.

One of these days, I hope we will mature to the point that we will discontinue this offensive practice.

The article follows:

DROP THE CHOP! INDIAN NICKNAMES JUST AREN'T RIGHT

(By Tim Giago)

The radio and television personality Larry King once wrote: "The best way to measure a team's nickname is to ask yourself: 'Would you name it that if it were just starting out?' In other words, would you call a team the Redskins or the Redmen? Hardly. So change it now—only because it's right."

In fact, some teams are changing their nicknames, including two prominent teams making news in this month of basketball frenzy—St. John's (Redmen) and Marquette (Warriors). Both are in the process of changing nicknames, and presumably mascots. Nevertheless, long after March Madness had ended, the nation will still be watching the Indians, the Braves, the Chiefs and the Redskins.

Is this right?

Those of us who have ventured into the turbulent waters of questioning the use of American Indians as mascots for America's fun and games have discovered hell hath no fury like that of a fanatic sports fan. When I wrote an article for Newsweek magazine the week of the Super Bowl held in Minneapolis featuring the Washington Redskins, the editor chose the unfortunate headline, "I hope the Redskins lose." The intent of the column was to educate white and black America to the way Indians feel about being used as mascots.

NOT THE SAME THING

In the aftermath, I received some of the worst hate letters I have ever received. The mildest insult was that I was trying to be politically correct. No! I was trying to be racially correct, and there's a big difference.

"It's a tradition" or "it's honoring us" are no longer valid arguments. Comparisons to the use of Steelers, Cowboys or Packers as good reasons to use Indians as mascots insults our intelligence. Steelers, Cowboys and Packers are not an ethnic minority.

The biggest argument is: What about the Minnesota Vikings or the Irish of Notre Dame? When is the last time you saw a genuine Viking? They are historical references that no longer exist. Indians do. The Irish were named from within by the early Irish priests and bishops. Although Notre Dame is a Catholic university, you do not see students using the Pope as a mascot nor do you see the fans in the stands attempting to imitate the worst characteristics of the Irish.

"Redskins" is a word that should remind every American there was a time in our history when America paid bounties for human beings. There was a going rate for the scalps or hides of Indian men, women and children. These "redskins" trophies could be sold to most frontier trading posts. Along with coon skins, beaver skins and bear skins, the selling of "redskins" was also profitable.

On a recent radio talk show, I spoke with a young lady who had been a cheerleader for a team called the "Indians." She said, "When I put on my feathers and war paint, donned my buckskins and beads, I felt I was honoring Indians." I asked her, "If your team was called the African-Americans and you painted your face black, put on an Afro wig and donned a dashiki and then danced around singing songs and making noises you thought to be African, would you be honoring blacks?" Her answer was "No! Of course not! That would be insulting to them." End of discussion.

Go to a Kansas City Chiefs football game or to an Atlanta Braves baseball game and watch the fans instead of the game. You will see everything Indians hold sacred insulted. The tomahawk chops mean "kill them." The smirking faces painted in Dayglo colors tell us that our spiritual application of paint is fair game for sports fans. The turkey feathers protruding from their heads insult another spiritual practice of most Plains Indians. The eagle feather is sacred. It is given to the recipient in a religious ceremony, usually to honor, to thank, or to bless.

Suppose the New Orleans Saints used real saints as mascots, or used the crucifix to do the "chop," or wore colorful religious attire in the stands? Suppose Kansas City changed

its name to the Kansas City Jews, Kansas City Blackskins or Kansas City Latinos? This simply would not happen, you say? Then, why is it all right to use American Indians as mascots and to insult our way of life and our religion in the process?

There are those who realize that Indians are politically and numerically weak, and they try to help. The Portland Oregonian will not allow words considered to be racist, such as Redskin, to be used in the newspaper. The Minneapolis Star Tribune recently dropped the use of all Indian nicknames. A couple of radio stations, including one in Washington, will not use words they consider to be racially insulting on the air. A number of high schools and colleges have dropped mascots that insulted Indians.

As American Indians find the formats to air their grievances realistically and intelligently, a number of white and black Americans are listening. They are allowing us to present our viewpoint. They are seeing things through our eyes.

Even when they hear the other tired arguments that Indians have more important things to worry about or that there are some Indians who don't mind, they have come to understand that the vast majority of Indians do take exception to being used as mascots. Two hundred years of tradition does not make using Indians as mascots right.

How does one measure self-respect and self-esteem? When Rosa Parks refused to move to the back of the bus, did it help the black economy or solve all of their problems? No. But it gave blacks a small victory in restoring self-respect and self-esteem.

LOST TO ASSIMILATION

Simply put, Indians are human beings, not mascots.

The media will always find those Indians who don't mind being mascots. Most of them have been totally assimilated into the mainstream. They have lost their language, culture and traditions. In other words, they have become Americanized. They are in dire need of learning about their traditional values and we are attempting to educate them.

With more news people lending their voices to continued Indian efforts to be heard, we believe the battle will be won. Perhaps we will never educate the Jack Kent Cookes or the Ted Turners, but we will take the small victories as they come.

As Larry King said, ". . . only because it's right."•

THE 95TH BIRTHDAY OF THE U.S. COAST GUARD

• Mr. SARBANES. Mr. President, I rise today to pay tribute to the U.S. Coast Guard Shipyard at Curtis Bay and the World War II veterans and civilians who built and served on the Coast Guard cutters, *Mendota* and *Pontchartrain*, two of the largest cutters ever built in the Curtis Bay Yard.

On Monday, April 25, 1994, the U.S. Coast Guard Yard will celebrate its 95th birthday along with the 50th Anniversary of the launching of the *Mendota* and the *Pontchartrain*. I would like to take this opportunity to honor the home front civilian craftsmen who built these great vessels and the original Coast Guard crew members who guided the cutters during the Second World War.

The home front and industrial production theme of this special event will be a first of its kind World War II commemoration in the United States. This event will honor civilians who served in the war effort on the homefront, alongside our brave men and women who served in uniform. This will be a well deserved tribute to the contribution of the shipbuilders at Curtis Bay and our World War II Coast Guard veterans.•

PARKER CITY, IN, 100 YEARS OLD

• Mr. LUGAR. Mr. President, I am pleased to announce that Parker City, IN, will celebrate its 100th anniversary of incorporation on July 13–16, 1994. Many activities are planned for the 4 day celebration, including a parade on July 16, 1994.

Parker City, formerly known as Morristown, was originally established in November 1851. Located in Randolph County, Parker City is situated in the central-eastern part of Indiana. In 1852 the first passenger train went through the town. The Methodist church was built in 1872, although a congregation had been in existence since 1851. In 1892, the first natural gas well was drilled, playing a large role in the development of the town.

Eventually, in 1891 the name was changed to Parker because there was another Morristown in Indiana. Finally, Parker was incorporated as a town in 1894. Officially, Parker became Parker City in 1975, because that was the name used by the railroad.

Parker City has many things to be proud of including its churches, factory, fire department, service organizations, homes, and places of business. But most of all it can boast about its Hoosier hospitality. With a population of approximately 1,200, the city provides a friendly atmosphere to visitors and newcomers.

I ask my colleagues to join me in saluting Parker City and its citizenry on this happy occasion.•

MEASURE INDEFINITELY POSTPONED—S. 1535

Mrs. FEINSTEIN. Mr. President, I ask unanimous consent that Calendar Order No. 362, S. 1535, be indefinitely postponed.

The PRESIDING OFFICER. Is there objection? Hearing none, it is so ordered.

ORDERS FOR TOMORROW

Mrs. FEINSTEIN. Mr. President, on behalf of the majority leader, I ask unanimous consent that when the Senate completes its business today, it stand in recess until 10 a.m., Tuesday, April 12; 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 the cloture vote be vitiated; that, at 10 a.m., the Senate proceed to the consideration of Calendar Order No. 248, S. 21, the California Desert Protection Act of 1993; and that on Tuesday, April 12, 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.

RECESS UNTIL TOMORROW AT 10 A.M.

Mrs. FEINSTEIN. Mr. President, if there is no further business to come before the Senate today, and if no other Senator is seeking recognition, I now ask unanimous consent that the Senate stand in recess as previously ordered.

There being no objection, the Senate, at 5:36 p.m., recessed until Tuesday, April 12, 1994, at 10 a.m..

NOMINATIONS

Executive nominations received by the Senate on April 11, 1994:

DEPARTMENT OF STATE

CAROL JONES CARMODY, OF LOUISIANA, FOR THE RANK OF MINISTER DURING HER TENURE OF SERVICE AS REPRESENTATIVE OF THE UNITED STATES OF AMERICA ON THE COUNCIL OF THE INTERNATIONAL CIVIL AVIATION ORGANIZATION.

PETER R. CHAVEAS, OF PENNSYLVANIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF MALAWI.

MYLES ROBERT RENE FRECHETTE, OF MARYLAND, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF COLOMBIA.

DONNA JEAN HRINAK, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE DOMINICAN REPUBLIC.

JOSEPH EDWARD LAKE, OF TEXAS, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICAN TO THE REPUBLIC OF ALBANIA.

JOHNNY YOUNG, OF PENNSYLVANIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICAN TO THE REPUBLIC OF TOGO.

NATIONAL COUNCIL ON DISABILITY

BONNIE O'DAY, OF MASSACHUSETTS, TO BE A MEMBER OF THE NATIONAL COUNCIL ON DISABILITY FOR A TERM EXPIRING SEPTEMBER 17, 1995, VICE GEORGE H. OBERLE, JR., TERM EXPIRED.

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

LEO J. O'DONOVAN, OF THE DISTRICT OF COLUMBIA, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE ARTS FOR A TERM EXPIRING SEPTEMBER 3, 1998, VICE DAVID N. BAKER, TERM EXPIRED.

JUDITH O. RUBIN, OF NEW YORK, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE ARTS FOR A TERM EXPIRING SEPTEMBER 3, 1998, VICE SALLY BRAYLEY BLISS, TERM EXPIRED.

SUPERIOR COURT OF THE DISTRICT OF COLUMBIA

RHONDA REID WINSTON, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSOCIATE JUDGE OF THE SUPERIOR COURT OF THE DISTRICT OF COLUMBIA FOR A TERM OF 15 YEARS, VICE PETER HENRY WOLF, TERM EXPIRED.

IN THE COAST GUARD

THE FOLLOWING-NAMED OFFICER OF THE U.S. COAST GUARD FOR PERMANENT APPOINTMENT AS A LIEUTENANT COMMANDER TO THE PERMANENT COMMISSIONED TEACHING STAFF AT THE COAST GUARD ACADEMY:

STEPHEN E. FLYNN

THE FOLLOWING-NAMED OFFICER OF THE U.S. COAST GUARD FOR PERMANENT COMMISSION IN THE GRADE OF LIEUTENANT IN THE REGULAR COAST GUARD:

MARYANN P. SMID

IN THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

SUBJECT TO QUALIFICATIONS PROVIDED BY LAW, THE FOLLOWING FOR PERMANENT APPOINTMENT TO THE GRADES INDICATED IN THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION.

To be captain

STEPHEN H. MANZO
GEORGE W. JAMERSON
PATRICK L. WEHLING, JR.
ROBERT K. NORRIS
GERALD W. STANLEY
ALAN D. ANDERSON
CHRISTOPHER B. LAWRENCE
HAROLD B. ARNOLD
FRANK B. ARBUSTO, JR.
RICHARD W. PERMENTER
RICHARD P. FLOYD
THEODORE C. KAISER
JON M. BARNHILL
DONALD D. WINTER
DIRK R. TAYLOR
KURT X. GORES
ANDREW A. ARMSTRONG III
PAMELA R. CHELGREN-KOTERBA
TERRY M. LAYDON
EDWARD B. CHRISTMAN
DENNIS J. SIGRIST
THOMAS L. MEYER
ROBERT J. PAWLOWSKI
DOUGLAS G. HENNICK
DAVID C. MCCONAGHY

To be commander

VIRGINIA E. NEWELL
ERIC S. DAVIS
ROGER L. PARSONS
DONALD R. RICE
WARREN T. DEWHURST
CHARLES D. MASON
MICHAEL R. JOHNSON
GERALD E. WHEATON
PATRICK J. RUTTEN
DAVID H. MINKEL
SUSAN J. LUDWIG
GARY M. BARONE
LEWIS D. CONSIGLIERI
CHARLES B. GREENAWALT
JOHN T. MOAKLEY
JOHN D. WILDER
JOHN F. NOVARO
NEAL G. MILLETT
MICHAEL E. HENDERSON
MARK P. KOEHN
NICHOLAS E. PERUGINI
JOHN C. BORTNIAK
CHARLES B. GROSS
BRIAN P. HAYDEN
DEREK C. SUTTON
JOHN C. CLARY III
MILES M. CROOM
LEEANNE ROBERTS
JOHN W. BLACKWELL
MARK S. FINKE
ROBERT X. MCCANN, JR.
TIMOTHY D. RULON
SAMUEL P. DE BOW, JR.
JAMES M. HERKELRATH
MICHAEL K. MALLETTE
ELIZABETH A. WHITE
BRUCE F. HILLARD
PETER M. CONNORS
V. DALE ROSS

To be lieutenant commander

STEPHEN A. KOZAK
JOHN T. LAMKIN
RAY T. HUDDLESTON, JR.
ILENE BYRON
RICHARD B. KOEHLER
JAMES E. WADDELL, JR.
THOMAS G. CALLAHAN
STEVEN A. THOMPSON
WILLIAM E. SITES
DANIEL E. CLEMENTS
GEORGE A. GALASSO
NANCY L. CREWS
KENNETH W. BARTON
JOHN W. HUMPHREY, JR.
MARK P. ABLONDI
DUANE A. TIMMONS
JOHN E. LOWELL, JR.
DAVID M. MATTENS
TIMOTHY J. CLANCY
DAVID W. MOELLER
GREGG LAMONTAGNE
LEE M. COHEN
MARK H. PICKETT
PHILIP R. KENNEDY
CHRISTOPHER A. MEBANE
SCOTT E. KUESTER
DAVID A. COLE
THOMAS A. NIICHEL
MICHAEL B. BROWN
EMILY BEARD
MICHAEL S. ABBOTT
WADE J. BLAKE
TODD C. STILES
BRIAN K. TAGGART
MICHAEL S. GALLAGHER
MARY T. FORAN
ROBERT W. POSTON
KRISTIE L. MILLER
PAUL L. SCHATTGEN
DANA S. WILKES
TIMOTHY C. O'MARA
EUGENE A. RICE
DAVID S. SAVAGE
STEVEN P. LABOSSIERE
JOHN M. STEGER
THOMAS R. WADDINGTON
ANDREW L. BEAVER
EDWARD R. CASSANO
JASON H. MADDOX
ALLISON J. VEISHLOW
MICHELE G. BULLOCK
DAVID K. ZIMMERMAN
GERD F. GLANG
RAYMOND C. SLAGLE
BRENT M. BERNARD
CHRISTOPHER S. MOORE
STACY L. BIRK-RISHEIM
ANGELA M. DOUGHERTY

To be lieutenant

WILTIE A. CRESWELL III
MATTHEW H. PICKETT
CHRISTOPHER A. BEAVERSON
BRIAN J. LAKE
CARL R. GROENEVELD
GUY T. NOLL
JOSEPH S. MCDOWELL
ROBERT S. PAPE
JAMES R. MEIGS
DAVID O. NEANDER
WESLEY G. KITT
JOE A. INTERMILL III
DOUGLAS R. SCHLEIGER
TODD L. BERGGREN
THOMAS E. STRONG
KEVIN N. HARBISON
RICHARD A. FLETCHER
MICHAEL S. DEVANY
JACK G. CLAYTON
CHERYL L. CALLAHAN
JULIA N. NEANDER
JEFFREY K. BROWN
SCOTT S. STOLZ
MARK W. HULSBECK
ANDREA M. HRUSOVSKY-KLEIN
ERIC P. NELSON
TORSTEN DUFFY
BARBARA E. SCHLEIGER
TIMOTHY C. TREMBLEY
DONALD W. HAINES
TAMARA J. STANLEY
JAMES A. BUNN II
CHRISTIAN MEINIG
MATTHEW P. EAGLETON
DALE H. TYSOR
TIMOTHY S. HALSEY
PETER C. STAUFFER
FRANCIS W. NOWADLY
JULIE A. ROUTT
JAMES D. RATHBUN

To be lieutenant (junior grade)

DAVID K. SIMMONS
STEVEN A. LEMKE
DOUGLAS G. LOGAN
CHRISTOPHER J. WARD
MICHAEL J. HOSHLYK
DENISE J. GRUCCIO
RALPH R. ROGERS
MICHELE A. FINN
MATTHEW J. WINGATE
CYNTHIA M. RUHSAM
PHILIP A. GRUCCIO
MARK P. MORAN
BARRY K. CHOY
MICHAEL D. FRANCISCO
KIMBERLY R. CLEARY
PAMELA K. HAINES
WILBUR R. RADFORD, JR.

To be ensign

MICHAEL WILLAMSON
WENDY S. HOWELL
JOHN K. LONGENECKER
RICHARD T. BRENNAN
MICHELE E. MCCLURE
GEORGE J. KONOVAL
NEIL D. WESTON
JACK L. RILEY
JASON J. MORENZ
MICHAEL L. HOPKINS
JENNIFER A. YOUNG
DEDE L. PITTS
DAVID M. BERNHART
DANIEL S. MORRIS, JR.
WILLIAM T. COBB III
THOMAS A. GANSHEIMER
JOSEPH A. PICA
GREGORY G. GLOVER
KEITH W. ROBERTS
MICHAEL P. 3ORACCO
NAN O. SILVERMAN
JOHN D. GRAHAM
MARK L. STIFELMAN
KENNETH A. PAVELLE
SUZANNE M. RUSSELL
JONATHAN G. WENDLAND
ALEXANDRA R. VON SAUNDER
APRIL R. CARON
JOHN T. CASKEY
SYMEON S. COLOVOS
CECILE R. DANIELS
PHILIP G. HALL
TODD A. HAUPT
GREGORY B. JOHNSON
HARRY S. KINDLE III
LAWRENCE T. KREPP
THOMAS E. MARTIN
JASON C. MASTERS
BRIAN W. PARKER
SCOTT M. SHAULIS
RANDAL S. STOCKING
JON D. SWALLOW
TERIANN WHITINGTON
STEPHEN R. WILLIAMS
PAUL R. WISNIEWSKI
MICHELLE P. ZIPPERER
MONICA J. DANIELS
CHRISTOPHER A. KOCH
TODD A. BRIDGEMAN
MARK A. WETZLER
NATHAN L. HILL
ROBERT A. KAMPHAUS
JONATHON A. MANN
ALAYNE DONLON
ADAM D. DUNBAR
STACY M. MAENNER
ERIC W. ORT
SHEPARD M. SMITH
EDWARD J. VAN DEN AMEELE
DEBORA R. BARR
ERIC W. BERKOWITZ
LAWRENCE P. CHICCHELLY, JR.

IN THE AIR FORCE

THE FOLLOWING-NAMED OFFICER FOR APPOINTMENT TO THE GRADE OF LIEUTENANT GENERAL ON THE RETIRED LIST PURSUANT TO THE PROVISIONS TO TITLE 10, UNITED STATES CODE, SECTION 1370:

To be lieutenant general

LT. GEN. MICHAEL A. NELSON, [redacted] U.S. AIR FORCE

THE FOLLOWING-NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE OF MAJOR GENERAL UNDER THE PROVISIONS OF TITLE 10, UNITED STATES CODE, SECTION 624:

To be major general

BRIG. GEN. CHARLES H. ROADMAN II [redacted] REGULAR AIR FORCE

THE FOLLOWING-NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE, TO THE GRADE INDICATED, UNDER THE PROVISIONS OF SECTIONS 593, 8218, 8351, AND 8374, TITLE 10, UNITED STATES CODE:

To be brigadier general

COL. WILLIAM M. GUY, [redacted] AIR NATIONAL GUARD OF THE UNITED STATES

THE FOLLOWING-NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE, TO THE GRADE INDICATED, UNDER THE PROVISIONS OF SECTIONS 593, 8351, AND 8374, TITLE 10, UNITED STATES CODE:

To be brigadier general

COL. PAUL A. WEAVER, JR. [redacted] AIR NATIONAL GUARD OF THE UNITED STATES

THE FOLLOWING-NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE OF BRIGADIER GENERAL UNDER THE PROVISIONS OF TITLE 10, UNITED STATES CODE, SECTION 624:

To be brigadier general

COL. MICHAEL K. WYRICK, [redacted] REGULAR AIR FORCE

IN THE ARMY

THE FOLLOWING-NAMED OFFICER TO BE PLACED ON THE RETIRED LIST IN THE GRADE INDICATED UNDER THE PROVISIONS OF TITLE 10, UNITED STATES CODE, SECTION 1370:

To be lieutenant general

LT. GEN. ALONZO E. SHORT, JR. [redacted] U.S. ARMY

THE FOLLOWING-NAMED OFFICER TO BE PLACED ON THE RETIRED LIST IN THE GRADE INDICATED UNDER THE PROVISIONS OF TITLE 10, UNITED STATES CODE, SECTION 1370:

To be lieutenant general

LT. GEN. SAMUEL N. WAKEFIELD [redacted] U.S. ARMY

IN THE NAVY

THE FOLLOWING-NAMED OFFICER TO BE PLACED ON THE RETIRED LIST IN THE GRADE INDICATED UNDER THE PROVISIONS OF TITLE 10, UNITED STATES CODE, SECTION 1370:

To be vice admiral

VICE ADM. JERRY L. UNRUH [redacted] U.S. NAVY

IN THE AIR FORCE

THE FOLLOWING-NAMED OFFICER FOR PERMANENT PROMOTION IN THE U.S. AIR FORCE, UNDER THE PROVISIONS OF SECTION 628, TITLE 10, UNITED STATES CODE, AS AMENDED, WITH DATE OF RANK TO BE DETERMINED BY THE SECRETARY OF THE AIR FORCE, WITH A VIEW TO DESIGNATION UNDER THE PROVISIONS OF SECTION 8067, TITLE 10, UNITED STATES CODE, TO PERFORM THE DUTIES INDICATED PROVIDED THAT IN NO CASE SHALL THE OFFICER BE APPOINTED IN A GRADE HIGHER THAN INDICATED.

MEDICAL CORPS

To be major

CATHY J. SCHOORENS, [redacted]

IN THE AIR FORCE

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR PROMOTION IN THE RESERVE OF THE AIR FORCE UNDER THE PROVISIONS OF SECTION 593 AND 8379, TITLE 10 OF THE UNITED STATES CODE. PROMOTIONS MADE UNDER SECTION 8379 AND CONFIRMED BY THE SENATE UNDER SECTION 593 SHALL BEAR AN EFFECTIVE DATE ESTABLISHED IN ACCORDANCE WITH SECTION 8374, TITLE 10 OF THE UNITED STATES CODE.

LINE OF THE AIR FORCE

To be lieutenant colonel

MAJ. ROBERT A. BAKER [redacted], 8 JAN 94
MAJ. BARTHOLOMEW G. HILL [redacted], 4 FEB 94
MAJ. TERRY L. BUTLER [redacted], 25 JAN 94
MAJ. DONALD E. FICK [redacted], 25 JAN 94
MAJ. TONY O. FLORES, III [redacted], 9 JAN 94
MAJ. JAMES F. HOLLER [redacted], 19 JAN 94
MAJ. MARTIN G. KLEIN [redacted], 17 DEC 93
MAJ. THOMAS M. MCCOWN [redacted], 25 JAN 94
MAJ. ROGER L. NYE [redacted], 4 JAN 94
MAJ. DOUGLAS J. PETERSON [redacted], 9 JAN 94
MAJ. BENJAMIN J. SPRAGGINS [redacted], 8 JAN 94
MAJ. LAWRENCE A. THOMAS [redacted], 13 JAN 94

JUDGE ADVOCATE GENERALS DEPARTMENT

MAJ. MARCIA BACHMAN [redacted], 8 JAN 94
MAJ. STEPHEN J. DUNN [redacted], 9 JAN 94
MAJ. FRANCIS A. TURLEY [redacted], 19 JAN 94

MEDICAL CORPS

MAJ. JAY D. JOHNSON [redacted], 8 JAN 94
MAJ. JOHN R. OLENYN [redacted], 14 AUG 93

NURSE CORPS

MAJ. SHEREE M. ETTER [redacted], 8 JAN 94

DENTAL CORPS

MAJ. BRADLEY M. KASSON [redacted], 8 JAN 94

IN THE AIR FORCE

THE FOLLOWING-NAMED OFFICERS FOR PROMOTION TO THE GRADE INDICATED IN THE RESERVE OF THE AIR FORCE, UNDER THE PROVISIONS OF SECTION 307, TITLE 32, UNITED STATES CODE, AND SECTIONS 8363 AND 593, TITLE 10, UNITED STATES CODE.

LINE OF THE AIR FORCE

To be colonel

CHARLES E. AMOS [redacted]
PEDRO J. APONTE, [redacted]
WILLIAM G. BADER [redacted]
BARRY W. BEARD [redacted]
WILLIAM M. CAMPENNI [redacted]
FERDINAND J. CHABOT [redacted]
JAMES A. CONING [redacted]
JAMES E. CUNNINGHAM [redacted]
PATRICIA L. DOLEZAL [redacted]
STEVEN R. DOOHEN [redacted]
GEORGE O. EDWARDS [redacted]
EDWIN W. FISHER [redacted]
JAMES C. FOREMAN [redacted]
WILLIAM B. FOULOIS [redacted]
JOSE L. FOURNIER [redacted]
FRANCIS A. GALLELA [redacted]
WILLIAM H. HALL [redacted]
MICHAEL L. HARDEN [redacted]
DONALD J. HENGESH [redacted]
DOUGLAS E. HENNEMAN [redacted]
JAMES M. HERRON [redacted]
JAN C. HOFFMASTER [redacted]
GERALD J. JULIAN [redacted]
PETER W. KELLY [redacted]
STEPHEN F. KRAMARICH [redacted]
EARL T. KUHN, JR. [redacted]
DONALD J. KUNZWEILER [redacted]
JOSEPH F. LADRIGAN, JR. [redacted]
TERRENCE W. LAZAR [redacted]
JOHN A. LOVE [redacted]
WILLIAM J. LUTZ [redacted]
HERMAN W. MCALLESTER, JR. [redacted]
EDWARD B. MCCABE, JR. [redacted]
ELMER E. MCVAY [redacted]
JOHN W. NEWMAN [redacted]
STEVEN T. OKA [redacted]
JOHN H. OLDFIELD, JR. [redacted]
JAMES C. PERKINSON [redacted]
JOHN L. POTTS [redacted]
JOHN L. POWERS [redacted]
STANLEY L. PRUETT [redacted]
BRENT J. RICHARDSON [redacted]
MARY D. RIELLEY [redacted]
ANTHONY H. SCHEULLER [redacted]
JOHN C. SCHNELL [redacted]

STEPHEN L. SCHWAB xxx-xx-...
CONRAD L. SLATER xxx-xx-...
ALLEN J. SMITH xxx-xx-...
BENTON M. SMITH xxx-xx-...
ROBERT C. STACK xxx-xx-...
EDWARD N. STEVENS xxx-xx-...
EDWARD K. THODE, JR. xxx-xx-...
MERLE S. THOMAS xxx-xx-...
DAVID L. THOMPSON xxx-xx-...
JUDY L. TROYER xxx-xx-...
GEORGE T. TUTTI xxx-xx-...
DOMENIC S. VACCA xxx-xx-...
RICHARD P. WENGER xxx-xx-...
CHARLES J. WOLF xxx-xx-...

DENTAL CORPS

To be colonel

EDWARD H. GREENE II xxx-xx-...
RONALD S. TOURIGNY xxx-xx-...
KENNETH D. TRICINELLA xxx-xx-...

JUDGE ADVOCATE

To be colonel

JANET S. BELL xxx-xx-...
JOHN T. FLYNN xxx-xx-...
LAWRANCE L. PAULSON xxx-xx-...
JAMES E. WILSON xxx-xx-...

MEDICAL CORPS

To be colonel

DANIEL E. COLEMAN xxx-xx-...
SONYA M. JOHNS xxx-xx-...
JAMES E. JONES, JR. xxx-xx-...
CAROLYN G. NEWTON xxx-xx-...
CALVIN A. SCHULER xxx-xx-...

NURSE CORPS

To be colonel

MARJORIE S. PAULSON xxx-xx-...

IN THE AIR FORCE

THE FOLLOWING-NAMED OFFICERS FOR PROMOTION TO THE GRADE INDICATED IN THE RESERVE OF THE AIR FORCE, UNDER THE PROVISIONS OF SECTION 307, TITLE 32, UNITED STATES CODE, AND SECTIONS 8363 AND 593, TITLE 10, UNITED STATES CODE.

LINE OF THE AIR FORCE

To be colonel

JACK S. ARNOLD xxx-xx-...
JOHN D. BALLARD xxx-xx-...
JAMES R. BARTELMA xxx-xx-...
SIMEON D. BATEMAN III xxx-xx-...
ROBERT D. BEASLEY xxx-xx-...
JOHN D. BIDELMAN xxx-xx-...
DICK BURNEY xxx-xx-...
MYRON B. CARPENTER, JR. xxx-xx-...
KENNETH R. CLARK xxx-xx-...
DONALD H. CLOBES xxx-xx-...
DANNY J. COKER xxx-xx-...
JAMES B. CRAWFORD III xxx-xx-...
MICHAEL A. CUSHMAN xxx-xx-...
JAMES H. DAVIS xxx-xx-...
JOHN A. DENNIS, JR. xxx-xx-...
RONALD D. DURKES xxx-xx-...
MALCOLM C. EMERICK xxx-xx-...
PASCHAL A. ENGLISH, JR. xxx-xx-...
CARL C. FIRKINS xxx-xx-...
GARFIELD J. FRICKE xxx-xx-...
HENRY C. FRISBY xxx-xx-...
MICHAEL R. GAAN xxx-xx-...
STEVEN L. GILBERTSON xxx-xx-...
MICHAEL L. GREEN xxx-xx-...
WILLIAM D. GREENE xxx-xx-...
ROBERT H. HARMON xxx-xx-...
JOHN P. HUGHES xxx-xx-...
DANIEL JAMES III xxx-xx-...
EDWARD R. JAYNE II xxx-xx-...
CHARLES J. JOHNSON, JR. xxx-xx-...
ROBERT L. KAY xxx-xx-...
GEORGE M. KELLY xxx-xx-...
GLEN A. KNABLE xxx-xx-...
RICHARD C. KOWALSKI xxx-xx-...
DUANE L. KRATZ xxx-xx-...
FRANK E. LANDIS, JR. xxx-xx-...
JAMES P. LANE xxx-xx-...
RICHARD H. LEAVY xxx-xx-...
CARMEN J. LEONELLI xxx-xx-...
ALBERT E. LERBERG III xxx-xx-...
THOMAS J. LIEN xxx-xx-...
RICHARD O. LILLIE xxx-xx-...
JAMES D. LINDSEY xxx-xx-...
THOMAS P. MAGUIRE, JR. xxx-xx-...
CLARK W. MARTIN xxx-xx-...
JAMES W. MCKINNEY xxx-xx-...
STANLEY E. MEHRHOFF xxx-xx-...
JEFFREY A. METIUS xxx-xx-...
THOMAS R. MORGAN, JR. xxx-xx-...
GIRARD F. NARDONE III xxx-xx-...
WILLIAM E. NESBIT xxx-xx-...
THOMAS J. OBRIEN xxx-xx-...
LARRY D. PACE xxx-xx-...
ALAN L. PAIGE xxx-xx-...
JOHN S. PAYNE xxx-xx-...
WALLACE F. PICKARD, JR. xxx-xx-...
DARRELL W. PREECE xxx-xx-...
ROBERT H. PURPLE xxx-xx-...
CURRAN A. ROBINSON xxx-xx-...
LYNN K. ROBINSON xxx-xx-...
ROBERT D. RODEKOHR xxx-xx-...
JOAQUIN J. ROVIRA xxx-xx-...
THERON J. ROYER xxx-xx-...
RONALD W. RUBIN xxx-xx-...
JAMES P. RYAN xxx-xx-...
JOHN S. SANSOM xxx-xx-...
JOHN K. SCOTT xxx-xx-...
KERRY L. SHARP xxx-xx-...
DOUGLAS C. SHELTON, JR. xxx-xx-...
VINCENT J. SHIBAN xxx-xx-...
JAMES M. SKIFF xxx-xx-...
ROBERT J. SPERMO xxx-xx-...
RICHARD F. SUTHERLAND xxx-xx-...
LLOYD B. SYDNEY xxx-xx-...
REX W. TANBERG, JR. xxx-xx-...
WALTER T. THILLY xxx-xx-...
JULIUS J. THURN xxx-xx-...
LARRY T. TRIPP xxx-xx-...
RONALD A. TURNER xxx-xx-...
CHARLES H. VAUGHN xxx-xx-...
MANUEL A. WALLACE xxx-xx-...
VAN P. WILLIAMS, JR. xxx-xx-...

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To be colonel

FRANK A. MITOLO xxx-xx-...
DAVID F. SHOELL xxx-xx-...

DENTAL CORPS

To be colonel

BUFORD O. GILBERT, JR. xxx-xx-...
STEPHEN C. GLADWIN III xxx-xx-...

JUDGE ADVOCATE

To be colonel

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LYMAN L. FRICK, JR. xxx-xx-...
THEODORE C. JARVI xxx-xx-...
JAMES W. PEACO, JR. xxx-xx-x...
JOSEPH F. SPEELMAN xxx-xx-...
SIDNEY E. WURZBURG xxx-xx-...

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WAYNE C. COLE xxx-xx-...
RICHARD F. DIETRICK xxx-xx-...
ROBERT M. GALLAGHER xxx-xx-...
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